

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-60194 CR-COHN

18 U.S.C. §1349
18 U.S.C. §1341
18 U.S.C. §1343
18 U.S.C. §1001
18 U.S.C. §1512(b)(3)
18 U.S.C. §2

MAGISTRATE JUDGE
SELTZER

UNITED STATES OF AMERICA,

v.

JOSEPH GUARACINO,
STEVEN STOLL,
STEPHEN ORCHARD,
MATTHEW GULLA,
RENE RODRIGUEZ, JR.,
DENNIS GUARACINO, JR.,
JACQUELINE TRUMBORE,
JOHN VELEZ,
DARYL RADZIOWON,
CASEY MITTAUER,
JOSEPH DEROSA,
ROBERT DEPRIEST, and
JOSEPH LAGRASTA,

Defendants.

_____ /

INDICTMENT

The Grand Jury charges:

GENERAL ALLEGATIONS

At times relevant to this Indictment:

FILED BY _____
2010 JUN 29 PM 3:33
D.C.
STEVEN M. TRUMBORE
CLERK U.S. DISTRICT
S.D. OF FLA. TLL

ENTITIES

1. The following entities were engaged in the business of mortgage lending in the State of Florida:

a. Homecomings Financial Network, Inc. was a mortgage lender located in Minneapolis, Minnesota.

b. First Magnus Financial Corporation was a mortgage lender located in Tucson, Arizona.

c. Option One Mortgage Corp. was a mortgage lender located in Irvine, California.

d. Accredited Home Lenders Inc. was a mortgage lender located in San Diego, California.

e. AMNET Mortgage Inc., d/b/a American Mortgage Network, was a mortgage lender located in Tampa, Florida.

f. Ampro Mortgage Corporation was a mortgage lender located in Phoenix, Arizona.

g. Freemont Investment & Loan was a mortgage lender located in Anaheim, California.

h. First National Bank of Arizona was a mortgage lender located in Phoenix, Arizona, and a bank whose deposits were insured by the Federal Deposit Insurance Corporation (FDIC).

i. UBS AG was a mortgage lender located in Glendale, Colorado.

j. National City Bank was a mortgage lender located in Brecksville, Ohio.

k. Chevy Chase Bank, FSB, was a mortgage lender located in Bethesda, Maryland.

2. The following entities were incorporated, doing business in the State of Florida, and owned as follows:

a. On or about August 2, 1999, TurnKey Title Corporation was incorporated in the State of Florida and was located at 3696 North Federal Highway, Fort Lauderdale, Florida. TurnKey Title Corporation handled escrow and real estate closings for mortgage lenders. Defendant **STEVEN STOLL** was a licensed attorney who owned and operated TurnKey Title Corporation.

b. On or about June 20, 2000, The Lending House, Inc. was incorporated in the State of Florida, and was located at 3696 North Federal Highway, Fort Lauderdale, Florida. The Lending House, Inc. was a mortgage brokerage firm owned by defendant **STEVEN STOLL**.

c. On or about November 13, 2006, the Family Lending Group, Inc. was incorporated in the State of Florida, was located at 1550 Sawgrass Corporate Parkway, Suite 250, Sunrise, Florida, and was owned and operated by defendants **MATTHEW GULLA** and **RENE RODRIGUEZ, JR.** On October 30, 2008, the Family Lending Group, Inc. was moved to 807 Coral Ridge Road, Coral Springs, Florida, and was owned and operated by defendant **RENE RODRIGUEZ, JR.**

d. On or about November 8, 2004, The Home Buyers Group LLC was incorporated in the State of Florida, had a postal address of 1844 North Nob Hill Road,

Suite 191, Plantation, Florida, and was owned and operated by defendant **JOSEPH GUARACINO**.

THE MORTGAGE LENDING PROCESS

3. Purchasers of residential property, commonly referred to as the borrower, frequently finance the purchase of the property by obtaining a mortgage loan through a financial institution or mortgage lending company. As part of the mortgage lending process, mortgage brokers will fill out, and assist the borrower in filling out, various forms necessary for the lender to consider in deciding whether to approve the loan. Among the customary forms are the Uniform Residential Loan Application (Form 1003), the Request for Verification of Employment (Form 1005), the Request for Verification of Deposit (Form 1006), and other documents such as Lease Agreements and Letters of Explanation.

4. The mortgage lenders rely on these applications and forms submitted by the borrower in approving the loans. Generally, upon approval and prior to the closing of the loan, the lender will fund these loans by sending funds by either check or wire transfer to the bank accounts of the closing/settlement agent who is responsible for disbursing these funds to the appropriate parties.

5. Once the loan is approved by the mortgage lender, a closing on the property is scheduled. At the closing, the closing agent, acting for and on behalf of the mortgage lender, is required to prepare a Settlement Statement (HUD1) showing the receipt and disbursement of all funds, that is, the funds paid in by the borrower, the funds furnished by the borrower's lender, the funds due to the seller, and closing costs and other expenses. The HUD1 will also reflect the prorations, escrow deposits, the seller's mortgage amounts and obligations to be paid off. The closing agent will collect any additional funds due from

the borrower at the closing and will disburse funds due to the seller and/or borrower. The borrower and seller will sign various legal documents at the closing, including the warranty deed, note, mortgage, occupancy affidavits, final Form 1003, HUD1, and lender disclosure documents. The closing agent will then issue a final title policy to the borrower and lender showing the new owner, legal description, mortgage amount and exceptions to the policy.

6. As part of the mortgage closing process, the closing agent will cause the loan files and other documents to be sent to the mortgage lenders using the U.S. Postal Service and private or commercial interstate carriers.

7. The closing agent for the mortgage lenders has a fiduciary responsibility to the mortgage lenders to hold the borrowed loan funds in a trust/escrow account. The closing agent is required to collect all necessary funds, to disburse all funds to the appropriate parties, and to account for all monies disbursed at closing. The closing agent is obligated to adhere to the mortgage lenders' closing instructions, and must obtain and send back to the mortgage lender, signed and executed documents that the lender requests, including the final HUD1.

THE CO-CONSPIRATORS

8. Defendant **STEVEN STOLL** was a licensed mortgage broker and a licensed attorney who incorporated STEVEN STOLL, P.A., on or about May 21, 1996. The law firm handled real estate litigation, and was at all times co-located in office space with TurnKey Title Corporation and The Lending House, Inc.

9. Defendant **STEPHEN ORCHARD** was a licensed attorney who worked for STEVEN STOLL, P.A.

10. Defendant **MATTHEW GULLA** was a licensed mortgage broker in the State of Florida who worked at various times for The Lending House, Inc., and then later, at The Family Lending Group, Inc.

11. Defendant **RENE RODRIGUEZ, JR.** was a licensed mortgage broker in the State of Florida who worked at various times for The Lending House, Inc., and then later, at The Family Lending Group, Inc.

12. Defendant **JACQUELINE TRUMBORE** was an employee of TurnKey Title Corporation who handled real estate closings and did post closing work for defendant **STEVEN STOLL**. Later, defendant **JACQUELINE TRUMBORE** became an investor in the fraudulent real estate scheme described hereinafter.

13. Defendant **JOSEPH GUARACINO** was the leader and organizer of the fraudulent real estate investment scheme described hereinafter which he operated primarily through The Home Buyers Group LLC and co-conspirators. Defendant **JOSEPH GUARACINO** would locate the properties to be purchased, negotiate the sale contracts, and after purchase, place tenants, collect rents, arrange for and pay for repairs, and otherwise control and maintain the properties on behalf of the co-defendant purchasers.

14. Defendants **DENNIS GUARACINO, JR., JOHN VELEZ, DARYL RADZIWON, CASEY MITTAUER, JOSEPH DEROSA, ROBERT DEPRIEST** and **JOSEPH LAGRASTA** were investors in the fraudulent real estate investment scheme, who along with other unindicted co-conspirators, purchased the properties that Guaracino controlled.

