

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

UNITED STATES OF AMERICA	*	CRIMINAL NO. 22-24
v.	*	SECTION: "D"
MICHAEL J. GOLL	*	

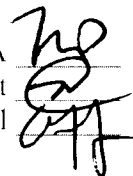
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FACTUAL BASIS

Defendant **MICHAEL J. GOLL ("GOLL")** has agreed to plead guilty. Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

From at least 2013 through 2017, Goll was employed by Company A, which provides material handling equipment for businesses. Goll was employed as the New Orleans branch manager for Company A. From at least January 2013 through September 2017, Goll used a variety of methods to embezzle money from Company A. He would create false invoices from fraudulent companies to double bill Company A for work that was actually done by Company A employees, or to bill Company A for work that was never done. To make the stolen funds appear legitimate, Goll created shell companies to receive the funds from the false invoices. Goll also failed to report embezzled funds on his personal income tax returns, and he caused others to file false personal income tax returns and then give him half of their fraudulent income tax refunds.

AUSA
Defendant
Defense Counsel

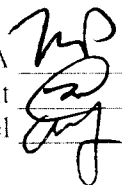


A. Fraud against Company A.

In Goll's position at Company A, he was able to ensure that false invoices would be paid by Company A. Goll would submit false invoices to Company A from various false companies, among them Composite Tech, NOLA Logistics & Hauling, MG Developments, and D's Equipment & Repairs. Some of these companies had names that were similar to other real companies; the similarity assisted Goll in ensuring that the fraud would not be discovered.

As part of the scheme to defraud, Goll would change Company A's shipping logs. Company A's business includes providing heavy equipment to other companies, and in the course of this business, Company A hauls their equipment to various locations in Louisiana. Company A keeps logs of the shipping activity, and Goll had access to these logs as a branch manager for Company A. Specifically, Goll would change the name of the hauler on the logs from a Company A employee to one of Goll's false companies, such as NOLA Logistics & Hauling. By changing the logs, Goll was able to further his fraud. However, Company A also had GPS monitors on its trucks. These monitors show that Company A's trucks were actually used to haul this equipment instead of trucks purportedly owned by Goll's companies, which confirms that Goll's companies were not performing the services that Goll billed Company A for.

Goll would bill Company A by using Square, Inc., a financial services company that facilitates digital payments for businesses. Goll created Square accounts using the names of his false companies, and then billed Company A using the names of these false companies. Square records showed the GPS coordinates where Goll initiated the fraudulent billing, such as at Company A's offices or at Goll's home in Kentwood, Louisiana. These locations were all within the Eastern District of Louisiana. The request for payment would then travel by wire transmission



from the Eastern District of Louisiana to Square's servers. During all times relevant here, Square's servers were located in California.

For example, on or about August 1, 2017, Goll submitted a false written invoice to Company A in the name of NOLA Logistics & Hauling for \$1,150.00. The invoice falsely stated that NOLA Logistics & Hauling had performed services for Company A on July 31 and August 1, 2017. Goll then used Square to issue a request for payment to Company A on August 1, 2017, and Company A made the payment on the same day according to bank records. Square GPS logs show that the request for payment was initiated in Hammond, Louisiana, which is within the Eastern District of Louisiana. To execute the scheme, Goll then changed Company A's shipping logs. The logs showed that a Company A employee had delivered the equipment to a location in New Orleans. Goll, however, changed the log to state that NOLA Logistics & Hauling had performed these services. A review of Company A's GPS monitors show, however, that Company A's truck was in fact used to make this delivery.

Further, in and around September 2016, Goll owed \$42,936.03 to Individual B, an electrician and contractor, for work that was done on a property owned by Goll. Instead of paying Individual B, Goll told him to inflate an invoice for work that Individual B did for Company A. Goll told Individual B that Goll intended to purchase Company A in the near future, so Individual B should not be concerned about inflating this invoice. Individual B followed Goll's direction and submitted inflated invoices to Company A in and around October 2016. As a result, Company A paid Individual B \$42,936.03 more than what Company A owed to Individual B.

