

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No.  
: :  
v. : 18 U.S.C. §§ 1343 & 2, and  
: 28 U.S.C. § 2461(c)  
: :  
GAVIN GATTA : INFORMATION  
: :  
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The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

BACKGROUND

A. Defendant and Lender One

1. At all times relevant to this Information:

a. Defendant GAVIN GATTA was a resident of Monmouth County, New Jersey, and was a partner in an insurance brokerage firm with headquarters in Howell, New Jersey, herein identified as "SGG." Among other services, SGG assisted businesses in purchasing commercial insurance policies.

b. "Lender One" was a financial institution incorporated outside the District of New Jersey. As described below, Lender One was in the business of insurance premium financing.

**B. Insurance Premium Financing**

2. At all times relevant to this Information:

a. From time to time, a customer of SGG interested in purchasing commercial insurance either could not afford or desired not to pay the entire insurance premium at the inception of the insurance policy. In those instances, SGG would refer the customer to one of several premium finance companies, including Lender One. The premium finance company would agree to "finance" the premium, that is, the premium finance company would loan the customer the funds to pay the entire premium to the insurance company up front, and, in exchange, the customer would agree to make installment and interest payments to the premium finance company over time.

b. In practice, SGG, as the broker, often would act as an intermediary between the customer, the premium finance company, and the insurance carrier. For example, once an application for premium financing was approved, Lender One often would send the loan proceeds to SGG with the understanding that SGG would then forward those funds to the insurance carrier, on behalf of the customer, to pay the premium.

THE SCHEME TO DEFRAUD

3. From in or about 2003, through in or about May 2010, in Monmouth County, in the District of New Jersey and elsewhere, defendant

GAVIN GATTA

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud Lender One and others and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice was in substance as set forth below.

4. It was part of the scheme to defraud that defendant GAVIN GATTA would create false and fraudulent applications for premium financing on behalf of customers who did not need or request premium financing and who, in fact, previously had paid the full premium to the insurance carrier.

5. It was further part of the scheme to defraud that defendant GAVIN GATTA would send the false and fraudulent applications for premium financing to Lender One or another premium finance company.

6. It was further part of the scheme to defraud that defendant GAVIN GATTA would request that the loan proceeds be sent from Lender One or another premium finance company to SGG on behalf of the customer.

7. It was further part of the scheme to defraud that the funds fraudulently obtained from Lender One or another premium finance company on the basis of these false and fraudulent applications for premium financing would not be used

to pay any actual insurance premium, but instead, would be converted by defendant GAVIN GATTA to his own personal use and for the use of SGG.

8. It was further part of the scheme to defraud that, as a result of these fraudulent applications for premium financing, defendant GAVIN GATTA received from Lender One and others more than \$20 million in illicit proceeds which were used by defendant GAVIN GATTA, in part, to fund extravagant personal expenses such as jewelry and luxury automobiles, including a Mercedes, a Porsche, an Aston Martin, and several Ferraris.

9. It was further part of the scheme to defraud that, in order to conceal and perpetuate the scheme, defendant GAVIN GATTA used a portion of the fraudulently obtained funds to make installment and interest payments on other fraudulently obtained premium financing agreements.

10. On or about January 22, 2010, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, in the District of New Jersey and elsewhere, defendant

GAVIN GATTA

did cause to be transmitted in interstate commerce writings, signs, signals, and sounds, that is, he caused a fraudulent application for premium financing to be sent, via facsimile, from SGG's offices in New Jersey to Lender One in Illinois.

In violation of Title 18, United States Code, Section 1343 and Section 2.

### FORFEITURE ALLEGATIONS

1. The allegations contained in paragraphs 1 through 10 of this Information are realleged and incorporated as though set forth in full herein for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), upon conviction of the offense set forth in this Information, the defendant shall forfeit to the United States any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1343, alleged in this Information.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- 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 subdivided without difficulty, it is the intent of the United States to seek forfeiture of any other property of the

defendant up to the value of the property described above in paragraph 2 pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

  
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PAUL J. FISHMAN  
United States Attorney

CASE NUMBER: \_\_\_\_\_

**United States District Court  
District of New Jersey**

**UNITED STATES OF AMERICA**

**v.**

**GAVIN GATTA**

**INFORMATION FOR**

**18 U.S.C. §§ 1343 and 2, and  
28 U.S.C. § 2461(c)**

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