

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

\*

**CRIMINAL NO. 20-106**

**v.**

\*

**SECTION: "H"**

**RYAN P. MULLEN**

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\* \* \*

**FACTUAL BASIS**

The defendant, **RYAN P. MULLEN**, (hereinafter, the "defendant" or "**MULLEN**"), has agreed to plead guilty to counts one and six of the Indictment now pending against him, charging him with conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349, and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956. Both the Government and **MULLEN** do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. The Government and the defendant further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in counts one and six of the Indictment now pending against the defendant:

Prior to on or about March 2020, **MULLEN** and co-defendant Duane A. Dufrene ("Dufrene"), who had previously been a certified public accountant, conspired to devise a scheme to fraudulently obtain loans from financial institutions for a residential purchase and several hotel purchases based on fraudulent financial information as further described below.

AUSA   
Defendant   
Defense Counsel 

***Conspiracy to Commit Bank Fraud***

**A. State Bank and Trust/Jayess, Mississippi Residence**

On or about December 2017, **MULLEN** approached Individual A and began to negotiate a sale of a residence in Jayess, Mississippi, for the approximate sum of \$800,000. On or about January 3, 2018, **MULLEN** applied for a \$680,000 home equity loan from State Bank and Trust Company (“State Bank”), a financial institution with deposits insured by the Federal Deposit Insurance Corporation with a branch in Mississippi. As part of the application, **MULLEN** submitted a number of documents to State Bank that Dufrene had helped falsify. Specifically, on or about January 3, 2018, Dufrene emailed **MULLEN** false financial statements for his Louisiana business, ACPRM, LLC, with the message [REDACTED] On or about January 4, 2018, **MULLEN** provided State Bank false financial statements, which reflected significant assets for himself and his Louisiana business, ACPRM, LLC, with the message “Client copy.”

On or about January 9, 2018, Dufrene falsified 2016 IRS Forms 1040 for **MULLEN**’s individual return and emailed them to **MULLEN**. On or about January 10, 2018, **MULLEN** provided State Bank fraudulent 2016 IRS Forms 1040 for himself and his Louisiana businesses, ACPRM, LLC; EGHPC, Inc.; ONRD; BSLMSP; Hurricane Construction & Equipment; Camargue; and TTJP, which had been prepared by Dufrene. The purpose of the falsified documents was to induce State Bank to loan **MULLEN** the funds to buy the Jayess residence by inflating **MULLEN**’s net worth.

On or about February 23, 2018, State Bank approved **MULLEN**’s loan application and provided **MULLEN** with \$680,000 for the purchase of the Jayess residence. On or about February

23, 2018, **MULLEN** purchased the Jayess residence in the name of a **MULLEN**-owned Louisiana corporation named TTJP, Inc. with the funds that he borrowed from State Bank.

**B. Keesler Federal Credit Union/The Briars**

On or about August 2018, **MULLEN** approached Individuals B and C, the owners of The Briars, and began to negotiate a sale of the bed and breakfast hotel for the approximate sum of \$1.75 million on behalf of MOE Investments, LLC, a corporate entity in the Eastern District of Louisiana owned by Dufrene (“Dufrene/MOE”).

On or about September 2018, **MULLEN** applied to Keesler Federal Credit Union (“Keesler FCU”), a federal credit union headquartered in Mississippi with accounts insured by The National Credit Union Share Insurance Fund, for a loan of approximately \$2.8 million in order to purchase The Briars, premised upon a purchase price of \$3.5 million between Dufrene/MOE and a Louisiana corporation owned by **MULLEN** named BSLMSP, Inc. (“**MULLEN**/BSLMSP”).

On or about September 5, 2018, Individual B emailed **MULLEN** IRS Forms 1040 Schedule C for The Briars, which reported losses in the years 2015, 2016, and 2017. On or about September 5, 2018, **MULLEN** emailed the 2015, 2016, and 2017 IRS Forms 1040 Schedule C for The Briars to Dufrene.

