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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AT 8:30  M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No.
	:	
JEAN E. RABBITT and KEVIN	:	18 U.S.C. § 1349
AGUILAR	:	18 U.S.C. § 1344
	:	18 U.S.C. § 1343
	:	18 U.S.C. § 1956(h)
	:	18 U.S.C. § 1957
	:	18 U.S.C. § 1028A
	:	18 U.S.C. § 1014
	:	18 U.S.C. § 2

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at
Newark, charges as follows:

COUNT 1

(Conspiracy to Commit Bank Fraud)

Background

Individuals and Entities

1. At all times relevant to this Indictment:
 - a. Defendant Jean E. Rabbitt ("RABBITT") was a resident of Farmingdale, New Jersey and Sherman, Texas.
 - b. Defendant Kevin Aguilar ("AGUILAR") was a resident of Farmingdale, New Jersey and Sherman, Texas. RABBITT and AGUILAR lived together during the relevant time periods.
 - c. RABBITT formed, owned, and controlled the following corporate entities:

i. Showtime TTR XPO Inc. ("Showtime TTR XPO"), a New York corporation;

ii. TTS Terminal Corp. ("TTS Terminal"), a New York corporation;

iii. American Consolidated Freightways Corp. ("American Consolidated"), a New York corporation; and

iv. Showtime Trucking LLC ("Showtime Trucking"), a New York limited liability company. Collectively, these companies are referred to here as the "Borrower Companies."

d. AGUILAR formed, owned, and controlled the following corporate entities:

i. Atlantic Payroll Corp. ("Atlantic Payroll"), a New York corporation;

ii. Global Payroll Corp. ("Global Payroll"), a New York corporation;

iii. Executive Payroll Services, Inc. ("Executive Payroll"), a New York corporation; and

iv. Capital Payroll Processing Company, Inc. ("Capital Payroll"), a New York corporation. Collectively, these companies are referred to here as the "Sham Payroll Companies."

e. AGUILAR also formed, owned, or controlled the following corporate entities:

i. Eichler & Eben Holdings, Inc. (“Eichler & Eben”), a New York corporation;

ii. Angel Ridge LP (“Angel Ridge”), a Texas limited partnership;

iii. Westwood, Washington & McKown Development LLC (“Westwood, Washington & McKown”), a Texas limited liability company;

iv. Lone Star Capital Investments LLC (“Lone Star Capital”), a Texas limited liability company; and

v. S.S. Rayburn & West Cherry Development, LLC (“S.S. Rayburn”), a Texas limited liability company. Collectively, these companies are referred to here as the “Beneficiary Companies.”

f. Lender 1, Lender 2, and Lender 3 (collectively, the “Lenders”) were financial institutions insured by the Federal Deposit Insurance Corporation (“FDIC”), making them “financial institutions” as defined by 18 U.S.C. § 20. Each of the Lenders were also member banks of the Federal Home Loan Bank System.

g. “The Dealership” was a car dealership located in Monmouth County, New Jersey.

h. Individual 1 was a resident of Brooklyn, New York.

The Payroll Protection Program (“PPP”)

i. The Coronavirus Aid, Relief, and Economic Security (“CARES”)

Act was a federal law enacted in or about March 2020 designed to provide emergency financial assistance to millions of Americans suffering economic effects caused by the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of up to \$349 billion in forgivable loans to small businesses for job retention and certain other expenses, through a program referred to as the PPP. In or about April 2020, Congress authorized over \$300 billion in additional PPP funding.

j. To obtain a PPP loan, a qualifying business had to submit a PPP

loan application, which was signed by an authorized representative of the business. The PPP loan application required the business (through its authorized representative) to acknowledge the program rules and make certain affirmative certifications to be eligible to obtain the PPP loan. In the PPP loan application, the small business, through its authorized representative, had to state, among other things, its average monthly payroll expenses and number of employees. These figures were used to calculate the amount of money the small business was eligible to receive under the PPP. In addition, businesses applying for a PPP loan had to include documentation showing their payroll expenses and other information as part of the application.

