

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED:
ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., CYNTHIA EVETTE BROWN	:	VIOLATIONS:
	:	18 U.S.C. § 371 (conspiracy to commit loan and wire fraud - 1 count)
	:	18 U.S.C. § 1010 (false statement in connection with FHA loan - 2 counts)
	:	18 U.S.C. § 1014 (loan fraud - 16 counts)
	:	18 U.S.C. § 1028A(a)(1) (aggravated identity theft - 1 count)
	:	18 U.S.C. §§ 1343, 1349 (wire fraud - 4 counts)
	:	26 U.S.C. § 7201 (tax evasion – 5 counts)
	:	26 U.S.C. § 7206(1) (filing a false tax return - 5 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR. created a real estate settlement company, REGGL Inc. d/b/a KREW Settlement Services (“KREW”), which had its office in Philadelphia, Pennsylvania. REGGL Inc. was incorporated in Pennsylvania in or about July 2006. “KREW” is an acronym for the first names of these four defendants, and was registered in Pennsylvania as a fictitious name in or about July 2007.

2. Defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR. operated a second

real estate settlement company, Briser Abstract Company (“Briser Abstract”), out of KREW's office in Philadelphia, Pennsylvania. Briser Abstract was incorporated by defendant ERIC SIJOHN BROWN in Pennsylvania in or about August 2007 and generally operated under the KREW name.

3. Prior to creating KREW and Briser Abstract, defendant KEVIN JOSEPH FRANKLIN worked as a title agent at 21st Century Abstract Company in Philadelphia, Pennsylvania, and PA/NJ Abstract, Inc. in Holmes and Folsom, Pennsylvania,. After creating KREW and Briser Abstract, defendant FRANKLIN served as the title agent at and oversaw the day-to-day operations of both companies. Defendant FRANKLIN was one of three owners of RKM Real Estate Developers, LLC (“RKM”), which was established as a Pennsylvania Limited Liability Company in or about February 2006.

4. Defendant ERIC SIJOHN BROWN held himself out as a contractor who renovated residences primarily in Philadelphia, Pennsylvania. Defendant ERIC SIJOHN BROWN had a joint bank account with defendant RODERICK L. FOXWORTH, SR., at National Penn Bank in Wynnewood, Pennsylvania.

5. Defendant RODERICK L. FOXWORTH, SR., held himself out as a mortgage broker and property manager. Defendant FOXWORTH also owned and operated Foxworth, Inc., through which he and defendant WALTER ALSTON BROWN, JR. brokered loan applications. Foxworth Inc. was incorporated by defendant FOXWORTH in Pennsylvania in or about 1998, with defendant FOXWORTH listed as the president.

6. Defendant WALTER ALSTON BROWN, JR., the cousin of defendants ERIC SIJOHN BROWN and CYNTHIA EVETTE BROWN, worked as a loan officer at First Horizon Home Loan Corporation in Richmond, Virginia, and Carteret Mortgage Corporation in

Woodbridge, Virginia. Defendant WALTER ALSTON BROWN, JR. brokered loans for and on behalf of defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR.

Defendant WALTER ALSTON BROWN, JR. also owned, along with his wife, II Boys LLC (“II Boys”), an office cleaning business, which was established as a Virginia Limited Liability Company in or about December 2006. Defendant WALTER ALSTON BROWN, JR. also a bank account at National Penn Bank in Wynnewood, Pennsylvania, which he opened as an individual account on or about November 13, 2006 and changed to a joint account with defendant ERIC SIJOHN BROWN on or about March 22, 2007.

7. Defendant CYNTHIA EVETTE BROWN, the sister of defendant ERIC SIJOHN BROWN, was employed at Unicco Service Company.

8. Francine Shanique Cross, charged elsewhere, was a realtor and real estate appraiser operating in Philadelphia, Pennsylvania, and the owner of the Financial & Real Estate Network.

9. Dontaya S. Devore, charged elsewhere, was employed as a teller at the Wynnewood, Pennsylvania, branch of National Penn Bank. Devore had a bank account at Sovereign Bank, over which defendant ERIC SIJOHN BROWN had access and control.

10. Willie G. Manley, Jr., charged elsewhere, worked as a self-employed accountant at a tax preparation service.

11. Eric Ponder, charged elsewhere, held himself out as a real estate developer and the president of Ponder Development Inc., a Philadelphia company providing home improvement services.

12. John William Polosky, charged elsewhere, was a mortgage broker employed by at First Capital Home Equity, LLC, in Pittsburgh, Pennsylvania. Polosky’s duties

as a mortgage broker included preparing loan applications and submitting them, along with supporting documentation, to potential lenders to secure loans and mortgages.

13. Rashika J. Moon, charged elsewhere, was associated with KREW and had authority to sign checks for and access KREW's bank accounts.

14. Gregory Christopher Thornton, charged elsewhere, is the nephew of defendants ERIC SIJOHN BROWN and CYNTHIA EVETTE BROWN. Thornton, along with defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., purchased, owned, and operated two bars in the West Philadelphia section of Philadelphia, Pennsylvania under the "Pleasures" name: "Pleasures I," located at 6216 Woodland Avenue; and "Pleasures II," located at 5840 Master Street. In addition, defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR. together owned a third "Pleasures" bar in the West Philadelphia section of the city – "Pleasures III" – located at 2154 Ridge Avenue.

15. Mark Murphy, charged elsewhere, is a childhood friend of defendant ERIC SIJOHN BROWN who allowed defendant ERIC SIJOHN BROWN to use his identity to purchase real estate and fraudulently-obtain mortgage loans in return for a share of the loan proceeds and the expectation of profit from either the management or a subsequent sale of the property.

16. The following companies were in the business of providing mortgage loans and did business in interstate commerce:

- a. First Horizon Home Loan Corporation (a subsidiary of First Tennessee Bank);
- b. HSBC Mortgage Corp. (a subsidiary of HSBC Bank USA)
- c. Equifirst Mortgage Corporation;

- d. BNC Mortgage Inc.;
- e. Fremont Investment and Loan;
- f. Saxon Mortgage, Inc.;
- g. The CIT Group;
- h. Homecomings Financial, LLC;
- i. New Century Mortgage Corporation; and
- j. MNET Mortgage Corporation.

17. The following banks did business in interstate commerce and were financial institution whose deposits were insured by the Federal Deposit Insurance Corporation (“FDIC”):

- a. National Penn Bank, FDIC Certificate Number 7414;
- b. Sovereign Bank; FDIC Certificate Number 29950;
- c. PNC Bank, FDIC Certificate Number 6384;
- d. Bank of America, FDIC Certificate Number 3510;
- e. Washington Mutual Bank, FDIC Certificate Number 32633;
- f. Wells Fargo Bank, FDIC Certificate Number 3511;
- g. Advance Bank, FDIC Certificate Number 31372;
- h. JPMorgan Chase Bank, FDIC Certificate Number 628;
- i. Countrywide Bank, FDIC Certificate Number 33143;
- j. Bank of New York, FDIC Certificate Number 639;
- k. First Tennessee Bank, FDIC Certificate Number 4977;
- l. HSBC Bank USA, FDIC Certificate Number 57890;
- m. Citizens Bank, FDIC Certificate Number 57282;

- n. BankUnited, FDIC Certificate Number 32247;
- o. Deutsche Bank Trust Company, FDIC Certificate Number 623;

and

- p. Chase Bank USA, FDIC Certificate Number 23702.

18. The Federal Housing Administration (“FHA”) is a Department within the U.S. Department of Housing and Urban Development (“HUD”) and provides mortgage insurance on loans made by FHA-approved lenders throughout the United States and its territories. FHA mortgage insurance provides lenders with protection against losses as the result of homeowners' defaulting on their mortgage loans. The lenders bear less risk because FHA will reimburse the lenders in the event of a homeowner's default.

19. FHA has requirements that must be met before FHA will insure a loan from an FHA-approved lender. One of those requirements is the property must be owner-occupied. FHA requires a borrower to establish bona fide occupancy in a home as the borrower's principal residence within 60 days of signing the security instrument, with continued occupancy for at least one year. FHA will not insure a mortgage if it is determined that the transaction was designed to use FHA mortgage insurance as a vehicle for obtaining investment properties. The following lenders were FHA-approved:

- a. PNC Mortgage, LLC (a subsidiary of PNC Bank);
- b. Wells Fargo Bank;
- c. Atlantic Home Loans Inc;
- d. Bank of America;
- e. AAKO Inc;
- f. RBS Citizens;

- g. Sutherland Mortgage Services Inc;
- h. Flagstar Bank; and
- i. Sovereign Bank National Association.

THE CONSPIRACY

20. From in or about May 2004, to in or about December 2009, in the Eastern District of Pennsylvania, the Eastern District of Virginia, the District of New Jersey, and elsewhere, defendants

**ERIC SIJOHN BROWN,
KEVIN JOSEPH FRANKLIN,
RODERICK L. FOXWORTH, SR.,
WALTER ALSTON BROWN, JR.,
and
CYNTHIA EVETTE BROWN**

conspired and agreed together and with Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr., Eric Ponder, John William Polosky, Gregory Christopher Thornton, Mark Murphy, and Dontaya S. Devore, and others known and unknown to the grand jury, to knowingly make and cause to be made to federally-insured banks a false statement for the purpose of influencing the actions of the federally-insured banks upon a loan and to knowingly devise a scheme to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and to use interstate wires to further the scheme to defraud mortgage lenders and financial institutions, in violation of Title 18, United States Code, Sections 1014, 1343, and 1349.

MANNER AND MEANS

It was part of the conspiracy that:

21. Defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA

EVETTE BROWN, co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Eric Ponder, John William Polosky, Gregory Christopher Thornton, Mark Murphy, and Dontaya S. Devore, and others known and unknown to the grand jury, assembled and submitted loan applications containing false information to lenders to dupe the lenders into loaning funds to purchase real properties within the Eastern District of Pennsylvania, the Eastern District of Virginia, the District of New Jersey, and elsewhere.

22. Defendant ERIC SIJOHN BROWN, co-conspirator Eric Ponder, and others known and unknown to the grand jury, typically sought out distressed properties to purchase in the West Philadelphia area, or high-end homes in the Philadelphia area. Sometimes, the defendants would reside in the properties purchased. Usually, however, the properties were left vacant. Some properties were purchased in the names of defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., and CYNTHIA EVETTE BROWN, co-conspirators Rashika J. Moon, Eric Ponder, Gregory Christopher Thornton, Mark Murphy, and Dontaya S. Devore, or others known to the grand jury. Other times, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., co-conspirator Eric Ponder and Gregory Christopher Thornton, and others, recruited persons to act as “straw buyers” – persons whose credit history and personal information was used to purchase the properties, obtain mortgage loans, and take title to the properties, while in reality the properties were de-facto owned and controlled by the defendants.

23. In order to secure the mortgage loans for the properties, defendants WALTER ALSTON BROWN, JR., and RODERICK L. FOXWORTH, SR., co-conspirator John William Polosky, and others known and unknown to the grand jury, prepared and brokered fraudulent loan applications for defendant ERIC SIJOHN BROWN, co-conspirator Eric Ponder,

and others known and unknown to the grand jury, that they knew contained materially false information. Defendants WALTER ALSTON BROWN, JR., and FOXWORTH, co-conspirator Polosky, and others known and unknown to the grand jury typically submitted these fraudulent loan applications and supporting documentation in interstate commerce via facsimile to lenders, including FDIC-insured banks and FHA-approved lenders for acceptance as FHA-insured loans.

24. The fraudulent mortgage loan application and supporting documents the defendants and their co-conspirators submitted or caused to be submitted to lenders typically contained one or more of the following false representations, which tricked lenders into approving mortgage loans they otherwise would not have funded:

- a. A fictitious buyer with qualifying credit history who in reality was a straw buyer unconnected to the property;
- b. A false representation that a straw buyer intended to use the home as a primary residence;
- c. A falsely-inflated purchase price;
- d. A falsely-inflated appraisal showing the property for sale as being much more valuable than it actually was;
- e. Fictitious employment information backed up by false employment verification and false paystubs;
- f. Falsely-inflated income backed up by fake W-2 Forms, paystubs, and Form 1040 income tax returns;
- g. False rental income backed up by phony leases;
- h. Other false claims backed up by fake documents, such as bogus gift letters, bank deposit documents showing falsely-inflated cash holdings by the straw

buyer, fake title insurance policies, and other false papers.

25. Defendant CYNTHIA EVETTE BROWN falsely represented to lenders calling to verify the employment listed by the straw buyers on the loan applications that numerous straw buyers worked at Unicco Service Company, when in reality they did not.

26. Co-conspirator Francine Shanique Cross worked as a real estate appraiser and prepared falsely-inflated appraisals for many of the properties that were the subjects of the fraudulent loan applications submitted by the defendants, thereby overstating the actual values of the cheap homes being bought, which were provided to the lenders and upon which the lenders relied when approving the mortgage loan applications.

27. Co-conspirator Willie G. Manley, Jr. created false income documents such as W-2 Forms, paystubs, and Form 1040 federal income tax returns at the direction of defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., which were provided to the lenders and upon which the lenders relied when approving the mortgage loan applications. Often, the false W-2 Forms and paystubs listed false employment and false income with Unicco Service Company, Foxworth, Inc., or REGGL Inc.

28. Starting in or about October 2007, defendant KEVIN JOSEPH FRANKLIN began creating fake title insurance policies and falsely informed lenders that the title insurance policies were genuine and had been obtained for the properties.

29. Defendant KEVIN JOSEPH FRANKLIN, who served as title agent for most of the transactions, sometimes prepared two deeds and settlement statements (referred to as "Form HUD-1") – one for the seller that showed the actual agreed-upon purchase price and a false one for the lender that showed the grossly inflated purchase price. Defendant FRANKLIN sometimes recorded the false deed showing the grossly inflated purchase price with the City of

Philadelphia Records Department, which the defendants could then use to establish comparable sales for subsequent loans for properties in the surrounding area.

30. Lenders, including FDIC-insured banks, many of which were outside the state of Pennsylvania, approved and accepted the loans having relied on the false information contained in the loan applications and supporting documents provided by defendants WALTER ALSTON BROWN, JR., and RODERICK L. FOXWORTH, SR., co-conspirator John William Polosky, and other co-conspirators, and wired or mailed loan proceeds to title companies in Pennsylvania and Virginia, including title companies controlled by defendant FRANKLIN or at which defendant FRANKLIN worked.

31. Defendant ERIC SIJOHN BROWN and co-conspirator Eric Ponder created false invoices showing extensive home improvements on the properties that had never been done, in order to support payments to defendant BROWN and co-conspirator Ponder that were occasionally referenced on the Forms HUD-1.

32. After the loans funded, as to those transactions that involved a falsely-inflated sales price, the seller was paid the agreed-upon purchase price, and the difference between the actual purchase price and the false purchase price quoted to the lender was shared with and distributed by defendant KEVIN JOSEPH FRANKLIN to defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr., Eric Ponder, John William Polosky, Gregory Christopher Thornton, Mark Murphy, and Dontaya S. Devore, and other co-conspirators who had been involved in securing the particular loan. Defendant FRANKLIN typically covered up such payments by creating and submitting false Forms HUD-1 and other false documentation.

33. Defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr., Eric Ponder, John William Polosky, Gregory Christopher Thornton, Mark Murphy, and Dontaya S. Devore, and others known and unknown to the grand jury, also arranged and facilitated fraudulent sales of properties from one straw buyer to another straw buyer and fraudulent refinancing of properties. In addition, the defendants sometimes secured two different mortgages for the same property from two different lenders by simultaneously submitting separate fraudulent loan applications to the two different lenders, without informing either lender of the existence of the other application. As to these transactions, defendant KEVIN JOSEPH FRANKLIN typically distributed the entirety of the fraudulently-obtained loan proceeds to defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and to other co-conspirators who were involved in securing the particular loan.

34. Defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, deposited their share of the fraudulently-obtained loan proceeds into bank accounts over which they had access and control, including bank accounts in their own names, joint bank accounts, and business bank accounts. The defendants and their co-conspirators utilized the fraudulent loan proceeds to live lavish lifestyles, including taking frequent trips, making numerous gambling sojourns to Atlantic City, New Jersey, purchasing and making mortgage payments on luxury homes in which they lived, driving high-end luxury cars, purchasing additional real estate. In addition, defendants ERIC SIJOHN BROWN and

FOXWORTH, along with co-conspirator Gregory Christopher Thornton, utilized fraudulently-obtained loan proceeds to purchase, improve, and operate the three “Pleasures” bars in the West Philadelphia section of the city of Philadelphia.

