

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. _____
v.	)	
	)	Violations: Title 18, United
DANIEL APOSTOLOPOULOS	)	States Code, Section 152(3)
and SOULA APOSTOLOPOULOS	)	

**COUNT ONE**

The JULY 2014 GRAND JURY charges:

1. At times material to this Indictment:

a. To begin a bankruptcy case, a bankruptcy petition had to be filed in the United States Bankruptcy Court. Persons or businesses that filed a bankruptcy petition were referred to as “debtors” under federal bankruptcy law.

b. One type of bankruptcy case was a Chapter 7 bankruptcy. Chapter 7 of the Bankruptcy Code (Title 11, United States Code), provided that debtors could obtain a fresh financial start through the discharge of some types of debt. A debtor that received a discharge had no further legal obligation to pay any debt that was discharged.

c. A debtor that filed a Chapter 7 bankruptcy petition was required by law to fully disclose any and all interests he might have in any type of assets, including all real and personal property, whether or not the

assets were held in the debtor's name, held in the name of another person for the benefit of the debtor, or held as collateral. The debtor was also required to disclose all liabilities and debts owed to creditors. The assets and liabilities of the debtor comprised what was called the debtor's "bankruptcy estate."

d. A debtor's assets, liabilities, and other information were required to be disclosed in various "schedules" and a "statement of financial affairs." The debtor was required to declare the accuracy of the schedules and statement of financial affairs under penalty of perjury. The schedules and statement of financial affairs were required to be filed with the Bankruptcy Court. In particular, a debtor was required to disclose:

i. personal property of the debtor in checking, savings, or other financial accounts;

ii. personal property of the debtor in IRA, ERISA, Keogh, or other pension or profit sharing plans;

iii. property transferred by the debtor, and the debtor's relationship to the recipient of property transferred, within two years immediately prior to the commencement of the bankruptcy case, except property transferred by the debtor in the ordinary course of business;

iv. the nature, location, and names of any businesses in which the debtor was the owner of 5 percent or more of the voting or equity securities, or was an officer, director, partner, or managing executive of a corporation;

v. income received from employment or operation of a business during the two years immediately preceding the year the bankruptcy case was commenced, and during the time between the beginning

of the calendar year the bankruptcy was commenced and the date the bankruptcy was filed;

vi. financial accounts owned by or used for the defendant's benefit within one year preceding the filing of the defendant's bankruptcy case.

e. The United States Trustee supervised the administration of bankruptcy cases. Upon the filing of a Chapter 7 bankruptcy petition, the United States Trustee appointed a person to act as the trustee for debtor's bankruptcy estate. The United States Trustee also supervised these trustees. The appointed trustee was responsible for the administration of the debtor's bankruptcy estate, including the liquidation of the debtor's property, if any, and the distribution of a pro rata share of the proceeds from the property to the debtor's creditors.

f. Beginning no later than January 1, 2009, defendant DANIEL APOSTOLOPOULOS owned and controlled MB Financial Bank account number 43\*\*\*\*\*63, which was closed on October 23, 2009.

g. Beginning no later than July 6, 2009, defendant DANIEL APOSTOLOPOULOS owned and controlled Merrill Lynch account number 5\*\*-\*\*\*98, which was closed on October 1, 2009.

h. Beginning no later than December 3, 2008, defendant DANIEL APOSTOLOPOULOS controlled and used Wells Fargo checking

account no. \*\*\*\*\*1530, which was titled in the name of Orbital Enterprise, LLC.

i. Beginning no later than January 1, 2008, and continuing to October 23, 2009, defendant DANIEL APOSTOLOPOULOS was the brother-in-law of Individual A, and the son-in-law of Individual B.

j. Beginning not later than May 15, 2008 and continuing through at least November 27, 2009, defendant DANIEL APOSTOLOPOULOS was at times the President Columbus Grill, Inc., a restaurant located at 651 West Washington Boulevard, Chicago, Illinois, which he had purchased in 2006 with his wife, defendant SOULA APOSTOLOPOULOS, and co-owned with her until 2011.

k. As of October 23, 2009, defendants DANIEL and SOULA APOSTOLOPOULOS each owned a one-half interest in lot 220 of Castle Rock Estates, German Town, Wisconsin.

l. During 2009, and between January 1, 2010 and March 13, 2010, defendant SOULA APOSTOLOPOULOS received income from the Columbus Grill, Inc., a restaurant located at 651 West Washington Boulevard, Chicago, Illinois, that she had purchased in 2006 with her husband, defendant DANIEL APOSTOLOPOULOS.

m. As of April 18, 2008, defendant SOULA APOSTOLOPOULOS owned and controlled Bank of America account

numbers \*\*29\*\*47\*\*34 and \*\*29\*\*46\*\*20. Account number \*\*29\*\*46\*\*20 was closed on approximately September 17, 2009, and account number \*\*29\*\*47\*\*34 was closed on March 8, 2010.

n. As of July 6, 2009, defendant SOULA APOSTOLOPOULOS owned and controlled Merrill Lynch account numbers 5\*\*-\*\*\*59 and 5\*\*-\*\*\*60. She closed both accounts on October 1, 2009.

2. On October 23, 2009, defendant DANIEL APOSTOLOPOULOS caused a bankruptcy petition, schedules, and a statement of financial affairs to be filed with the Bankruptcy Court for the Western Division of the Northern District of Illinois in Rockford, Illinois. The case was titled *In re Dan Apostolopoulos*, and was assigned case number 09 B 74652.