k. A PPP loan application had to be processed by a participating

lender. If a PPP loan application was approved, the participating lender would fund the PPP loan using its own monies, which were 100% guaranteed by the U.S. Small Business Administration (“SBA”). Data from the application, including information

about the borrower, the total amount of the loan, monthly payroll information, and the listed number of employees, was transmitted by the lender to the SBA in the course of processing the loan.

l. PPP loan proceeds had to be used by the business on certain permissible expenses including payroll costs, interest on mortgages, rent, and utilities. The PPP allowed the interest and principal on the PPP loan to be entirely forgiven if the business spent the loan proceeds on these expense items within a designated period of time after receiving the proceeds and used a certain amount of the PPP loan proceeds on payroll expenses.

The Economic Injury Disaster Loan (“EIDL”) Program

m. The EIDL program was an SBA program that provided low-interest financing to small businesses, renters, and homeowners in regions affected by declared disasters.

n. The CARES Act authorized the SBA to provide EIDLs of up to \$2 million to eligible small businesses experiencing substantial financial disruption due to the COVID-19 pandemic.

o. To obtain an EIDL, a qualifying business had to submit an application to the SBA and provide information about its operations, such as the number of employees, gross revenues, and cost of goods sold in the 12-month period preceding the disaster. The amount of the EIDL was determined based, in part, on the information the applicant provided regarding the revenue, employees, and cost of goods of the company. The SBA directly issued any funds disbursed under an EIDL to the applicant company. A company could use EIDL funds for payroll expenses,

sick leave, production costs, and business obligations, such as debts, rent, and mortgage payments. If an applicant also obtained a loan under the PPP, the applicant company was prohibited from using EIDL funds for the same purpose as the PPP funds.

The Bank Fraud Conspiracy

2. From at least as early as in or around April 2020 through in or around April 2021, in the District of New Jersey and elsewhere, defendants

**JEAN E. RABBITT and
KEVIN AGUILAR**

did knowingly and intentionally conspire and agree with each other and others to execute and attempt to execute a scheme and artifice to defraud a financial institution, including the Lenders, and to obtain any of the moneys, funds, credits, assets, securities, and other property owned by, and under the control of, a financial institution, by means of false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

The Goal of the Conspiracy

3. The goal of the conspiracy was for RABBITT and AGUILAR to obtain lucrative PPP loans by submitting materially fraudulent applications to the Lenders to create the false appearance that the Borrower Companies were engaged in bona fide business activity when in fact they were shell companies with no legitimate business activity. RABBITT and AGUILAR then diverted the proceeds of the PPP loans to their personal use.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that:

a. Starting in April 2020, RABBITT and AGUILAR agreed to obtain multiple PPP loans from Lenders based on false and fraudulent pretenses, representations, and promises.

b. Specifically, beginning in or about April 2020, RABBITT and AGUILAR submitted PPP applications to the Lenders on behalf of the Borrower Companies. The applications contained numerous materially false statements whose purpose was to induce the Lenders to approve PPP loans that they otherwise would not have approved. Those false statements included the following: that the Borrower Companies had employees for whom they paid salaries and payroll taxes; that the Borrower Companies needed the PPP loans to support their ongoing operations; and that the Borrower Companies would use the PPP loans to retain workers and maintain payroll or making certain covered mortgage interest payments, lease payments, and utility payments.

c. RABBITT and AGUILAR also submitted materially false documentation to support the fraudulent PPP loan applications. That false documentation included fraudulent payroll and tax documents purporting to substantiate the applications' claims that the businesses had a substantial number of employees with significant average monthly payroll.

d. Based on the materially false statements and documentation in the applications, the Lenders approved several PPP loans to the Borrower Companies, including:

Approx. App. Date	Business Applicant	Approx. Amount	Financial Institution
4/16/20	Showtime Trucking LLC	\$412,953	Lender 1
4/27/20	Showtime TTR XPO, Inc.	\$507,325	Lender 2
5/6/20	TTS Terminal Corp.	\$398,515	Lender 2
5/17/20	American Consolidated Freightways Corp.	\$698,200	Lender 3
2/10/21	Showtime TTR XPO, Inc.	\$507,107	Lender 2
3/22/21	TTS Terminal Corp.	\$398,515	Lender 2
4/20/21	Showtime Trucking LLC	\$402,952	Lender 1

e. As a result of RABBITT's and AGUILAR's fraudulent PPP loan applications, the Lenders approved the Borrower Companies' PPP loans, lending the Borrower Companies over approximately \$3,300,000.

f. After obtaining the loan proceeds under fraudulent pretenses, RABBITT and AGUILAR directed the Lenders to deposit the loan proceeds into bank accounts that RABBITT had opened for the Borrower Companies. In at least one instance, RABBITT opened a bank account with a Lender by providing, among other things, a fraudulent certificate of incorporation, which falsely identified Individual 1 as the person who had incorporated the Borrower Company even though in fact AGUILAR had incorporated the business.

g. To conceal the fraud, after the Lenders transferred the PPP loan proceeds to the bank accounts that RABBITT had created, RABBITT and AGUILAR then transferred the funds to bank accounts that AGUILAR had opened for the Sham Payroll Companies. The purpose of transferring the funds to the Sham Payroll Companies was to make it appear as if the Borrower Companies were using the funds

for the permissible purpose of disbursing payroll to employees. But once the funds were in the Sham Payroll Companies' bank accounts, AGUILAR again transferred the funds, this time to bank accounts AGUILAR had opened for the Beneficiary Companies.

h. Once RABBITT and AGUILAR had funneled funds from the Lenders to the Borrower Companies to the Sham Payroll Companies and then to the Beneficiary Companies, RABBITT and AGUILAR used the funds to pay for personal expenses, including purchasing residential real estate in Texas for approximately \$1.5 million; purchasing new farming equipment that cost more than \$200,000; and purchasing a new truck for approximately \$100,000.

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

COUNTS 2 THROUGH 8
(Bank Fraud)

5. Paragraphs 1, 3, and 4 of this Indictment are realleged here.

6. On or about the dates listed below, in the District of New Jersey and elsewhere, defendants

**JEAN E. RABBITT and
KEVIN AGUILAR**

did knowingly and intentionally execute and attempt to execute a scheme and artifice to defraud financial institutions, including the Lenders, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the control of, financial institutions, by means of materially false and fraudulent pretenses, representations, and promises as described below:

Count	Approx. App. Date	Business Applicant	Approx. Amount	Financial Institution
Two	4/16/20	Showtime Trucking LLC	\$412,953	Lender 1
Three	4/27/20	Showtime TTR XPO, Inc.	\$507,325	Lender 2
Four	5/6/20	TTS Terminal Corp.	\$398,515	Lender 2
Five	5/17/20	American Consolidated Freightways Corp.	\$698,200	Lender 3
Six	2/10/21	Showtime TTR XPO, Inc.	\$507,107	Lender 2
Seven	3/22/21	TTS Terminal Corp.	\$398,515	Lender 2
Eight	4/20/21	Showtime Trucking LLC	\$402,952	Lender 1

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT 9

(Conspiracy to Commit Wire Fraud)

7. Paragraphs 1, and 3-4 of this Indictment are realleged here.

The Wire Fraud Conspiracy

8. From as early as in or about April 2020 through in or about June 2020, in the District of New Jersey and elsewhere, defendants

**JEAN E. RABBITT and
KEVIN AGUILAR**

did knowingly and intentionally conspire with each other and others to devise a scheme and artifice to defraud the SBA and others, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs,

signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

Goal of the Conspiracy

9. The goal of the conspiracy was for RABBITT and AGUILAR to obtain lucrative EIDLs by submitting materially fraudulent applications to the SBA to create the false appearance that the Borrower Companies were engaged in bona fide business activity when in fact they were shell companies with no legitimate business activity. RABBITT and AGUILAR then diverted the proceeds of the EIDLs to their personal use.