35. In order to delay lenders from foreclosing on the properties long enough so the defendants could facilitate either a subsequent fraudulent sale of a property from one straw buyer to another straw buyer or a fraudulent refinancing of a property, defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, co-conspirators Rashika J. Moon, Eric Ponder, Gregory Christopher Thornton, and Mark Murphy, and other co-conspirators, would make some payments on the mortgages. Sometimes, the funds to pay the initial mortgage payments were provided by defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, FOXWORTH, and WALTER ALSTON BROWN, JR., and co-conspirator Eric Ponder, to the straw buyer in whose name the property was titled so that the lenders would not suspect that the mortgage had been secured by fraud.

36. The mortgage fraud scheme involved more than 100 real estate transactions, mostly concerning properties in the West Philadelphia area, and over \$20 million in loan proceeds fraudulently obtained. Most properties have since fallen into foreclosure.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr., Eric Ponder, John William Polosky, Mark Murphy, Gregory Christopher Thornton, and Dontaya S. Devore, and other co-

conspirators committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

I. 5732 WYNNEFIELD AVENUE, PHILADELPHIA, PA

1. On or about January 28, 2005, defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirator Francine Shanique Cross submitted and caused to be submitted to First Horizon Home Loan Corporation, a subsidiary of First Tennessee Bank, a mortgage loan application and supporting documents containing materially false statements that included, among other things, a falsely-inflated purchase price, overstated rental income for defendant CYNTHIA EVETTE BROWN, and false leases showing false monthly rental income for defendant CYNTHIA EVETTE BROWN.

2. On or about December 28, 2004, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 5732 Wynnefield Avenue that grossly overstated the actual value of 5732 Wynnefield Avenue.

3. On or about January 28, 2005, defendant RODERICK L. FOXWORTH, SR. signed the false Form HUD-1, purportedly on behalf of the seller of 5732 Wynnefield Avenue, that listed a falsely-inflated sales price.

4. On or about January 28, 2005, as a result of the fraudulent mortgage loan application and supporting documents, defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirator Francine Shanique Cross, caused First Horizon Home Loan Corporation to approve the mortgage application for 5732 Wynnefield Avenue, issue a loan in the amount of \$154,400, and send a \$150,569.39 check to the title company, Chase Abstract.

5. On or about February 14, 2005, unbeknownst to First Horizon Home Loan Corporation, defendant RODERICK L. FOXWORTH, SR. deposited approximately \$58,238.83 of the loan proceed into Foxworth, Inc.'s National Penn Bank account.

6. On or before December 7, 2009, co-conspirator Willie G. Manley, Jr. created false paystubs and a false 2008 Federal income tax return for defendant CYNTHIA EVETTE BROWN.

7. On or about December 7, 2009, defendant CYNTHIA EVETTE BROWN caused to be submitted to First Horizon Home Loan Corporation in interstate commerce a facsimile from Pennsylvania to Texas consisting of documents containing materially false statements, including false paystubs and a false 2008 Federal income tax return for defendant CYNTHIA EVETTE BROWN, in an effort to secure a loan modification for the mortgage on 5732 Wynnefield Avenue.

II. 5114 SPRINGFIELD AVENUE, PHILADELPHIA, PA

A. The March 17, 2005, Equifirst Mortgage Corporation Loan

8. On or before March 17, 2005, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., through D.M., a mortgage broker known to the grand jury, submitted and caused to be submitted to Equifirst Mortgage Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 5114 Springfield Avenue would be Moon's primary residence, a false statement that the purchase price was approximately \$265,000 (when in fact the actual purchase price was approximately \$95,000), a false statement that Moon was employed by Foxworth, Inc., earning approximately \$1,694 per month, false W-2s and paystubs

showing false income for Moon, a false real estate sales contract, and two false leases showing approximately \$1,850 per month in rental income on the property, when in fact the actual monthly rental income on the property was only approximately \$420.

9. On or before March 17, 2005, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred co-conspirator Rashika J. Moon's fraudulent mortgage loan application for 5114 Springfield Avenue to D.M.

10. On or about March 10, 2005, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., caused to be sent in interstate commerce a facsimile containing, among other things, two false leases showing approximately \$1,850 per month in rental income on 5114 Springfield Avenue.

11. On or before March 17, 2005, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Rashika J. Moon showing income that Moon had not earned.

12. On or about March 17, 2005, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for Equifirst Mortgage Corporation that showed the false purchase price to be \$265,000.

13. On or before March 17, 2005, defendant ERIC SIJOHN BROWN created false invoices showing charges for repairs that were never made to the property at 5114 Springfield Avenue and supplied those invoices to defendant KEVIN JOSEPH FRANKLIN in order to support a payment to him from part of the loan proceeds.

14. On or about March 17, 2005, as a result of the fraudulent mortgage loan

application and supporting documents, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR. and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., caused Equifirst Mortgage Corporation to approve the mortgage application for 5114 Springfield Avenue, issue a loan in the amount of \$238,500, and wire approximately \$241,693.86 in interstate commerce to a bank account in Pennsylvania utilized by PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

15. On or about March 17, 2005, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$54,000 to Foxworth, Inc.'s National Penn Bank account and approximately \$70,000 to defendant ERIC SIJOHN BROWN.

B. The December 29, 2006, BNC Mortgage Inc. Loan

16. On or before December 29, 2006, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Rashika J. Moon, Willie G. Manley, Jr., and John William Polosky, submitted and caused to be submitted to BNC Mortgage Inc. a refinancing mortgage loan application and supporting documents containing materially false statements that included, among other things, false W-2s and paystubs showing false income for Moon, and approximately 27 false leases showing that Moon was collecting large amounts of monthly rental income.

17. On or about December 29, 2006, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Rashika J. Moon, Willie G. Manley, Jr., and John William Polosky, caused BNC Mortgage Inc. to approve the mortgage application for 5114 Springfield Avenue, issue a loan in the amount of \$297,500, and send a \$296,323.48 check to PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

18. On or about December 29, 2006, unbeknownst to BNC Mortgage Inc., defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$30,121 to defendant ERIC SIJOHN BROWN, of which defendant ERIC SIJOHN BROWN deposited approximately \$2,500 into defendant WALTER ALSTON BROWN, JR.'s account ending in 0006 at National Penn Bank in Wynnewood, Pennsylvania.

C. The July 15, 2008, Wells Fargo Bank FHA-Insured Loan

19. On or before July 15, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr., and Dontaya S. Devore, through G.F., a mortgage broker known to the grand jury, submitted and caused to be submitted to Wells Fargo Bank an FHA mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 5114 Springfield Avenue would be sold by Moon to Devore, a false statement that the property would be Devore's primary residence, false employment and employment verification for Devore, and false W-2s, paystubs, and tax returns showing false income for Devore.

20. On or about May 13, 2008, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 5114 Springfield Avenue that grossly overstated the actual value of 5114 Springfield Avenue.

21. On or about June 23, 2008, defendant CYNTHIA EVETTE BROWN and co-conspirator Dontaya S. Devore signed a "gift letter" containing false statements both that Devore was defendant CYNTHIA EVETTE BROWN's "niece," and that defendant CYNTHIA

EVETTE BROWN was giving a gift of \$10,000 to Devore in time to close the mortgage transaction for 5114 Springfield Avenue. Immediately above their signatures the letter contained a warning that it is a violation of Title 18, United States Code, Section 1010, to make a false statement for the purpose of influencing HUD.

22. On or about June 24, 2008, co-conspirator Willie G. Manley, Jr. created false W-2s, paystubs, and tax returns for co-conspirator Dontaya S. Devore showing income that Devore had not earned.

23. On or about June 24, 2008, defendant WALTER ALSTON BROWN, JR., while working as a mortgage broker with Carteret Mortgage Corporation, caused to be sent a 60-page facsimile in interstate commerce from Carteret Mortgage Corporation in Virginia to G.F. at PNC Mortgage in Pennsylvania enclosing, among other things, a letter informing G.F. that co-conspirator Dontaya S. Devore's mortgage application for 5114 Springfield Avenue had been accepted by FHA, the false gift letter signed by defendant CYNTHIA EVETTE BROWN and Devore, and false income tax returns for Devore.

24. On or before July 15, 2008, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 5114 Springfield Avenue, which was submitted to Wells Fargo Bank (who had been assigned the loan by PNC Mortgage).

25. On or about July 15, 2008, co-conspirator Dontaya S. Devore signed an "Addendum to HUD-1 Settlement Statement" which indicated that the loan was an FHA-insured loan and on which Devore falsely certified that she would not be reimbursed for any of the cash downpayment or closing costs associated with the loan other than as shown in the sales contract and mortgage application.

26. On or about July 15, 2008, defendants ERIC SIJOHN BROWN, KEVIN

JOSEPH FRANKLIN, WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr., and Dontaya S. Devore, caused FHA to accept the loan for FHA insurance and caused Wells Fargo Bank to approve the mortgage application for 5114 Springfield Avenue, issue a loan in the amount of \$329,824, and wire approximately \$322,740.34 in interstate commerce from Iowa to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

27. On and after July 15, 2008, defendant KEVIN JOSEPH FRANKLIN failed to record Wells Fargo Bank's mortgage on 5114 Springfield Avenue with the City of Philadelphia Records Department and failed to repay BNC Mortgage Inc.'s existing mortgage on the property, as stated on the Form HUD-1 that was submitted to Wells Fargo Bank. Instead, defendant FRANKLIN retained the funds to distribute to himself and other co-conspirators.

28. On or about July 16, 2008, unbeknownst to Wells Fargo Bank, defendant KEVIN JOSEPH FRANKLIN disbursed approximately \$22,000 to himself and other funds to other co-conspirators known and unknown to the grand jury, including approximately \$23,200 to co-conspirator Dontaya S. Devore's Sovereign Bank account ending in 6483, over which defendant ERIC SIJOHN BROWN had access and control, approximately \$15,000 to co-conspirator Mark Murphy, and over \$241,000 to defendant ERIC SIJOHN BROWN, who in turn disbursed funds to defendant RODERICK L. FOXWORTH, SR. and co-conspirators Francine Shanique Cross, Rashika J. Moon, and Willie G. Manley, Jr.

29. On or about October 2, 2008 and on or about November 4, 2008, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for Wells Fargo Bank's mortgage on 5114 Springfield Avenue by electronic bill payment from

co-conspirator Dontaya S. Devore's Sovereign Bank account ending in 6483.

III. 4930 KINGSESSING AVENUE, PHILADELPHIA, PA

A. The June 29, 2005 First Horizon Home Loan Corporation Loan

30. On or before June 29, 2005, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., through D.M., a mortgage broker known to the grand jury, submitted and caused to be submitted to First Horizon Home Loan Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that Moon was the buyer of 4930 Kingsessing Avenue (when in fact the seller had agreed to sell the property to defendant ERIC SIJOHN BROWN), a false statement that Moon was employed by Foxworth, Inc., earning approximately \$1,694 per month, false W-2s and paystubs showing false income, a false statement that the purchase price was approximately \$280,000 (when in fact the actual purchase price was approximately \$100,000), a false real estate sales contract, and false leases showing \$3,150 in monthly rental income on the property.

31. On or before June 10, 2005, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred co-conspirator Rashika J. Moon's fraudulent mortgage loan application for 4930 Kingsessing Avenue to D.M.

32. On or before June 29, 2005, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Rashika J. Moon showing income that Moon had not earned.

33. On or before June 29, 2005, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the

agreed-upon purchase price and one for First Horizon Loan Corporation that showed the false purchase price to be \$280,000.

34. On or about June 29, 2005, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., caused First Horizon Home Loan Corporation to approve the mortgage application for 4930 Kingsessing Avenue, issue a loan in the amount of \$238,000, and wire approximately \$233,840.02 in interstate commerce First Tennessee Bank to a bank account in Pennsylvania utilized by PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

35. On or about June 29, 2005, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$109,155 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR.

B. The April 30, 2007, Bank of America Loan

36. On or before April 30, 2007, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr. and John William Polosky, using the identity of V.W., a straw borrower known to the grand jury, submitted and caused to be submitted to Bank of America a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 4930 Kingsessing Avenue would be sold by Moon to V.W., a false statement that the property would be V.W.'s primary residence, and false W-2s and paystubs showing false income for V.W.

37. On or before April 30, 2007, defendant ERIC SIJOHN BROWN created

false invoices showing charges for repairs that were never made to the property at 4930 Kingsessing Avenue and supplied those invoices to defendant KEVIN JOSEPH FRANKLIN in order to support a payment to him of part of the loan proceeds.

38. On or about April 30, 2007, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross, Rashika J. Moon, Willie G. Manley, Jr. and John William Polosky, caused Bank of America to approve the mortgage application for 4930 Kingsessing Avenue, issue a loan in the amount of \$355,000, and wire approximately \$354,039.32 in interstate commerce to a bank account in Delaware utilized by PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

39. On or about April 30, 2007, unbeknownst to Bank of America, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$46,843.28 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., from which approximately \$27,500 was paid to PA/NJ Abstract, Inc., which defendant FRANKLIN then applied towards the purchase of another property by defendant CYNTHIA EVETTE BROWN.

40. On or about July 31, 2007 and on or about August 31, 2007, defendant WALTER ALSTON BROWN, JR. made the monthly mortgage payments for Bank of America's mortgage on 4930 Kingsessing Avenue by writing checks from the National Penn Bank account he shared with defendant ERIC SIJOHN BROWN.

41. On approximately nine separate occasions between on or about December 3, 2007 and on or about October 1, 2008, defendant ERIC SIJOHN BROWN made the monthly mortgage payments for Bank of America's mortgage on 4930 Kingsessing Avenue by writing checks from the National Penn Bank account he shared with defendant RODERICK L.

FOXWORTH, SR.

C. The March 25, 2008, Washington Mutual Bank Loan

42. On or before March 25, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., John William Polosky, and Mark Murphy, submitted and caused to be submitted to Washington Mutual Bank a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 4930 Kingsessing Avenue would be sold by V.W. to Murphy, a false statement that the property would be Murphy's primary residence, false W-2s and paystubs showing false income for Murphy, and false leases showing false monthly rental income.

43. On or before March 25, 2008, co-conspirator Willie G. Manley, Jr. created false W-2s, paystubs, and tax return for co-conspirator Mark Murphy showing income that Murphy had not earned.

44. On or before March 25, 2008, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 4930 Kingsessing Avenue that grossly overstated the actual value of 4930 Kingsessing Avenue.

45. On or before March 25, 2008, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 4930 Kingsessing Avenue.

46. On or about March 25, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., John William Polosky, and Mark Murphy, caused Washington Mutual Bank to approve the mortgage

application for 4930 Kingsessing Avenue, issue a loan in the amount of \$324,000, and wire approximately \$319,064.63 in interstate commerce from California to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

47. On and after March 25, 2008, defendant KEVIN JOSEPH FRANKLIN failed to record Washington Mutual Bank's mortgage on 4930 Kingsessing Avenue with the City of Philadelphia Records Department and failed to repay Bank of America's existing mortgage on the property, as stated on the Form HUD-1 that was submitted to Washington Mutual Bank. Instead, defendant FRANKLIN retained the funds to distribute to himself and other co-conspirators.

48. On or about March 26, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR., and co-conspirator Mark Murphy, caused to be sent in interstate commerce a facsimile from KREW in Philadelphia to Washington Mutual Bank containing, among other things, an "Occupancy, Misrepresentation, and Non-Disclosure Affidavit and Agreement" that falsely stated, among other things, that Murphy would occupy 4930 Kingsessing Avenue within 60 days.

49. Between on or about March 26, 2008, and on or about April 3, 2008, unbeknownst to Washington Mutual Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$13,750 to RKM, a company owned by defendant FRANKLIN, approximately \$3,240 to Foxworth Inc., and at least \$244,253.01 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and FOXWORTH, from which further payments were made to defendants WALTER ALSTON BROWN, FRANKLIN, CYNTHIA EVETTE BROWN, and

co-conspirator Mark Murphy.