COUNT ONE - CONSPIRACY

15. Beginning in or about June 2004, and continuing to February 12, 2008, at Broward and Palm Beach Counties, in the Southern District of Florida, and elsewhere, the defendants,

**JOSEPH GUARACINO,
STEVEN STOLL,
STEPHEN ORCHARD,
MATTHEW GULLA,
RENE RODRIGUEZ, JR.,
DENNIS GUARACINO, JR.,
JOHN VELEZ,
DARYL RADZIWON,
CASEY MITTAUER,
JOSEPH DEROSA,
ROBERT DEPRIEST, and
JOSEPH LAGRASTA,**

and others, known and unknown to the Grand Jury, did knowingly and willfully combine, conspire, confederate, and agree to commit offenses against the United States of America, that is:

a. to knowingly and willfully devise a scheme and artifice to defraud and to obtain money and property from others by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice and attempting to do so, to place and cause to be placed, in a post office and authorized depository for mail matter, certain matter and things to be delivered by the U.S. Postal Service; and to deposit and cause to be deposited certain matters and things, to be sent and delivered by a private and commercial interstate carrier, in violation of Title 18, United States Code, Section 1341;

b. to knowingly and willfully devise a scheme and artifice to defraud and to obtain money and property from others by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, to transmit and cause to be transmitted by means of wire communication in interstate commerce, certain writings, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343; and

c. to knowingly and willfully make and cause to be made materially false statements on Real Estate Settlement Forms known as HUD1s in a matter within the jurisdiction of the United States Department of Housing and Urban Development ("HUD"), a department of the United States government, in violation of Title 18, United States Code, Section 1001.

OBJECT OF THE CONSPIRACY

The object of the conspiracy was as follows:

16. The defendants, **JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, MATTHEW GULLA, RENE RODRIGUEZ, JR., DENNIS GUARACINO, JR., JOHN VELEZ, DARYL RADZIWON, CASEY MITTAUER, JOSEPH DEROSA, ROBERT DEPRIEST and JOSEPH LAGRASTA**, sought to unlawfully enrich themselves, and others, by submitting and causing to be submitted materially false and fraudulent mortgage applications (Form 1003s) and Settlement Statements (Form HUD1s) to mortgage lenders, thereby inducing the mortgage lenders to fund mortgages on properties located in Broward and Palm Beach Counties, Florida, and to fraudulently obtain ownership and control of these properties with mortgages exceeding \$16,500,000.00. It was a further part of the

scheme to rent the properties to tenants, collect rental income, maintain the properties, and then sell and attempt to sell the fraudulently obtained properties in the 2004 - 2007 escalating real estate boom in South Florida, thereby realizing substantial profit

MANNER AND MEANS OF THE CONSPIRACY

17. The manner and means by which the defendants sought to accomplish the object of the conspiracy included the following.

18. Defendants purchased and facilitated the purchase of residential properties in Broward and Palm Beach Counties, Florida, using false and fraudulent documentation to support the loan applications to mortgage lenders. In particular, defendants caused the submission of the following false documentation in order to make them able to qualify for the mortgage loans:

a. Defendants created and caused to be created false and inflated income or salary information or job titles on the Form 1003 applications;

b. Defendants created and caused to be created false bank account balances or Verifications of Deposit Forms (VODs) in the names of the co-defendant purchasers, making the accounts fraudulently reflect high balances to the mortgage lenders;

c. Defendants forged other documents, such as Lease Agreements and Occupancy Affidavits, in the name of or for the co-defendant purchasers in furtherance of the scheme;

d. Defendants created and caused to be created fraudulent letters of explanation and other letters to the mortgage lenders in the names of the co-defendant purchasers;

e. Defendants signed and caused to be signed at closings Affidavits of Occupancy, Mortgage Notes, Disclosure Notices, Borrowers' Certification and Authorization forms, and other documents indicating that the property they were purchasing was to be owner-occupied and their primary residence, when in fact, these defendants had no intention of living in these properties, and knew these properties were being rented out to tenants, with the further intention of selling the properties for higher prices in the rising marketplace in Broward and Palm Beach Counties. Defendants further agreed in several of the Occupancy Affidavits that they had no intention to sell, lease, rent or otherwise dispose of the property; that upon occupancy of the property, they would not have any other permanent and primary residence; and that they were not occupying or purchasing the property for investment purposes;

f. Defendants signed and caused to be signed at closings final Form 1003s that listed their previously owned residential property that they were already living in as "rental property with rental income," in order to deceive the mortgage lenders into believing that the property that they were purchasing was to be owner-occupied and to show additional fraudulent income to qualify for the mortgage loans; and

g. Defendants caused the submission of HUD1s at closing to the mortgage lenders, which contained materially false, fraudulent and misleading statements.

19. Defendants fraudulently transferred or caused to be transferred monies and funds of defendant **JOSEPH GUARACINO**, held in an account at TurnKey Title Corporation, to be presented as Cash Due from the Borrower at Line 303 on the Form HUD1, or as the Deposit from the Borrower at Line 201 on the Form HUD1, creating the false appearance to the mortgage lender that these monies and funds were coming from

the co-defendant purchasers and not from funds of the defendant **JOSEPH GUARACINO** or his company, The Home Buyers Group LLC.

20. Defendants caused TurnKey Title Corporation to receive checks, monies and wire transfers from accounts of defendant **JOSEPH GUARACINO**, to hold in escrow for use in real estate closings for various co-defendants for which that defendant **JOSEPH GUARACINO** was neither the seller, nor the actual borrower/purchaser of the property, according to the HUD1.

21. Defendants caused to be created Quit Claim Deeds to be filed in the land records of Broward and Palm Beach Counties, Florida, adding the defendant **JOSEPH GUARACINO** as an owner of certain properties, along with the co-defendant purchasers, usually some time after the closings on these properties had already occurred.

22. Defendant **JOSEPH GUARACINO** acted as the manager of the properties purchased in the name of various co-defendant purchasers and placed tenants in these properties. In this role, defendant **JOSEPH GUARACINO** collected rents from tenants and financed the maintenance of properties.

23. Defendant **JOSEPH GUARACINO**, in controlling the properties, often made monthly mortgage payments to the mortgage lenders in the names of the co-defendant purchasers by using checks bearing his or their name or his companies' name, The Home Buyers Group LLC, or by giving monies or funds to the co-defendant purchasers for them to write checks to the mortgage lenders on their accounts and in their names.

24. At the end of each tax year, defendant **JOSEPH GUARACINO** provided co-defendant purchasers the amounts of rental income and expenses on the properties which

they were listed as the owner, to declare on their federal income tax returns. Several of the co-defendant purchasers reported Schedule E income and expenses on their Federal Income Tax Return Form 1040s which were derived from properties in which they personally had no income earned and no expenses incurred.

25. Defendants caused the creation of an "escrow withhold" entry on Lines 1300-1311 on the Form HUD1 to TurnKey Title Corporation, at closings, as part of a "cash out scheme," where defendant **JOSEPH GUARACINO**, who was neither the seller nor borrower/purchaser of the property, fraudulently received proceeds/funds as the result of the sale to the co-defendant purchasers.

26. Defendants received, or caused the receipt of, non disclosed payments, or kickbacks, from the sales of properties.

27. Defendants caused TurnKey Title Corporation, as an escrow and real estate closing/settlement agent for mortgage lenders, to receive "closing fees" for each mortgage issued.

28. Defendants caused more than 38 real estate transactions to occur in which the documents submitted and caused to be submitted to mortgage lenders contained materially false and fraudulent information and omissions of material fact. These documents subsequently resulted in closings by the defendants **JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, MATTHEW GULLA, and RENE RODRIGUEZ, JR.** The aggregate dollar amount of all loans procured fraudulently by the defendants **JOSEPH GUARACINO, DENNIS GUARACINO, JR., JACQUELINE TRUMBORE, JOHN VELEZ, DARYL RADZIOW, CASEY MITTAUER, JOSEPH DEROSA, ROBERT**

DEPRIEST and **JOSEPH LAGRASTA** from the mortgage lenders exceeded \$16,500,000.00.

