

Judge Hellerstein

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- -x

UNITED STATES OF AMERICA

: INFORMATION

-v.-

: 14 Cr. CRIM 077

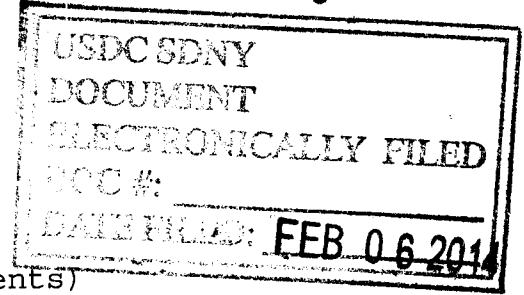
LUZ MERCEDES,

:

Defendant.

:

----- -x



COUNT ONE

(Conspiracy to Make False Statements)

The United States Attorney charges:

1. From in or about 2007, up to and including in or about 2010, in the Southern District of New York and elsewhere, LUZ MERCEDES, the defendant, together with others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1001.

2. It was a part and an object of the conspiracy that LUZ MERCEDES, the defendant, and others known and unknown, in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit, the United States Department of Education, willfully and knowingly, would and did falsify, conceal, and cover up by a trick, scheme, and device a material fact, and make materially false, fictitious, and fraudulent statements and representations, and make and use a

false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry, to wit, MERCEDES, while working as a Site Manager for Princeton Review, conspired with others to falsify student attendance records, including by executing false certifications on daily student attendance sheets, to make it appear that more students had received after-school tutoring at public schools in New York, New York than had, in fact, received such tutoring, enabling Princeton Review to bill for and obtain more federal funds for its after-school tutoring program than it was entitled to receive.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From in or about 2007 through in or about 2010, LUZ MERCEDES, the defendant, regularly forged student signatures on daily student attendance sheets for Princeton Review's after-school tutoring classes at public schools in New York, New York to make it appear that more students had attended the classes than had in fact attended.

b. From in or about 2007 through in or about 2010, MERCEDES routinely signed daily student attendance sheets, falsely certifying that after-school tutoring had been provided to all of the students whose names appeared on the sheets, even though she knew that tutoring had not been provided to many of those students.

c. From in or about 2007 through in or about 2010, MERCEDES regularly caused to be delivered to Princeton Review's offices in New York, New York, daily student attendance sheets that falsely showed that more students had received after-school tutoring at Princeton Review's classes than had in fact received such tutoring.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Conspiracy to Make False Statements)

The United States Attorney further charges:

4. From in or about 2010, up to and including in or about 2012, in the Southern District of New York and elsewhere, LUZ MERCEDES, the defendant, together with others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1001.

5. It was a part and an object of the conspiracy that LUZ MERCEDES, the defendant, and others known and unknown, in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit, the United States Department of Education, willfully and knowingly, would and did falsify, conceal, and cover up by a trick, scheme, and device a material fact, and make materially false, fictitious, and fraudulent statements and representations, and make and use a false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry, to wit, MERCEDES, while working as a Site Manager for an educational services company ("Company-1"), conspired with others to falsify attendance records, including by executing false certifications on daily student attendance sheets, to make it appear that more students had received after-school tutoring at public schools in New York, New York than had, in fact, received such tutoring, enabling Company-1 to bill for and obtain more federal funds for its after-school tutoring program than it was entitled to receive.

Overt Acts

6. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From in or about 2010 through in or about 2012, LUZ MERCEDES, the defendant, regularly forged student signatures on daily student attendance sheets for Company-1's after-school tutoring classes at public schools in New York, New York to make it appear that more students had attended the classes than had in fact attended.

b. From in or about 2010 through in or about 2012, MERCEDES regularly signed the daily student attendance sheets, falsely certifying that after-school tutoring had been provided to all of the students whose names appeared on the sheets, even though she knew that tutoring had not been provided to many of those students.

c. From in or about 2010 through in or about 2012, MERCEDES exchanged text messages with two other employees of Company-1 regarding the number of students she was expected to report as having attended the Company-1's SES classes at a public school in New York, New York, even if those students had not, in fact, attended the tutoring classes.

d. From in or about 2010 through in or about 2012, MERCEDES regularly caused to be delivered to Company-1's offices in New York, New York, daily student attendance sheets that falsely showed that more students had received after-school tutoring at Company-1's tutoring classes than had in fact received such tutoring.

(Title 18, United States Code, Section 371.)

COUNT THREE
(False Statements)

The United States Attorney further charges:

7. From in or about 2007, up to and including in or about 2012, in the Southern District of New York and elsewhere, LUZ MERCEDES, the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, to wit, the United States Department of Education, willfully and knowingly, falsified, concealed, and covered up by a trick, scheme, and device a material fact, and made materially false, fictitious, and fraudulent statements and representations, and made and used a false writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry, to wit, MERCEDES falsified daily student attendance sheets to make it appear that more students had received after-

school tutoring at public schools in New York, New York and elsewhere than had, in fact, received such tutoring.

(Title 18, United States Code, Sections 1001 & 2.)

Preet Bharara
PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

LUZ MERCEDES,

Defendant.

INFORMATION

14 Cr. ____ (AKH)

(Title 18, United States Code, Sections
371, 1001, & 2)

PREET BHARARA
United States Attorney.

2/6/14 - Filed Information

DC - Filed Waiver of Indictment

Judge Kenneth Fox
U.S.M.D.