Manner and Means of the Conspiracy

10. It was part of the conspiracy that:

a. Starting in or about April 2020, RABBITT and AGUILAR applied to the SBA for EIDLs on behalf of several of the Borrower Companies. On each of these loan applications, RABBITT and AGUILAR provided materially false information, including about each Borrower Company's gross revenues and cost of goods sold for the twelve months preceding January 31, 2020.

b. At least one of the EIDL applications that RABBITT and AGUILAR submitted to the SBA was sent by interstate wire from RABBITT's and AGUILAR's residence in New Jersey to the SBA's server in a state other than New Jersey.

c. In at least one instance, RABBITT and AGUILAR falsely listed the name of Individual 1 as the person who owned and controlled one of the Borrower

Companies, and as the person submitting the EIDL application, and did so without the knowledge or permission of Individual 1.

d. Based on the materially false information that RABBITT and AGUILAR included in the EIDL applications, the SBA approved the EIDLs for the Borrower Companies that it otherwise would not have, including:

Approx. App. Date	Business Applicant	Approx. Amount	Lender
4/5/20	Showtime TTR XPO, Inc.	\$149,000	SBA
5/8/20	TTS Terminal Corp.	\$149,900	SBA
6/15/20	American Consolidated Freightways Corp.	\$149,000	SBA

e. After approving the EIDLs, the SBA deposited the loan proceeds into bank accounts that RABBITT opened for the Borrower Companies.

f. After RABBITT and AGUILAR directed the SBA to deposit the EIDL proceeds into the Borrower Company bank accounts, RABBITT and AGUILAR then transferred the funds into bank accounts that AGUILAR had opened for the Sham Payroll Companies. AGUILAR then transferred the funds to one or more bank accounts that AGUILAR had opened for the Beneficiary Companies. After the funds were transferred to the Beneficiary Companies, RABBITT and AGUILAR used the funds to pay their personal expenses.

g. RABBITT and AGUILAR caused the SBA to send the proceeds of the EIDLs, by interstate wire transfer, to the bank accounts that RABBITT had opened for American Consolidated, TTS Terminal, and Showtime TTR XPO. At least

one of these interstate wire transfers involved a wire from a location outside of New Jersey into New Jersey.

h. RABBITT's and AGUILAR's submission of fraudulent EIDL applications caused the SBA to provide over approximately \$445,000 in EIDLs to the Borrower Companies, which RABBITT and AGUILAR then diverted to their own use.

In violation of Title 18, United States Code, Section 1349.

COUNTS 10 THROUGH 12

(Wire Fraud)

11. Paragraphs 1, 3-4, and 9-10 of this Indictment are realleged here.

12. On or about the dates listed below, in the District of New Jersey and elsewhere, defendants

**JEAN E. RABBITT and
KEVIN AGUILAR**

having knowingly and intentionally devised and intending to devise a scheme and artifice to defraud the SBA, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, for purposes of executing and attempting to execute such scheme and artifice to defraud, did knowingly and intentionally transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce certain writings, signs, signals, pictures, and sounds, namely the wire transfers described below, each constituting a separate count of this Indictment:

Count	Approx. App. Date	Description of Interstate Wire
10	April 5, 2020	Transmission of fraudulent EIDL application for Borrower Company Showtime TTR XPO in New Jersey to the SBA
11	May 8, 2020	Transmission of fraudulent EIDL application for Borrower Company TTS Terminal in New Jersey to the SBA
12	June 15, 2020	Transmission of fraudulent EIDL application for Borrower Company American Consolidated in New Jersey to the SBA

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

COUNT 13

(Conspiracy to Engage in Monetary Transactions
in Property Derived from Specified Unlawful Activity)

13. Paragraphs 1, 3-4, and 9-10 of this Indictment are realleged here.

The Conspiracy

14. From as early as in or about April 2020 through in or about March 2022, in the District of New Jersey and elsewhere, defendants

**JEAN E. RABBITT and
KEVIN AGUILAR**

did knowingly and intentionally conspire and agree with each other and others to knowingly engage and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from a specified unlawful activity, that is, bank fraud, contrary to Title 18, United States Code, Section 1957.