OVERT ACTS

In furtherance of the conspiracy and to effect the object thereof, at least one of the following overt acts, among others, was committed by at least one of the conspirators in the Southern District of Florida and elsewhere:

29. Property: 4040 Galt Ocean Drive, #600, Fort Lauderdale, Florida

Number	Date	Defendants	Overt Act
a.	June 4, 2007	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOHN VELEZ	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of the defendant JOHN VELEZ , which contained materially false and fraudulent statements, including but not limited to, that the property was to be owner-occupied and the purchaser's primary residence, false salary information for the purchaser, false rental income for the purchaser from property that was the purchaser's primary residence, and false bank account balance information for the purchaser.
b.	June 25, 2007	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOHN VELEZ	Prepared and caused to be prepared false Lease Agreements for defendant JOHN VELEZ , purporting to substantiate rental income for property owned by defendant JOHN VELEZ , in the amount of \$4,400 per month.

c.	June 27, 2007	JOSEPH GUARACINO and JOHN VELEZ	Caused a contract for sale to be signed on behalf of defendant JOHN VELEZ , as the purchaser, on the property known as 4040 Galt Ocean Drive, #600, Fort Lauderdale, Florida, in the amount of \$680,000.00.
d.	June 27, 2007	MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOHN VELEZ	Caused to be prepared a false Verification of Deposit from Bank of America on behalf of defendant JOHN VELEZ , stating that his average two month balance was \$239,810.25.
e.	July 26, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOHN VELEZ	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation where National City Bank was the mortgage lender.
f.	July 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOHN VELEZ	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation where Amnet Mortgage Network was the mortgage lender.
g.	July 27, 2007	JOHN VELEZ	Attended a closing and signed a Uniform Residential Loan Application, Form 1003, for both the first and second mortgage loans on said property, and an Occupancy Agreement, which contained materially false and fraudulent statements

h.	July 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOHN VELEZ	Caused a payoff escrow withhold entry to be made to "HBG" on the HUD1 Settlement Statement for Amnet Mortgage Network in the approximate amount of \$130,872.95, a portion or all of which was later paid to The Home Buyers Group.
i.	July 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, and JOHN VELEZ	Caused approximately \$131,797.00 which was received as proceeds from the second mortgage with National City Bank to be credited as cash from borrower on Line 303 of the HUD1 Settlement Statement for Amnet Mortgage Network.
j.	July 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOHN VELEZ	Caused a wire transfer of funds from the payoff escrow withhold from the American Mortgage Network proceeds in the approximate amount of \$128,942.97 to be sent to a Bank of America bank account of The Home Buyers Group.
k.	July 27, 2007	JOSEPH GUARACINO and JOHN VELEZ	Caused a \$60,000.00 check(#1848) from The Home Buyers Group to be made payable to defendant JOHN VELEZ .
l.	July 27, 2007	JOSEPH GUARACINO and JOHN VELEZ	Caused the deposit of a \$60,000.00 check into defendant JOHN VELEZ ' Bank of America bank account.
m.	July 30, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOHN VELEZ	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents for said property to Wachovia, NA, 7711 Plantation Road, Roanoke, Virginia.

30. Property: 4518 SW 125th Lane, Miramar, Florida

Number	Date	Defendants	Overt Act
a.	June 5, 2004	JOSEPH GUARACINO and DARYL RADZIWON	Caused the signing of a sales contract on behalf of defendant DARYL RADZIWON , as the purchaser, on the property known as 4518 SW 125 th Lane, Miramar, Florida, in the amount of \$332,990.00.
b.	June 17, 2004	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and DARYL RADZIWON	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of the defendant DARYL RADZIWON , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false and inflated salary information for the borrower, and a false job title of "sergeant" for the borrower.
c.	June 22, 2004	JOSEPH GUARACINO, MATTHEW GULLA , RENE RODRIGUEZ, JR., and DARYL RADZIWON	Prepared and caused to be prepared a false Verification of Rent on behalf of defendant DARYL RADZIWON which purported to verify his monthly rental, but was signed and prepared by a non-existent landlord.
d.	June 22, 2004	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and DARYL RADZIWON	Caused The Lending House to mail via Federal Express, a package of mortgage loan documents to First Magnus Financial Corp. in Austin, Texas.

e.	June 30, 2004	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DARYL RADZIWON	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
f.	June 30, 2004	DARYL RADZIWON	Attended a closing and signed a Uniform Residential Loan Application, Form 1003, for both the first and second mortgage loans on said property, and Occupancy Agreements for the first and second mortgage loans, which contained materially false and fraudulent statements.
g.	April 28, 2005	JOSEPH GUARACINO and DARYL RADZIWON	Caused the execution of and executed a Quit Claim Deed which added defendant JOSEPH GUARACINO as an owner of the property.
h.	February 3, 2006	JOSEPH GUARACINO and DARYL RADZIWON	Sold this property to individuals with the initials "C.H. and C.H." for \$455,000.

31. Property: 11960 NW 27th Court, Plantation, Florida

Number	Date	Defendants	Overt Act
a.	August 30, 2004	JOSEPH GUARACINO and DARYL RADZIWON	Caused the signing of a sales contract on behalf of defendant DARYL RADZIWON , as the purchaser of property known as 11960 NW 27 th Court, Plantation, Florida, in the amount of \$404,500.00

b.	September 12, 2004	JOSEPH GUARACINO, MATTHEW GULLA , RENE RODRIGUEZ, JR., and DARYL RADZIWON	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant DARYL RADZIWON , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, a false job title for the borrower, false salary information, and failed to disclose the purchase of property identified in paragraph 30 above.
c.	September 12, 2004	JOSEPH GUARACINO, MATTHEW GULLA , RENE RODRIGUEZ, JR., and DARYL RADZIWON	Prepared and caused to be prepared false Lease Agreements on behalf of defendant DARYL RADZIWON which purported to verify monthly rental income for the borrower.
d.	September 30, 2004	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DARYL RADZIWON	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
e.	September 30, 2004	DARYL RADZIWON	Attended a closing and signed a Uniform Residential Loan Application, Form 1003, and Occupancy Agreements, for the first and second mortgage loans on said property, which contained materially false and fraudulent statements.

f.	September 30, 2004	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DARYL RADZIWON	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to Accredited Home Lenders, Inc. in Saint Petersburg, Florida.
g.	October 9, 2004	JOSEPH GUARACINO and DARYL RADZIWON	Caused the execution of and executed a Quit Claim Deed which added defendant JOSEPH GUARACINO as an owner of the property.
h.	May 17, 2005	JOSEPH GUARACINO and DARYL RADZIWON	Obtained a Home Equity Line of Credit (HELOC) on the property through TurnKey Title Corporation in the amount of \$163,000.00.
i.	May 24, 2005	JOSEPH GUARACINO and DARYL RADZIWON	Received a disbursement of \$78,000 from the HELOC in the form of cash and two official checks.
j.	May 24, 2005	JOSEPH GUARACINO and DARYL RADZIWON	Obtained from SunTrust Bank two official checks in the amounts of \$34,000 each, one made payable to defendant DARYL RADZIWON and one made payable to defendant JOSEPH GUARACINO .
k.	October 4, 2006	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant DARYL RADZIWON , which contained materially false and fraudulent statements, e.g., a false job title (detective) for the borrower, inflated secondary detail income for the borrower, and inflated bank account balance information.
l.	October 11, 2006	JOSEPH GUARACINO and DARYL RADZIWON	Refinanced the property with lender American Mortgage Network.