50. On or about June 3, 2008 and on or about July 29, 2008, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for Washington Mutual Bank's mortgage on 4930 Kingsessing Avenue from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

IV. 11 W. POMONA STREET, PHILADELPHIA, PA

51. On or about October 14, 2005, co-conspirator Francine Shanique Cross, acting as a real estate agent for T.H., a straw buyer known to the grand jury, negotiated for T.H. to purchase 11 W. Pomona Street, Philadelphia, PA, and signed a real estate sales contract pursuant to which the seller agreed to sell 11 W. Pomona Street to T.H. for approximately \$100,000.

52. On or about December 9, 2005, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, substituted another straw buyer, J.C., in place of T.H., to purchase 11 W. Pomona Street.

53. On or about December 15, 2005, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, using the identities of T.H. and J.C., straw borrowers known to the grand jury, submitted and caused to be submitted to Fremont Investment and Loan a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 11 W. Pomona Street would be J.C.'s primary residence, a false statement that the purchase price was approximately \$265,000 (when in fact the actual purchase price was approximately \$100,000), false W-2s and paystubs showing false

income for J.C., a false real estate sales contract, and false leases showing false monthly rental income.

54. On or about December 15, 2005, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for Fremont Investment and Loan that showed the false purchase price to be \$265,000.

55. On or about December 15, 2005, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, caused Fremont Investment and Loan to approve the mortgage application for 11 W. Pomona Street, issue a loan in the amount of \$225,250, and wire approximately \$226,626 in interstate commerce from California to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN worked as a title agent.

56. On or about December 15, 2005, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$55,000 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., from which further payments were made to defendant CYNTHIA EVETTE BROWN and other co-conspirators.

57. On approximately five separate occasions between on or about March 22, 2006 and on or about June 1, 2006, defendant ERIC SIJOHN BROWN made the monthly mortgage payments for Fremont Investment and Loan's mortgage on 11 W. Pomona Street by writing checks from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

V. 1142 S. 52ND STREET, PHILADELPHIA, PA

58. In or about January 2006, S.H., an individual known to the grand jury, approached R.R., an individual known to the grand jury who was the owner of both 1142 S. 52nd Street and 1140 S. 52nd Street in Philadelphia, Pennsylvania, and offered to buy 1142 S. 52nd Street. R.R. agreed to sell 1142 S. 52nd Street for \$100,000 and agreed further to provide 1140 S. 52nd Street for \$1 as part of the transaction.

59. On or about February 7, 2006, defendant RODERICK L. FOXWORTH, SR. obtained a \$127,000 official check issued by National Penn Bank from Foxworth, Inc.'s National Penn Bank account ending in 9142 and made payable to 21st Century Abstract Company. Defendant KEVIN JOSEPH FRANKLIN caused 21st Century Abstract's records to reflect this official check as having been provided by co-conspirator Gregory Christopher Thornton, who had agreed to act as the buyer for 1142 S. 52nd Street.

60. On or about February 7, 2006, defendant KEVIN JOSEPH FRANKLIN caused a \$100,000 check to be issued from 21st Century Abstract Company to R.R., the owner of 1142 S. 52nd Street.

61. On or about February 8, 2006, defendant KEVIN JOSEPH FRANKLIN caused a \$24,310.28 wire transfer to be made from 21st Century Abstract Company to an account utilized by S.H.

62. On or about March 3, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr., John William Polosky, and Gregory Christopher Thornton, submitted and caused to be submitted to First Horizon Home Loan Corporation caused a mortgage loan application and supporting documents containing materially false

statements that included, among other things, a false statement that 1142 S. 52nd Street would be co-conspirator Thornton's primary residence, a false statement that the purchase price was approximately \$350,000 (when in fact the actual purchase price was approximately \$100,000), a false statement that Thornton worked at Unicco Service Company, false W-2s and paystubs showing false income for co-conspirator Thornton, a false real estate sales contract, and false leases showing false monthly rental income.

63. On or before March 10, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Gregory Christopher Thornton showing income that Thornton had not earned.

64. On or before March 10, 2006, defendant CYNTHIA EVETTE BROWN verified that co-conspirator Gregory Christopher Thornton worked at Unicco Service Company, when in fact Thornton did not work at Unicco Service Company.

65. On or about March 10, 2006, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for First Horizon Home Loan Corporation that showed the false purchase price to be \$350,000.

66. On or about March 10, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr., John William Polosky, and Gregory Christopher Thornton, caused First Horizon Home Loan Corporation to approve the mortgage application for 1142 S. 52nd Street, issue a loan in the amount of \$297,500, and wire approximately \$295,243.21 in interstate commerce from First Tennessee Bank to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN

worked as a title agent.

67. On and after March 10, 2006, unbeknownst to First Horizon Home Loan Corporation, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$50,000 to defendant ERIC SIJOHN BROWN and approximately \$45,946.24 to Foxworth, Inc., from which a further payments of \$10,000 was made to co-conspirator Gregory Christopher Thornton, and approximately \$121,805.22 to Class Abstract (which defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR. used to purchase a liquor license, real estate, and bar located at 2154 Ridge Avenue, Philadelphia, PA, which they operated as “Pleasures III”).

68. On or about May 16, 2006, defendant RODERICK L. FOXWORTH, SR. made and caused to be made the monthly mortgage payment for First Horizon Home Loan Corporation’s mortgage on 1142 S. 52nd Street by electronic bill payment from Foxworth Inc.’s National Penn Bank account.

69. On approximately 18 separate occasions between on or about July 5, 2006 and on or about November 1, 2007, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for First Horizon Home Loan Corporation’s mortgage on 1142 S. 52nd Street from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

VI. NATIONAL PENN BANK LINE OF CREDIT

70. On or about February 23, 2006, defendant RODERICK L. FOXWORTH, SR., and co-conspirator Willie G. Manley, Jr., submitted and caused to be submitted to National Penn Bank a line of credit loan application and supporting documents containing materially false statements that included, among other things, a false personal financial statement and false

income tax returns showing false income for defendant FOXWORTH.

71. On or about February 23, 2006, co-conspirator Willie G. Manley, Jr. created false tax returns for defendant RODERICK L. FOXWORTH, SR. showing income that defendant FOXWORTH had not earned.

72. On or before May 9, 2006, defendant RODERICK L. FOXWORTH, SR. agreed to provide as collateral for his line of credit loan application his property at 7200 Haverford Avenue in Philadelphia, Pennsylvania, and a \$300,000 certificate of deposit (that, unbeknownst to National Penn Bank, had been purchased partly with the proceeds of a May 4, 2006, fraudulently-obtained BankUnited mortgage loan on 139 S. 49th Street).

73. On or about May 9, 2006, defendant RODERICK L. FOXWORTH, SR. and co-conspirator Willie G. Manley, Jr., caused National Penn Bank to approve the loan application and issue defendant FOXWORTH a \$500,000 line of credit.

74. On or about May 11, 2006, defendant RODERICK L. FOXWORTH, SR., withdrew approximately \$321,573 from his National Penn Bank line of credit, from which payments were made to other co-conspirators, including approximately \$162,500 to defendant CYNTHIA EVETTE BROWN and approximately \$13,082 to co-conspirator Gregory Christopher Thornton.

75. Between on or about May 11, 2006 and on or about September 28, 2006, defendant RODERICK L. FOXWORTH, SR. withdrew a total of approximately \$498,191 of his \$500,000 available National Penn Bank line of credit, then defaulted on the loan.

VII. 139 S. 49TH STREET, PHILADELPHIA, PA

A. The May 4, 2006, BankUnited Loan

76. On or before May 4, 2006, defendants ERIC SIJOHN BROWN, KEVIN

JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr. and John William Polosky, using the identity of B.W., a straw borrower known to the grand jury, submitted and caused to be submitted to BankUnited a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 139 S. 49th Street would be B.W.'s primary residence, a false statement that the purchase price of 139 S. 49th Street was approximately \$312,000 (when in fact the actual purchase price was approximately \$15,000), false W-2s and paystubs showing false income for B.W., a false real estate sales contract, and false leases showing false monthly rental income.

77. On or about May 1, 2006, defendant CYNTHIA EVETTE BROWN obtained a \$45,000 treasurer's check issued by United Bank of Philadelphia from her account ending in 8112 and made payable to 21st Century Abstract Company. Defendant KEVIN JOSEPH FRANKLIN caused 21st Century Abstract's records to reflect this check as having been provided by B.W.

78. On or about May 3, 2006, defendant ERIC SIJOHN BROWN created a false invoice showing a charge of \$181,326.32 for repairs that were never made to the property at 139 S. 49th Street and supplied that invoice to defendant KEVIN JOSEPH FRANKLIN in order to support a payment to him of part of the loan proceeds.

79. On or before May 4, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for B.W. showing income that B.W. had not earned.

80. On or about May 4, 2006, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for BankUnited that showed the false purchase price to be

\$312,000.

81. On or about May 5, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr. and John William Polosky, caused BankUnited to approve the mortgage application for 139 S. 49th Street, issue a loan in the amount of \$265,200, and wire approximately \$268,545.23 in interstate commerce from Florida to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN worked as a title agent.

82. On or about May 5, 2006, unbeknownst to BankUnited, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$225,840.16 to defendant ERIC SIJOHN BROWN, from which further payments were made to V.W. and defendant CYNTHIA EVETTE BROWN.

83. On approximately 21 separate occasions between on or about June 19, 2006 and on or about July 21, 2008, defendant ERIC SIJOHN BROWN made the monthly mortgage payments for BankUnited's mortgage on 139 S. 49th Street by writing checks from the National Penn Bank account ending in 2275 he shared with defendant RODERICK L. FOXWORTH, SR.

B. The September 12, 2007, Homecomings Financial Loan

84. On or about August 24, 2007, defendants ERIC SIJOHN BROWN, and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, using the identity of N.J., a straw borrower known to the grand jury, submitted and caused to be submitted to Homecomings Financial, LLC a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 139 S. 49th Street would be sold by B.W. to N.J., a false statement that the

property would be N.J.'s primary residence, a false down payment, false leases showing false monthly rental income, and a false real estate contract.

85. On or before August 3, 2007, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 139 S. 49th Street that grossly overstated the actual value of 139 S. 49th Street.

86. On or about September 12, 2007, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, caused Homecomings Financial LLC to approve the mortgage application for 139 S. 49th Street, issue a loan in the amount of \$315,000, and wire approximately \$313,526.88 in interstate commerce from a bank account at JPMorgan Chase Bank in New York to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

87. On and after September 12, 2007, defendant KEVIN JOSEPH FRANKLIN failed to repay BankUnited's existing mortgage on the property, as stated on the Form HUD-1 that was submitted to Homecomings Financial LLC. Instead, defendant FRANKLIN retained the funds to distribute to himself and other co-conspirators.

88. Between on or about September 11, 2007, and on or about October 9, 2007, unbeknownst to Homecomings Financial LLC, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$22,050 to himself, approximately \$50,000 to Foxworth, Inc., and approximately \$177,561.48 to defendant ERIC SIJOHN BROWN, from which a payment of \$49,000 was made on a Citizen's Bank loan in the name of defendant CYNTHIA EVETTE BROWN.

89. On or about May 30, 2008, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William

Polosky, caused to be sent in interstate commerce a facsimile from KREW in Pennsylvania to Homecomings Financial LLC in Minnesota containing, among other things, a copy of Homecomings Financial LLC's mortgage on 139 S. 49th Street that contained a stamp showing that the mortgage had been recorded with the City of Philadelphia Records Department, and a copy of the title insurance policy for 139 S. 49th Street.

VIII. 5319 EUCLID STREET, PHILADELPHIA, PA

90. On or before June 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and Mark Murphy, through D.M., a mortgage broker known to the grand jury, submitted and caused to be submitted to First Horizon Home Loan Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the purchase price of 5319 Euclid Street was approximately \$95,000 (when in fact the actual purchase price was approximately \$38,000), false W-2s and paystubs showing false income for Murphy, a false real estate sales contract, and false leases showing false monthly rental income.

91. On or about February 21, 2006, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 5319 Euclid Avenue that grossly overstated the actual value of 5319 Euclid Avenue,.

92. On or before June 1, 2006, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred co-conspirator Mark Murphy's fraudulent mortgage loan application for 5319 Euclid Avenue to D.M.

93. On or before June 1, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Mark Murphy showing income that Murphy had not

earned.

94. On or about June 1, 2006, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for First Horizon Home Loan Corporation that showed the false purchase price to be \$95,000.

95. On or about June 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and Mark Murphy, caused First Horizon Home Loan Corporation to approve the mortgage application for 5319 Euclid Avenue, issue a loan in the amount of \$85,500, and wire approximately \$82,242.64 in interstate commerce from First Tennessee Bank to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN worked as a title agent.

96. On or about June 1, 2006, defendant ERIC SIJOHN BROWN created a false invoice showing a charge of \$43,384.05 for repairs that were never made to the property at 5319 Euclid Avenue and supplied that invoice to defendant KEVIN JOSEPH FRANKLIN in order to support a payment to him of part of the loan proceeds.

97. On and after June 1, 2006, unbeknownst to First Horizon Home Loan Corporation, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$43,384.05 to defendant ERIC SIJOHN BROWN, from which a further payment of approximately \$28,000 was made to co-conspirator Mark Murphy.

IX. 1140 S. 52ND STREET, PHILADELPHIA, PA

98. On or about February 7, 2006, defendant ERIC SIJOHN BROWN purchased 1140 S. 52nd Street from R.R., for \$1.

99. On or after February 7, 2006, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN caused a deed to be prepared and recorded with the City of Philadelphia Records Department that falsely showed that defendant ERIC SIJOHN BROWN took title to 1140 S. 52nd Street on January 22, 2005 (i.e., more than one year before he purchased the property from R.R. for \$1).

100. Sometime prior to June 29, 2006, co-conspirator Gregory Christopher Thornton recruited R.H., a person known to the grand jury, to act as a straw buyer for the property at 1140 S. 52nd Street.

101. On or about June 29, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr., John William Polosky, and Gregory Christopher Thornton, using the identity of R.H., submitted and caused to be submitted to The CIT Group a mortgage loan application and supporting documents containing materially false statements to be submitted via facsimile in interstate commerce that included, among other things, a false statement that 1140 S. 52nd Street would be sold by defendant ERIC SIJOHN BROWN to R.H., a false statement that the property would be R.H.'s primary residence, a false statement that the purchase price was approximately \$350,000, a false statement that R.H. worked at Unicco Service Company (when in fact he worked at one of the Pleasures bars), false W-2s and paystubs showing false income for R.H., and false leases showing false monthly rental income.

102. On or before June 29, 2006, co-conspirator Willie G. Manley, Jr. created

false W-2s and paystubs for R.H. showing income that R.H. had not earned.

103. On or about June 29, 2006, defendant CYNTHIA EVETTE BROWN verified that R.H. worked at Unicco Service Company, when in fact R.H. did not work at Unicco Service Company.

104. On or about June 29, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr., John William Polosky, and Gregory Christopher Thornton, caused The CIT Group to approve the mortgage application for 1140 S. 52nd Street, issue a loan in the amount of \$315,000, and wire approximately \$313,998.06 in interstate commerce from an account at JPMorgan Chase Bank in New Jersey to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN worked as a title agent.

105. On and after June 29, 2006, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$236,054.70 to defendant ERIC SIJOHN BROWN.

106. On or about August 31, 2006 and on or about October 3, 2006, defendant ERIC SIJOHN BROWN made the monthly mortgage payments for The CIT Group's mortgage on 1140 S. 52nd Street by writing checks from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

X. 6366 SHERMAN STREET, PHILADELPHIA, PA

107. Sometime prior to June 15, 2006, co-conspirator Francine Shanique Cross, acting as a real estate agent, approached the seller of 6366 Sherman Street, informed the seller that she had found a buyer for the property, and induced the seller to sell the property to her buyer.

108. On or about June 15, 2006, co-conspirator Francine Shanique Cross obtained a \$47,000 official check issued by Sovereign Bank from the Financial & Real Estate Network's Sovereign Bank account and made payable to 21st Century Abstract Company. Defendant KEVIN JOSEPH FRANKLIN caused 21st Century Abstract's records to reflect this check as having been provided by co-conspirator Rashika J. Moon.

109. On or about June 15, 2006, defendant RODERICK L. FOXWORTH, SR. obtained a \$40,000 official check issued by National Penn Bank from the joint bank account he shared with defendant ERIC SIJOHN BROWN and made payable to 21st Century Abstract Company. Defendant KEVIN JOSEPH FRANKLIN caused 21st Century Abstract's records to reflect this check as having been provided by co-conspirator Rashika J. Moon.