Goal of the Conspiracy

15. The goal of the conspiracy was for RABBITT and AGUILAR to transfer funds out of the Borrower Companies' bank accounts and into other bank accounts that RABBITT and AGUILAR could use to enrich themselves and pay for personal expenses.

Manner and Means of the Conspiracy

16. It was part of the conspiracy that:

a. RABBITT and AGUILAR submitted fraudulent PPP applications to the Lenders on behalf of the Borrower Companies.

b. Based on false information and documentation that RABBITT and AGUILAR included in the Borrower Companies' PPP applications, the Lenders approved the PPP loans and deposited the PPP loan proceeds into bank accounts that RABBITT had opened for each of the Borrower Companies. In all, the Lenders transferred over approximately \$3,300,000 into those bank accounts.

c. After the PPP loan proceeds were deposited into the Borrower Companies' bank accounts, RABBITT and AGUILAR transferred those funds, generally by paper check, from the Borrower Companies' bank accounts to bank accounts for the Sham Payroll Companies, which AGUILAR opened and controlled. These checks were made payable to the Sham Payroll Companies to create the false impression that the Borrower Companies were using PPP loan proceeds for legitimate business activity, namely, weekly payroll expenses. For example:

i. Between on or about October 19, 2020 and on or about September 9, 2021, RABBITT and AGUILAR caused Showtime Trucking to transfer

approximately \$577,500 via 14 checks each for approximately \$41,250 and each bearing RABBITT's signature. Each of the checks was made payable to Atlantic Commercial Payroll.

ii. Between on or about October 14, 2020, and on or about September 2, 2021, RABBITT and AGUILAR caused Showtime TTR XPO to transfer approximately \$825,026 via eight checks, all of which bear RABBITT's signature. Each of the checks was made payable to Global Payroll.

iii. Between on or about October 16, 2020, and on or about September 7, 2021, RABBITT and AGUILAR caused TTS Terminal to transfer approximately \$555,756 via 13 checks, all of which bear RABBITT's signature. Each of the checks was made payable to Executive Payroll.

iv. Between on or about October 14, 2020 and on or about December 7, 2020, RABBITT and AGUILAR caused American Consolidated to transfer approximately \$698,250 via 10 checks of approximately \$69,825, all of which bear RABBITT's signature. Each of the checks was made payable to Global Payroll.

d. After the PPP loan proceeds were transferred to the Sham Payroll Companies described above, AGUILAR then transferred the funds to another of the Sham Payroll Companies, namely, Capital Payroll.

e. AGUILAR created Capital Payroll on or about June 1, 2020. Between on or about February 5, 2021 and on or about February 8, 2021, AGUILAR opened bank accounts for Capital Payroll with at least four different banks.

f. Between on or about February 10, 2021 and September 15, 2021, AGUILAR transferred at least approximately \$2.3 million from bank accounts for

Atlantic Commercial Payroll, Global Payroll, and Executive Payroll to bank accounts for Capital Payroll.

g. Once the funds were deposited into Capital Payroll's bank accounts, AGUILAR then transferred the funds to bank accounts he had opened for the Beneficiary Companies.

h. Once AGUILAR transferred the funds to the Beneficiary Companies' bank accounts, AGUILAR and RABBITT used the funds to pay their personal expenses.

All in violation of Title 18, United States Code, Section 1956(h).