32. Property: 8491 North Lake Dasha Drive, Plantation, Florida

Number	Date	Defendants	Overt Act
a.	May 30, 2005	JOSEPH GUARACINO and CASEY MITTAUER	Caused the signing of a sales contract on behalf of defendant CASEY MITTAUER , as a purchaser of the property known as 8491 North Lake Dasha Drive, Plantation, Florida, in the amount of \$530,000.00.
b.	June 3, 2005	JOSEPH GUARACINO, MATTHEW GULLA , RENE RODRIGUEZ, JR., and CASEY MITTAUER	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant CASEY MITTAUER , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false salary information for the borrower's wife, false rental income for the borrower from property that was the borrower's primary residence and from other property, and false bank account information
c.	June 14, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused a real estate closing on this property to take place at the offices of TurnKey Title Corporation.
d.	June 14, 2005	CASEY MITTAUER	Attended a closing and signed a Uniform Residential Loan Application, Form 1003,, for both the first and second mortgage loans on said property, and an Occupancy Agreement for the first mortgage loan on said property, which contained materially false and fraudulent statements

e.	June 14, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused a payoff escrow withhold entry to "TurnKey Title Corporation" to be made on the HUD1 Settlement Statement in the approximate amount of \$42,201.90, a portion or all of which later to be paid to The Home Buyers Group.
f.	June 14, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused \$5,000.00 from the payoff escrow withhold proceeds to be fraudulently credited as the \$5,000.00 deposit due from borrower as reflected at Line 201 on the HUD 1 on said property
g.	June 15, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused TurnKey Title Corporation to mail, via UPS, a package of post closing documents to American Mortgage Network, Inc. in Tampa, Florida.
h.	June 17, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused a wire transfer of funds from the payoff escrow withhold proceeds in the approximate amount of \$37,201.90, to be sent to a Bank of America bank account of The Home Buyers Group.
i.	August 1, 2005	JOSEPH GUARACINO and CASEY MITTAUER	Caused the execution of and executed a Quit Claim Deed which added defendant JOSEPH GUARACINO as an owner of the property.
j.	April 21, 2006	JOSEPH MITTAUER and CASEY MITTAUER	Sold the property to individuals with the initials "J.C. & S.C." for \$725,000.00.

33. Property: 1081 SW 93rd Avenue, Plantation, Florida

Number	Date	Defendants	Overt Act
a.	June 7, 2005	JOSEPH GUARACINO and CASEY MITTAUER	Caused a contract for sale to be initialed on behalf of defendant CASEY MITTAUER , as purchaser of the property known as 1081 SW 93 rd Avenue, Plantation, Florida, in the amount of \$530,000.00.
b.	June 2, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and CASEY MITTAUER	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf defendant CASEY MITTAUER , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false salary information for the borrower's wife, false rental income for the borrower from the property that was the borrower's primary residence, false rental income for other property, and false bank account information for the borrower.
c.	June 14, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
d.	June 14, 2005	CASEY MITTAUER	Attended a closing and signed a Uniform Residential Loan Application, Form 1003, for the first mortgage loan on said property, and Occupancy Agreements for the first and second mortgage loan on said property, which contained materially false and fraudulent statements.

e.	June 14, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused a payoff escrow withhold entry to be made to "TurnKey Title Corporation" on the HUD1 Settlement Statement in the approximate amount of \$33,100.00, a portion or all of which was later paid to The Home Buyers Group.
f.	June 14, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused \$10,000.00 from the payoff escrow withhold proceeds to be fraudulently credited as the \$10,000.00 deposit due from borrower as reflected at Line 201 on the HUD 1 on said property.
g.	June 15, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused TurnKey Title Corporation to mail, via UPS, a package of post closing documents for said property to AMPRO Mortgage Corporation in Tampa, Florida.
h.	June 17, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and CASEY MITTAUER	Caused a wire transfer of funds from the payoff escrow withhold proceeds in the amount of \$23,100.00, to be sent to a Bank of America bank account of The Home Buyers Group.
i.	August 1, 2005	JOSEPH GUARACINO and CASEY MITTAUER	Caused the execution of and executed a Quit Claim Deed which added defendant JOSEPH GUARACINO as an owner of the property.
j.	March 17, 2006	CASEY MITTAUER and JOSEPH GUARACINO	Sold the property to individuals with the initials "J.C. & S.C." for \$725,000.00.

34. Property: 7205 NW 64th Street, Tamarac, Florida

Number	Date	Defendants	Overt act
a.	June 10, 2005	JOSEPH GUARACINO and JOSEPH DEROSA	Caused a sales contract to be signed on behalf of defendant JOSEPH DEROSA as the purchaser of the property known as 7205 NW 64 th Street, Tamarac, Florida, in the amount of \$245,000.00.
b.	June 10, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOSEPH DEROSA	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH DEROSA , which contained materially false and fraudulent information, e.g., that the property was to be owner-occupied and the borrower's primary residence, false salary information, a false job title, an inflated bank account balance, and false rental income for another property owned by defendant JOSEPH DEROSA .
c.	June 17, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOSEPH DEROSA	Prepared and caused to be prepared a false Verification of Deposit from Bank of America on behalf of defendant JOSEPH DEROSA , stating that his average balance was \$17,009.50.
d.	June 29, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROSA	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.

e.	June 29, 2005	JOSEPH DEROA	Attending a closing and signed a Uniform Residential Loan Application, Form 1003, for both the first and second mortgage loans on said property, which contained materially false and fraudulent statements.
f.	June 29, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROA	Caused a mortgage payoff escrow withhold entry to be made to "TurnKey Title Corporation" on the HUD1 Settlement Statement in the approximate amount of \$19,567.25, a portion or all of which was later paid to The Home Buyers Group.
g.	June 29, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROA	Caused \$10,000.00 from the mortgage payoff escrow withhold proceeds to be fraudulently credited as the \$10,000.00 deposit due from borrower as reflected at Line 201 on the HUD1 on said property.
h.	July 1, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROA	Caused TurnKey Title Corporation to mail, via United Parcel Service, a package of post closing documents for said property to AMPRO Mortgage Corporation in Tampa, Florida.
i.	July 7, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROA	Caused a wire transfer of funds from the mortgage payoff escrow withhold proceeds in the amount of \$9,567.25, to be sent to a Bank of America bank account of The Home Buyers Group for defendant JOSEPH GUARACINO .

j.	August 1, 2005	JOSEPH GUARACINO and JOSEPH DEROSA	Caused the execution of and executed a Quit Claim Deed and added defendant JOSEPH GUARACINO as an owner of the property.
k.	August 28, 2007	JOSEPH DEROSA and JOSEPH GUARACINO	Sold the property to an individual with the initials "A.M." for \$265,000.00.