110. On or about June 15, 2006, defendant KEVIN JOSEPH FRANKLIN conducted a settlement of the sale of 6366 Sherman Street and prepared a Form HUD-1 settlement statement for the seller of 6366 Sherman Street that showed the purchase price to be \$140,000, the buyer to be co-conspirator Rashika J. Moon, and a payment of \$75,645.16 to be due to the seller. This HUD-1 was signed by defendant ERIC SIJOHN BROWN on behalf of the buyer.

111. On or about June 15, 2006, defendant KEVIN JOSEPH FRANKLIN caused a check in the amount of approximately \$75,645.16 to be issued by 21st Century Abstract Company made payable to the seller of 6366 Sherman Street.

112. On or about June 28, 2006, defendant ERIC SIJOHN BROWN caused a \$900 check made payable to 21st Century Abstract Company to be written from the joint bank account he shared with defendant RODERICK L. FOXWORTH, SR. at National Penn Bank.

113. On or about June 30, 2006, defendants ERIC SIJOHN BROWN, KEVIN

JOSEPH FRANKLIN, and RODERICK L. FOXWORTH, SR., and co-conspirators Francine Shanique Cross, Rashika J. Moon, and Willie G. Manley, Jr., caused a mortgage loan application and supporting documents containing materially false statements to be submitted to Long Beach Mortgage, a division of Washington Mutual Bank, that included, among other things, a false statement that the purchase price of 6366 Sherman Street was approximately \$250,000 (when in fact the actual purchase price was approximately \$140,000), a false statement that the property would be Moon's primary residence, false employment information for Moon, a false statement that Moon earned \$11,601 per month, a false real estate sales contract, false W-2s and paystubs showing false income for Moon, false leases showing false monthly rental income, and that failed to disclose that the actual sale of 6366 Sherman Street to Moon had already closed on June 15, 2006.

114. On or about June 30, 2006, defendant RODERICK L. FOXWORTH, SR., acting as mortgage broker, submitted and caused to be submitted to Long Beach Mortgage co-conspirator Rashika J. Moon's fraudulent mortgage loan application for 6366 Sherman Street.

115. On or about June 30, 2006, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 6366 Sherman Street that grossly overstated the actual value of 6366 Sherman Street.

116. On or about June 30, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Rashika J. Moon showing income that Moon had not earned.

117. On or about July 3, 2006, defendant KEVIN JOSEPH FRANKLIN prepared a false Form HUD-1 settlement statement for Long Beach Mortgage that showed the false purchase price to be \$250,000.

118. On or about July 3, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and RODERICK L. FOXWORTH, SR., and co-conspirators Francine Shanique Cross, Rashika J. Moon, and Willie G. Manley, Jr., caused Washington Mutual Bank, through its Long Beach Mortgage division, to approve the mortgage application for 6366 Sherman Street, issue two loans in the amounts of \$200,000 (first mortgage) and \$50,000 (second mortgage), respectively, and wire approximately \$201,071.18 and approximately \$49,680.73, respectively, in interstate commerce from California to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN worked as a title agent.

119. On and after July 3, 2006, unbeknownst to Washington Mutual Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$178,333.53 to Foxworth, Inc.

XI. 5112 SPRINGFIELD AVENUE, PHILADELPHIA, PA

A. The September 1, 2006 New Century Mortgage Corporation Loan

120. On or about September 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., through D.M., a mortgage broker known to the grand jury, using the identity of J.C., a straw buyer known to the grand jury, submitted and caused to be submitted to New Century Mortgage Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the purchase price of 5112 Springfield Avenue was approximately \$340,000 (when in fact the actual purchase price was approximately \$100,000), false W-2s and paystubs showing false

income for J.C., false employment and employment verification for J.C., a false real estate sales contract, and false leases showing false monthly rental income.

121. On or about August 23, 2006, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred the fraudulent mortgage loan application for J.C.'s purported purchase of 5112 Springfield Avenue to D.M.

122. On or about August 23, 2006, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 5112 Springfield Avenue that grossly overstated the actual value of 5112 Springfield Avenue.

123. On or about August 24, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for J.C. showing income that J.C. had not earned.

124. On or about September 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., caused New Century Mortgage Corporation to approve the mortgage application for 5112 Springfield Avenue, issue a loan in the amount of \$306,500, and wire approximately \$307,198.20 in interstate commerce from an account at Deutsche Bank Trust Company in New York to a bank account in Pennsylvania utilized by 21st Century Abstract Company, where defendant FRANKLIN worked as a title agent.

125. On and after September 1, 2006, unbeknownst to New Century Mortgage Corporation, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$8,600 to RKM, a company controlled by defendant FRANKLIN, and approximately \$210,514.99 to defendant RODERICK L. FOXWORTH, SR., from which a further payment of \$100,000 was made to defendant

CYNTHIA EVETTE BROWN.

126. On seven separate occasions between on February 1, 2007 and on or about August 1, 2007, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for New Century Mortgage Corporation's mortgage on 5112 Springfield Avenue by writing a checks and making electronic bill payments from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

B. The July 31, 2007, CIT Group Loan

127. On or before July 31, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and John William Polosky, using the identity of R.H., without R.H.'s knowledge or consent, submitted and caused to be submitted to The CIT Group a mortgage loan application and supporting documents containing materially false statements hat included, among other things, a false statement that 5112 Springfield Avenue would be sold by J.C. to R.H., a false statement that the property would be R.H.'s primary residence, a false statement that R.H. worked at Unicco Service Company, false W-2s and paystubs showing false income for R.H., and false leases showing false monthly rental income.

128. On or before July 31, 2007, defendant CYNTHIA EVETTE BROWN verified that R.H. worked at Unicco Service Company, when in fact R.H. did not work at Unicco Service Company.

129. On or about July 31, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr. and John William Polosky, caused The CIT Group to approve the mortgage application for 5112 Springfield Avenue, issue a loan in the amount of

\$308,250, and wire approximately \$307,300 in interstate commerce from an account at JPMorgan Chase Bank in New York to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

130. On and after July 31, 2007, defendant KEVIN JOSEPH FRANKLIN failed to record The CIT Group's mortgage on 5112 Springfield Avenue with the City of Philadelphia Records Department, and failed to repay the existing mortgage on the property, as stated on the Form HUD-1 that was submitted to The CIT Group. Instead, defendant FRANKLIN retained the funds to distribute to himself and other defendants.

131. On and after July 31, 2007, unbeknownst to The CIT Group, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$73,000 to defendant ERIC SIJOHN BROWN and approximately \$218,363.88 to himself, from which approximately \$150,000 was subsequently paid to defendant ERIC SIJOHN BROWN.

132. On approximately 11 separate occasions between on about March 2, 2007 and on or about December 4, 2007, defendant ERIC SIJOHN BROWN made the monthly mortgage payment for The CIT Group's mortgage on 5112 Springfield Avenue by writing checks and by electronic bill payment from the National Penn Bank account ending in 2275 he shared with defendant RODERICK L. FOXWORTH, SR.

C. The November 29, 2007, HSBC Mortgage Corp. Loan

133. On or about November 29, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and John William Polosky, using the identity of K.B., a straw borrower known to the grand jury, submitted and caused to be submitted to HSBC

Mortgage Corp., a subsidiary of HSBC Bank USA, a mortgage loan application and supporting documents containing materially false statements to be submitted that included, among other things, a false statement that 5112 Springfield Avenue would be K.B.'s primary residence, a false statement that the purchase price was approximately \$340,000, false assets of K.B., and false W-2s and paystubs showing false income for K.B.

134. On or about November 20, 2007, defendant CYNTHIA EVETTE BROWN wrote two personal checks made payable to K.B. for \$20,000 and \$4,500, respectively, from her Citizens Bank account ending in 8570, and caused these checks to be provided to defendant KEVIN JOSEPH FRANKLIN.

135. On or about November 29, 2007, defendant CYNTHIA EVETTE BROWN signed two "gift letters" containing false statements both that K.B. was defendant CYNTHIA EVETTE BROWN's "niece" and that defendant CYNTHIA EVETTE BROWN was giving a gift of \$24,500 to K.B. to use toward the purchase of 5112 Springfield Avenue. Immediately below the signatures the letters contained a warning that it is a violation of Title 18, United States Code, Section 1014, to make a false statement concerning any of the facts set forth in the gift letter. .

136. On or before November 29, 2007, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 5112 Springfield Avenue.

137. On or about November 29, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr. and John William Polosky, caused HSBC Mortgage Corp. to approve the mortgage application for 5112 Springfield Avenue, issue a loan in the amount of \$323,000, and wire approximately \$322,211.70 in interstate commerce from HSBC Bank USA

in New York to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

138. On and after November 29, 2007, defendant KEVIN JOSEPH FRANKLIN failed to repay the existing mortgage on the property, as stated on the Form HUD-1 that was submitted to HSBC Mortgage Corp. Instead, defendant FRANKLIN retained the funds to distribute to himself and other defendants.

139. On and after November 29, 2007, unbeknownst to HSBC Mortgage Corp., defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$164,830.37 to defendant ERIC SIJOHN BROWN, and approximately \$22,000 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR..

140. On approximately nine separate occasions between on or about February 5, 2008 and on or about October 2, 2008, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for HSBC Mortgage Corp.'s mortgage on 5112 Springfield Avenue by electronic bill payment from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

D. The December 6, 2007, Washington Mutual Bank Loan

141. On or about December 6, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., using the identity of K.B., a straw borrower known to the grand jury, submitted and caused to be submitted to Washington Mutual Bank a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 5112

Springfield Avenue would be K.B.'s primary residence, a false statement that the purchase price was approximately \$340,000, false assets of K.B., and false W-2s and paystubs showing false income for K.B., and which failed to disclose that another mortgage loan on 5112 Springfield Avenue had been applied for with and was ultimately issued by HSBC Mortgage Corp.

142. On or about December 6, 2007, defendant CYNTHIA EVETTE BROWN signed a "gift letter" containing false statements both that K.B. was defendant CYNTHIA EVETTE BROWN's "niece" and that defendant CYNTHIA EVETTE BROWN was giving a gift of \$20,000 to K.B. to use toward the purchase of 5112 Springfield Avenue. Immediately below the signatures the letter contained a warning that it is a violation of Title 18, United States Code, Section 1014, to make a false statement concerning any of the facts set forth in the gift letter.

143. On or before December 6, 2007, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, submitted and caused to be submitted to Washington Mutual Bank K.B.'s fraudulent mortgage loan application for 5112 Springfield Avenue.

144. On or before December 6, 2007, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 5112 Springfield Avenue.

145. On or about December 6, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., caused Washington Mutual Bank to approve the mortgage application for 5112 Springfield Avenue, issue a loan in the amount of \$323,000, and wire approximately \$321,264.24 in interstate commerce from California to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

146. On and after December 6, 2007, defendant KEVIN JOSEPH FRANKLIN

failed to record Washington Mutual Bank's mortgage on 5112 Springfield Avenue with the City of Philadelphia Records Department, and failed to repay the existing mortgage on the property, as stated on the Form HUD-1 that was submitted to Washington Mutual Bank. Instead, defendant FRANKLIN retained the funds to distribute to himself and other defendants.

147. On and after December 6, 2007, unbeknownst to Washington Mutual Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds from the Washington Mutual Bank loan to co-conspirators known and unknown to the grand jury, including approximately \$314,600 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., from which further payments were made to defendants WALTER ALSTON BROWN, JR. and CYNTHIA EVETTE BROWN.

148. On approximately eight separate occasions between on or about March 4, 2008 and on or about October 2, 2008, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for Washington Mutual Bank's mortgage on 5112 Springfield Avenue by electronic bill payment from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

XII. 6334 SHERMAN STREET, PHILADELPHIA, PA

149. On or about October 17, 2006, at the direction of defendant ERIC SIJOHN BROWN, co-conspirator Francine Shanique Cross, acting as a real estate agent, informed the seller of 6334 Sherman Street that co-conspirator Dontaya S. Devore was willing to pay \$142,000 to purchase the property.

150. On or about October 17, 2006, defendant WALTER ALSTON BROWN, JR. prepared a "conditional pre-approval" letter purporting to qualify co-conspirator Dontaya S. Devore for a mortgage loan in the amount of \$142,500.

151. On or about November 21, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and, co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and John William Polosky, using the identity of co-conspirator Dontaya S. Devore, without her knowledge or consent, submitted and caused to be submitted to Equifirst Mortgage Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the purchase price of 6334 Sherman Street was approximately \$265,000 (when in fact the actual purchase price was approximately \$142,000), a false statement that the property would be Devore's primary residence, false employment information for Devore, a false statement that Devore earned \$9,000 per month, a false real estate sales contract, and false W-2s and paystubs showing false income for Devore.

152. On or before November 14, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Dontaya S. Devore showing income that Devore had not earned.

153. On or about November 21, 2006, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for Equifirst Mortgage Corporation that showed the false purchase price to be \$265,000.

154. On or about November 21, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and John William Polosky, caused Equifirst Mortgage Corporation to approve the mortgage application for 6334 Sherman Street, issue a loan in the amount of \$265,000, and send a \$262,908.98 check to PA/NJ Abstract, Inc., where

defendant FRANKLIN worked as a title agent.

155. On and after November 21, 2006, unbeknownst to Equifirst Mortgage Corporation, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$103,640 into the National Penn Bank account ending in 2275 co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., from which approximately \$16,850 was paid to and for the benefit of defendant WALTER ALSTON BROWN, JR.

156. On or about February 1, 2007, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payment for Equifirst Mortgage Corporation's mortgage on 6334 Sherman Street from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

XIII. 2826 W. OXFORD STREET, PHILADELPHIA, PA

157. On or about November 27, 2006, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Eric Ponder and John William Polosky, submitted and caused to be submitted to Bank of America a refinancing mortgage loan application and supporting documents containing materially false statements, which falsely stated that co-conspirator Eric Ponder earned \$25,000 per month at P'Ericks Development.

158. On or about November 27, 2006, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Eric Ponder and John William Polosky, caused Bank of America to approve the mortgage application for 2826 W. Oxford Street, issue a loan in the amount of \$244,500, and wire approximately \$243,975 in interstate commerce to a bank account in Delaware utilized by PA/NJ Abstract, Inc., where defendant FRANKLIN served as a title agent.

159. On or about November 28, 2006, unbeknownst to Bank of America, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$17,000 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., and at least \$130,768.68 to co-conspirator Eric Ponder.

160. On approximately ten separate occasions between on January 17, 2007 and on or about February 29, 2008, co-conspirator Eric Ponder made the monthly mortgage payments for Bank of America' mortgage on 2826 W. Oxford Street from his PNC Bank account.

XIV. 2154 RIDGE AVENUE and 5840 MASTER STREET, PHILADELPHIA, PA

161. On or about November 29, 2006, defendants KEVIN JOSEPH FRANKLIN and RODERICK L. FOXWORTH, SR., and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., submitted and caused to be submitted to Advance Bank via facsimile in interstate commerce a loan request and supporting documents containing materially false statements that included, among other things, a false personal financial statement that falsely claimed that defendant FOXWORTH earned \$315,000 per year and false tax returns showing false income for defendant FOXWORTH.

162. On or about November 29, 2006, co-conspirator Willie G. Manley, Jr. created false tax returns for defendant RODERICK L. FOXWORTH, SR. showing income that defendant FOXWORTH had not earned.

163. On or about January 16, 2007, defendant RODERICK L. FOXWORTH, SR., signed a loan commitment with Advance Bank pursuant to which defendant FOXWORTH agreed to provide as collateral for his loan request a first mortgage on and assignment of rent for

his properties at 2154 Ridge Avenue, Philadelphia, Pennsylvania (the location of Pleasures III) and 5840 Master Street, Philadelphia, Pennsylvania (the location of Pleasures II), plus an annual rent roll for the properties, and which required that the properties must have a fair market value of \$467,000 or higher before Advance Bank would grant the loan request.

164. On or before February 16, 2007, defendant RODERICK L. FOXWORTH, SR., caused documents containing materially false statements to be submitted to Advance Bank via facsimile that included, among other things, a false rent roll showing \$30,600 in annual rent at and false leases for 2154 Ridge Avenue.

165. On or before February 16, 2007, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 2154 Ridge Avenue that grossly overstated the actual value of 2154 Ridge Avenue.