In total, from January 2013 through September 2017, Goll defrauded Company A of a total of \$549,667.39 by submitting false invoices to Company A and by having Individual B submit inflated invoices to Company A.

B. False Federal Income Tax Filings.

Goll also filed false personal income tax returns in which he which he failed to accurately report his income, including the money that he embezzled from Company A. Furthermore, he caused three people (Taxpayers C, D, and E) to file false personal income tax returns by claiming false business losses.

1) *Goll's Personal Income Tax Returns.*

Goll filed false personal income tax returns for tax years 2014 through 2017 in which he did not accurately report his income. Due to a claimed net operating loss carryover, Goll's underreported income in tax year 2014 did not result in a tax loss to the government. However, for tax year 2015, Goll materially underreported his income, which resulted in a tax loss to the United States of \$568. For tax year 2016, Goll materially underreported his income, which resulted in a tax loss to the United States of \$29,519.00. For tax year 2017, Goll materially underreported his income, which resulted in a tax loss to the United States of \$74,007.00. According to IRS records, on or about April 15, 2018, Goll caused his 2017 Form 1040, U.S. Individual Income Tax Return, which included these false material statements, to be filed by Tax Preparer F.

2) *Taxpayers C, D, and E.*

As part of his scheme, Goll represented to these individuals that he had a Ph.D. in business administration from the University of New Orleans. Goll provided them with a diploma bearing the University of New Orleans name, which stated that Goll graduated summa cum laude from the school with a Ph.D. in business administration. In fact, the diploma that Goll provided was fake. Goll did not obtain this degree from the University of New Orleans. In truth and in fact, Goll never attended the University of New Orleans, and the University of New Orleans has never offered a Ph.D. program in business administration.

Through these false representations, Goll caused three of his personal associates to file false personal income tax returns. Goll explained to these individuals that they would be claiming supposedly legitimate business losses on their taxes. All three of these individuals explained that they trusted Goll. Goll held himself out to be an expert in taxes, and he told each of them falsely that he had a Ph.D. in business administration.

Goll used a tax preparer (Tax Preparer F) who followed Goll's instructions in preparing Goll's personal income tax returns and the personal income tax returns for Taxpayers C, D, and E. Tax Preparer F would receive the personal tax information for Taxpayers C, D, and E and fraudulent business tax information from Goll. Tax Preparer F would complete the returns using the fraudulent business tax information provided by Goll to reduce the taxable income of Taxpayers C, D, and E. Tax Preparer F would then give Goll the completed personal income tax returns for Taxpayers D, and E to have them sign. Goll would then return to Tax Preparer F with the personal income tax returns signed. However, Taxpayers D and E have reported to agents that they never received copies of their returns until after they were filed, and that they never signed their returns.

a. Taxpayer C.

Taxpayer C was a longtime associate of Goll's. Goll had told him that he had a Ph.D. in business administration. In 2013, Goll persuaded him to invest \$20,000.00 in a company called "Bonzai Sushi II, LLC," a fraudulent company with a similar name to other sham partnerships run by Goll. Taxpayer C was not to be involved in the day-to-day operation of the restaurants. Taxpayer C never saw any books or records of Bonzai Sushi II or any payments. Goll told Taxpayer C that the business had to grow to a certain level before Taxpayer C could get his money back. Goll had Taxpayer C sign documents that purportedly gave Taxpayer C a share of Bonzai

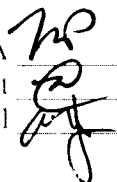
Sushi II. Goll never filed these documents with the Louisiana Secretary of State.

Goll told Taxpayer C that Bonzai Sushi sustained business losses. He informed Taxpayer C that Taxpayer C should claim the business losses on his tax returns, and that Taxpayer C should then pay Goll half of his tax refund from the business losses. Goll handled all the tax filings for Taxpayer C through Tax Preparer F. The business losses that Taxpayer C was claiming, however, were false, because in truth and in fact Taxpayer C was not an owner or partner in an operating company named Bonzai Sushi II, and Taxpayer C did not have a right to any other business losses Goll had placed on Taxpayer C's personal income tax returns. Taxpayer C was not aware that the business losses that he was claiming were false.

