

FILED
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CLERK, U. S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE, FLORIDA

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

UNITED STATES OF AMERICA

v.

**KARAMCHAND DOOBAY
a/k/a "Raj Doobay"**

CASE NO. 3:16-cr-122-J-32-MCR
Ct. 1: 18 U.S.C. § 1349
Cts. 2-5: 18 U.S.C. §§ 1341
and 2
Cts. 6-7: 18 U.S.C. §§ 1343
and 2
Ct. 8: 18 U.S.C. § 1349
Forfeiture: 18 U.S.C. §§ 981(a)(1)(C)
28 U.S.C. §§ 2461(c)

INDICTMENT

The Grand Jury charges:

COUNT ONE

(Conspiracy to Commit Mail and Wire Fraud – RV Lots)

A. Introduction

At times material to this Indictment:

1. KARAMCHAND DOOBAY, hereafter referred to as the Defendant, was a resident of Hamilton County, Florida, and Orange County, Florida, both of which are in the Middle District of Florida.
2. The defendant was the manager and Chief Executive Officer for FLORIDA GATEWAY RESORT, LLC and FLORIDA GATEWAY RESORT II, LLC. Co-conspirator D.D. was the Manager and Registered Agent for FLORIDA GATEWAY REAL ESTATE INVESTMENTS, LLC. These companies were used by the defendant as vehicles in a fraud scheme.

3. The defendant controlled bank accounts for FLORIDA GATEWAY RESORT, LLC at Wachovia Bank, N.A./Wells Fargo Bank, N.A. (two accounts), TD Bank, N.A., and JP Morgan Chase Bank, N.A.

4. Wachovia Bank, N.A./Wells Fargo Bank, N.A., TD Bank, N.A., and JP Morgan Chase Bank, N.A. were financial institutions with branches located within the Middle District of Florida, and whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC).

5. Individual with the initials S.D. was a resident of Ontario, Canada.

6. Individuals with the initials J.B. and C.B. were residents of Marion, Illinois.

7. Individuals with the initials R.V. and B.B. were residents of Ontario, Canada.

8. Individuals with the initials D.S. and R.S. were residents of Ontario, Canada.

9. A title company, hereinafter "Title Company 1," was incorporated in October of 2005 with the Florida Department of State Division of Corporations and operated as a title company in Lake City, Columbia County, Florida, until approximately 2012.

B. The Conspiracy

10. From in or about March 2009, through in or about December 2015, in Hamilton County, Columbia County and Orange County, in the Middle District of Florida, and elsewhere,

**KARAMCHAND DOOBAY,
a/k/a "Raj Doobay,"**

the defendant herein, did knowingly and willfully combine, conspire, confederate, and agree with others to commit the following offenses:

a. To devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing the United States mail and private and commercial interstate carriers, in violation of Title 18, United States Code, Section 1341; and

b. To devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing transmissions via wire and radio communication in interstate and foreign commerce of any writings, signs, signals, pictures, and sounds, in violation of Title 18 United States Code, Section 1343.

C. Manner and Means of the Conspiracy

11. It was part of the conspiracy that the defendant would and did create and incorporate business entities and open bank accounts for those entities, as part of an effort to entice investors into purchasing Recreational Vehicle (RV) lots and other lots based on false and fraudulent representations.

12. It was further part of the conspiracy that the defendant, through his business entities, would and did purchase land located at 7516 SE 113th Blvd.,

Jasper, Hamilton County, Florida. This parcel of land was zoned for agricultural use with certain exemptions by the Hamilton County Land Use Department. The exemptions did not include authority to subdivide the property and sell individual lots.

13. It was further part of the conspiracy that the defendant subdivided the land, in violation of the zoning ordinance, to sell RV lots with certain amenities.

14. It was further part of the conspiracy as a means to induce individuals to purchase lots and otherwise invest that the defendant would and did create promotional flyers and other materials and cause another to create promotional materials, falsely and fraudulently representing returns of between 9 percent to 41 percent for investments in RV lots and other lots for sale by FLORIDA GATEWAY RESORT, and then presented these promotional materials to prospective investors. The defendant also provided false and fraudulent verbal guarantees related to rates of return.

15. It was further part of the conspiracy that the defendant would cause to be created and did create Florida Land Contracts and execute said contracts with individual investors who believed they were purchasing RV lots and other lots from FLORIDA GATEWAY RESORT.

16. It was further part of the conspiracy that the defendant would cause to be created and did create and execute lease agreements with individual investors for the defendant to lease back the RV lots and other lots falsely and fraudulently guaranteeing a rate of return for a specified amount of time, some with

a buy back option offering a guaranteed profit.

17. It was further part of the conspiracy that the defendant conspired with co-conspirator M.R., who operated Title Company 1 and prepared paperwork and performed escrow services and other title services for the defendant associated with the closing of RV lots and other lot sales by and between investors and the defendant through FLORIDA GATEWAY RESORT, in order to provide the appearance of legitimacy to the sales.

18. It was further part of the conspiracy that M.R. would and did travel to Canada and elsewhere to meet with the defendant and potential investors to falsely and fraudulently promote the investments and the area in Jasper, Florida, in Hamilton County, where the RV lots and other lots were available for sale.