166. On or about February 16, 2007, defendants KEVIN JOSEPH FRANKLIN and RODERICK L. FOXWORTH, SR., and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., caused Advance Bank to approve the loan application, issue a mortgage loan in the amount of \$387,000 for 2154 Ridge Avenue and 5840 Master Street, and send a \$279,378.93 check to PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

167. On and after February 16, 2007, unbeknownst to Advance Bank, defendant RODERICK L. FOXWORTH, SR. disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$10,000 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and FOXWORTH, and approximately \$10,000 to defendant CYNTHIA EVETTE BROWN. Thereafter, defendant FOXWORTH went into default on the mortgage loan.

168. On approximately three separate occasions between on or about July 3,

2007 and on or about October 31, 2007, defendant ERIC SIJOHN BROWN made the monthly mortgage payments for Advance Bank's mortgages on 2154 Ridge Avenue and 5840 Master Street by writing checks from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

169. On approximately nine separate occasions between on or about April 30, 2007 and on or about June 6, 2008, defendant RODERICK L. FOXWORTH, SR. made the monthly mortgage payments for Advance Bank's mortgages on 2154 Ridge Avenue and 5840 Master Street from Foxworth Inc.'s National Penn Bank account.

170. On or about January 6, 2009, defendant RODERICK L. FOXWORTH, SR. signed a loan modification agreement that modified the Advance Bank mortgage loan for 2154 Ridge Avenue and 5840 Master Street by, among other things, reducing the principal balance of the loan to \$217,000. Thereafter, defendant FOXWORTH went into default on this modified mortgage loan.

XV. 6305 WOODBINE AVENUE, PHILADELPHIA, PA

171. On or about December 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and Gregory Christopher Thornton, submitted and caused to be submitted to Long Beach Mortgage, a division of Washington Mutual Bank, a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the purchase price of 6305 Woodbine Avenue was approximately \$600,000 (when in fact the actual purchase price was approximately \$485,000), false employment and employment verification for Thornton, a false statement that Thornton earned over \$9,000 per month in salary and rental income, false W-2s and paystubs

showing false income for Thornton, a false real estate sales contract, and false leases showing false monthly rental income.

172. On or about October 31, 2006, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 6305 Woodbine Avenue that grossly overstated the actual value of 6305 Woodbine Avenue.

173. On or about November 16, 2006, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Gregory Christopher Thornton showing income that Thornton had not earned.

174. On or about December 1, 2006, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, submitted and caused to be submitted to Washington Mutual Bank via facsimile in interstate commerce documents containing materially false statements that included co-conspirator Gregory Christopher Thornton's fraudulent mortgage loan application for 6305 Woodbine Avenue, false W-2s and paystubs, and other supporting documents.

175. On or about December 1, 2006, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for Long Beach Mortgage that showed the false purchase price to be \$600,000.

176. On or about December 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and Gregory Christopher Thornton, caused Washington Mutual Bank, through its Long Beach Mortgage division, to approve the mortgage application for 6305 Woodbine Avenue, issue a loan in the amount of \$540,000, and send a \$544,512 check to PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

177. On and after December 1, 2006, unbeknownst to Washington Mutual Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$24,950.43 to defendant ERIC SIJOHN BROWN.

178. On or about November 13, 2009, co-conspirator Gregory Christopher Thornton caused to be submitted to Long Beach Mortgage via facsimile in interstate commerce documents containing materially false statements, including a false paystub showing that co-Thornton was employed by REGGL, Inc. and had been paid over \$60,000 in 2009, when in fact Thornton did not work for REGGL., Inc. and had not been paid any money by that company, in an effort to secure a loan modification for the mortgage on 6305 Woodbine Avenue.

179. On or about December 22, 2009, co-conspirator Gregory Christopher Thornton caused to be submitted to JPMorgan Chase Bank via facsimile in interstate commerce a hardship affidavit in an effort to secure a loan modification for the mortgage on 6305 Woodbine Avenue.

XVI. 1918 CAMBRIDGE STREET, PHILADELPHIA, PA

180. On or about December 13, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Rashika J. Moon, and Willie G. Manley, Jr., through D.M., a mortgage broker known to the grand jury, using the identity of co-conspirator Dontaya S. Devore, without her knowledge or consent, submitted and caused to be submitted to First Horizon Home Loan Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, false employment and employment verification for Devore, a false statement that Devore earned approximately \$8,200 per month in income, and

false W-2s and paystubs showing false income for Devore.

181. On or about December 7, 2006, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 1918 Cambridge Street that grossly overstated the actual value of 1918 Cambridge Street.

182. On or about December 8, 2006, co-conspirator Willie G. Manley, Jr., created false W-2s and paystubs for co-conspirator Dontaya S. Devore showing income that Devore had not earned.

183. On or about December 9, 2006, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred the fraudulent mortgage loan application for co-conspirator Dontaya S. Devore's purported purchase of 1918 Cambridge Street to D.M.

184. On or about December 13, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Rashika J. Moon, and Willie G. Manley, Jr., caused First Horizon Home Loan Corporation, to approve the mortgage application for 1918 Cambridge Street, issue two loans in the amounts of \$288,000 (first mortgage) and \$72,000 (second mortgage), respectively, and send two checks in the amounts of approximately \$282,944.20 and approximately \$71,527.75, respectively, to PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

185. On and after December 13, 2006, unbeknownst to First Horizon Home Loan Corporation, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$13,475.20 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., from which a further payment of approximately \$3,200 was made to

defendant CYNTHIA EVETTE BROWN, and approximately \$64,800 to Allstate Abstract, Inc., which was applied towards defendant ERIC SIJOHN BROWN's purchase four additional properties in his name (all of which he subsequently sold to straw buyers).

186. On approximately 23 separate occasions between on or about June 4, 2007 and on or about November 7, 2008, defendant ERIC SIJOHN BROWN made the monthly mortgage payments for First Horizon Home Loan Corporation's mortgage on 1918 Cambridge Street from co-conspirator Dontaya S. Devore's Sovereign Bank account ending in 6483.

XVII. 11101 ROYAL LANE, PROVIDENCE FORGE, VA

187. On or about February 13, 2007, defendants ERIC SIJOHN BROWN and WALTER ALSTON BROWN, JR., and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., through D.M., a mortgage broker known to the grand jury, submitted and caused to be submitted to Saxon Mortgage, Inc. a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false address for co-conspirator Moon in Virginia (when in fact co-conspirator Moon lived in New Jersey), a false statement that 11101 Royal Lane would be co-conspirator Moon's primary residence (when in fact the property was being used as defendant WALTER ALSTON BROWN, JR.'s primary residence), false employment and employment verification for co-conspirator Moon, false paystubs showing false income, and false leases showing false monthly rental income.

188. On or about February 13, 2007, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred co-conspirator Rashika J. Moon's fraudulent mortgage loan application for 11101 Royal Lane to D.M.

189. On or about February 13, 2007, co-conspirator Willie G. Manley, Jr. created false paystubs for co-conspirator Rashika J. Moon showing income that co-conspirator

Moon had not earned.

190. On or about February 13, 2007, defendants ERIC SIJOHN BROWN and WALTER ALSTON BROWN, JR., and co-conspirators Rashika J. Moon and Willie G. Manley, Jr., caused Saxon Mortgage, Inc. to approve the mortgage application for 11101 Royal Lane, issue a loan in the amount of \$519,000, and wire approximately \$523,722.12 to a bank account in Virginia utilized by the title company that handled the closing.

191. On approximately nine separate occasions between on or about April 25, 2007 and on or about January 8, 2008, defendants ERIC SIJOHN BROWN and WALTER ALSTON BROWN, JR. made and caused to be made the monthly mortgage payments for Saxon Mortgage, Inc.'s mortgage on 11101 Royal Lane by payment from their joint National Penn Bank account.

192. On or about July 3, 2007, defendant WALTER ALSTON BROWN, JR. made and caused to be made the monthly mortgage payment for Saxon Mortgage, Inc.'s mortgage on 11101 Royal Lane from II Boys' Wachovia Bank account.

193. On or about February 13, 2008, defendant ERIC SIJOHN BROWN made the monthly mortgage payment for Saxon Mortgage, Inc.'s mortgage on 11101 Royal Lane by an official check issued by National Penn Bank using funds from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

194. On or about April 14, 2008, defendant WALTER ALSTON BROWN, JR. made the monthly mortgage payment for Saxon Mortgage, Inc.'s mortgage on 11101 Royal Lane by an official check issued by Wachovia Bank using funds from II Boys' Wachovia Bank account.

**XVIII. 402 STEVENS STREET, CAMDEN, NJ and
329 N. 64TH STREET, PHILADELPHIA, PA**

195. On or about December 1, 2006, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirator Willie G. Manley, Jr., submitted and caused to be submitted to Advance Bank a loan request and supporting documents containing materially false statements that included, among other things, a false personal financial statement that falsely claimed that defendant CYNTHIA EVETTE BROWN earned approximately \$439,200 per year, and a false 2005 tax return with overstated income.

196. On or about December 1, 2006, defendant ERIC SIJOHN BROWN, purporting to have power of attorney for the seller of 402 Stevens Street, signed false leases showing false monthly rental income for 402 Stevens Street.

197. On or about December 1, 2006, co-conspirator Willie G. Manley, Jr. created a false 2005 Form 1040 income tax return for defendant CYNTHIA EVETTE BROWN showing income that defendant CYNTHIA EVETTE BROWN had not earned.

198. On or about January 22, 2007, defendant CYNTHIA EVETTE BROWN signed a loan commitment with Advance Bank pursuant to which, in return for a \$337,500 loan from Advance Bank, defendant CYNTHIA EVETTE BROWN agreed to provide as collateral a first mortgage on and assignment of rents for her properties at 402 Stevens Street, Camden, New Jersey, and 6217 Market Street, Philadelphia, Pennsylvania, and agreed further to provide an annual rent roll for the properties, copies of leases, annual tax returns, and an annual financial statement, and which required that the properties must have a fair market value of \$450,000 or higher before Advance Bank would grant the loan request.

199. On or about March 9, 2007, defendant CYNTHIA EVETTE BROWN

caused to be submitted to Advance Bank a false offer to purchase 402 Stevens Street, Camden, New Jersey, that listed an overstated purchase prices and false downpayment information.

200. On or about March 12, 2007, defendant CYNTHIA EVETTE BROWN signed an amendment to the loan commitment dated January 22, 2007, pursuant to which the loan amount was increased to \$348,750 and defendant CYNTHIA EVETTE BROWN agreed to substitute her property at 329 N. 64th Street, Philadelphia, Pennsylvania, for 6217 Market Street, Philadelphia, Pennsylvania, as collateral for the loan.

201. On or about March 12, 2007, defendant KEVIN JOSEPH FRANKLIN prepared, and defendants ERIC SIJOHN BROWN (purporting to represent the seller) and CYNTHIA EVETTE BROWN signed a false Form HUD-1 settlement statement that contained numerous material false statements, including that the purchase price of 402 Stevens Street, Camden, New Jersey was approximately \$300,000, that the seller was to receive approximately \$115,642.53, and that defendant CYNTHIA EVETTE BROWN had provided a down payment of approximately \$25,000 to purchase the property.

202. On or about March 12, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirator Willie G. Manley, Jr., caused Advance Bank to approve defendant CYNTHIA EVETTE BROWN's loan request, issue a \$225,000 mortgage loan for 402 Stevens Street, Camden, New Jersey and a \$123,750 mortgage loan for 329 N. 64th Street, Philadelphia, Pennsylvania, respectively, and send two checks in the amounts of approximately \$210,889.92 and approximately \$123,750, respectively, to PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

203. On or about March 12, 2007, unbeknownst to Advance Bank, defendant KEVIN JOSEPH FRANKLIN caused PA/NJ Abstract Inc.'s records to reflect a payment of

approximately \$73,858.07 to the seller of 402 Stevens Street, Camden, New Jersey, when in reality this amount was actually disbursed to defendants ERIC SIJOHN BROWN, RODERICK L. FOXWORTH, SR., and CYNTHIA EVETTE BROWN as follows: approximately \$8,858.07 was deposited into the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR.; approximately \$35,000 was deposited into Foxworth Inc.'s National Penn Bank account; and approximately \$30,000 was deposited into defendant CYNTHIA EVETTE BROWN's National Penn Bank account.

204. On or about March 12, 2007, unbeknownst to Advance Bank, defendant KEVIN JOSEPH FRANKLIN disbursed proceeds from the \$123,750 loan for 329 N. 64th Street, Philadelphia, Pennsylvania to co-conspirators known and unknown to the grand jury, including approximately \$24,550.11 to defendant ERIC SIJOHN BROWN.

205. On approximately 20 separate occasions between on or about June 1, 2007 and December 11, 2008, defendant CYNTHIA EVETTE BROWN made the monthly mortgage payments for Advance Bank's mortgages on 402 Stevens Street, Camden, New Jersey and 329 N. 64th Street, Philadelphia, Pennsylvania.

206. On or about June 26, 2008, defendant CYNTHIA EVETTE BROWN caused a false personal financial statement to be submitted to Advance Bank that included, among other things, a false representation that defendant CYNTHIA EVETTE BROWN earned approximately \$746,820 per year.

XIX. 1141 S. CONESTOGA STREET, PHILADELPHIA, PA

207. On or about February 27, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr. and Dontaya S. Devore, through J.G., a mortgage broker known to the grand

jury, submitted and caused to be submitted to The CIT Group a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 1141 S. Conestoga Street would be sold by defendant ERIC SIJOHN BROWN to co-conspirator Devore, a false statement that the property would be Devore's primary residence, false employment and employment verification for Devore, and false W-2s and paystubs showing false income for Devore.

208. On or about February 27, 2007, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Dontaya S. Devore showing income that Devore had not earned.

209. On or about March 5, 2007, defendant CYNTHIA EVETTE BROWN obtained a \$5,596.51 official check issued by National Penn Bank, payable to PA/NJ Abstract. Defendant KEVIN JOSEPH FRANKLIN caused PA/NJ Abstract's records to reflect this check as having been provided by co-conspirator Dontaya S. Devore.

210. On or about March 5, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr., and Dontaya S. Devore, caused The CIT Group to approve the mortgage application for 1141 S. Conestoga Street, issue a loan in the amount of \$73,150, and wire approximately \$71,882.24 in interstate commerce from an account at JPMorgan Chase Bank in New York to a bank account in Delaware utilized by PA/NJ Abstract, where defendant FRANKLIN worked as a title agent.

XX. 446 W. LEVERING MILL ROAD, LOWER MERION, PA

211. On or about March 19, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE

BROWN, submitted and caused to be submitted to First Horizon Home Loan Corporation two mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the purchase price of 446 W. Levering Mill Road was approximately \$699,000 (when in fact the actual purchase price was approximately \$538,400), a false statement that the property would be defendant CYNTHIA EVETTE BROWN's primary residence (when in fact the property would be defendant ERIC SIJOHN BROWN's primary residence), falsely-inflated income and assets and falsely-understated liabilities for defendant CYNTHIA EVETTE BROWN, a false real estate sales contract, and false leases showing false monthly rental income.

212. On or about March 19, 2007, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, referred defendant CYNTHIA EVETTE BROWN's fraudulent mortgage loan application for 446 W. Levering Mill Road to First Horizon Home Loan Corporation for approval.

213. On or about March 19, 2007, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for First Horizon Home Loan Corporation that showed the purchase price to be \$699,000.

214. On or about March 19, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN caused First Horizon Home Loan Corporation to approve the mortgage application for 446 W. Levering Mill Road, issue two loans in the amounts of \$559,200 (first mortgage) and \$69,900 (second mortgage), respectively, and send two checks in the amounts of approximately \$548,811.93 and approximately \$68,930.26, respectively, to PA/NJ Abstract, Inc., where

defendant FRANKLIN worked as a title agent.

215. On and after April 13, 2007, unbeknownst to First Horizon Home Loan Corporation, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$52,125.52 for the benefit of co-conspirator Mark Murphy.

216. On or about June 4, 2007, defendant CYNTHIA EVETTE BROWN made the monthly mortgage payment for First Horizon Home Loan Corporation's mortgage on 446 W. Levering Mill Road.

217. On or about July 3, 2007, defendant WALTER ALSTON BROWN, JR. made the monthly mortgage payment for First Horizon Home Loan Corporation's mortgage on 446 W. Levering Mill Road from II Boys' Wachovia Bank account.