35. Property: 2230 SW 98th Terrace, Davie, Florida

Number	Date	Defendants	Overt Act
a.	May 21, 2005	JOSEPH GUARACINO and DENNIS GUARACINO, JR.	Caused a contract for sale to be signed on behalf of defendant DENNIS GUARACINO, JR.'s wife, as the purchaser of the property known as 2230 SW 98 th Terrace, Davie, Florida, in the amount of \$498,000.00.
b.	June 16, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and DENNIS GUARACINO, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant DENNIS GUARACINO, JR.'s wife, which contained materially false and fraudulent information, e.g., that the property was to be owner-occupied and the borrowers' primary residence, and false salary and employment information for the borrower.
c.	June 22, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and DENNIS GUARACINO, JR.	Caused to be prepared a false Verification of Deposit from Bank of America on behalf of defendant DENNIS GUARACINO, JR.'s wife, stating that her average two-month balance was \$14,203.58.

d.	June 27, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and DENNIS GUARACINO, JR.	Caused to be prepared a false "To Whom It May Concern" letter stating that defendant DENNIS GUARACINO, JR. , was to be the owner-occupant of said property.
e.	June 29, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DENNIS GUARACINO, JR.	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation
f.	June 29, 2005	DENNIS GUARACINO, JR.	Signed a HUD1 Settlement Statement for said property.
g.	June 29, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DENNIS GUARACINO, JR.	Caused an escrow withhold entry to be made to "TurnKey Title Corporation" on the HUD1 Settlement Statement in the approximate amount of \$36,686.39, a portion of which or all of which was later paid to The Home Buyers Group.
h.	June 29, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DENNIS GUARACINO, JR.	Caused TurnKey Title Corporation to mail, via United Parcel Service, a package of post closing documents for said property to AMPRO Mortgage in Tampa, Florida.

i.	July 7, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and DENNIS GUARACINO, JR.	Caused a wire transfer of funds from the escrow withhold proceeds in the amount of \$36,686.39, to be sent to a Bank of America bank account of The Home Buyers Group.
j.	June 5, 2007	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOSEPH DEROSA	Prepared and caused to be prepared, a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH DEROSA , which contained materially false and fraudulent information, e.g., that the property was to be owner-occupied and the borrowers' primary residence, false salary and employment information for the borrower, and an inflated bank account balance.
k.	June 18, 2007	DENNIS GUARACINO, JR., JOSEPH GUARACINO and JOSEPH DEROSA	Caused the sale of the property to defendant JOSEPH DEROSA for \$575,000.00.
l.	July 30, 2007	JOSEPH GUARACINO and JOSEPH DEROSA	Caused the deposit and deposited a check in the amount of \$12,001.00 into defendant JOSEPH DEROSA's Bank of America account which came from the sale proceeds of said property through The Home Buyers Group.

36. Property: 12360 NW 7th Street, Plantation, Florida

Number	Date	Defendants	Overt Act
a.	January 31, 2005	JOSEPH GUARACINO	Caused a contract for sale to be signed on behalf of his mother, as the purchaser of the property known as 12360 NW 7 th Street, Plantation, Florida, in the amount of \$1,100,000.00.
b.	February 1, 2005	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH GUARACINO's mother, which contained materially false and fraudulent information, e.g., that the property was to be owner-occupied and the borrowers' primary residence, false salary information for the borrower, and false rental income.
c.	February 1, 2005	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a false Lease Agreement on behalf of defendant JOSEPH GUARACINO's mother, which purported to corroborate monthly rental income for the borrower
d.	March 7, 2005	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Causing defendant Joseph Guaracino's mother to present a Cashier's Check in the amount of \$106,300 at closing, representing that this is cash due from borrower on Line 303 of the HUD1
e.	March 7, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.

f.	March 7, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a mortgage payoff escrow withhold entry to be made to "TurnKey Title Corporation" on the HUD1 Settlement Statement in the amount of \$117,000.00, a portion or all of which was later paid to The Home Buyers Group.
g.	March 8, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a wire transfer of funds from the mortgage payoff escrow withhold proceeds in the approximate amount of \$117,000, to be sent to The Home Buyers Group Bank of America bank account.
h.	March 8, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused TurnKey Title Corporation to mail, via DHL, a package of post closing documents for said property to First Magnus MOPAC in Austin, Texas.
i.	April 28, 2005	JOSEPH GUARACINO	Caused a Quit Claim Deed to be executed, adding defendant JOSEPH GUARACINO as an owner of the property.
j.	March 18, 2007	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH GUARACINO , which contained materially false and fraudulent statements, e.g., false employment and salary information and failed to disclose other real estate assets owned by defendant JOSEPH GUARACINO .
k.	March 21, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the direction of TurnKey Title Corporation.

l.	March 22, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents for said property to American Mortgage Network in Tampa, Florida.
m.	April 11, 2007	JOSEPH GUARACINO	Caused to be executed a Quit Claim Deed, removing defendant's mother as owner of the property.
n.	April 20, 2007	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH GUARACINO , which contained materially false and fraudulent information, e.g., false employment and salary information for the borrower, and failed to disclose additional real estate assets and liabilities for defendant JOSEPH GUARACINO .
o.	April 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the direction of TurnKey Title Corporation, at which time defendant JOSEPH GUARACINO obtained a Home Equity Line of Credit (HELOC).
p.	April 27, 2007	JOSEPH GUARACINO	Attended a closing and signed a Uniform Residential Loan Application, Form 1003 for both the mortgage loans on said property, which contained materially false and fraudulent statements.
q.	April 30, 2007	JOSEPH GUARACINO	Used \$50,000.00 from the HELOC proceeds referred to above as the down payment on property located at 785 Middle River Drive, Fort Lauderdale, Florida, and described in paragraph 41 below.

r.	May 1, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to National City Bank in Brecksville, Ohio.
s.	May 2, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a wire transfer from the HELOC closing proceeds in the amount of \$109,174.52 to be sent to defendant JOSEPH GUARACINO's personal account at SunTrust Bank in Atlanta, Georgia.

37. Property: 4132 NW 79th Avenue, Coral Springs, Florida

Number	Date	Defendants	Overt Act
a.	February 3, 2005	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH GUARACINO's wife, which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false salary information for the borrower, and the omission of other real property owned by this individual.
b.	February 22, 2005	JOSEPH GUARACINO	Caused the signing of a sales contract on behalf of defendant JOSEPH GUARACINO's wife, as purchaser of the property known as 4132 NW 79 th Avenue, Coral Springs, Florida, in the amount of \$275,000.00.
c.	March 15, 2005	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Caused to be prepared a false Verification of Deposit from Suntrust Bank on behalf of defendant JOSEPH GUARACINO's wife, stating that her average two-month savings account balance was \$25,167.00.

d.	March 18, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on this property to take place at the offices of TurnKey Title Corporation.
e.	March 18, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a payoff escrow withhold entry to be made to "TurnKey Title Corporation" on the HUD1 Settlement Statement in the approximate amount of \$48,250.00, a portion or all of which was later paid to The Home Buyers Group.
f.	March 21, 2005	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused TurnKey Title Corporation to mail, via DHL, a package of post closing documents to Fremont Investment & Loan in Tampa, Florida.
g.	March 22, 2005	JOSEPH GUARACINO, STEVEN STOLL and STEPHEN ORCHARD	Caused a wire transfer of funds from the payoff escrow withhold proceeds in the approximate amount of \$43,250.00 to be sent to a Bank of America bank account of The Home Buyers Group.
h.	May 2, 2005	JOSEPH GUARACINO	Caused to be executed a Quit Claim Deed, adding defendant JOSEPH GUARACINO as an owner of the property.
i.	August 3, 2006	JOSEPH GUARACINO	Sold the property to individuals with the initials "M.B & D.B." for \$335,000.00.

