

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA, ) No. CR13-00183 JSW  
12 )  
13 Plaintiff, ) VIOLATIONS: 18 U.S.C. § 1341 -- Mail Fraud;  
14 v. ) 18 U.S.C. § 1343 -- Wire Fraud; 18 U.S.C. § 1957(a) -  
15 ) Money Laundering; 18 U.S.C. § 1503 – Obstruction  
16 STEPHEN B. LOPEZ, ) of Justice; 18 U.S.C. §§ 1512(b)(1) and (c)(2) -- Witness  
17 ) Tampering; 18 U.S.C. § 981(a)(1)(C) -- Forfeiture  
18 Defendant. )  
19 ) OAKLAND VENUE

20 SUPERSEDING INDICTMENT

21 The Grand Jury charges:

22 Introductory Allegations

23 At all times relevant to this Indictment:

24 1. Defendant STEPHEN B. LOPEZ (“LOPEZ”) was the Managing Director of Lighthorse  
25 Ventures, LLC (“Lighthorse”), a private equity investment company founded in 2000 and located in  
26 Walnut Creek, California.

27 2. LOPEZ solicited loans and investments on behalf of Lighthorse, drafting and signing  
28 promissory notes in which he promised to timely pay the principal and interest of 10% and 12% per  
year.

3. LOPEZ had sole signature authority on Lighthorse’s Wells Fargo Bank business checking  
account ending in 1834 (“Lighthorse WFB Account”).

1 4. Wells Fargo Bank was federally insured by the Federal Deposit Insurance Corporation.  
2 5. Wire transfers to Wells Fargo Bank accounts in California and deposits of checks into Wells Fargo  
3 Bank accounts in California caused interstate wire transfers during the processing of the monetary  
4 transactions.

5 The Scheme to Defraud

6 6. LOPEZ produced and caused to be produced Lighthorse brochures that falsely represented  
7 Lighthorse's ownership interests in companies and the value of assets owned by Lighthorse. LOPEZ  
8 distributed and caused to be distributed these brochures to prospective lenders.

9 7. LOPEZ defrauded Lighthorse prospective lenders by:

10 a. falsely representing that LIGHTHORSE held ownership interests in companies, real  
11 properties, and oil wells, and overvaluing the entities owned by and purportedly owned by Lighthorse.

12 b. failing to inform them that:

13 1. he had failed to return the principal or interest to the majority of the previous  
14 lenders, and

15 2. by March 26, 2008, he was required to make a final payment of \$600,000 to  
16 "Lonestar Trust" as a result of a civil settlement agreement between LOPEZ and  
17 his former clients.

18 c. falsely promising:

19 1. that the loan amounts were secured by property held by Lighthorse, and

20 2. to pay them the principal and interest in conformance with the terms of the  
21 promissory notes.

22 8. LOPEZ regularly failed to pay lenders the principal and interest in conformance with the  
23 terms of the promissory notes.

24 COUNTS ONE THROUGH THREE: (18 U.S.C. § 1341 - Mail Fraud)

25 9. Paragraphs 1 through 8 are realleged as if fully set forth herein.

26 10. On or about the dates set forth below, in the Northern District of California and elsewhere,  
27 defendant

28 STEPHEN B. LOPEZ,

1 having devised a scheme and artifice to defraud, and to obtain money and property from victims  
 2 by means of materially false and fraudulent pretenses, representations, and promises, and by  
 3 material omissions, did, for the purpose of executing the scheme and artifice to defraud,  
 4 knowingly cause the mail matter listed below to be deposited, sent, and delivered by the United  
 5 States Postal Service and interstate carriers:

COUNT	DATE OF MAILING	MAILING
ONE	June 8, 2008	Two promissory notes mailed from in or around Walnut Creek, California
TWO	June 11, 2008	Two completed and signed promissory notes and two checks in the amounts of \$200,000 and \$300,000 made payable to Lighthouse Ventures, LLC mailed to in or around Walnut Creek, California
THREE	June 18, 2008	Copies of two completed and signed promissory notes mailed from in or around Walnut Creek, California

14 All in violation of Title 18, United States Code, Section 1341.

15 COUNTS FOUR THROUGH TEN: (18 U.S.C. § 1343 - Wire Fraud)

16 11. Paragraphs 1 through 10 are realleged as if fully set forth herein.