19. It was further part of the conspiracy that the defendant would and did instruct investors to mail him a check written payable to FLORIDA GATEWAY RESORT, or transfer funds via wire to an account held by co-conspirator M.R. or an account held by FLORIDA GATEWAY RESORT, all maintained in the Middle District of Florida, for the purchase of lots.

20. It was further part of the conspiracy that the defendant would and did deposit, or cause to be deposited, checks received from investors into bank accounts held at Wachovia Bank, N.A./Wells Fargo Bank, N.A., TD Bank, N.A., or JP Morgan Chase Bank, N.A., by FLORIDA GATEWAY RESORT for the purchase of and/or investment in RV lots and other lots.

21. It was further part of the conspiracy that, from time to time, the

defendant drafted and mailed checks drawn on the above-referenced bank accounts containing investors' funds to pay other investors a small fraction of the promised returns per executed agreements between those investors and FLORIDA GATEWAY RESORT.

22. It was further part of the conspiracy that the defendant would and did offer for sale and collect money for the purchase of lots for which he had previously collected money for prior purported sales of the same lots and falsely and fraudulently represented to have sold to previous investors.

D. Overt Acts

23. In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Middle District of Florida, and elsewhere:

24. On or about September 27, 2007, the defendant registered FLORIDA GATEWAY RESORT, LLC, with the Florida Department of State Division of Corporations.

25. On or about January 1, 2009, the defendant opened a bank account for FLORIDA GATEWAY RESORT, account number ending in 5108, at Wells Fargo Bank N.A. formerly known as Wachovia Bank N.A. The authorized signers on the account were the defendant, co-conspirator D.D. and others.

26. On or about May 20, 2010, the defendant registered FLORIDA GATEWAY REAL ESTATE INVESTMENTS, LLC, with the Florida Department of State Division of Corporations.

27. On or about June 27, 2011, the defendant opened a bank account at TD Bank, N.A. in the name of FLORIDA GATEWAY RESORT, account number ending in 1717. The authorized signers on the account were the defendant, co-conspirator D.D. and others.

28. On or about December 4, 2012, the defendant opened a bank account for FLORIDA GATEWAY RESORT, account number ending in 8596, at Wells Fargo Bank, N.A., formerly known as Wachovia Bank N.A. The defendant was the authorized signer on the account.

29. On or about December 18, 2013, the defendant opened a bank account for FLORIDA GATEWAY RESORT, account number ending in 2687, at JP Morgan Chase Bank, N.A. The defendant was the authorized signer on the account.

RV Lot Number 44

30. On or about March 16, 2009, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Florida Land Contract with S.D., where he promised to deliver deed and possession of RV lot number 44.

31. On or about March 20, 2009, based on fraudulent misrepresentations and omissions by the defendant, S.D. transferred via wire \$18,000.00 from his bank account held at the Royal Bank of Canada, Fort Erie, Ontario, Canada, to First Federal Bank of Florida, in Lake City, Florida, account number ending in 2838 held by Title Company 1 for the purchase of RV lot number 44, which Title Company 1 transferred \$14,000.00 to its bank account held at

Mercantile Bank, Lake City, Florida.

32. On or about March 30, 2009, co-conspirator M.R., via Title Company 1, transferred via wire \$14,000 from Title Company 1's bank account held at Mercantile Bank, Lake City, Florida, to account number ending in 5108 held by FLORIDA GATEWAY RESORT at Wells Fargo Bank N.A., Winter Garden, Florida, which was funds received from S.D. for the purchase of RV lot number 44.

33. On or about November 29, 2012, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Florida Land Contract with G.K. and O.L., where he promised to deliver deed and possession of RV lot number 44, for \$30,000, without disclosing to G.K. and O.L. that he had previously contracted to sell and purportedly sold RV lot number 44 to S.D.

34. On or about February 27, 2013, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Florida Land Contract with D. and T.S., where he promised to deliver deed and possession of RV lot number 44, for \$85,000, without disclosing to D. and T.S. that he had previously contracted to sell and purportedly sold RV lot number 44 to S.D. and G.K. and O.L.

35. In or around August 2015, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, offered to deliver deed and possession of RV lot number 44 to C.H. and J.H. for \$20,000 and one year of labor at FLORIDA GATEWAY RESORT, without disclosing that he had previously contracted to sell and purportedly sold RV lot number 44 to S.D., G.K. and O.L., and D. and T.S.

RV Lot Number 45

36. On or about May 8, 2009, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Florida Land Contract with S.D., where he promised to deliver deed and possession of RV lot number 45.

37. On or about May 15, 2009, based on fraudulent misrepresentations and omissions by the defendant, S.D. transferred via wire \$18,000.00 from his bank account held at the Royal Bank of Canada, Fort Erie, Ontario, Canada, to First Federal Bank of Florida, Lake City, Florida, account number ending in 2838 held by Title Company 1 for the purchase of RV lot number 45.