38. Property: 11000 NW 27th Street, Sunrise, Florida

Number	Date	Defendants	Overt Act
a.	April 28, 2005	JOSEPH GUARACINO	Caused the execution of a Quit Claim Deed adding defendant JOSEPH GUARACINO as an owner of the property located at 11000 NW 27 th Street, Sunrise, Florida.
b.	May 23, 2007	JOSEPH GUARACINO and JOSEPH LAGRASTA	Caused the signing of a sales contract on behalf of defendant JOSEPH LAGRASTA as the purchaser on the property known as 11000 NW 27 th Street, Sunrise, Florida, in the amount of \$370,000.00.
c.	May 24, 2007	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOSEPH LAGRASTA	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH LAGRASTA , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false rental income for the borrower from property that was the borrower's primary residence, and false salary information for the borrower from secondary employment.
d.	May 29, 2007	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOSEPH LAGRASTA	Caused to be prepared a false Verification of Employment for defendant JOSEPH LAGRASTA .

e.	June 21, 2007	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and JOSEPH LAGRASTA	Prepared and caused to be prepared a false Lease Agreement on behalf of defendant JOSEPH LAGRASTA which purported to corroborate monthly rental income for the borrower.
f.	July 11, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH LAGRASTA	Caused a real estate closing on this property to take place at the direction of TurnKey Title Corporation where National City Bank was the mortgage lender.
g.	July 12, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH LAGRASTA	Caused a real estate closing on this property to take place at the direction of TurnKey Title Corporation where Amnet Mortgage Network was the mortgage lender.
h.	July 12, 2007	JOSEPH LAGRASTA	Signed a Uniform Residential Loan Application, Form 1003, and Occupancy Agreements for both the first and second mortgage loans on said property, which contained materially false and fraudulent statements.
i.	July 12, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH LAGRASTA	Caused monies in the approximate amount of \$66,891.05 from the National City Bank proceeds to be credited on Line 303 as cash from borrower on the HUD1 Settlement Statement for American Mortgage Network.

j.	July 13, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH LAGRASTA	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to American Mortgage Network in Tampa, Florida.
k.	July 13, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH LAGRASTA	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to National City Bank in Brecksville, Ohio.
l.	July 13, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH LAGRASTA	Caused a wire transfer of funds, in the approximate amount of \$20,966.45, from the mortgage loan proceeds from the July 11, 2007, closing on the National City Bank loan to be sent to a Bank of America bank account of defendant JOSEPH LAGRASTA .
m.	July 13, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a wire transfer of funds, in the approximate amount of \$36,211.91, from the closing proceeds into the bank account of the seller, an individual with the initials "S.G."
n.	July 25, 2007	JOSEPH GUARACINO	Deposited a check from an individual with the initials "S.G.," in the amount of \$15,000.00.

39. Property: 190 SW 101st Avenue, Plantation, Florida

Number	Date	Defendants	Overt Act
a.	January 3, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and ROBERT DEPRIEST	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of the borrower, defendant ROBERT DEPRIEST , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false rental income for the borrower from property that was the borrower's primary residence, and false rental income from other property.
b.	January 3, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and ROBERT DEPRIEST	Prepared and caused to be prepared false Lease Agreements on behalf of defendant ROBERT DEPRIEST which purported to substantiate monthly rental income for the borrower.
c.	January 26, 2005	JOSEPH GUARACINO and ROBERT DEPRIEST	Caused the signing of a sales contract on behalf of defendant ROBERT DEPRIEST on the property known as 190 SW 101 st Avenue, Plantation, Florida, in the amount of \$545,000.00.
d.	February 18, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	Caused a real estate closing on this property to take place at the offices of TurnKey Title Corporation.

e.	February 18, 2005	ROBERT DEPRIEST	Attended a closing and signed a Uniform Residential Loan Application, Form 1003, and Occupancy Agreements for both the first and second mortgage loans on said property, which contained materially false and fraudulent statements.
f.	February 21, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to First Magnus Financial Corp. in Austin, Texas.
g.	April 29, 2005	JOSEPH GUARACINO and ROBERT DEPRIEST	Caused the execution of and executed a Quit Claim Deed adding defendant JOSEPH GUARACINO as an owner of the property.
h.	November 30, 2005	JOSEPH GUARACINO and ROBERT DEPRIEST	Caused defendant ROBERT DEPRIEST to refinance the property known as 190 SW 101 st , Plantation, Florida, in the total loan amount of \$594,000.00.
i.	November 30, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and ROBERT DEPRIEST	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of the borrower, defendant ROBERT DEPRIEST , which contained materially false and fraudulent statements, e.g., that the property was to be owner-occupied and the borrower's primary residence, false salary income, false rental income for the borrower from property that was the borrower's primary residence and false rental income for other property owned by this defendant.

j.	November 30, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and ROBERT DEPREIST	Caused to be prepared false Lease Agreements for defendant ROBERT DEPRIEST purporting to substantiate rental income for properties owned by this defendant.
k.	January 13, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
l.	January 13, 2006	ROBERT DEPRIEST	Attended a closing and signed a Uniform Residential Loan Application, Form 1003, and Occupancy Agreements, for both the first and second mortgage loans on said property, which contained materially false and fraudulent statements.
m.	January 19, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	Caused TurnKey Title Corporation to mail, via UPS, a package of post closing documents to Homecomings Financial Network, Inc. in Minneapolis, Minnesota.
n.	January 20, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and ROBERT DEPRIEST	Caused the issuance of Check Number 24821 for approximately \$24,241.31 from the Citibank bank account of TurnKey Title Corporation to defendant ROBERT DEPRIEST .

o.	January 24, 2006	JOSEPH GUARACINO and ROBERT DEPRIEST	Caused the deposit of Check Number 24821 for \$24,241.31 into defendant ROBERT DEPRIEST's bank account at SouthTrust Bank.
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40. Property: 9660 NW 10th Court, Plantation, Florida

Number	Date	Defendants	Overt Act
a.	March 23, 2005	JOSEPH GUARACINO, MATTHEW GULLA, RENE RODRIGUEZ, JR., and ROBERT DEPRIEST	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of the borrower, defendant ROBERT DEPRIEST , which contained material omissions e.g., the failure to list the complete assets and liabilities of the borrower, specifically the purchase of investment property referred to in paragraph 39 above for \$545,000.00.
b.	April 5, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and ROBERT DEPRIEST	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
c.	April 5, 2005	ROBERT DEPRIEST	Signed a Uniform Residential Loan Application, Form 1003, for both the first and second mortgage loans on said property, which contained materially false and fraudulent statements, at the real estate closing at the offices of TurnKey Title Corporation.

41. Property: 785 Middle River Drive, Fort Lauderdale, Florida

Number	Date	Defendants	Overt Act
a.	April 23, 2007	JOSEPH GUARACINO	Signed a sales contract to purchase the property known as 785 Middle River Drive, Fort Lauderdale, Florida, in the amount of \$2,000,000.00.
b.	May 2, 2007	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH GUARACINO , which contained materially false and fraudulent information, e.g., that the property was to be owner-occupied and the borrower's primary residence, false rental income for the borrower from property that was the borrower's primary residence and for other real property owned by this defendant, and which contained inflated bank account balance information for the borrower.
c.	May 25, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
d.	May 25, 2007	JOSEPH GUARACINO	Signed a Uniform Residential Loan Application, Form 1003, and Occupancy Agreement, for the mortgage loan on said property with Chevy Chase Bank, which contained materially false and fraudulent statements.
e.	May 25, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a payoff escrow withhold entry to be made to "HBG" on the HUD1 Settlement Statement in the approximate amount of \$300,000.00, a portion or all of which was later paid to The Home Buyers Group.

f.	May 25, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused \$300,000 from the payoff escrow withhold proceeds to be fraudulently credited as cash due from borrower on Line 303 of the HUD1 Settlement Statement.
g.	May 25, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to Chevy Chase Bank in Bethesda, Maryland.
h.	June 4, 2007	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property in order to obtain a HELOC (Home Equity Line of Credit) loan in the amount of \$299,950.00, on behalf of defendant JOSEPH GUARACINO , which contained materially false and fraudulent statements, e.g., that the property was to be owner occupied, false rental income for the borrower from property that was the borrower's primary residence and for other real property owned by the borrower, and false employment and salary information.
i.	June 4, 2007	JOSEPH GUARACINO, MATTHEW GULLA and RENE RODRIGUEZ, JR.	Caused to be prepared false Lease Agreements for defendant JOSEPH GUARACINO purporting to substantiate rental income for properties owned by this defendant.
j.	June 12, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation

k.	June 12, 2007	JOSEPH GUARACINO	Signed a Uniform Residential Loan Application, Form 1003, for the mortgage loan on said property with National City Bank, which contained materially false and fraudulent statements.
l.	June 12, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused TurnKey Title Corporation to mail, via Federal Express, a package of post closing documents to National City Bank in Brecksville, Ohio.