17 12. On or about the dates set forth below, in the Northern District of California and  
 18 elsewhere, defendant

19 STEPHEN B. LOPEZ,

20 having devised a scheme and artifice to defraud, and to obtain money and property from victims  
 21 by means of materially false and fraudulent pretenses, representations, and promises, and by  
 22 material omissions, did knowingly cause to be transmitted the following wire communications in  
 23 interstate and foreign commerce:

COUNT	DATE OF WIRE TRANSFER	WIRE TRANSFER
FOUR	March 26, 2008	Wire transfer of \$120,000 from H.C.'s Charles Schwab bank account to the Lighthouse WFB Account causing an interstate wire transfer
FIVE	March 26, 2008	Wire transfer of \$90,000 from H.C.'s National Financial bank account to the Lighthouse WFB Account causing an interstate wire transfer

SIX	March 26, 2008	Deposit of \$150,000 Wachovia official check from R.M. payable to Lighthorse Ventures LLC into the Lighthorse WFB Account causing an interstate wire transfer
SEVEN	March 26, 2008	Deposit of \$150,000 Bank of America check from T.L. payable to Lighthorse Ventures LLC into the Lighthorse WFB Account causing an interstate wire transfer
EIGHT	March 27, 2008	Wire transfer of \$190,000 from H.C.'s Charles Schwab bank account to the Lighthorse WFB Account causing an interstate wire transfer
NINE	April 3, 2008	Deposit of \$50,000 Charles Schwab Bank check from T.L. payable to Lighthorse Ventures LLC into the Lighthorse WFB Account causing an interstate wire transfer
TEN	April 4, 2008	Deposit of \$50,000 Wachovia official check from R.M. payable to Lighthorse Ventures LLC into the Lighthorse WFB Account causing an interstate wire transfer

All in violation of Title 18, United States Code, Section 1343.

COUNTS ELEVEN AND TWELVE: (18 U.S.C. § 1957(a) - Money Laundering)

13. Paragraphs 1 through 12 are realleged as if fully set forth herein.

14. On or about the dates set forth below, in the Northern District of California and elsewhere, defendant

STEPHEN B. LOPEZ,

did knowingly engage in the following monetary transactions, in and affecting interstate commerce, in criminally derived property of a value greater than \$10,000, that was derived from specified unlawful activity, namely wire fraud, in violation of Title 18, United States Code, Section 1343.

COUNT	DATE	TRANSACTION
ELEVEN	March 25, 2008	Check #1209 in the amount of \$600,000 made payable to "Lonestar" drawn on Lighthorse WFB account
TWELVE	March 27, 2008	\$50,000 wire transfer made payable to a person with the initials P.H. from the Lighthorse WFB account to Wells Fargo account ending in 5825

All in violation of Title 18, United States Code, Section 1957(a).

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1 COUNT THIRTEEN: (18 U.S.C. § 1503 – Obstruction of Justice)

2 15. Paragraphs 1 through 8 are realleged as if fully set forth herein.

3 16. On or about October 31, 2013, in the Northern District of California, the defendant,

4 STEPHEN B. LOPEZ,

5 did corruptly influence, obstruct, and impede, and did endeavor to influence, obstruct, and impede the  
6 due and proper administration of justice in a pending proceeding in United States District Court, namely  
7 *U.S. v. Stephen B. Lopez*, CR13-00183 JSW, by creating a false, forged promissory note and attempting  
8 to persuade witness JB.O. to sign a false affidavit, all in violation of Title 18, United States Code,  
9 Section 1503.

10 COUNT FOURTEEN: (18 U.S.C. §§ 1512(b)(1) and (c)(2) – Witness Tampering)

11 17. Paragraphs 1 through 8 are realleged as if fully set forth herein.

12 18. On or about October 31, 2013, in the Northern District of California, the defendant,

13 STEPHEN B. LOPEZ,

14 did knowingly attempt to corruptly persuade another person, that is witness JB.O., by:

15 (1) creating a false, forged promissory note with JB.O.'s purported signature, and

16 (2) attempting to persuade witness JB.O. to sign a false affidavit,

17 all with the intent to influence, delay, and prevent the testimony of JB.O. in an official proceeding in  
18 United States District Court, namely *U.S. v. Stephen B. Lopez*, CR13-00183 JSW, all in violation of  
19 Title 18, United States Code, Sections 1512(b)(1) and (c)(2).

20 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

21 19. The allegations of Counts One through Ten of this Indictment are realleged as if fully  
22 set forth herein.

23 20. Upon a conviction of any of the offenses alleged in Counts One through Ten,  
24 defendant

25 STEPHEN B. LOPEZ,

26 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C)  
27 and Title 28, United States Code, Section 2461(c), any property, real or personal, which  
28 constitutes and is derived from proceeds traceable to a violation of the offenses alleged in Counts

1 One through Ten.

2 21. If any of the property described above, as a result in any act of omission of the  
3 defendant:

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

10 any and all interest any defendant has in any other property (not to exceed the value of the above  
11 forfeitable property) shall be forfeited to the United States pursuant to Title 21, United States  
12 Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

13 All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

14  
15 DATED: April , 2014

A TRUE BILL.

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FOREPERSON

19 MELINDA HAAG  
20 United States Attorney

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22 \_\_\_\_\_  
23 J. DOUGLAS WILSON  
Chief, Criminal Division

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25 (Approved as to form: \_\_\_\_\_)  
AUSA BESSETTE