On or about September 5, 2018, Dufrene falsified the 2015, 2016, and 2017 IRS Forms 1040 Schedule C for The Briars—that **MULLEN** had obtained from Individual B—to reflect false net profits. On or about September 5, 2018, Dufrene emailed the falsified 2015, 2016, and 2017 IRS Forms 1040 Schedule C for The Briars to **MULLEN**, who then transmitted the false documents to Keesler FCU on the same date. The purpose of the falsified IRS records reflecting higher net profits was to support a higher property valuation.

On or about September 5, 2018, Dufrene emailed a falsified personal financial statement for **MULLEN** to **MULLEN**. On or about October 3, 2018, **MULLEN** provided Keesler FCU false financial statements from Prudential Securities and JP Morgan Securities, which reflected significant assets for himself and his businesses. The purpose of the falsified financial statement reflecting significant assets was to induce Keesler FCU to loan **MULLEN** and his company the funds to buy The Briars.

On or about October 8, 2018, Dufrene/MOE and Individuals B and C executed an agreement to purchase The Briars in the amount of \$1.75 million. It was part of the scheme and artifice to defraud that **MULLEN** advised Keesler FCU that the owner of The Briars, Dufrene/MOE, was going to assign the rights of the property for resale purposes to a Louisiana corporation owned by Dufrene named RLKA Property Holdings, Inc. (“Dufrene/RLKA”), while **MULLEN** intended to buy The Briars in the name of a Louisiana corporation owned by “**MULLEN/BSLMSP**”), and then assign the rights of the property to a Louisiana corporation owned by **MULLEN** named Briar Investments, Inc. (“**MULLEN/Briar Investments**”).

On or about October 16, 2018, **MULLEN/BSLMSP** assigned its interests in The Briars purchase to a Louisiana corporation owned by **MULLEN/Briars Investments, Inc.** and Dufrene/RLKA assigned its interests in The Briars to Dufrene/MOE.

On or about October 17, 2018, **MULLEN** provided Keesler FCU with a purchase agreement of \$3.5 million for The Briars between Dufrene/RLKA and **MULLEN/BSLMSP** in support of the loan for \$2.8 million.

On or about November 12, 2018, **MULLEN** transmitted the falsified 2015, 2016, and 2017 IRS Forms 1040 Schedule C for The Briars to an appraisal company with offices in Mississippi

named Integra Realty Resources (“Integra Realty”). Relying upon the falsified documents, Integra Realty issued an appraisal that supported the value of the property for the loan.

On or about December 7, 2018, Keesler FCU approved **MULLEN**’s loan application and provided **MULLEN**/Briars Investments, as assignee from **MULLEN**/BSLMSP, with \$2.8 million, with **MULLEN** acting as a guarantor on the loan.

On or about December 7, 2018, unbeknownst to Keesler FCU, Dufrene/MOE purchased The Briars from Individuals B and C for the approximate sum of \$1.75 million.

On or about December 7, 2018, Dufrene/RLKA sold The Briars to **MULLEN**/BSLMSP for \$3.5 million, with **MULLEN** utilizing the \$2.8 million loan that he received from Keesler FCU to pay Individuals B and C for the original sale of the hotel to Dufrene/MOE.

On or about December 14, 2018, the closing attorney for Individuals B and C wired approximately \$1,036,700 to Individual D<sup>1</sup> as the net proceeds from the sale of The Briars. On or about December 14, 2018, and December 21, 2018, Individual D wired approximately \$965,000 to **MULLEN**/Briars Investments, and **MULLEN** then used the funds to purchase a number of luxury cars.

**C. Red Oak Capital/Hotel Vue**

On or about 2019, **MULLEN** approached Companies A and A-1, the owners of a hotel and property in Natchez, Mississippi, known as Hotel Vue, and began to negotiate a sale of the hotel and property for the approximate sum of \$3.95 million on behalf of Global Strategic Solutions, LLC, a corporate entity in the Eastern District of Louisiana owned by Dufrene (“Dufrene/Global Strategic”).

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<sup>1</sup> Individual D was a real estate attorney in Baton Rouge, Louisiana.