218. On approximately six separate occasions between on or about August 1, 2007 and on or about December 4, 2007, defendants ERIC SIJOHN BROWN and WALTER ALSTON BROWN, JR. made and caused to be made the monthly mortgage payments for First Horizon Home Loan Corporation's mortgage on 446 W. Levering Mill Road from their joint National Penn Bank account.

219. On approximately eight separate occasions between on or about February 4, 2008 and on or about October 1, 2008, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for First Horizon Home Loan Corporation's mortgage on 446 W. Levering Mill Road by electronic bill payment from the National Penn Bank account he shared with defendant RODERICK L. FOXWORTH, SR.

220. On or about November 4, 2008, defendant ERIC SIJOHN BROWN made the monthly mortgage payment for First Horizon Home Loan Corporation's mortgage on 446 W.

Levering Mill Road from his Citizens Bank account.

XXI. 327 N. 64TH STREET, PHILADELPHIA, PA

221. On or about April 13, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., submitted and caused to be submitted to Advance Bank via facsimile in interstate commerce a loan request and supporting documents containing materially false statements that included, among other things, a false statement that defendant CYNTHIA EVETTE BROWN earned \$2,400 in monthly rent at the property at 327 N. 64th Street, Philadelphia, PA, which was to serve as the headquarters for KREW, a false tax return showing false income for defendant CYNTHIA EVETTE BROWN, a personal financial statement showing defendant CYNTHIA EVETTE BROWN earned approximately \$453,600 per year in rental income; and false leases showing false monthly rental income.

222. On or about April 13, 2007, co-conspirator Willie G. Manley, Jr. created a false tax return for defendant CYNTHIA EVETTE BROWN showing income that defendant CYNTHIA EVETTE BROWN had not earned.

223. On or about April 13, 2007, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 327 N. 64th Street that grossly overstated the actual value of 327 N. 64th Street.

224. On or about April 13, 2007, defendant ERIC SIJOHN BROWN created a false invoice showing charges for repairs that were never made to the property at 327 N. 64th Street and supplied that invoice to defendant KEVIN JOSEPH FRANKLIN in order to support a payment to him of part of the loan proceeds.

225. On or about April 13, 2007, defendants ERIC SIJOHN BROWN, KEVIN

JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., caused Advance Bank to approve the mortgage application for 327 N. 64th Street, issue a loan in the amount of \$132,750, and send a \$126,292.49 check to PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

226. On and after April 13, 2007, unbeknownst to Advance Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$30,595.74 to defendant ERIC SIJOHN BROWN, from which further payments were made to defendants WALTER ALSTON BROWN, JR., RODERICK L. FOXWORTH, SR., and CYNTHIA EVETTE BROWN.

227. On approximately 16 separate occasions between on or about June 21, 2007 and on or about December 2, 2008, defendant CYNTHIA EVETTE BROWN made the monthly mortgage payments for Advance Bank's mortgage on 327 N. 64th Street.

XXII. 1214 S. 51ST STREET, PHILADELPHIA, PA

228. On or about April 13, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr. and John William Polosky, using the identity of S.F., a straw buyer known to the grand jury, submitted and caused to be submitted to Washington Mutual Bank a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the purchase price of 1214 S. 51st Street was approximately \$350,000 (when in fact the actual purchase price was approximately \$40,000), a false statement that the property would be S.F.'s primary residence, a false statement that S.F. worked at Unicco Service Company, false W-2s and paystubs showing false income for S.F., and

a false real estate sales contract.

229. On or about April 12, 2007, defendant CYNTHIA EVETTE BROWN verified that S.F. worked at Unicco Service Company, when in fact S.F. did not work at Unicco Service Company.

230. On or about April 13, 2007, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for S.F. showing income that S.F. had not earned.

231. On or about April 13, 2007, defendant KEVIN JOSEPH FRANKLIN prepared two sets of Form HUD-1 settlement statements – one for the seller that showed the agreed-upon purchase price and one for Washington Mutual Bank that showed the false purchase price to be \$350,000.

232. On or about April 13, 2007, defendant ERIC SIJOHN BROWN created a false invoice showing charges for repairs that were never made to the property at 1214 S. 51st Street and supplied that invoice to defendant KEVIN JOSEPH FRANKLIN in order to support a payment to him of part of the loan proceeds.

233. On or about April 13, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN, and co-conspirators Willie G. Manley, Jr. and John William Polosky, caused Washington Mutual Bank to approve the mortgage application for 1214 S. 51st Street, issue a loan in the amount of \$350,000, and wire approximately \$347,977.11 in interstate commerce from California to a bank account in Pennsylvania utilized by PA/NJ Abstract, Inc., where defendant FRANKLIN worked as a title agent.

234. On and after April 13, 2007, unbeknownst to Washington Mutual Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and

unknown to the grand jury, including approximately \$267,437.90 to RKM, a company controlled by defendant FRANKLIN, and approximately \$25,000 to defendant ERIC SIJOHN BROWN, from which further payments were made to defendant CYNTHIA EVETTE BROWN.

235. On approximately 16 separate occasions between on or about July 9, 2007 and on or about November 21, 2008, defendant KEVIN JOSEPH FRANKLIN made and caused to be made the monthly mortgage payments for Washington Mutual Bank's mortgage on 1214 S. 51st Street.

XXIII. 5364 MORSE STREET, PHILADELPHIA, PA

236. On or before October 30, 2007, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Willie G. Manley, Jr. and Mark Murphy, through C.S., a mortgage broker known to the grand jury, submitted and caused to be submitted to JPMorgan Chase Bank a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that Murphy earned approximately \$6,200 per month in income, false W-2s and paystubs showing false income for Murphy, and false leases showing false monthly rental income.

237. On or before October 30, 2007, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for co-conspirator Mark Murphy showing income that Murphy had not earned.

238. On or about October 30, 2007, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Willie G. Manley, Jr. and Mark Murphy, caused JPMorgan Chase Bank to approve the mortgage application for 5364 Morse Street, issue a loan in the amount of \$113,400, and wire approximately \$113,480.52 in interstate commerce from New York to a bank account in Pennsylvania utilized by KREW, where defendant

FRANKLIN was the title agent.

XXIV. 1331 W. RUSCOMB STREET, PHILADELPHIA, PA

239. On or about November 27, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., using the identity of R.F.J., a straw buyer known to the grand jury, submitted and caused to be submitted to Chase Bank USA a mortgage loan application and supporting documents containing materially false statements to be submitted that included, among other things, a false statement that the purchase price was \$150,000, false wage information, false W-2s and paystubs showing false income for R.F.J., and false leases showing false monthly rental income.

240. On or about October 30, 2007, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, submitted and caused to be submitted to Chase Bank USA through C.S., another mortgage broker known to the grand jury, R.F.J.'s fraudulent mortgage loan application for 1331 W. Ruscomb Street.

241. On or about October 30, 2007, co-conspirator Willie G. Manley, Jr. created false W-2s and paystubs for R.F.J. showing income that he had not earned.

242. On or about November 9, 2007, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 1331 W. Ruscomb Street that grossly overstated the actual value of 1331 W. Ruscomb Street.

243. On or about November 9, 2007, defendant WALTER ALSTON BROWN, JR. sent a facsimile in interstate commerce from Pennsylvania to Chase Bank USA in New York requesting that the bank "Rush Deal Purchase" and indicating that he will send the contract and appraisal in five minutes.

244. On or about November 9, 2007, defendant WALTER ALSTON BROWN, JR. sent a facsimile in interstate commerce from Pennsylvania to Chase Bank USA in New York consisting of a false real estate sales contract and false appraisal for 1331 W. Ruscomb Street.

245. On or about November 21, 2007, defendant ERIC SIJOHN BROWN obtained a \$3,000 official check issued by National Penn Bank, payable to KREW, which was used as the buyer's required cash payment for the property, R.F.J.

246. On or about November 27, 2007, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 1331 W. Ruscomb Street.

247. On or about November 27, 2007, defendant RODERICK L. FOXWORTH, SR., attended the settlement for 1331 W. Ruscomb Street and signed R.F.J.'s name on the loan application and closing documents.

248. On or about November 27, 2007, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross and Willie G. Manley, Jr., caused Chase Bank USA to approve the mortgage application for 1331 W. Ruscomb Street, issue a loan in the amount of \$104,000, and wire approximately \$103,514.38 in interstate commerce from an account at JPMorgan Chase Bank in New York to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN worked as a title agent.

XXV. 5113 CHESTER AVENUE, PHILADELPHIA, PA

A. The February 5, 2008, Countrywide Bank Loan

249. Sometime prior to February 5, 2008, co-conspirator Eric Ponder recruited R.K., a person known to the grand jury, to act as a straw buyer for the property at 5113 Chester Avenue, Philadelphia, Pennsylvania.

250. On or about February 5, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross and Eric Ponder, through C.S., a mortgage broker known to the grand jury, using the identity of R.K., a straw buyer known to the grand jury, submitted and caused to be submitted to Countrywide Bank a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 5113 Chester Avenue would be R.K.'s primary residence, a false statement that R.K. earned approximately \$5,725 per month at P'Ericks Development, false W-2s and paystubs showing false income, and false statements as to the bank account balance of R.K.

251. On or about February 5, 2008, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 5113 Chester Avenue.

252. On or about February 5, 2008, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 5113 Chester Avenue that grossly overstated the actual value of 5113 Chester Avenue.

253. On or about February 5, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross and Eric Ponder, caused Countrywide Bank to approve the mortgage application for 5113 Chester Avenue, issue a loan in the amount of \$299,250, and wire approximately \$303,972 from an account at Bank of New York in New York to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

254. On and after February 5, 2008, defendant KEVIN JOSEPH FRANKLIN failed to record Countrywide Bank's mortgage on 5113 Chester Avenue with the City of Philadelphia Records Department and failed to repay the existing mortgage on the property, as

stated on the Form HUD-1 that was submitted to Countrywide Bank. Instead, defendant FRANKLIN retained the funds to distribute to himself and other defendants.

255. On or about February 6, 2008, unbeknownst to Countrywide Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds from the Countrywide Bank loan to co-conspirators known and unknown to the grand jury, including approximately \$100,000 to co-conspirator Eric Ponder and approximately \$173,705.98 to defendant ERIC SIJOHN BROWN, from which further payments were made to defendants FRANKLIN and WALTER ALSTON BROWN, JR.

B. The February 13, 2008 Washington Mutual Bank Loan

256. On or about February 13, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and Eric Ponder, again using the identity of R.K., submitted and caused to be submitted to Washington Mutual Bank a mortgage loan application and supporting documents relating to 5113 Chester Avenue containing materially false statements to be submitted to that included, among other things, a false statement that 5113 Chester Avenue would be R.K.'s primary residence, a false statement that R.K. earned approximately \$5,725 per month at P'Eric's Development, false W-2s showing false income, and a false statements as to the bank account balance of R.K., and which failed to disclose that another mortgage loan on 5113 Chester Avenue had been applied for with and was ultimately issued by Countrywide Bank.

257. On or about February 13, 2008, defendant WALTER ALSTON BROWN, JR., acting as mortgage broker, submitted and caused to be submitted to Washington Mutual Bank R.K.'s fraudulent mortgage loan application for 5113 Chester Avenue.

258. On or about February 13, 2008, defendant KEVIN JOSEPH FRANKLIN created a false title insurance policy for 5113 Chester Avenue.

259. On or about February 13, 2008, co-conspirator Francine Shanique Cross provided a second falsely-inflated appraisal for 5113 Chester Avenue that grossly overstated the actual value of 5113 Chester Avenue.

260. On or about February 13, 2008, defendants ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR., and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., and Eric Ponder, caused Washington Mutual Bank to approve the mortgage application for 5113 Chester Avenue, issue a loan in the amount of \$337,250, and wire approximately \$333,002.56 from California to a bank account in Pennsylvania utilized by KREW, where defendant KEVIN JOSEPH FRANKLIN was the title agent.

261. On and after February 13, 2008, defendant KEVIN JOSEPH FRANKLIN failed to record Washington Mutual Bank's mortgage on 5113 Chester Avenue with the City of Philadelphia Records Department and failed to repay the existing mortgage on the property, as stated on the Form HUD-1 that was submitted to Washington Mutual Bank. Instead, defendant FRANKLIN retained the funds to distribute to himself and other defendants.

262. On and after February 14, 2008, unbeknownst to Washington Mutual Bank, defendant KEVIN JOSEPH FRANKLIN disbursed funds from the Washington Mutual Bank loan to co-conspirators known and unknown to the grand jury, including approximately \$5,270 to himself, approximately \$109,800 to the National Penn Bank account co-owned by defendants ERIC SIJOHN BROWN and RODERICK L. FOXWORTH, SR., and approximately \$178,600 to co-conspirator Eric Ponder, from which further payments were made to defendant

WALTER ALSTON BROWN, JR.

263. On three separate occasions between on or about February 15, 2008 and on or about May 21, 2008, co-conspirator Eric Ponder gave checks in the amount of \$7,500 each to R.K., the straw buyer of the 5113 Chester Avenue property.

XXVI. 5644 MALCOLM STREET, PHILADELPHIA, PA

264. On or before February 29, 2008, defendant ERIC SIJOHN BROWN and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., John William Polosky, and Mark Murphy, submitted and caused to be submitted to MNET Mortgage Corporation a mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that the property would be sold from defendant ERIC SIJOHN BROWN to Murphy, a false statement that 5644 Malcolm Street would be Murphy's primary residence, a false statement that Murphy earned approximately \$6,200 per month in income, false W-2s, paystubs, and a federal income tax return showing false income for Murphy, and false leases showing false monthly rental income.

265. On or about February 29, 2008, defendant ERIC SIJOHN BROWN and co-conspirators Francine Shanique Cross, Willie G. Manley, Jr., John William Polosky, and Mark Murphy, caused MNET Mortgage Corporation to approve the mortgage application for 5644 Malcolm Street, issue a loan in the amount of \$66,400, and wire approximately \$64,831 in interstate commerce from Massachusetts to St. Claire Settlement Services, Inc., the title company in Pittsburgh, Pennsylvania that handled the closing for the loan.

266. On or about June 16, 2008 and on or about August 18, 2008, defendant ERIC SIJOHN BROWN made and caused to be made the monthly mortgage payments for MNET Mortgage Corporation's mortgage on 5644 Malcolm Street from the National Penn Bank

account he shared with defendant WALTER ALSTON BROWN, JR..

XXVII. 856 N. 44TH STREET, PHILADELPHIA, PA

267. On or about September 30, 2008, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, using the identity of M.C., a straw buyer known to the grand jury, without M.C.'s knowledge or consent, submitted and caused to be submitted to Atlantic Home Loans, Inc. an FHA mortgage loan application and supporting documents containing materially false statements that included, among other things, a false statement that 856 N. 44th Street would be sold to M.C., a false statement that the property would be M.C.'s primary residence, and false gift letters.

268. On or about September 29, 2008, defendant ERIC SIJOHN BROWN wired \$10,200 in interstate commerce from his Citizens Bank account ending in 6921 in Pennsylvania to M.C.'s Washington Mutual Bank account ending in 7171 in New York.

269. On or about September 30, 2008, defendant ERIC SIJOHN BROWN signed a "gift letter" containing false statements both that M.C. was defendant ERIC SIJOHN BROWN's sister and that defendant ERIC SIJOHN BROWN was giving a gift of \$10,200 to M.C. to be applied towards the purchase of 856 N. 44th Street. Defendant ERIC SIJOHN BROWN or another co-conspirator forged M.C.'s signature on this document. Immediately below the signatures the letter contained a warning that it is a violation of Title 18, United States Code, Section 1014, to make a false statement concerning any of the facts set forth in the gift letter.

270. On or about February 13, 2008, co-conspirator Francine Shanique Cross provided a falsely-inflated appraisal for 856 N. 44th Street that grossly overstated the actual value

of 856 N. 44th Street.

271. On or about September 30, 2008, defendants ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN, and co-conspirators Francine Shanique Cross and John William Polosky, caused FHA to accept the loan for FHA insurance and caused Atlantic Home Loans, Inc. to approve the mortgage application for 856 N. 44th Street, issue a loan in the amount of \$137,837, and wire approximately \$130,337.27 in interstate commerce from an account at Bank of New York in New York to a bank account in Pennsylvania utilized by KREW, where defendant FRANKLIN was the title agent.

272. On or about September 30, 2008, unbeknownst to Atlantic Home Loans, Inc., defendant KEVIN JOSEPH FRANKLIN disbursed funds to co-conspirators known and unknown to the grand jury, including approximately \$74,818 to himself and approximately \$15,000 to RKM, a company he controlled.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 2, 6, 7, 18, 19, and 21 through 36, and Overt Acts 19 through 27, of Count One are incorporated here.