38. On or about May 19, 2009, co-conspirator M.R., via Title Company 1, wire transferred \$17,985.00 (\$18,000.00 less a \$15.00 wire transfer fee) from its bank account held at Mercantile Bank, Lake City, Florida, to FLORIDA GATEWAY RESORT's bank account at Wells Fargo Bank N.A., in Winter Garden, Florida, with account number ending in 5108, the funds received from S.D. for the purchase of RV lot 45.

39. On or about April 24, 2013, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Florida Land Contract with B. and W.M., where he promised to deliver deed and possession of RV lot number 45, for \$50,000, without disclosing to B. and W.M. that he had previously contracted to sell and purportedly sold RV lot number 45 to S.D.

RV Lot Number 27

40. On or about February 29, 2012, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Residential Contract for Sale and Purchase with J. and C.B., where he promised to deliver deed and possession of RV lot number 27.

41. On or about February 29, 2012, based on fraudulent misrepresentations and omissions by the defendant, the defendant caused J. and C.B. to mail, from Marion, Illinois, check number 249, drawn on Bank of Marion, in the amount of \$31,200 and payable to FLORIDA GATEWAY RESORT, LLC, to the defendant in Winter Garden, Florida, for the purchase of a home and RV lot number 27, without disclosing to J. and C.B. that he had previously contracted to sell and purportedly sold RV lot number 27 to R.V. and B.B. for \$50,000 on January 25, 2012.

RV Lot Number 65

42. On or about March 26, 2012, based on fraudulent misrepresentations and omissions by the defendant, the defendant caused D. and R.S. to mail, from Canada, check number 60339847, drawn on the Toronto-Dominion Bank, in the amount of \$36,500 and payable to FLORIDA GATEWAY RESORT, LLC, to the defendant in Winter Garden, Florida, for the purchase of RV lot number 65.

43. On or about February 1, 2013, the defendant mailed and caused to be mailed check number 1987 in the amount of \$370 from Winter Garden, Florida

to D. and R.S. in Canada, as purported rental income for RV lot number 65.

RV Lot Numbers 68 and 69

44. On or about September 19, 2013, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Residential Contract for Sale and Purchase with V.S. and H.R., where he promised to deliver deed and possession of RV lot numbers 68 and 69.

45. On or about September 20, 2013, based on fraudulent misrepresentations and omissions by the defendant, V.S. and H.R. transferred via wire \$80,000.00 from Provident Bank, in Jersey City, New Jersey, to FLORIDA GATEWAY RESORT at Wells Fargo Bank (account ending in 8596) for the purchase of RV lot numbers 68 and 69.

RV Lot Numbers 19, 20, 21, 46 and 47

46. On or about March 13, 2014, DOOBAY, on behalf of FLORIDA GATEWAY RESORT, entered into a Residential Contract for Sale and Purchase with L.S., where he promised to deliver deed and possession of RV lot numbers 19, 20, 21, 46 and 47.

47. On or about March 14, 2014, based on fraudulent misrepresentations and omissions by the defendant, L.S. transferred via wire \$126,000.00 from Ontario, Canada, to FLORIDA GATEWAY RESORT at JP Morgan Chase Bank (account ending in 2687) for the purchase of RV lot numbers 19, 20, 21, 46 and 47.

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

COUNTS TWO THROUGH SEVEN
(Aiding and Abetting Mail and Wire Fraud)

A. Introduction

48. The allegations set forth in Paragraphs One through Forty-Seven of this Indictment are incorporated herein.

B. The Scheme

49. From in or about March 2009 through in or around December 2015, in Hamilton County, Columbia County and Orange County, in the Middle District of Florida and elsewhere,

KARAMCHAND DOOBAY,
a/k/a "Raj Doobay,"

the defendant herein, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises.

C. Manner and Means of the Scheme

50. The manner and means of the scheme and artifice described in Paragraphs Eleven through Twenty-Two of Count One of this Indictment are incorporated herein.

D. Execution of the Scheme

51. On or about the dates set forth below, in the Middle District of Florida and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, the defendant did knowingly place and cause to be placed in an authorized depository for mail matter, and deposited and

caused to be deposited with a private and commercial interstate carrier, the described matter and things, for delivery according to the directions thereon:

COUNT	DATE	DESCRIPTION	AMOUNT
TWO	February 29, 2012	Bank of Marion check number 249 mailed from Marion, IL, by J.B. and C.B. to FLORIDA GATEWAY RESORT for the purchase of a home and Lot 27.	\$31,200
THREE	March 26, 2012	TD Bank official check mailed from Canada by D.S. and R.S. to FLORIDA GATEWAY RESORT for the purchase of Lot 65.	\$36,500
FOUR	May 31, 2012	Regions Bank check number 1027 mailed from Mount Dora, FL, by K.A. and P.A. to FLORIDA GATEWAY RESORT for payment on Lot 50.	\$652.51
FIVE	February 1, 2013	Wells Fargo Bank check number 1987 mailed from Winter Garden, FL, to D.S. and R.S. in Canada for purported investment returns.	\$370

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

52. On or about the dates set forth below, in the Middle District of Florida and elsewhere, for the purpose of executing and attempting to execute the

aforesaid scheme and artifice, the defendant did cause to be transmitted by means of wire communication in interstate and foreign commerce the following:

COUNT	DATE	DESCRIPTION	AMOUNT
SIX	September 20, 2013	Wire transfer from Jersey City, NJ, by V.S. and H.R. to FLORIDA GATEWAY RESORT at Wells Fargo Bank (account ending in 8596) for the purchase of Lots 68 and 69	\$80,000
SEVEN	March 14, 2014	Wire transfer from Toronto, Ontario, Canada, by L.S. to FLORIDA GATEWAY RESORT JP Morgan Chase Bank (account ending in 2687) for the purchase of multiple lots.	\$126,000

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

COUNT EIGHT
(Conspiracy to Commit Wire Fraud – EB-5 Program)

A. Introduction

At times material to this Indictment:

53. FLORIDA GATEWAY REGIONAL CENTER LLC was a Washington state limited liability company, registered in Washington on or about April 11, 2011, with Karamchand Doobay, a/k/a "Raj Doobay," the defendant, as its managing member.

54. On or about June 6, 2011, FLORIDA GATEWAY REGIONAL CENTER LLC, by and through the defendant, submitted an application to U.S.

Citizenship and Immigration Services ("USCIS") for approval as a participant regional center in the EB-5 Immigrant Investor Program (the "EB-5 Program").

55. The EB-5 program provides certain foreign investors with a means to make particular investments in commercial enterprises associated with regional centers approved by USCIS in the United States to create or preserve 10 permanent full-time jobs for qualified United States workers, in exchange for the admission to the United States as a conditional permanent resident.

56. On or about November 25, 2013, USCIS approved FLORIDA GATEWAY REGIONAL CENTER LLC's request designating it as a qualifying participant in the Immigrant Investor Program.

57. The defendant was the managing member of FLORIDA GATEWAY REGIONAL CENTER LLC, registered in the state of Florida as a foreign limited liability company on or about December 26, 2013.

58. The defendant was the managing member of SENIOR PREMIER LIVING LLC, registered in the state of Florida as a Florida limited liability company on or about January 8, 2014.

59. FLORIDA GATEWAY REGIONAL CENTER LLC and SENIOR PREMIER LIVING LLC were the general partners of SENIOR PREMIER LIVING, L.P., registered in the state of Florida as a Florida limited partnership on or about February 28, 2014.

60. The defendant and co-conspirator D.D. were the managers of SENIOR PREMIER LIVING II, LLC, registered in the state of Florida as a Florida

limited liability company on or about February 17, 2015.

61. FLORIDA GATEWAY REGIONAL CENTER LLC and SENIOR PREMIER LIVING II, LLC were the general partners of SENIOR PREMIER LIVING II, L.P., registered in the State of Florida as a Florida limited partnership on or about February 17, 2015.

62. Co-conspirator B.C. was the "Regional EB-5 Coordinator" for FLORIDA GATEWAY REGIONAL CENTER LLC.

63. T.A. was not a citizen of the United States.

64. F.L. was not a citizen of the United States.

65. C.D. was not a citizen of the United States.

66. First Federal Bank of Florida and PNC Bank, N.A. were financial institutions with branches located within the Middle District of Florida, and whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC).

B. The Conspiracy

67. From in or about May 2011, through in or about May 2016, in Hamilton County, Columbia County and Orange County, in the Middle District of Florida, and elsewhere,

**KARAMCHAND DOOBAY,
a/k/a "Raj Doobay,"**

the defendant herein, did knowingly and willfully combine, conspire, confederate, and agree with others to devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing transmissions via

wire and radio communication in interstate and foreign commerce of any writings, signs, signals, pictures, and sounds, in violation of Title 18 United States Code, Section 1343.

C. Manner and Means of the Conspiracy

68. It was part of the conspiracy that the defendant would and did create and incorporate business entities and open bank accounts for those entities, as part of an effort to entice investors into purchasing partnership interests based on false and fraudulent representations.

69. It was further part of the conspiracy that the defendant, through his business entities, would and did prepare and cause to be prepared Private Placement Memoranda, for the sale of partnership interests to immigrant investors in SENIOR PREMIER LIVING, LP, as a development of FLORIDA GATEWAY REGIONAL CENTER LLC.

70. It was further part of the conspiracy that the defendant, through Private Placement Memoranda, would and did promise to utilize the proceeds from the purchase of the partnership interests to make a loan to SENIOR PREMIER LIVING LLC, the proceeds of which were falsely and fraudulently represented to be utilized in connection with the development, renovation and/or new construction in the City of Jasper, Florida.

71. It was further part of the conspiracy that the defendant, through his business entities, would and did prepare and cause to be prepared Business Plans for SENIOR PREMIER LIVING, LLC, which were provided to FLORIDA

GATEWAY REGIONAL CENTER, LLC EB-5 Investors.

72. It was further part of the conspiracy that the defendant would and did falsely and fraudulently represent to immigrant investors in SENIOR PREMIER LIVING, LLC, via business plans that each investor's contribution would be invested in SENIOR PREMIER LIVING, LLC and would be used to create jobs and to construct, furnish, and promote 70 units for the SENIOR PREMIER LIVING LLC project.