On or about May 9, 2019, the owners of Company A sent their 2016, 2017, and 2018 IRS Form 1065 tax returns to an associate of **MULLEN**, who was assisting with the negotiations. On or about May 9, 2019, **MULLEN**'s associate emailed Company A's 2016, 2017, and 2018 IRS Form 1065 tax returns to **MULLEN**.

On or about May 9, 2019, **MULLEN** emailed Company A's 2016, 2017, and 2018 IRS Form 1065 tax returns to Dufrene. On or about May 19, 2019, Dufrene emailed **MULLEN** a falsified 2018 Annual Income Statement for Company A, with the message [REDACTED] [REDACTED] [REDACTED] On or about May 23, 2019, Dufrene emailed **MULLEN** falsified 2017 IRS Form 1065 tax returns for Company A. On or about May 24, 2019, Dufrene emailed **MULLEN** falsified 2018 IRS Form 1065 tax returns for Company A. On or about June 10, 2019, **MULLEN** emailed Dufrene a Century Securities financial statement in the name of a person who was deceased. On or about June 13, 2019, Dufrene emailed **MULLEN** a falsified Century Securities financial statement in **MULLEN**'s name that was copied from the statement sent on June 10, 2019. On or about June 17, 2019, Dufrene emailed **MULLEN** falsified 2018 and 2019 Annual Income statements and balance sheets for Company A, with the message [REDACTED] [REDACTED]

On or about June 18, 2019, **MULLEN** emailed the appraiser, Integra Realty, falsified 2017, 2018, and 2019 income statements for Company A, with the message [REDACTED] [REDACTED] [REDACTED] [REDACTED]

On or about June 21, 2019, **MULLEN** emailed Integra Realty an agreement to purchase between buyer, a Louisiana corporation owned by **MULLEN** named RVH Investments, Inc. ("**MULLEN/RVH**"), and seller Dufrene/Global Strategic for Hotel Vue in the amount of \$8 million, with the message [REDACTED] [REDACTED] [REDACTED] The purpose of the inflated sales agreement and the falsified 2017, 2018, and 2019 income statements for Hotel Vue was to support a higher

property valuation.

On or about September 18, 2019, **MULLEN** emailed Broker A falsified 2016 and 2018 IRS Form 1065 tax returns for Company A.

On or about October 13, 2019, Dufrene emailed **MULLEN** falsified Annual Income Statements from October 2018 to September 2019 for Hotel Vue with the message [REDACTED]

[REDACTED] On or about October 13, 2019, **MULLEN** emailed [REDACTED] [REDACTED] to Dufrene concerning the Hotel Vue falsified financial records. On or about October 13, 2019, Dufrene emailed **MULLEN** the message [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

On or about November 2019, Broker A contacted Broker B on **MULLEN's** behalf to seek a lender for the Hotel Vue transaction. On or about November 2019, Broker B contacted Northwind Financial Corporation ("Northwind"), a company affiliated with the mortgage lender, Red Oak Capital Group, LLC ("Red Oak"), for a loan of approximately \$6.4 million by **MULLEN/RVH** to purchase Hotel Vue. Red Oak was a commercial lender based in Michigan, which participated in the mortgage lending business that affected interstate commerce.

On or about November 25, 2019, Dufrene emailed **MULLEN** a 2018 IRS Form 1040, which reflected significant assets for **MULLEN** and the businesses he owned, with the message exchange: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] On or about November 25, 2019, Dufrene emailed **MULLEN** a falsified list of properties allegedly owned by **MULLEN**. On or about November 25, 2019, **MULLEN** emailed Dufrene and advised him that he needed to [REDACTED] the number of rental units in order to bolster **MULLEN's** financial background. On or about November 25, 2019, Dufrene emailed **MULLEN**




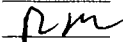

a revised falsified list of properties allegedly owned by **MULLEN**, which included a larger number of rental units.