42. Property: 11430 NW 29th Street, Sunrise, Florida

a.	February 7, 2007	JOSEPH GUARACINO	Caused the signing of a sales contract on behalf of his wife on property known as 11430 NW 29 th Street, Sunrise, Florida, in the amount of \$341,000.00
b.	February 7, 2007	JOSEPH GUARACINO, MATT GULLA, and RENE RODRIGUEZ, JR.	Prepared and caused to be prepared a Uniform Residential Loan Application, Form 1003, on said property on behalf of defendant JOSEPH GUARACINO's wife, which contained materially false and fraudulent information, e.g., that the property was to be owner-occupied and the borrower's primary residence, false salary information for the borrower, and false rental income for the borrower from property for other real property
c.	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
d.	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a judgment payoff escrow withhold entry to be made to TurnKey Title on the HUD1 Settlement Statement, in the amount of \$20,000.00, a portion or all of which was paid to The Home Buyers Group.

e.	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a HUD1 Settlement Statement to be prepared which stated at Line 603 that \$112,453.26 was due to the seller at the closing on said property.
f.	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a real estate closing on said property to take place at the offices of TurnKey Title Corporation.
g.	February 15, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a wire transfer of funds from Line 603 proceeds in the amount of \$92,453.26 to be sent to the Bank of America bank account of The Home Buyers Group.
h.	April 24, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	Caused a wire transfer of funds in the amount of \$20,000.00 to be sent to the Bank of America bank account of The Home Buyers Group.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH TWELVE - MAIL FRAUD

43. The allegations set forth in paragraphs 1 through 28 of Count I of this Indictment are incorporated herein by reference as though fully set forth herein.

44. On or about the dates enumerated as to each count below, at Broward County in the Southern District of Florida, and elsewhere, the defendants named in the counts set forth below devised and intended to devise a scheme and artifice to defraud,

and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, as set forth in paragraphs 17 through 28 of this Indictment, and for the purpose of executing and in furtherance of such scheme and artifice to defraud and for obtaining money by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, the defendants enumerated as to each count below did knowingly and willfully cause to be sent by private and commercial interstate carrier such matters and things, as more particularly described for each count below:

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF MAILING
2	March 1, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and DENNIS GUARACINO, JR.	540 SW 101 Avenue, Plantation, Florida	Post closing documents via FedEx from Turnkey Title offices in Fort Lauderdale, Florida, to First National Bank of Arizona in MCClean, Virginia
3	June 15, 2005	STEVEN STOLL, and CASEY MITTAUER	1081 SW 93 rd Avenue, Plantation, Florida	Post closing documents via UPS from Turnkey Title offices in Fort Lauderdale, Florida, to AMPRO Mortgage Corporation in Tampa, Florida
4	June 15, 2005	STEVEN STOLL, and CASEY MITTAUER	8491 North Lake Dasha Drive, Plantation, Florida	Post closing documents via UPS from Turnkey Title offices in Fort Lauderdale, Florida, to American Mortgage Network, Inc. in Tampa, Florida

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF MAILING
5	July 1, 2005	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROSA	7205 NW 64 th Street, Tamarac, Florida	Post closing documents sent via UPS from TurnKey Title offices in Fort Lauderdale, Florida to AMPRO Mortgage, Corporation in Tampa, Florida
6	January 19, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	190 SW 101 st Avenue, Plantation, Florida	Post closing documents sent via UPS from the offices of TurnKey Title in Fort Lauderdale, Florida, to Homecomings Financial Network in Minneapolis, Minnesota
7	October 12, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and DARYL RADZIWON	11960 NW 27 th Court, Plantation, Florida	Post closing documents sent via FedEx from the offices of TurnKey Title in Fort Lauderdale, Florida, to American Mortgage Network in Tampa, Florida
8	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	11430 NW 29 th Street, Sunrise, Florida	Post closing documents sent via Federal Express from TurnKey Title offices in Fort Lauderdale, Florida, to American Mortgage Network in Tampa, Florida
9	May 25, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD,	785 Middle River Drive, Fort Lauderdale, Florida	Post closing documents sent via Federal Express from the offices of TurnKey Title in Fort Lauderdale, Florida, to Chevy Chase Bank in Bethesda, Maryland

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF MAILING
10	June 21, 2007	JOSEPH GUARACINO, STEVEN STOLL, MATT GULLA, RENE RODRIGUEZ, JR., and JOSEPH LAGRATA	11000 NW 27 th Street, Sunrise, Florida	Mailing of loan documents sent via Federal Express from the offices of Turnkey Title in The Family Lending Group in Sunrise, Florida, to Chevy Chase Bank in Bethesda, Maryland
11	July 13, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH LAGRATA	11000 NW 27 th Street, Sunrise, Florida	Post closing documents sent via Federal Express from the offices of TurnKey Title in Fort Lauderdale, Florida, to National City Bank in Brecksville, Ohio
12	July 30, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOHN VELEZ	4040 Galt Ocean Drive, #600, Fort Lauderdale, Florida	Post closing documents sent via Federal Express from the offices of TurnKey Title in Fort Lauderdale, Florida, to Wachovia, N.A. in Roanoke, Virginia.

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNTS THIRTEEN THROUGH TWENTY FIVE - WIRE FRAUD

45. The allegations set forth in paragraphs 1 through 28 of Count 1 of this Indictment are incorporated herein by reference as though fully set forth herein.

46. On or about the dates set forth below at Broward County, in the Southern District of Florida, and elsewhere, the defendants enumerated as to each count below did knowingly, willfully and with an intent to defraud devise a scheme and artifice to defraud

and to obtain money from mortgage lenders by means of false and fraudulent pretenses, representations, and promises, knowing the representations and promises were false, as more particularly described in paragraphs 17 through 28 of Count 1 of this Indictment.

47. On or about the dates enumerated as to each count below, at Broward County in the Southern District of Florida, and elsewhere, for the purpose of executing and in furtherance of the scheme and artifice to defraud and for obtaining money by means of false and fraudulent pretenses, representations, and promises, the defendants enumerated as to each count did knowingly and willfully cause to be transmitted in interstate commerce by means of wire communications certain signals and sounds, as more particularly described for each count below:

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF WIRE FRAUD COMMUNICATION
13	June 15, 2005	STEVEN STOLL, and CASEY MITTAUER	1081 SW 93 rd Avenue, Plantation, Florida	Wire transfer from National City Bank in Cleveland, Ohio, in the amount of \$423,690.07 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
14	June 15, 2005	STEVEN STOLL, and CASEY MITTAUER	1081 SW 93 rd Avenue, Plantation, Florida	Wire transfer from National City Bank in Cleveland, Ohio, in the amount of \$100,421.05 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF WIRE FRAUD COMMUNICATION
15	January 20, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	190 SW 101 st Avenue, Plantation, Florida	Wire transfer from J.P. Morgan Chase Bank in Wilmington, Delaware, in the amount of \$66,990.00 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
16	January 20, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and ROBERT DEPRIEST	190 SW 101 st Avenue, Plantation, Florida	Wire transfer from J.P. Morgan Chase Bank in Wilmington, Delaware, in the amount of \$543,007.94 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
17	October 16, 2006	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and DARYL RADZIWON	11960 NW 27 th Court, Plantation, Florida	Wire transfer from Wachovia Bank, N.A. in Winston Salem, North Carolina in the amount of \$540,119.37 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
18	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	11430 NW 29 th Street, Sunrise, Florida	Wire transfer from J.P. Morgan Chase Bank in Wilmington, Delaware, in the amount of \$275,393.25 to the Citibank account of TurnKey Title in Fort Lauderdale, Florida