73. It was further part of the conspiracy that the defendant would and did falsely and fraudulently represent to immigrant investors that he had a Management Team, comprised of a combination of employees and consultants that serve as an Advisory Board.

74. It was further part of the conspiracy that the defendant would and did instruct foreign investors to wire investment proceeds into SENIOR PREMIER LIVING, L.P., to bank accounts maintained by the defendant in the Middle District of Florida.

75. It was further part of the conspiracy that the defendant would and did receive, deposit, or cause to be deposited, funds received from foreign investors into bank accounts held at First Federal Bank of Florida and PNC Bank as partnership interests in SENIOR PREMIER LIVING, L.P.

76. It was further part of the conspiracy that the defendant would and did use a portion of the funds received from foreign investors invested through the EB-5 Program to pay investors into FLORIDA GATEWAY RESORT, LLC, a small

fraction of the promised returns per executed agreements between those investors and FLORIDA GATEWAY RESORT, LLC.

77. It was further part of the conspiracy that the defendant would and did, contrary to stated uses of investor funds, use a portion of the funds received from foreign investors invested through the EB-5 Program for his own personal use and enjoyment.

D. Overt Acts

78. In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Middle District of Florida, and elsewhere:

79. On or about May 25, 2011, the defendant prepared and caused to be prepared a Business Plan for FLORIDA GATEWAY REGIONAL CENTER LLC, that was submitted to USCIS in support of his application for approval as a participant in the EB-5 Program.

80. On or about August 1, 2014, the defendant opened a bank account for FLORIDA GATEWAY REGIONAL CENTER LLC, account ending in 9657, at First Federal Bank of Florida, in Lake City, Florida. The authorized signer on the account was the defendant.

81. On or about August 4, 2014, the defendant opened a bank account for SENIOR PREMIER LIVING LLC, account ending in 9665, at First Federal Bank of Florida, in Lake City, Florida. The authorized signer on the account was the defendant.

82. On or about August 14, 2014, the defendant opened a bank account for FLORIDA GATEWAY REGIONAL CENTER LLC, account ending in 4751, at PNC Bank, N.A., in Winter Garden, Florida. The authorized signers on the account were the defendant and co-conspirator D.D.

83. On or about August 18, 2014, based on fraudulent misrepresentations and omissions by the defendant, foreign investor T.A. transferred and caused to be transferred via wire \$500,000 from a bank account held at Bank of America, N.A. to First Federal Bank of Florida, account number ending in 9657, held by FLORIDA GATEWAY REGIONAL CENTER, LLC, for a limited partnership interest in Senior Premier Living, L.P., as part of the EB-5 Program.

84. On or about August 18, 2014, the defendant transferred and caused to be transferred via wire \$500,000 from the FLORIDA GATEWAY REGIONAL CENTER, LLC, account number ending in 9657 to another account held at First Federal Bank of Florida, account number ending in 9665, held by SENIOR PREMIER LIVING, LLC.

85. On or about August 19, 2014, the defendant transferred and caused to be transferred via wire \$400,000 from the SENIOR PREMIER LIVING, LLC, account number ending in 9665, held at First Federal Bank of Florida, to an account at PNC Bank, N.A., account number ending in 4735, held by SENIOR PREMIER LIVING, LLC.

86. On or about August 20, 2014, the defendant transferred and caused

to be transferred via wire \$120,000 from the account at SENIOR PREMIER LIVING, LLC, account number ending in 4735, held at PNC Bank, N.A., to another account at PNC Bank, N.A., account number ending in 5022, held by the defendant and co-conspirator D.D.

87. On or about September 8, 2014, co-conspirator D.D. wrote a check to herself in the amount of \$10,000 from PNC Bank, N.A. account number ending in 5022, which was deposited at JPMorgan Chase Bank, N.A., in account number ending in 7038, held by the defendant and co-conspirator D.D.

88. On or about September 18, 2014, co-conspirator D.D. wrote a check to herself in the amount of \$25,000 from PNC Bank, N.A. account number ending in 5022, which was deposited at JPMorgan Chase Bank, N.A., in account number ending in 7038, held by the defendant and co-conspirator D.D.

89. On or about September 25, 2014, co-conspirator D.D. wrote a check to M/I Homes in the amount of \$30,000 from PNC Bank, N.A. account number ending in 5022.

90. On or about October 3, 2014, based on fraudulent misrepresentations and omissions by the defendant, foreign investor F.L. transferred and caused to be transferred via wire \$550,020 from a bank account held at Bank of America, N.A. to PNC Bank, N.A., account number ending in 4751, held by FLORIDA GATEWAY REGIONAL CENTER, LLC, for a limited partnership interest in Senior Premier Living, L.P., as part of the EB-5 Program.

91. On or about October 8, 2014, the defendant transferred and caused

to be transferred via wire \$500,000 from the FLORIDA GATEWAY REGIONAL CENTER, LLC, account number ending in 4751 to another account held at PNC Bank, N.A., account number ending in 4735, held by SENIOR PREMIER LIVING, LLC.