On or about November 26, 2019, **MULLEN** emailed the 2018 IRS Form 1040 in **MULLEN's** name—that was created by Dufrene—to Broker A. On or about November 26, 2019, Dufrene emailed **MULLEN** a revised falsified list of properties allegedly owned by **MULLEN**, which included a larger number of rental units. On or about November 26, 2019, **MULLEN** transmitted the falsified list of properties allegedly owned by **MULLEN**—that was created by Dufrene—to Broker A. On or about November 26, 2019, Broker A provided Broker B the falsified 2016 and 2017 tax returns and financial statements that **MULLEN** emailed to Broker A. Broker B in turn provided the falsified tax returns and financial statements to Northwind and Red Oak. The purpose of the falsified financial tax returns and financial statements reflecting significant assets was to induce Red Oak to loan **MULLEN** and his company the funds to buy Hotel Vue.

On or about December 19, 2019, Red Oak approved **MULLEN's** loan application and provided **MULLEN** with \$6.4 million for the \$8 million purchase between Dufrene/Global Strategic and **MULLEN/RVH**. On or about December 19, 2019, Dufrene/Global Strategic purchased Hotel Vue and its property from Companies A and A-1, for approximately \$3.95 million.

On or about December 19, 2019, Dufrene/Global Strategic sold Hotel Vue to **MULLEN/RVH** for \$8 million, with **MULLEN** utilizing the \$6.4 million loan that he received from Red Oak to pay Companies A and A-1 for the original sale of the hotel and property to Dufrene/Global Strategic.

On or about December 19, 2019, Red Oak wired approximately \$5,792,000 for the sale of Hotel Vue to the bank account for a title company owned by Individual D. On or about December

AUSA   
 Defendant   
 Defense Counsel 



19, 2019, Individual D's title company transferred approximately \$5,792,000 to a trust account owned by Individual D.

On or about December 20, 2019, Individual D transferred approximately \$2,277,722 from his/her trust account to **MULLEN/RVH's** bank account. On or about December 20, 2019, **MULLEN/RVH** transferred approximately \$2,277,722 from his bank account to a bank account owned by Carmargue, Inc., a Louisiana corporation owned by **MULLEN** ("**MULLEN/Camargue**").

On or about December 24, 2019, and December 27, 2019, Individual D transferred approximately \$1.3 million from his/her trust account to **MULLEN/BSLMSP**. **MULLEN** kept the difference of approximately \$1.3 million that he fraudulently obtained from Red Oak, and he later used the funds to purchase a number of luxury cars.

**D. Red Oak Capital/Super 8**

On or about 2020, **MULLEN** approached Company B, the owner of a hotel in Natchez, Mississippi, known as Super 8, and began to negotiate a sale of the hotel for the approximate sum of \$2.6 million.

On or about January 2020, ONRD, Inc., a corporate entity in the Eastern District of Louisiana owned by **MULLEN** ("**MULLEN/ONRD**") applied to Northwind/Red Oak through Broker A for a loan of approximately \$4.575 million for the purchase of Super 8, premised upon the purchase price of \$6.05 million between a Louisiana corporation owned by Dufrene named Liberty Investment Solutions, Inc. ("**Dufrene/Liberty Investment**") and **MULLEN/ONRD**.

On or about February 10, 2020, Dufrene emailed falsified 2017, 2018, and 2019 Income Statements and industry reports for Super 8 to **MULLEN**. On or about February 10, 2020, **MULLEN** emailed falsified 2017, 2018, and 2019 Income Statements and industry reports for

Super 8—that were created by Dufrene—to the Integra Realty appraisal company and Broker A. The purpose of the falsified balance sheets for Super 8 was to reflect false assets and false net profits to support a higher property valuation.

On or about February 24, 2020, Broker A transmitted the falsified 2017, 2018, and 2019 Income Statements and a falsified 2019 Balance Sheet for Super 8—that were created by Dufrene—to Northwind and Red Oak. On or about February 25, 2020, Broker A emailed Red Oak an agreement to purchase Super 8 between Dufrene/Liberty Investment and **MULLEN**/ONRD for \$6.05 million, along with a copy of a Super 8 franchise agreement, in support of the loan for approximately \$4.575 million. The purpose of the falsified financial tax returns and inflated purchase agreement was to induce Red Oak to loan **MULLEN** and his company the funds to buy Super 8.