COUNT 14

(Engaging in Monetary Transactions in Property
Derived from Specified Unlawful Activity)

17. Paragraphs 1, 3-4, 9-10, and 16 of this Indictment are realleged here.

18. On or about October 14, 2020, in the District of New Jersey and elsewhere, defendant

JEAN E. RABBITT

did knowingly engage and attempt to engage in a monetary transaction affecting interstate and foreign commerce in criminally derived property of a value greater than \$10,000, that is, the transfer by check of approximately \$69,825 from the bank account of American Consolidated ending in ##32 to the bank account of Global Payroll ending in ##35, such property having been derived from a specified unlawful activity, that is, bank fraud, in violation of 18 U.S.C. § 1344.

In violation of Title 18, United States Code, Sections 1957 and 2.

COUNT 15
(Engaging in Monetary Transactions in Property
Derived from Specified Unlawful Activity)

19. Paragraphs 1, 3-4, 9-10, and 16 of this Indictment are realleged here.

20. Between on or about February 4, 2021 and February 5, 2021, in the District of New Jersey and elsewhere, defendant

KEVIN AGUILAR

did knowingly engage and attempt to engage in a monetary transaction affecting interstate and foreign commerce in criminally derived property of a value greater than \$10,000, that is, the transfer by check of approximately \$238,374 from the bank account of Executive Payroll ending in ##26 to the bank account of Capital Payroll ending in ##02, such property having been derived from a specified unlawful activity, that is, bank fraud, in violation of 18 U.S.C. § 1344.

In violation of Title 18, United States Code, Sections 1957 and 2.

COUNT 16
(Aggravated Identity Theft)

21. Paragraphs 1, 3-4, 9-10, and 16 of this Indictment are realleged here.

22. On or about April 5, 2020, in the District of New Jersey and elsewhere, defendants

**JEAN E. RABBITT and
KEVIN AGUILAR**

knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, namely, the name, date of birth, and social security

number of Individual 1, during and in relation to a felony violation, that is, wire fraud as charged in Count 10 of this Indictment.

In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

COUNT 17

(False Statements in a Loan Application)

23. Paragraphs 1, 3-4, 9-10, and 16 in this Indictment are realleged here.

24. On or about July 15, 2021, in the District of New Jersey and elsewhere, defendant

JEAN E. RABBITT

knowingly made a false statement for the purpose of influencing the actions of Lender 1, an institution the accounts of which were insured by the FDIC, upon an application for a loan to purchase an automobile, referenced in Paragraph 4(h) of this Indictment, from the Dealership.

In violation of Title 18, United States Code, Sections 1014 and 2.

**FORFEITURE ALLEGATIONS AS TO
COUNTS ONE THROUGH EIGHT AND COUNT SEVENTEEN**

1. As a result of committing the offenses charged in Counts One through Eight, and Count Seventeen of this Indictment, the defendants charged in each respective count shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Eight, and Count Seventeen of this Indictment, the value of which totaled \$3,773,467, and which includes, but is not limited to, the

Specific Property listed in Attachment A to this Indictment (hereinafter referred to collectively as the "Specific Property").

FORFEITURE ALLEGATION AS TO COUNT NINE

2. As a result of committing the offense charged in Count Nine of this Indictment, defendants JEAN E. RABBITT and KEVIN AGUILAR shall forfeit to the United States, pursuant to Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to the offense alleged in Count Nine of this Indictment, including but not limited to all right, title, and interest of the defendants in the Specific Property.

**FORFEITURE ALLEGATION AS TO
COUNTS THIRTEEN THROUGH FIFTEEN**

3. As a result of committing the money laundering offenses charged in Counts Thirteen through Fifteen of this Indictment, the defendant charged in each respective count shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), all property, real or personal, involved in such money laundering offenses, and all property traceable to such property, including, but not limited to, the all right, title, and interest of the defendants in the Specific Property.

SUBSTITUTE ASSET PROVISION

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

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred to 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;

it is the intent of the United States, pursuant to Title 21 United States Code, Section 853(p), as incorporated by Title 18 United States Code, Section 982(a)(1) and Title 28 United States Code, Section 2461(c), to seek forfeiture of any other property of such defendants up to the value of the forfeitable property described above.