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF WIRE FRAUD COMMUNICATION
19	February 14, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	11430 NW 29 th Street, Sunrise, Florida	Wire transfer from J.P. Morgan Chase Bank in Wilmington, Delaware, in the amount of \$67,920.00 to the Citibank account of TurnKey Title in Fort Lauderdale, Florida
20	May 25, 2007	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	785 Middle River Drive, Fort Lauderdale, Florida	Wire transfer from Chevy Chase Bank in Bethesda, Maryland, in the amount of \$1,543,888.74 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
21	June 18, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH DEROSA	2230 SW 98 th Terrace, Davie, Florida	Wire transfer from Wachovia Bank, N.A. in Winston Salem, North Carolina in the amount of \$475,230.25 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
22	July 11, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH LAGRASTA	11000 NW 27 th Street, Sunrise, Florida	Wire transfer from National City Bank in Cleveland, Ohio, in the amount of \$89,922.00 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida

COUNT	DATE	DEFENDANTS	PROPERTY ADDRESS	DESCRIPTION OF WIRE FRAUD COMMUNICATION
23	July 12, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH LAGRASTA	11000 NW 27 th Street, Sunrise, Florida	Wire transfer from Wachovia Bank N.A. in Winston-Salem, North Carolina, in the amount of \$288,693.20 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
24	July 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOHN VELEZ	4040 Galt Ocean Drive, #600, Fort Lauderdale, Florida	Wire transfer from Wachovia Bank N.A. in Winston-Salem, North Carolina, in the amount of \$562,246.85 to the Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida
25	July 27, 2007	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOHN VELEZ	4040 Galt Ocean Drive, #600, Fort Lauderdale, Florida	Wire transfer from National City Bank in Cleveland, Ohio, in the amount of \$138,642.00 from to Citibank escrow account of TurnKey Title in Fort Lauderdale, Florida

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

COUNTS TWENTY SIX THROUGH THIRTY THREE - FALSE STATEMENTS TO HUD

48. The allegations set forth in paragraphs 1 through 28 of this Indictment are incorporated herein by reference as though fully set forth herein.

49. On or about the dates enumerated as to each count below, at Broward County in the Southern District of Florida, and elsewhere, the defendants enumerated as to each count below, in a matter within the jurisdiction of the United States Department of Housing and Urban Development ("HUD"), a Department of the United States, aided and abetted and wilfully caused to be made materially false and fraudulent and fictitious statements and representations as set forth below on the HUD1 Settlement Statements for the property indicated, when in truth and in fact, as defendants well knew, such statements were materially false and fraudulent:

COUNT	DEFENDANTS	DATE	FALSE STATEMENT IN HUD1
26	STEVEN STOLL and CASEY MITTAUER	June 14, 2005	Line 1304 of HUD1 Settlement Statement for property located at 8491 North Lake Dasha Drive, Plantation, Florida, to reflect a payoff escrow withhold entry of approximately \$42,201.90 to TurnKey Title Corporation, when in truth and fact, such monies were not used to pay any liens, judgments, and other monetary obligations by TurnKey Title
27	STEVEN STOLL and CASEY MITTAUER	June 14, 2005	Line 201 of HUD1 Settlement Statement for property located at 1081 SW 93 rd Avenue, Plantation, Florida, to reflect a \$10,000 deposit due from borrower, when in truth and fact, such monies did not come from borrower

28	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JACQUELINE TRUMBORE	July 28, 2005	Line 1305 of HUD1 Settlement Statement for property located at 3160 NW 41 st Drive, Coral Springs, Florida, to reflect a payoff escrow withhold entry of approximately \$37,750.00 to TurnKey Title Corporation, when in truth and fact, such monies were not used to pay any liens, judgments, and other monetary obligations by TurnKey Title
29	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	February 14, 2007	Line 1305 of HUD1 Settlement Statement for property located at 11430 NW 29 th Street, Sunrise, Florida, to reflect a judgment payoff/ escrow withhold entry of \$20,000.00 to TurnKey Title Corporation, when in truth and fact, such monies were not used to pay any liens, judgments and other monetary obligations by TurnKey Title
30	JOSEPH GUARACINO, STEVEN STOLL, and STEPHEN ORCHARD	May 25, 2007	Line 303 of HUD1 Settlement Statement for property located at 785 Middle River Drive, Fort Lauderdale, Florida to reflect \$300,000.00 as cash due from borrower when in truth and fact, such monies did not come from borrower
31	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD and JOSEPH DEROSA	June 18, 2007	Line 303 of HUD1 Settlement Statement for property located at 2230 SW 98 th Terrace, Davie, Florida to reflect \$110,363.12 as cash due from borrower when in truth and fact, such monies were second mortgage proceeds and the first mortgage lender had closing instructions that prohibited any subordinate financing

32	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOSEPH LAGRASTA	July 12, 2007	Line 303 of HUD1 Settlement Statement for property located at 11000 NW 27 th Street, Sunrise, Florida to reflect \$66,891.05 as cash due from borrower when in truth and fact, such monies did not come from borrower.
33	JOSEPH GUARACINO, STEVEN STOLL, STEPHEN ORCHARD, and JOHN VELEZ	July 27, 2007	Line 303 of HUD1 Settlement Statement for property located at 4040 Galt Ocean Drive, #600, Fort Lauderdale, Florida, to reflect \$133,726.98 as cash due from borrower when in truth and fact, \$131,797.00 of this amount was from second mortgage proceeds and the first mortgage lender had closing instructions that prohibited any subordinate financing.

All in violation of Title 18, United States Code, Sections 1001 and 2.

COUNT THIRTY FOUR

50. On or after November 19, 2007, in the Southern District of Florida, the defendants

**STEVEN STOLL and
STEPHEN ORCHARD,**

did knowingly engage and attempt to engage in misleading conduct toward another person, to wit: an investigator with the State of Florida Department of Financial Regulation, with the intent to hinder, delay or prevent the communication of information relating to the possible commission of a Federal offense to a law enforcement officer and judge of the United States, in that, in response to a subpoena issued by the State of Florida Department of Financial Regulation, the defendants deleted and caused the

deletion of documents contained in the broker files of The Lending House, Inc., which contained materially false and fraudulent information and which may have revealed criminal conduct in violation of Title 18, United States Code, Sections 1001, 1341, and 1343.

All in violation of Title 18, United States Code, Sections 1512(b)(3) and 2.

FORFEITURE

Conspiracy, Mail Fraud and Wire Fraud Forfeiture

51. The allegations of Count 1 of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of certain property in which the defendants,

**JOSEPH GUARACINO and
STEVEN STOLL,**

has an interest, pursuant to the provisions of Title 28, United States Code, Section 2461, Title 18, United States Code, Sections 981(a)(1)(C), and the procedures outlined at Title 21, United States Code, Section 853.

52. Upon conviction of any of the offenses charged in Count 1 of this Indictment, the defendants,

**JOSEPH GUARACINO and
STEVEN STOLL,**

shall forfeit to the United States any personal property, real or personal, which constitutes or is derived from proceeds, traceable to such violations. Such forfeiture shall include, but is not limited to:

- a. Approximately \$1,235,286.60 in United States currency,

representing a money judgment for the amount of proceeds obtained by the defendant **JOSEPH GUARACINO**, and approximately \$250,687.60 in United States currency, representing a money judgment for the amount of proceeds obtained by the defendant **STEVEN STOLL**, directly and indirectly from their illegal activities during the period charged in Count 1, in violation of Title 18, United States Code, Sections 1349, 1341, and 1343.

53. Pursuant to Title 21, United State Code, Section 853(p), if any of the forfeitable property, or any portion thereof, 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 person;
- 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 other property of the defendant up to the value of the above-described forfeitable property.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 21,
United States Code, Section 853.

A TRUE BILL



WIFREDO A. FERRER
UNITED STATES ATTORNEY



LAURIE E. RUCOBA
ASSISTANT UNITED STATES ATTORNEY



JEFFREY H. KAY
ASSISTANT UNITED STATES ATTORNEY



MICHAEL PATRICK SULLIVAN
ASSISTANT UNITED STATES ATTORNEY