

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA \* CRIMINAL NO. 20-82  
v. \* SECTION: "T"  
PENH KANG \*  
\* \* \*

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of reliable testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Count 1 of the Bill of Information now pending against the defendant, **PENH KANG**, charging him with a violation of Title 18, United States Code, Section 152(3), namely, making a false declaration in a bankruptcy proceeding.

The government would establish that, on or about the 12th day of September 2017, in the Eastern District of Louisiana, **PENH KANG**, defendant herein, knowingly and fraudulently made a material false declaration, certificate and verification under the penalty of perjury. Specifically, **KANG** in, *In re Pehn Kang*, Case No.17-12431, submitted Schedules of Assets and Liabilities and a Statement of Financial Affairs, in which the defendant fraudulently answered questions 15 in part 6, 20 in part 8, and 31 in part 4, in that **KANG** failed to disclose gambling losses of approximately \$40,000 to \$60,000, an interest in two Capital One Bank accounts, and a \$50,000 life insurance policy.

The government would call a special agent from the Federal Bureau of Investigation ("FBI") to testify that **KANG** was interviewed on July 1, 2020. During the interview, **KANG**

AUSA *BK*  
Defendant *PE*  
Defense Counsel *AC*

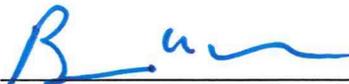
admitted to knowingly making the false declarations and statements in connection with his September 12, 2017, Chapter 7 bankruptcy filing.

The government would call witnesses from the Office of the U.S. Trustee, the FBI, the IRS, Capital One, and Nationwide Mutual Insurance Company to establish the above.

READ AND APPROVED:

 10/5/2020  
PENH KANG  
Defendant

 10/5/2020  
ARIS COX  
Counsel for Defendant

 10/5/2020  
BRIAN M. KLEBBA  
Assistant United States Attorney

AUSA   
Defendant   
Defense Counsel 