For tax years 2012 through 2016, Goll caused Taxpayer C to file false personal income tax returns that resulted in a loss in tax revenue to the United States totaling \$35,292.81.

b. Taxpayers D and E.

Taxpayers D and E were a married couple who knew Goll for several years. Taxpayer D met Goll around 2004 while he worked as a sushi chef and Goll was a customer. Goll told Taxpayer D that he had a Ph.D. in business from the University of New Orleans. In or around 2013, Goll persuaded Taxpayers D and E to invest in penny stocks and purported a graphite company. When those investments did not work, Goll told them that he personally had maxed out his losses that he could take on his personal income tax returns, but that he could pass these losses off to Taxpayers D and E. Taxpayers D and E agreed to do what Goll instructed but asked him if this would be legal; Goll assured them that it was. Goll passed off fake business losses from "Bonzai Sushi Express," a company that Goll claimed that he owned. Goll told Taxpayers D and E that they could claim some of the business losses on their personal income tax returns, and that Goll would take a portion of the income tax return refund. Goll handled all the tax filings for Taxpayers D and E



through Tax Preparer F. For tax year 2014, Goll took 33% of Taxpayers D and E's income tax refund. For tax years 2015 and 2017, Goll took 50% of Taxpayers D and E's income tax refund. Agents located checks from Taxpayers D and E's bank account corroborating this information. Checks were made out to one of Goll's companies, such as MG Developments or Claw Industries.

On April 9, 2019, federal agents went to the residence of Taxpayers D and E to interview them. Taxpayer D was the only person home, however. Taxpayer D spoke to agents and told them that he and Taxpayer E were part owners in Bonzai Sushi Express. That evening, Taxpayers D and E spoke to Goll by phone. Goll told them to explain to agents that they (Taxpayer D and E) were silent partners in the business and that Bonzai Sushi Express was no longer operating as a restaurant but was now operating as a catering business. The information that Goll provided Taxpayers D and E regarding Bonzai Sushi Express, however, was not true. Taxpayer E then spoke to federal agents the next day and told agents that Bonzai Sushi Express operated as a catering business. This misleading information required agents to take additional investigative steps to confirm the falsity of the statement.

Taxpayers D and E thereafter met with federal agents and stated that they had provided the information that had proven to be false at Goll's direction, and they cooperated with the federal investigation. In truth and in fact, Goll and Taxpayers D and E did not operate any kind of restaurant or catering business together. Taxpayers D and E stated that they believed Goll and relied on him for all information related to this purported venture.

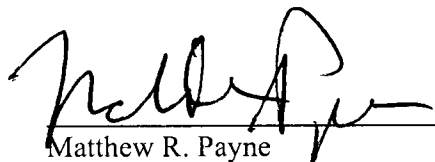
From tax year 2014 through tax year 2017, Goll caused a tax loss to the United States of \$49,307.19 due to the false personal income tax filings by Taxpayers D and E.

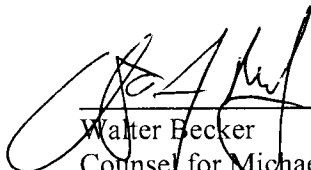
Sentencing Stipulation

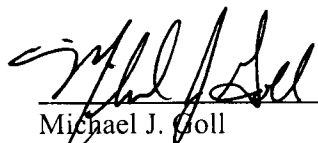
The parties stipulate and agree, for the purposes of sentencing, that Goll caused a loss to Company A of \$549,667.39, and that Goll additionally caused a tax loss to the United States of \$188,694.00.

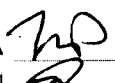
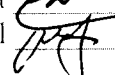
Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by Goll, and it is not a complete statement of all facts described by Goll to 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 Goll's plea of guilty to the charged offense.

 4/19/2022
Matthew R. Payne Date
Assistant United States Attorney

 4/19/22
Walter Becker Date
Counsel for Michael J. Goll

 4-19-22
Michael J. Goll Date
Defendant

AUSA 
Defendant 
Defense Counsel 