On or about March 10, 2020, Red Oak approved **MULLEN**'s loan application and provided **MULLEN**/ONRD with \$4.575 million. On or about March 10, 2020, Dufrene/Liberty Investment purchased Super 8 from Company B for approximately \$2.6 million. On or about March 10, 2020, Dufrene/Liberty Investment sold Super 8 to **MULLEN**/ONRD for \$6.05 million, with **MULLEN** utilizing the \$4.575 million loan that he received from Red Oak to pay Company B for the original sale of the hotel to Dufrene/Liberty Investment. On or about March 10, 2020, Red Oak wired approximately \$4,140,375 to the trust account for Individual D.

On or about March 12, 2020, Individual D transferred approximately \$1.3 million from his/her trust account to **MULLEN**/BSLMSP's bank account.

On or about the dates listed below, **MULLEN** used the funds fraudulently obtained from Keesler FCU and Red Oak to purchase the following luxury cars:

Vehicle Make & Model	VIN Number	Purchase Date	Sales Price	Seller	Purchaser	Name & account number proceeds derived from
2009 Rolls Royce Phantom V	[REDACTED]	1/10/2020	\$113,000.00	U.S.	Camargue, Inc.	Camargue, Inc. [REDACTED]
2006 Bentley Arnage	[REDACTED]	1/27/2020	\$21,500.00	G.A.A.	EGHPC, Inc. <sup>2</sup>	Camargue, Inc. [REDACTED]
2002 Bentley Arnage	[REDACTED]	2/6/2020	\$13,029.39	S.D.	EGHPC, Inc.	EGHPC, Inc. [REDACTED]
1983 Bentley	[REDACTED]	2/12/2020	\$5,000.00	C.E., LLC	Park Ward, Inc. <sup>3</sup>	BSLMSP, Inc. [REDACTED]
1954 Rolls International	[REDACTED]	3/12/2020	\$55,000.00	D.P.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
2005 Bentley Arnage	[REDACTED]	3/12/2020	\$50,000.00	P.C.M., Inc.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
2006 Bentley Arnage	[REDACTED]	3/12/2020	\$53,000.00	P.C.M., Inc.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
1961 Rolls Royce Phantom	[REDACTED]	3/13/2020	\$55,000.00	L.W.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
1997 Rolls Royce	[REDACTED]	3/13/2020	\$34,000.00	L.U.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
1997 Rolls Royce	[REDACTED]	3/13/2020	\$34,000.00	L.U.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
1997 Rolls Royce	[REDACTED]	3/13/2020	\$34,000.00	L.U.	Park Ward, Inc.	Camargue, Inc. [REDACTED]
1960 Rolls Royce Phantom V	[REDACTED]	3/13/2020	\$165,000.00	E.A.	Park Ward, Inc.	Camargue, Inc. [REDACTED]

<sup>2</sup> EGHPC, Inc. was a corporate entity in the Eastern District of Louisiana registered with the Louisiana Secretary of State on or about November 28, 2016. **MULLEN** was the owner and officer of EGHPC.

<sup>3</sup> Park Ward, Inc. was a corporate entity in the Eastern District of Louisiana registered with the Louisiana Secretary of State on or about January 21, 2020. **MULLEN** was the owner and officer of Park Ward.