A TRUE BILL.

FOREPERSON

Philip R. Sellinger
PHILIP R. SELLINGER
United States Attorney

ATTACHMENT A

Assets Seized in Bank Accounts			
Bank Name	Account Holder	Account Number	Seized Balance
TD Bank	Showtime TTR XPO Inc	#####0301	\$4,735.08
TD Bank	Atlantic Commercial Payroll Corp	#####8017	\$391.35
TD Bank	TTS Terminal Corporation	#####1088	\$1,625.21
TD Bank	Eichler and Eben Holding Inc	#####8095	\$347,379.16
TD Bank	Capital Payroll Processing Company Inc	#####8102	\$931.65
Bank of America	Showtime Trucking LLC	#####0258	\$9,685.41
Bank of America	Capital Payroll Processing Company Inc	#####8562	\$233.00
Bank of America	Eichler and Eben Holding Inc	#####8575	\$456,025.00
JP Morgan Chase	Capital Payroll Processing Company Inc	#####6908	\$60,027.50
JP Morgan Chase	Eichler & Eben Holding Inc	#####6306	\$515,185.24
JP Morgan Chase	Global Payroll Corporation	#####1735	\$662.55
Wells Fargo	American Consolidated Freightways Corporation	#####7232	\$114,340.47

Cashier's Checks		
Issuing Bank	Check No., Account Holder & Account Number	Amount of Cashier's Check
Santander Bank	Cashier's Check No. 3171345, drawn from Executive Payroll Services Inc., Acct. No. #####5526	\$892.50
Santander Bank	Cashier's Check No. 3141344, drawn from Capital Payroll Processing Company Inc., Acct. No. #####7741	\$42,487.25
Santander Bank	Cashier's Check No. 3171379, drawn from Eichler and Eben Holdings Inc., Acct. No. #####7776	\$998.00

Real Property Purchased Using Fraudulently Obtained PPP Funds		
Purchaser	Address of Real Property	Purchase Price
Angel Ridge	1221 West Washington St., Sherman, Texas	\$310,000.00
Westwood, Washington & McKown	177 Angel Ridge Lane, Sherman, Texas	\$1,215,000.00
Lone Star Capital and/or S.S. Rayburn	401 S. Sam Rayburn Fwy, Sherman, Texas	\$650,000.00

Personal Property Purchased Using Fraudulently Obtained PPP Funds		
Purchaser	Description of Personal Property	Purchase Price
Jean Rabbitt	2021 Ford F-150, Vehicle ID Number #####84233	\$99,802.67
TBD	ATV purchased from Sherman Powersports	TBD – but Check No. 162, from the Eichler & Eben's TD Bank acct ending -8095, indicates payment of \$10,871.43

CASE NUMBER: _____

**United States District Court
District of New Jersey**

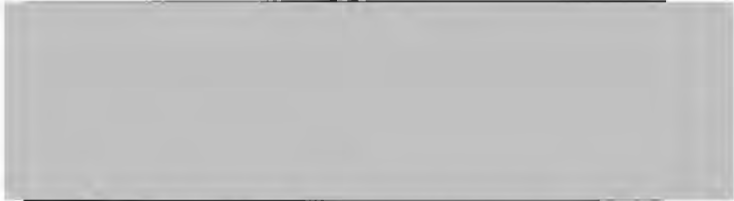
UNITED STATES OF AMERICA

v.

**JEAN E. RABBITT and
KEVIN AGUILAR**

INDICTMENT FOR

18 U.S.C. § 1349
18 U.S.C. § 1344
18 U.S.C. § 1343
18 U.S.C. § 1956(h)
18 U.S.C. § 1957
18 U.S.C. § 1028A
18 U.S.C. § 1014
18 U.S.C. § 2



**PHILIP R. SELLINGER
UNITED STATES ATTORNEY
FOR THE DISTRICT OF NEW JERSEY**

**DAVID V. SIMUNOVICH
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
973-645-2736**