92. On or about October 27, 2014, co-conspirator D.D. transferred and caused to be transferred via check number 1017 \$200,000 from the SENIOR PREMIER LIVING, LLC, account number ending in 4735 to another account held at PNC Bank, N.A., account number ending in 5022, held by the defendant and co-conspirator D.D.

93. On or about October 27, 2014, co-conspirator D.D. withdrew a total of \$190,000 from PNC Bank, N.A. account number ending in 5022.

94. On or about January 23, 2015, based on fraudulent misrepresentations and omissions by the defendant, foreign investor C.D. transferred and caused to be transferred via wire \$530,000 from a bank account held at Wells Fargo Bank, N.A. to PNC Bank, N.A., account number ending in 4751, held by FLORIDA GATEWAY REGIONAL CENTER, LLC, for a limited partnership interest in Senior Premier Living, L.P., as part of the EB-5 Program.

95. On or about January 26, 2015, the defendant transferred and caused to be transferred via wire \$500,000 from the FLORIDA GATEWAY REGIONAL CENTER, LLC, account number ending in 4751 to another account held at PNC Bank, N.A., account number ending in 4735, held by SENIOR PREMIER LIVING, LLC.

96. On or about January 26, 2015, the defendant transferred and caused to be transferred via wire \$100,000 from the SENIOR PREMIER LIVING, LLC, account number ending in 4735 to another account held at PNC Bank, N.A., account number ending in 5022, held by the defendant and co-conspirator D.D.

97. On or about January 27, 2015, the defendant and D.D. transferred \$50,000 via check from the defendant and co-conspirator D.D.'s PNC Bank, N.A., account number ending in 5022 to F. and Y.S. for the "Balance of Deposit paid on 13419 Bellaria Circle.

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

FORFEITURE

1. The allegations contained in Counts One through Eight of this Indictment are incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of a violation of Title 18, United States Code, Sections 1341 and/or 1343, or a conspiracy, in violation of Title 18, United States Code, Section 1349, to commit such offenses, the defendant, KARAMCHAND DOOBAY, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

3. The property to be forfeited includes, but is not limited to, the following:

- a. A sum of money in the amount of at least \$8,248,547.00, representing the amount of proceeds obtained as a result of the offenses;
- b. Real Property, including all improvements thereon and appurtenances thereto, located at 15327 Sanfield Loop, Winter Garden, Florida 34787, more particularly described as:

Lot 89, RESERVE AT CARRIAGE POINTE PHASE 2, according to the Plat thereof, as recorded in Plat Book 80, Page 115, of the Public Records of Orange County, Florida;

- c. Real Property (40.746 acre parcel), including all improvements thereon and appurtenances thereto, located at, street address unknown, Jasper, Hamilton County, Florida 32052 (Record Owner: Florida Gateway Real Estate Investments, LLC), more particularly described as:

Part of the Southeast 1/4 of Section 4; and part of the Southwest 1/4 of Section 3, Township 1 South, Range 14 East, Hamilton County, Florida, being more particularly described as follows: For point of beginning commence at the Northwest corner of the Northeast 1/4 of said Southeast 1/4; thence run North 88 degrees 16 minutes 36 seconds East, a distance of 1332.22 feet; thence run North 88 degrees 32 minutes 23 seconds East, a distance of 924.06 feet to a point on the Westerly right of way line of Interstate No. 75; thence run South 36 degrees 15 minutes 42 seconds East along said Westerly right-of-way line, a distance of 369.12 feet; thence run South 53 degrees 48 minutes 36 seconds West, a distance of 25.42 feet; thence run South 36 degrees 11 minutes 24 seconds East, a distance of 64.64 feet; thence run South 68 degrees 16 minutes 31 seconds West, a distance of 1230.42 feet; thence run South 59 degrees 39 minutes 08 seconds West, a distance of 337.77 feet; thence run South 04 degrees 46 minutes 37 seconds East, a distance of 315.48 feet; thence run North 85 degrees 26 minutes 12 seconds East, a distance of 275.39 feet; thence run North 86 degrees 39 minutes 49 seconds East, a

distance of 235.31 feet; thence run South 07 degrees 34 minutes 31 seconds East, a distance of 1.58 feet, thence run South 82 degrees 26 minutes 04 seconds West, a distance of 659.95 feet, thence run South 78 degrees 14 minutes 40 seconds West, a distance of 28.47 feet to a point on the center line of Southeast 113th Boulevard; thence run Northwesterly along said centerline of the following courses: North 10 degrees 31 minutes 13 seconds West, 34.20 feet; North 16 degrees 06 minutes 06 seconds West, 63.46 feet; North 29 degrees 50 minutes 24 seconds West 54.22 feet; North 38 degrees 16 minutes 42 seconds West, 81.81 feet; North 36 degrees 58 minutes 21 seconds West, 204.54 feet; North 39 degrees 07 minutes 36 seconds West, 131.50 feet; North 40 degrees 47 minutes 14 seconds West, 141.12 feet; North 45 degrees 49 minutes 27 seconds West, 70.56 feet; North 51 degrees 30 minutes 00 seconds West, 33.54 feet; North 62 degrees 46 minutes 41 seconds West, 117.13 feet; North 65 degrees 39 minutes 13 seconds West, 269.52 feet; North 59 degrees 50 minutes 38 seconds West, 35.03 feet; North 37 degrees 20 minutes 57 seconds West, 28.29 feet; North 11 degrees 38 minutes 26 seconds West, 35.64 feet; North 03 degrees 53 minutes 45 seconds West, 68.93 feet; North 04 degrees 09 minutes 07 seconds West, 345.27 feet to the terminus of said courses and the point of beginning. Subject to existing County Road right of way