3. On March 4, 2010, defendant SOULA APOSTOLOPOULOS caused a bankruptcy Petition, Schedules, and a Statement of Financial Affairs to be filed with the Bankruptcy Court for the Western Division of the Northern District of Illinois in Rockford, Illinois. The case was titled *In re Soula Apostolopoulos*, and was assigned case number 10 B 71006.

4. On or about October 23, 2009, at Rockford, in the Northern District of Illinois, Western Division, and elsewhere,

DANIEL APOSTOLOPOULOS,  
defendant herein, knowingly and fraudulently made a material false declaration, verification, and statement under penalty of perjury, as

permitted under section 1746 of Title 28, in and in relation to a case under Chapter 7 of the Bankruptcy Code (Title 11, United States Code), specifically, *In re Dan Apostolopoulos*, case number 09 B 74652 in the United States Bankruptcy Court for the Northern District of Illinois, Western Division, in that defendant Daniel Apostolopoulos fraudulently stated that the petition, schedules, and statement of financial affairs he filed were true and correct to the best of his knowledge, information, and belief, when in fact, as the defendant then knew:

a. Schedule B was not true and correct, because he fraudulently concealed his personal property interest in Wells Fargo checking account no. \*\*\*\*\*1530;

b. Schedule B was not true and correct, because he fraudulently concealed his ownership interest in the Columbus Grill, Inc., which he had purchased with his wife in 2006;

c. his answer to Question Number 10 on his Statement of Financial Affairs was not true and correct, because he falsely represented that he had transferred a vacant lot in Castle Rock Estates, German Town, Wisconsin, within the two years preceding his bankruptcy, when in fact he had not;

d. his answer to Question Number 10 on his Statement of Financial Affairs was not true and correct, because he fraudulently concealed

his relationship with Individual B, his father-in-law, to whom he had purported to transfer a Volvo automobile within two years of filing for bankruptcy;

e. his answer to Question Number 10 on his Statement of Financial Affairs was not true and correct, because he fraudulently concealed his relationship with Individual A, his sister-in-law, to whom he had purported to transfer a Mercedes automobile within two years of filing for bankruptcy;

f. his answer of “None” to Question Number 11 on his Statement of Financial Affairs was not true and correct, because he fraudulently concealed MB Financial Bank account number 43\*\*\*\*\*63, a financial account the defendant had owned and controlled within the year preceding the filing of his bankruptcy case;

g. his answer of “None” to Question Number 11 on his Statement of Financial Affairs was not true and correct, because he fraudulently concealed Merrill Lynch account number 5\*\*-\*\*\*98, a financial account the defendant had owned and controlled within the year preceding the filing of his bankruptcy case; and

h. his answer to Question Number 18 on his Statement of Financial Affairs was not true and correct, because he fraudulently concealed his position as President of Columbus Grill, Inc. and falsely represented that

he held no ownership interest in the business, when in fact he co-owned the business with his wife, Soula Apostolopoulos.

In violation of Title 18, United States Code, Section 152(3).



## COUNT TWO

The JULY 2014 GRAND JURY further charges:

1. Paragraphs 1 and 3 of Count One of this Indictment are incorporated here.

2. On or about March 4, 2010, at Rockford, in the Northern District of Illinois, Western Division, and elsewhere,

SOULA APOSTOLOPOULOS,

defendant herein, knowingly and fraudulently made a material false declaration, verification, and statement under penalty of perjury, as permitted under section 1746 of Title 28, in and in relation to a case under Chapter 7 of the Bankruptcy Code (Title 11, United States Code), specifically, *In re Soula Apostolopoulos*, case number 10 B 71006 in the United States Bankruptcy Court for the Northern District of Illinois, Western Division, in that defendant Soula Apostolopoulos fraudulently stated that the petition, schedules and statement of financial affairs she filed were true and correct to the best of her knowledge, information, and belief, when in fact, as the defendant then knew:

a. her answer of "\$0.00" for 2009 and 2010 to Question Number 1 on her Statement of Financial Affairs was not true and correct, because she fraudulently concealed income she had received from Columbus Grill, Inc., a corporation that she purchased with her husband in 2006;

b. her answer to Question Number 10 on her Statement of Financial Affairs was not true and correct, because she falsely represented that she had transferred a vacant lot in Castle Rock Estates, German Town, Wisconsin, within the two years preceding her bankruptcy, when in fact she had not;

c. her answer of “None” to Question Number 11 on her Statement of Financial Affairs was not true and correct, because she fraudulently concealed Bank of America account numbered \*\*29\*\*47\*\*34, a financial account she had owned and controlled within the year preceding the filing of her bankruptcy case;

d. her answer of “None” to Question Number 11 on her Statement of Financial Affairs was not true and correct, because she fraudulently concealed Bank of America account number \*\*29\*\*46\*\*20, a financial account she had owned and controlled within the year preceding the filing of her bankruptcy case; and

e. her answer of “None” to Question Number 11 on her Statement of Financial Affairs was not true and correct, because she fraudulently concealed Merrill Lynch account number 5\*\*-\*\*\*59, a financial account she had owned and controlled within the year preceding the filing of her bankruptcy case; and

f. her answer of “None” to Question Number 11 on her Statement of Financial Affairs was not true and correct, because she fraudulently concealed Merrill Lynch account number 5\*\*-\*\*\*60, a financial account she had owned and controlled within the year preceding the filing of her bankruptcy case;

In violation of Title 18, United States Code, Section 152(3).

A TRUE BILL:

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FOREPERSON

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UNITED STATES ATTORNEY