2002 Chevrolet Silverado	[REDACTED]	3/19/2020	\$16,500.00	M.M.	EGHPC, Inc.	BSLMSP, Inc. [REDACTED]
1979 Cadillac Eldorado	[REDACTED]	4/14/2020	\$14,724.00	C.V.G.	Park Ward, Inc.	BSLMSP, Inc. [REDACTED]
1997 Bentley Turbo	[REDACTED]	4/16/2020	\$13,500.00	R.H.	Park Ward, Inc.	EGHPC, Inc. [REDACTED]
1997 Bentley Turbo	[REDACTED]	4/16/2020	\$11,500.00	J.D.	Park Ward, Inc.	EGHPC, Inc. [REDACTED]
1976 Cadillac Fleetwood	[REDACTED]	4/20/2020	\$16,000.00	S.P.	EGHPC, Inc.	Camargue, Inc. [REDACTED]
1976 Cadillac Fleetwood	[REDACTED]	4/29/2020	\$12,000.00	A.A., Inc.	Camargue, Inc.	Camargue, Inc. [REDACTED]
1976 Cadillac Fleetwood	[REDACTED]	5/15/2020	\$12,000.00	V.G.	Camargue, Inc.	EGHPC, Inc. [REDACTED]
2012 Mercedes	[REDACTED]	6/12/2020	\$23,900.00	S.K.	EGHPC, Inc.	EGHPC, Inc. [REDACTED]

***Conspiracy to Commit Money Laundering***

The parties agree that a specified unlawful activity as defined in Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1) includes bank fraud, in violation of Title 18, United States Code, Section 1344.

On or about the dates below, **MULLEN** and Dufrene, caused the following wire transfers from bank accounts controlled by **MULLEN** at Wells Fargo & Company ("Wells Fargo"), a financial institution that offered online banking to depositors throughout the United States, to bank accounts controlled by Dufrene at JPMorgan Chase Bank, N.A., a financial institution with a branch located in the Eastern District of Louisiana, and The First, a National Banking Association ("The First"), a financial institution with a branch located in the Eastern District of Louisiana,

relating to payments that were the proceeds derived from the conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1344 as described above:

OVERT ACT	WIRE DATE	AMOUNT	PAYOR	PAYEE
1	12/14/2018	\$30,000	MULLEN/HMY <sup>4</sup> Wells Fargo	Dufrene/MOE JPMorgan
2	1/7/2020	\$30,000	MULLEN/BSLMSP Wells Fargo	Dufrene/22 Parlange <sup>5</sup> The First
3	3/13/2020	\$30,000	MULLEN/BSLMSPY Wells Fargo	Dufrene/22 Parlange The First

On or about October 19, 2020, **MULLEN** was arrested by Special Agents with the Federal Bureau of Investigation and the Internal Revenue Service. After being *Mirandized*, **MULLEN** waived his rights and confessed to the facts as stated above.

***Limited Nature of Factual Basis and Conclusion***

This proffer of evidence is not intended to constitute a complete statement of all facts known by **MULLEN**, and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offense by **MULLEN**.

The above facts come from an investigation conducted by and would be proven at trial by credible testimony from Special Agents from the Federal Bureau of Investigation and the Internal Revenue Service, and representatives from the banks described above, and business records

<sup>4</sup> HMY, LLC ("**MULLEN/HMY**") was a corporate entity in the Eastern District of Louisiana. **MULLEN** was the owner and officer of HMY. **MULLEN/HMY** and **MULLEN/BSLMSP** maintained a bank account with Wells Fargo.

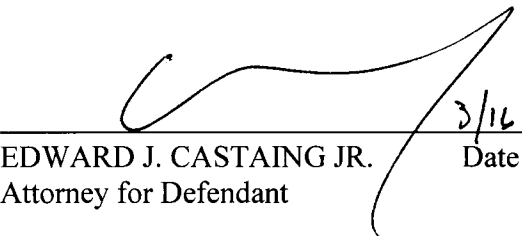
<sup>5</sup> 22 Parlange, Inc. ("**Dufrene/22 Parlange**") was a corporate entity in the Eastern District of Louisiana. Dufrene was the owner and officer of Parlange. Parlange maintained a bank account with The First.

and documents and tangible exhibits in the custody of the Federal Bureau of Investigation and the Internal Revenue Service, and **MULLEN's** admissions.

READ AND APPROVED:

  
\_\_\_\_\_  
EDWARD J. RIVERA      3/16/22  
Assistant United States Attorney      Date

  
\_\_\_\_\_  
RYAN P. MULLEN      3/16/22  
Defendant      Date

  
\_\_\_\_\_  
EDWARD J. CASTAING JR.      3/16/22  
Attorney for Defendant      Date