2. On or about July 15, 2008, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ERIC SIJOHN BROWN,
KEVIN JOSEPH FRANKLIN,
WALTER ALSTON BROWN, JR.,
and
CYNTHIA EVETTE BROWN**

together and with Francine Shanique Cross, charged elsewhere, Dontaya S. Devore, charged elsewhere, Rashika J. Moon, charged elsewhere, and Willie G. Manley, Jr., charged elsewhere, and others known and unknown to the grand jury, made, passed, uttered and published, and caused to be made, passed, uttered and published, and aided and abetted such, a false statement, that is, a title insurance policy, inflated appraisal, a representation that Devore earned \$9,380 per month, a tax returns that represented that Devore had \$111,627 in adjusted gross income for 2007 and \$85,500 in adjusted gross income for 2006, and a gift letter that represented that Devore was defendant CYNTHIA EVETTE BROWN's niece and had received a \$10,000 gift from defendant CYNTHIA EVETTE BROWN, knowing all of these representations were false, for the purpose of obtaining a loan and advance credit from a corporation, namely Wells Fargo Bank, that is, a \$329,824 Wells Fargo Bank mortgage for 5114 Springfield Avenue, Philadelphia, PA, with the intent that such loan shall be offered to and accepted by the Department of Housing and Urban Development for insurance.

In violation of Title 18, United States Code, Sections 1010 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 2, 18, 19, and 21 through 36, and Overt Acts 267 through 272, of Count One are incorporated here.

2. On or about September 30, 2008, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ERIC SIJOHN BROWN
and
KEVIN JOSEPH FRANKLIN**

together and with Francine Shanique Cross, charged elsewhere, and John William Polosky, charged elsewhere, and others known and unknown to the grand jury, made, passed, uttered and published, and caused to be made, passed, uttered and published, and aided and abetted such, a false statement, that is, an inflated appraisal, a representation that 856 N. 44th would be M.C.'s primary residence, and a gift letter that represented that M.C. was defendant ERIC SIJOHN BROWN's sister, knowing all of these representations were false, for the purpose of obtaining a loan and advance credit from a corporation, namely Atlantic Home Loans, Inc., that is, a \$137,837 Atlantic Home Loans, Inc. mortgage for 856 N. 44th Street, Philadelphia, PA, with the intent that such loan shall be offered to and accepted by the Department of Housing and Urban Development for insurance.

In violation of Title 18, United States Code, Sections 1010 and 2.

COUNTS FOUR THROUGH NINETEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 2, 3, 5, 6, 7, 15, and 21 through 36, and Overt Acts 30 through 50, 75 through 83, 107 through 119, 141 through 148, 157 through 179, 195 through 206, and 221 through 263 of Count One are incorporated here.

2. On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, the following defendants knowingly made and caused to be made to the following financial institutions, and aided and abetted the making of, a false statement for the purpose of influencing the actions of the following financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation, upon the following loans, each false statement constituting a separate count, in that the following defendants caused to be submitted to the financial institutions a false loan application which contained the following false representations, when, as the defendants knew, the representations or statements were not true.

Count	Date	Defendants	Financial Institution	Description of Loan	False Statements
4	February 23, 2006	RODERICK L. FOXWORTH, SR.	National Penn Bank, FDIC Certificate Number 7414	\$500,000 line of credit, secured by mortgage on 7200 Haverford Avenue, Philadelphia, PA	False personal financial statement and false income tax returns showing false income for defendant FOXWORTH
5	May 4, 2006	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN	BankUnited, FDIC Certificate Number 32247	\$265,200 mortgage on 139 S. 49th Street, Philadelphia, PA	139 S. 49th Street would be B.W.'s primary residence; the purchase price was approximately \$312,000; false W-2s and paystubs showing false income for B.W.

Count	Date	Defendants	Financial Institution	Description of Loan	False Statements
6	June 30, 2006	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and RODERICK L. FOXWORTH, SR.,	Washington Mutual Bank, FDIC Certificate Number 32633	\$200,000 (first mortgage) and \$50,000 (second mortgage) on 6366 Sherman Street, Philadelphia, PA	The purchase price was approximately \$250,000; 6366 Sherman Street would be co-conspirator Moon's primary residence; false employment information for co-conspirator Moon; false income for co-conspirator Moon; false W-2s and paystubs showing false income; and a falsely-inflated appraisal
7	November 27, 2006	ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN	Bank of America, FDIC Certificate Number 3510	\$244,500 mortgage on 2826 W. Oxford Street	Co-conspirator Eric Ponder earned \$25,000 per month at P'Eric's Development
8	November 29, 2006 and February 16, 2007	KEVIN JOSEPH FRANKLIN and RODERICK L. FOXWORTH, SR.	Advance Bank, FDIC Certificate Number 31372	\$387,000 mortgage on 2154 Ridge Avenue, Philadelphia, PA and 5840 Master Street, Philadelphia, PA	Defendant FOXWORTH earned \$315,000 per year; false tax returns showing false income; a false rent roll showing \$30,600 in annual rent at and false leases for 2154 Ridge Avenue; and a falsely-inflated appraisal
9	December 1, 2006	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR.	Washington Mutual Bank, FDIC Certificate Number 32633	\$540,000 mortgage on 6305 Woodbine Avenue, Philadelphia, PA	The purchase price was approximately \$600,000; co-conspirator Thornton earned over \$9,000 per month in salary and rental income; false employment and employment verification for co-conspirator Thornton; false W-2s and paystubs showing false income for co-conspirator Thornton; false leases showing false monthly rental income; and a falsely-inflated appraisal.

Count	Date	Defendants	Financial Institution	Description of Loan	False Statements
10	December 1, 2006	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN	Advance Bank, FDIC Certificate Number 31372	\$225,000 mortgage on 402 Stevens Street, Camden, NJ, and a \$123,750 mortgage on 329 N. 64th Street, Philadelphia, PA	Defendant CYNTHIA EVETTE BROWN earned approximately \$439,200 per year; a false 2005 tax return with overstated income; and false leases showing false monthly rental income for 402 Stevens Street.
11	April 13, 2007	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN	Advance Bank, FDIC Certificate Number 31372	\$132,750 mortgage on 327 N. 64th Street, Philadelphia, PA	Defendant CYNTHIA EVETTE BROWN earned \$2,400 in monthly rent at 327 N. 64th Street; a false tax return showing false income; a false personal financial statement showing defendant CYNTHIA EVETTE BROWN earned approximately \$453,600 per year in rental income; and a falsely-inflated appraisal
12	April 13, 2007	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and CYNTHIA EVETTE BROWN	Washington Mutual Bank, FDIC Certificate Number 32633	\$350,000 mortgage on 1214 S. 51st Street, Philadelphia, PA	The purchase price was approximately \$350,000; the property would be S.F.'s primary residence; S.F. worked at Unicco Service Company; and false W-2s and paystubs showing false income for S.F.
13	April 30, 2007	ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN	Bank of America, FDIC Certificate Number 3510	\$355,000 mortgage on 4930 Kingsessing Avenue, Philadelphia, PA	4930 Kingsessing Avenue would be V.W.'s primary residence; false W-2s and paystubs showing false income for V.W.; and a falsely-inflated appraisal

Count	Date	Defendants	Financial Institution	Description of Loan	False Statements
14	October 30, 2007	ERIC SIJOHN BROWN and KEVIN JOSEPH FRANKLIN	JPMorgan Chase Bank, FDIC Certificate Number 628	\$113,400 mortgage on 5364 Morse Street, Philadelphia, PA	Co-conspirator Mark Murphy earned approximately \$6,200 per month in income; false W-2s and paystubs showing false income for co-conspirator Murphy; and false leases showing false monthly rental income
15	November 27, 2007	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR.	Chase Bank USA, FDIC Certificate Number 23702	\$104,000 mortgage on 1331 W. Ruscomb Street, Philadelphia, PA	The purchase price was \$150,000; false W-2s and paystubs showing false income for R.F.J.; false leases showing false monthly rental income; a false title insurance policy; and a falsely-inflated appraisal
16	December 6, 2007	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, WALTER ALSTON BROWN, JR., and CYNTHIA EVETTE BROWN	Washington Mutual Bank, FDIC Certificate Number 32633	\$323,000 mortgage on 5112 Springfield Avenue, Philadelphia, PA	5112 Springfield Avenue would be K.B.'s primary residence; the purchase price was approximately \$340,000; false assets of K.B.; false W-2s and paystubs showing false income for K.B.; a false title insurance policy; a falsely-inflated appraisal; and failure to disclose that another mortgage loan on 5112 Springfield Avenue had been applied for with and was issued by HSBC Mortgage Corp.

Count	Date	Defendants	Financial Institution	Description of Loan	False Statements
17	February 5, 2008	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR.	Countrywide Bank, FDIC Certificate Number 33143	\$299,250 mortgage on 5113 Chester Avenue, Philadelphia, PA	5113 Chester Avenue would be R.K.'s primary residence; R.K. earned approximately \$5,725 per month at P'Eric's Development; false W-2s and paystubs showing false income; overstated bank account balance of R.K.; a false title insurance policy; and a falsely-inflated appraisal
18	February 13, 2008	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, and WALTER ALSTON BROWN, JR.	Washington Mutual Bank, FDIC Certificate Number 32633	\$337,250, mortgage on 5113 Chester Avenue, Philadelphia, PA	5113 Chester Avenue would be R.K.'s primary residence; R.K. earned approximately \$5,725 per month at P'Eric's Development; false W-2s showing false income; overstated bank account balance of R.K.; a false title insurance policy; a falsely-inflated appraisal; and failure to disclose that another mortgage loan on 5113 Chester Avenue had been applied for with and was ultimately issued by Countrywide Bank.
19	March 25, 2008	ERIC SIJOHN BROWN, KEVIN JOSEPH FRANKLIN, RODERICK L. FOXWORTH, SR., and WALTER ALSTON BROWN, JR.,	Washington Mutual Bank, FDIC Certificate Number 32633	\$324,000 mortgage on 4930 Kingsessing Avenue, Philadelphia, PA	4930 Kingsessing Avenue would be co-conspirator Mark Murphy's primary residence; false W-2s and paystubs showing false income for co-conspirator Murphy; false leases showing false monthly rental income; a false title insurance policy; and a falsely-inflated appraisal

All in violation of Title 18, United States Code, Section 1014 and 2.

COUNT TWENTY

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 2, 3, and 21 through 36, and Overt Acts 267 through 272 of Count One are incorporated here.

2. On or about September 30, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ERIC SIJOHN BROWN,
KEVIN JOSEPH FRANKLIN**

knowingly and without lawful authority, possessed and used and aided and abetted the possession and use of, a means of identification of another person, that is, the name, social security number, and date of birth of M.C., during and in relation to a violation of Title 18, United States Code, Section 1010, making a false statement in connection with a Federal Housing Administration loan.

In violation of Title 18, United States Code, Sections 1028A(a)(1), 1028A(c)(4), and 2.

COUNTS TWENTY-ONE THROUGH TWENTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 2, 3, 6, 7, and 21 through 36, and Overt Acts 1 through 29, 84 through 89, and 267 through 272 of Count One are incorporated here.

THE SCHEME

2. From in or around May 2004 to in or around December 2009, defendants

**ERIC SIJOHN BROWN,
KEVIN JOSEPH FRANKLIN,
WALTER ALSTON BROWN, JR.,
and
CYNTHIA EVETTE BROWN**

together and with Francine Shanique Cross, charged elsewhere, Rashika J. Moon, charged elsewhere, Willie G. Manley, Jr., charged elsewhere, Eric Ponder, charged elsewhere, John William Polosky, charged elsewhere, Gregory Christopher Thornton, charged elsewhere, Mark Murphy, charged elsewhere, and Dontaya S. Devore, charged elsewhere, , and others known and unknown to the grand jury, devised a scheme to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises.

MANNER AND MEANS

It was part of the scheme that:

3. On or about the dates set forth below, in the Eastern District of Pennsylvania, and elsewhere, the following defendants, along with other persons known and unknown to the grand jury, for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below, each transmission constituting a separate count:

Count	Date	Defendants	Description
21	May 30, 2008	ERIC SIJOHN BROWN, and KEVIN JOSEPH FRANKLIN	A facsimile sent from KREW in Pennsylvania to Homecomings Financial LLC in Minnesota containing, among other things, a copy of Homecomings Financial LLC's mortgage on 139 S. 49th Street, Philadelphia, PA that contained a stamp showing that the mortgage had been recorded with the City of Philadelphia Records Department, and a copy of the title insurance policy for 139 S. 49th Street.
22	June 24, 2008	WALTER ALSTON BROWN, JR. and CYNTHIA EVETTE BROWN	A 60-page facsimile from Carteret Mortgage Corporation in Virginia to PNC Mortgage in Pennsylvania containing, among other things, a letter informing PNC Mortgage that co-conspirator Dontaya S. Devore's mortgage application for 5114 Springfield Avenue had been accepted by FHA, a false gift letter signed by defendants CYNTHIA EVETTE BROWN and Devore, and false income tax returns for co-conspirator Devore.
23	September 29, 2008	ERIC SIJOHN BROWN	A \$10,200 wire transfer from defendant ERIC SIJOHN BROWN's Citizens Bank account ending in 6921 in Pennsylvania to M.C.'s Washington Mutual Bank account ending in 7171 in New York.
24	December 7, 2009	CYNTHIA EVETTE BROWN	A facsimile sent from the Urban League in Philadelphia, Pennsylvania to First Horizon Home Loan Corporation in Texas, containing, among other things, a false financial statement, false pay stubs, and a false 2008 Federal income tax return.

All in violation of Title 18, United States Code, Sections 1343, 1349, and 2.

COUNT TWENTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 4, 6, 9, 14, and 21 through 36 of Count One are incorporated here.
2. The Internal Revenue Service (“IRS”) was an agency of the United States Department of the Treasury responsible for administering and enforcing the tax laws of the United States. Under these laws, individuals were required to report income to the IRS on federal income tax return forms. If a taxpayer failed accurately to report or pay his or her tax liability, the IRS could calculate, assess, and attempt to collect the tax liability.
3. During the calendar year 2006, defendant ERIC SIJOHN BROWN received gross income of approximately \$270,040. Defendant ERIC SIJOHN BROWN’s gross income for 2006 exceeded the threshold required for filing an individual income tax return with the IRS.
4. On this gross income, defendant ERIC SIJOHN BROWN owed to the United States of America federal income tax of at least approximately \$62,303.
5. From in or about January 1, 2006 through in or about April 2007, in the Eastern District of Pennsylvania, and elsewhere, defendant

ERIC SIJOHN BROWN

a resident of Philadelphia, Pennsylvania, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 2006 by failing to make an income tax return on or about April 17, 2007, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this

income tax, and by concealing and attempting to conceal from all proper officers of the United States of America his true and correct income through various means, including, among other things:

- a. by committing and causing to be committed Overt Acts 16 through 18, 58 through 69, 76 through 83, 90 through 126, 149 through 155, 157 through 159, 171 through 177, and 180 through 185 of Count One, which are incorporated here;
- b. by failing to file a federal income tax return with the IRS for calendar year 2006 and failing to report the income he received during 2006;
- c. by concealing his involvement in fraudulent real estate transactions during calendar year 2006;
- d. by arranging to receive, and receiving, payments of loan proceeds during calendar year 2006 that were not reflected on the HUD-1 settlement statements provided to the lenders, including but not limited to those payment referenced in Overt Acts 18, 67, 82, 97, 105, 155, 159, 177, and 185 of Count One; and
- e. by withdrawing and causing the withdrawal of large amounts of money from bank accounts over which he had access and control.

All in violation of Title 26, United States Code, Section 7201.