Parcel No. 2668-005; and

- d. Real Property, including all improvements thereon and appurtenances thereto, known as Florida Gateway Golf & Country Club, located at 8055 129 Highway S., Jasper, Hamilton county, Florida 32052, consisting of 4 parcels - 2746-000, 2747-000, 2748-000 and 2690-000.

4. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon an exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third

party;

- 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 divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property,

including but not limited to the following:

- a. Real property, including all improvements thereon and appurtenances thereto, located at 7516 113th Boulevard SE, Jasper, Hamilton County, Florida, more particularly described as:

PART OF THE EAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4; AND PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 14 EAST HAMILTON COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR POINT OF BEGINNING COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE RUN NORTH 01 DEGREE 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 1135.19 FEET; THENCE RUN SOUTH 73 DEGREES 54 MINUTES 00 SECONDS EAST, A DISTANCE OF 481.96 FEET; THENCE RUN NORTH 88 DEGREES 05 MINUTES 35 SECONDS EAST, A DISTANCE OF 536.90 FEET; THENCE RUN NORTH 01 DEGREE 07 MINUTES 21 SECONDS WEST, A DISTANCE OF 780.88 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE NO. 75, SAID POINT BEING IN A CURVE CONCAVED SOUTHWESTERLY HAVING A RADIUS OF 11319.16 FEET; THENCE RUN ALONG AND AROUND SAID CURVE, A CHORD BEARING AND DISTANCE OF SOUTH 37 DEGREES 45 MINUTES 26 SECONDS EAST, 619.12 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE RUN SOUTH 36 DEGREES 11 MINUTES 24

SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1544.92 FEET; THENCE RUN SOUTH 88 DEGREES 32 MINUTES 23 SECONDS WEST, A DISTANCE OF 924.06 FEET; THENCE RUN SOUTH 88 DEGREES 16 MINUTES 36 SECONDS WEST, A DISTANCE OF 1332.22 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3; PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, ALL BEING IN TOWNSHIP 1 SOUTH RANGE 14 EAST, HAMILTON COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3 AND THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE NO. 75, THENCE RUN NORTH 36 DEGREES 11 MINUTES 24 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 296.65 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 74 DEGREES 06 MINUTES 08 SECONDS WEST, A DISTANCE OF 172.82 FEET; THENCE RUN NORTH 12 DEGREES 48 MINUTES 46 SECONDS EAST, A DISTANCE OF 73.52 FEET; THENCE RUN NORTH 30 DEGREES 06 MINUTES 34 SECONDS WEST, A DISTANCE OF 90.09 FEET; THENCE RUN NORTH 73 DEGREES 23 MINUTES 28 SECONDS WEST, A DISTANCE OF 96.86 FEET; THENCE RUN SOUTH 77 DEGREES 50 MINUTES 52 SECONDS WEST, A DISTANCE OF 104.07 FEET; THENCE RUN SOUTH 41 DEGREES 12 MINUTES 13 SECONDS WEST, A DISTANCE OF 93.85 FEET; THENCE RUN SOUTH 56 DEGREES 26 MINUTES 31 SECONDS WEST, A DISTANCE OF 53.23 FEET; THENCE RUN SOUTH 71 DEGREES 38 MINUTES 30 SECONDS WEST, A DISTANCE OF 121.79 FEET; THENCE RUN NORTH 06 DEGREES 32 MINUTES 10 SECONDS WEST, A DISTANCE OF 109.25 FEET; THENCE RUN NORTH 64 DEGREES 54 MINUTES 29 SECONDS WEST, A DISTANCE OF 24.52 FEET; THENCE RUN NORTH 04

DEGREES 21 MINUTES 25 SECONDS EAST, A
DISTANCE OF 55.34 FEET; THENCE RUN NORTH 45
DEGREES 56 MINUTES 53 SECONDS WEST, A
DISTANCE OF 35.47 FEET; THENCE RUN NORTH 23
DEGREES 30 MINUTES 02 SECONDS WEST, A
DISTANCE OF 85.51 FEET; THENCE RUN NORTH 02
DEGREES 06 MINUTES 29 SECONDS WEST, A
DISTANCE OF 66.41 FEET; THENCE RUN SOUTH 74
DEGREES 51 MINUTES 35 SECONDS WEST, A
DISTANCE OF 24.70 FEET; THENCE RUN NORTH 31
DEGREES 18 MINUTES 50 SECONDS WEST, A
DISTANCE OF 182.85 FEET; THENCE RUN NORTH 24
DEGREES 59 MINUTES 54 SECONDS EAST, A
DISTANCE OF 29.04 FEET; THENCE RUN NORTH 45
DEGREES 13 MINUTES 13 SECONDS WEST, A
DISTANCE OF 116.20 FEET; THENCE RUN NORTH 21
DEGREES 09 MINUTES 53 SECONDS EAST, A
DISTANCE OF 63.97 FEET; THENCE RUN NORTH 44
DEGREES 47 MINUTES 02 SECONDS WEST, A
DISTANCE OF 48.44 FEET; THENCE RUN NORTH 30
DEGREES 33 MINUTES 12 SECONDS WEST, A
DISTANCE OF 101.66 FEET; THENCE RUN SOUTH 67
DEGREES 36 MINUTES 03 SECONDS WEST, A
DISTANCE OF 26.08 FEET; THENCE RUN NORTH 06
DEGREES 06 MINUTES 54 SECONDS EAST, A
DISTANCE OF 53.55 FEET; THENCE RUN NORTH 19
DEGREES 21 MINUTES 19 SECONDS EAST, A
DISTANCE OF 70.14 FEET; THENCE RUN NORTH 21
DEGREES 45 MINUTES 41 SECONDS WEST, A
DISTANCE OF 62.55 FEET; THENCE RUN NORTH 54
DEGREES 34 MINUTES 54 SECONDS EAST, A
DISTANCE OF 48.99 FEET; THENCE RUN NORTH 11
DEGREES 41 MINUTES 20 SECONDS EAST, A
DISTANCE OF 54.29 FEET; THENCE RUN NORTH 33
DEGREES 26 MINUTES 46 SECONDS EAST, A
DISTANCE OF 35.64 FEET; THENCE RUN NORTH 53
DEGREES 50 MINUTES 26 SECONDS EAST A DISTANCE
OF 51.50 FEET; THENCE RUN NORTH 39 DEGREES 29
MINUTES 02 SECONDS EAST, A DISTANCE OF 69.88
FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY
LINE OF INTERSTATE NO. 75, SAID POINT BEING IN A
CURVE CONCAVED SOUTHWESTERLY HAVING A
RADIUS OF 11319.16 FEET; THENCE RUN ALONG AND
AROUND SAID CURVE AND SAID WESTERLY RIGHT-OF-

WAY LINE, A CHORD BEARING AND DISTANCE OF SOUTH 36 DEGREES 31 MINUTES 54 SECONDS EAST, 135.04 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 36 DEGREES 11 MINUTES 24 SECONDS EAST, A DISTANCE OF 1248.27 FEET TO THE POINT OF BEGINNING

Parcel No. 2666-000; and

- b. Real Property (a 5.015 acre parcel), including all improvements thereon and appurtenances thereto, located at, street address unknown, Jasper, Hamilton County,

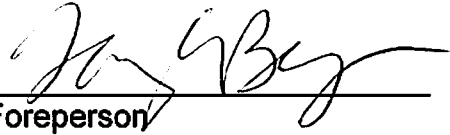
Florida (Record Owner: Florida Gateway Resort II, LLC), more particularly described as:

Begin at the Southwest corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 4, Township 1 South, Range 14 East, Hamilton County, Florida and run thence North 88 degrees 16' 36" East, along the South line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ 655.42 feet, thence North 41 degrees 22' 12" West, 228.70 feet, thence North 57 degrees 03' 54" West, 611.65 feet to the West line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, thence South 01 degrees 01' 30" East along said West line, 523.97 feet to the Point of Beginning

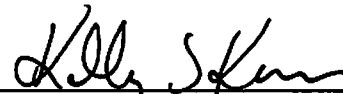
Parcel No. 2666-005,


pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,


Foreperson

A. LEE BENTLEY, III
United States Attorney

By: 
KELLY KARASE
Assistant United States Attorney

By: 
JULIE HACKENBERRY
Assistant United States Attorney
Chief, Jacksonville Division

FORM OBD-34
APR 1991

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Jacksonville Division

THE UNITED STATES OF AMERICA

vs.

KARAMCHAND DOOBAY
a/k/a "Raj Doobay"

INDICTMENT

Violations:

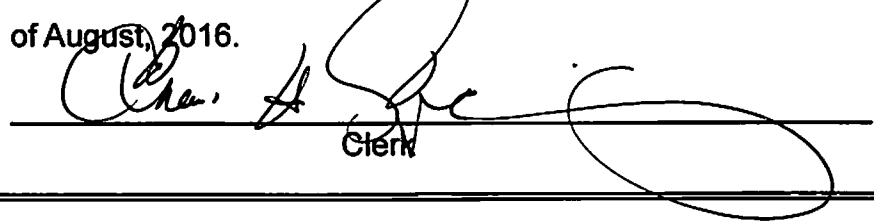
- Ct. 1: 18 U.S.C. § 1349
 - Cts. 2 - 5: 18 U.S.C. §§ 1341 and 2
 - Cts. 6 - 7: 18 U.S.C. §§ 1343 and 2
 - Ct. 8: 18 U.S.C. § 1349
-
-

A true bill,



Foreperson

Filed in open court this 25th day
of August, 2016.



Clerk

Bail \$ _____