COUNT TWENTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 4, 6, 9, 14, and 21 through 36 of Count One are incorporated here.
2. Paragraph 2 of Count Twenty-Five is incorporated here.
3. During calendar year 2007, defendant ERIC SIJOHN BROWN received gross income of approximately \$213,264. Defendant ERIC SIJOHN BROWN's gross income for 2007 exceeded the threshold required for filing an individual income tax return with the IRS.
4. On this gross income, defendant ERIC SIJOHN BROWN owed to the United States of America federal income tax of at least approximately \$13,230.
5. From in or about January 1, 2007 through in or about April 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

ERIC SIJOHN BROWN

a resident of Philadelphia, Pennsylvania, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 2007 by failing to make an income tax return on or about April 15, 2008, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this income tax, and by concealing and attempting to conceal from all proper officers of the United States of America his true and correct income through various means, including, among other things:

- a. by committing and causing to be committed Overt Acts 36 through 41, 84 through 88, 127 through 139, 141 through 147, 201 through 204, 207 through 210,

221 through 234, and 236 through 248 of Count One, which are incorporated here;

b. by failing to file a federal income tax return with the IRS for calendar year 2007 and failing to report the income he received during 2007;

c. by depositing and causing to be deposited into the joint bank account he shared with defendant WALTER ALSTON BROWN, JR. at National Penn Bank in Wynnewood, Pennsylvania, approximately \$103,282 in fraudulently-obtained loan proceeds during calendar year 2007;

d. by concealing his involvement in fraudulent real estate transactions during calendar year 2007;

e. by arranging to receive, and receiving, payments of loan proceeds during calendar year 2007 that were not reflected on the HUD-1 settlement statements provided to the lenders, including but not limited to those payment referenced in Overt Acts 39, 88, 131, 139, 147, 204, 226, and 234 of Count One;

f. by withdrawing and causing the withdrawal of large amounts of money from bank accounts over which he had access and control; and

g. by concealing his use of an American Express Credit Card by having the account opened in the name REGGL Inc. by Dontaya S. Devore, charged elsewhere, charging approximately \$25,685 on that card during calendar year 2007, and paying the bills from Devore's Sovereign Bank account ending in 6483, over which defendant ERIC SIJOHN BROWN had access and control.

All in violation of Title 26, United States Code, Section 7201.

COUNT TWENTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 6, and 21 through 36 of Count One are incorporated here.
2. Paragraph 2 of Count Twenty-Five is incorporated here.
3. Sometime prior to April 15, 2008, defendant WALTER ALSTON

BROWN, JR. received Form W-2 Wage and Tax Statements that reported earnings of approximately \$5,722 from First Tennessee Bank and approximately \$1,964 from Allied Home Capital during calendar year 2007.

4. During calendar year 2007, defendant WALTER ALSTON BROWN, JR. received gross income of approximately \$113,220. Defendant WALTER ALSTON BROWN, JR.'s gross income for 2007 exceeded the threshold required for filing either an individual income tax return or a married filing jointly income tax return with the IRS.

5. On this gross income, defendant WALTER ALSTON BROWN, JR. owed to the United States of America federal income tax of at least approximately \$22,915.

6. From in or about January 1, 2007 through in or about April 2008, in the Eastern District of Pennsylvania, the Eastern District of Virginia, and elsewhere, defendant

WALTER ALSTON BROWN, JR.

a resident of the Providence Forge, Virginia, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 2007 by failing to make an income tax return on or about April 15, 2008, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this income tax, and by concealing and attempting to conceal from all proper officers of the United

States of America his true and correct income through various means, including, among other things:

a. by committing and causing to be committed Overt Acts 36 through 41, 141 through 147, 221 through 227, and 239 through 248 of Count One, which are incorporated here;

b. by failing to file a federal income tax return with the IRS for calendar year 2007 and failing to report the income he received during 2007;

c. by adding defendant ERIC SIJOHN BROWN as a joint account holder to his bank account ending in 0006 at the National Penn Bank branch in Wynnewood, Pennsylvania on or about March 22, 2007;

d. by depositing and causing to be deposited into the joint bank account he shared with defendant ERIC SIJOHN BROWN at National Penn Bank in Wynnewood, Pennsylvania, approximately \$103,282 in fraudulently-obtained loan proceeds during calendar year 2007;

e. by committing and causing to be committed Overt Acts 5, 6, 8, 9, and 12 Count Two, which are incorporated here.

f. by arranging to receive, and receiving, payments of loan proceeds during calendar year 2007 that were not reflected on the HUD-1 settlement statements provided to the lenders, including but not limited to those payment referenced in Overt Acts 147 and 226 of Count One;

g. by withdrawing and causing the withdrawal of large amounts of money from bank accounts over which he had access and control, including but not limited to funds from his joint National Penn Bank account ending in 0006 through the

use of debit card, ATM card, check, and electronic bill payment; and

h. by concealing his use of an American Express Credit Card opened in the name REGGL Inc. by Dontaya S. Devore, charged elsewhere, and allowing defendant ERIC SIJOHN BROWN to pay the bills from Devore's Sovereign Bank account ending in 6483.

All in violation of Title 26, United States Code, Section 7201.

COUNT TWENTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 4, 6, 9, 14, and 21 through 36 of Count One are incorporated here.
2. Paragraph 2 of Count Twenty-Five is incorporated here.
3. During calendar year 2008, defendant ERIC SIJOHN BROWN received gross income of approximately \$656,412. Defendant ERIC SIJOHN BROWN's gross income for 2008 exceeded the threshold required for filing an individual income tax return with the IRS.
4. On this gross income, defendant ERIC SIJOHN BROWN owed to the United States of America federal income tax of at least approximately \$134,244.
5. From in or about January 1, 2008 through in or about April 2009, in the Eastern District of Pennsylvania, and elsewhere, defendant

ERIC SIJOHN BROWN

a resident of Philadelphia, Pennsylvania, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 2008 by failing to make an income tax return on or about April 15, 2009, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this income tax, and by concealing and attempting to conceal from all proper officers of the United States of America his true and correct income through various means, including, among other things:

- a. by committing and causing to be committed Overt Acts 19 through 29, 42 through 50, and 249 through 272 of Count One, which are incorporated here.

b. by failing to file a federal income tax return with the IRS for calendar year 2008 and failing to report the income he received during 2008;

c. by depositing and causing to be deposited into the joint bank account he shared with defendant WALTER ALSTON BROWN, JR. at National Penn Bank in Wynnewood, Pennsylvania, approximately \$73,080 in fraudulently-obtained loan proceeds during calendar year 2008;

d. by concealing his involvement in fraudulent real estate transactions during calendar year 2008;

e. by arranging to receive, and receiving, payments of loan proceeds during calendar year 2008 that were not reflected on the HUD-1 settlement statements provided to the lenders, including but not limited to those payment referenced in Overt Acts 28, 49, 255, and 262 of Count One;

f. by withdrawing and causing the withdrawal of large amounts of money from bank accounts over which he had access and control; and

g. by concealing his use of an American Express Credit Card by having the account opened in the name REGGL Inc. by Dontaya S. Devore, charged elsewhere, charging a total of approximately \$71,598 on that card during 2008, and by paying the bills from Devore's Sovereign Bank account ending in 6483, over which defendant ERIC SIJOHN BROWN had access and control.

All in violation of Title 26, United States Code, Section 7201.

COUNT TWENTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 6, and 21 through 36 of Count One are incorporated here.
2. Paragraph 2 of Count Twenty-Five is incorporated here.
3. Sometime prior to April 15, 2009, defendant WALTER ALSTON

BROWN, JR. received Form W-2 Wage and Tax Statements that reported earnings of approximately \$5,722 from First Tennessee Bank, approximately \$1,964 from Allied Home Capital, and approximately \$1,288 from Carteret Mortgage during calendar year 2008.

4. During calendar year 2008, defendant WALTER ALSTON BROWN, JR. received gross income of approximately \$98,878. Defendant WALTER ALSTON BROWN, JR.'s gross income for 2008 exceeded the threshold required for filing either an individual income tax return or a married filing jointly income tax return with the IRS.

5. On this gross income, defendant WALTER ALSTON BROWN, JR. owed to the United States of America federal income tax of at least approximately \$11,407.

6. From in or about January 1, 2008 through in or about February 2010, in the Eastern District of Pennsylvania, the Eastern District of Virginia, and elsewhere, defendant

WALTER ALSTON BROWN, JR.

a resident of the Providence Forge, Virginia, who during calendar year 2008 was married, willfully attempted to evade and defeat a large part of the tax due and owing by him and his spouse to the United States of America for the calendar year 2008 through various means, including, among other things:

- a. by committing and causing to be committed Overt Acts 19 through

29, 42 through 50, and 249 through 263 of Count One, which are incorporated here;

b. by depositing and causing to be deposited into the joint bank account he shared with defendant ERIC SIJOHN BROWN at National Penn Bank in Wynnewood, Pennsylvania, approximately \$73,080 in fraudulently-obtained loan proceeds during calendar year 2008;

c. by filing and causing to be filed with the Director, Internal Revenue Service Center, at Kansas City, Missouri, a false and fraudulent joint U.S. individual income tax return, Form 1040, on behalf of himself and his spouse, in which it was stated that he and his spouse had adjusted gross income of only approximately \$10,393, and wage income of approximately \$7,200, but, as he then well knew and believed, he earned substantial additional income of at least \$88,485 that he failed to report, and that upon his actual correct income there was owing to the United States of America an additional tax of approximately \$11,407;

d. by concealing his involvement in fraudulent real estate transactions during calendar year 2008;

e. by arranging to receive, and receiving, payments of loan proceeds during calendar year 2008 that were not reflected on the HUD-1 settlement statements provided to the lenders, including but not limited to those payment referenced in Overt Acts 49, 255, and 262 of Count One;

f. by withdrawing and causing the withdrawal of large amounts of money from bank accounts over which he had access and control, including but not limited to funds from his joint National Penn Bank account ending in 0006 through the use of debit card, ATM card, check, and electronic bill payment;

g. by concealing his use of an American Express Credit Card by having the account opened in the name REGGL Inc. by Dontaya S. Devore, charged elsewhere, and by paying the bills from Devore's Sovereign Bank account ending in 6483, over which defendant ERIC SIJOHN BROWN had access and control; and

h. by failing to declare as income on the 2008 Form 1040 joint U.S. income tax return he filed any of the funds deposited during 2008 into his joint bank account with defendant ERIC SIJOHN BROWN at National Penn Bank during 2008, any of the funds paid to satisfy the charges he incurred using the REGGL Inc. American Express Credit Card during 2008, or any of the approximately \$1,288 he received in income from Carteret Mortgage during 2008.

All in violation of Title 26, United States Code, Section 7201.

COUNT THIRTY

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 3, and 21 through 36 of Count One are incorporated here.
2. Paragraph 2 of Count Twenty-Five is incorporated here.
3. Overt Acts 16 through 18, 58 through 69, 76 through 83, 90 through 126, 149 through 155, 157 through 159, and 180 through 185 of Count One are incorporated here.
4. During calendar year 2006, defendant KEVIN JOSEPH FRANKLIN received gross income of at least approximately \$150,393.
5. On this gross income, defendant KEVIN JOSEPH FRANKLIN owed to the United States of America federal income tax of at least approximately \$23,214.
6. On or about April 29, 2007, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

KEVIN JOSEPH FRANKLIN

a resident of Philadelphia, Pennsylvania, willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2006, which was verified by an electronic verification that it was made under the penalty of perjury and filed with the Director, Internal Revenue Service Center, electronically from Philadelphia, Pennsylvania, which defendant FRANKLIN did not believe to be true and correct as to every material matter, in that the return reported adjusted gross income of approximately \$36,063, and taxable income of approximately -\$4,612, when, as defendant FRANKLIN knew, he had failed to report at least approximately \$108,915 in income, and his actual taxable income was at least approximately \$107,780.

In violation of Title 26, United States Code, Section 7206(1).

COUNT THIRTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 5, 14, and 21 through 36 of Count One are incorporated here.
2. Overt Acts 58 through 83, 90 through 126, 146 through 155, 157 through 159, and 180 through 185 of Count One are incorporated here.
3. Paragraph 2 of Count Twenty-Five is incorporated here.
4. During calendar year 2006, defendant RODERICK L. FOXWORTH, SR. received gross income of at least approximately \$402,350.
5. On this gross income, defendant RODERICK L. FOXWORTH, SR. owed to the United States of America federal income tax of at least approximately \$114,663.
6. On or about August 19, 2009, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

RODERICK L. FOXWORTH, SR.

a resident of Philadelphia, Pennsylvania, willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2006, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Director, Internal Revenue Service Center, at Kansas City, Missouri, which defendant FOXWORTH did not believe to be true and correct as to every material matter, in that the return reported adjusted gross income of approximately \$6,331, and taxable income of approximately -\$11,119, when, as defendant FOXWORTH knew, he had failed to report at least approximately \$395,550 in income, and his actual taxable income was at least approximately \$391,031.

In violation of Title 26, United States Code, Section 7206(1).

COUNT THIRTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 3, and 21 through 36 of Count One are incorporated here.
2. Overt Acts 36 through 41, 84 through 88, 127 through 139, 141 through 147, 161 through 169, and 221 through 235 of Count One are incorporated here.
3. Paragraph 2 of Count Twenty-Five is incorporated here.
4. During calendar year 2007, defendant KEVIN JOSEPH FRANKLIN received gross income of at least approximately \$139,517.
5. On this gross income, defendant KEVIN JOSEPH FRANKLIN owed to the United States of America federal income tax of at least approximately \$17,883.
6. On or about April 15, 2008, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

KEVIN JOSEPH FRANKLIN

a resident of Philadelphia, Pennsylvania, willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2007, which was verified by an electronic verification that it was made under the penalty of perjury and filed with the Director, Internal Revenue Service Center, electronically from Philadelphia, Pennsylvania, which defendant FRANKLIN did not believe to be true and correct as to every material matter, in that the return reported adjusted gross income of approximately \$8,191, and taxable income of approximately -\$22,909, when, as defendant FRANKLIN knew, he had failed to report at least approximately \$130,650 in income, and his actual taxable income was at least approximately \$85,593.

In violation of Title 26, United States Code, Section 7206(1).

COUNT THIRTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 5, 14, and 21 through 36 of Count One are incorporated here.
2. Overt Acts 84 through 88, 133 through 139, 141 through 147, 161 through 169, and 221 through 234 of Count One are incorporated here.
3. Paragraph 2 of Count Twenty-Five is incorporated here.
4. During calendar year 2007, defendant RODERICK L. FOXWORTH, SR. received gross income of at least approximately \$194,781.
5. On this gross income, defendant RODERICK L. FOXWORTH, SR. owed to the United States of America federal income tax of at least approximately \$26,690.
6. On or about August 19, 2009, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

RODERICK L. FOXWORTH, SR.

a resident of Philadelphia, Pennsylvania, willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2007, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Director, Internal Revenue Service Center, at Kansas City, Missouri, which defendant FOXWORTH did not believe to be true and correct as to every material matter, in that the return reported adjusted gross income of approximately \$20,243, and taxable income of approximately \$2,193, when, as defendant FOXWORTH knew, he had failed to report at least approximately \$174,538 in income, and his actual taxable income was at least approximately \$144,073.

In violation of Title 26, United States Code, Section 7206(1).

COUNT THIRTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Paragraphs 1, 2, 3, and 21 through 36 of Count One are incorporated here.
2. Overt Acts 19 through 29, 42 through 50, 249 through 263, and 267

through 272 of Count One are incorporated here.

3. Paragraph 3 of Count Twenty-Six is incorporated here.

4. During calendar year 2008, defendant KEVIN JOSEPH FRANKLIN received gross income of at least approximately \$124,714.

5. On this gross income, defendant KEVIN JOSEPH FRANKLIN owed to the United States of America federal income tax of at least approximately \$16,023.

6. On or about April 15, 2009, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

KEVIN JOSEPH FRANKLIN

a resident of Philadelphia, Pennsylvania, willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2008, which was verified by an electronic verification that it was made under the penalty of perjury and filed with the Director, Internal Revenue Service Center, electronically from Philadelphia, Pennsylvania, which defendant FRANKLIN did not believe to be true and correct as to every material matter, in that the return reported adjusted gross income of approximately \$3,793, and taxable income of approximately -\$28,107, when, as defendant FRANKLIN knew, he had failed to report at least approximately \$118,843 in income, and his actual taxable income was at least approximately \$70,427.

In violation of Title 26, United States Code, Section 7206(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 371, 1014, 1343, and 1349 as set forth in this information, defendants

**ERIC SIJOHN BROWN,
KEVIN JOSEPH FRANKLIN,
RODERICK L. FOXWORTH, SR.,
WALTER ALSTON BROWN, JR.,
and
CYNTHIA EVETTE BROWN**

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of \$13,754,273.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(b), both incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(c) and 982(a)(2)

and Title 28, United States Code, Section 2461.

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney