

JMR-SAA/2019R00624

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 22-377 (kmw)  
: :  
v. : 18 U.S.C. § 1546(a)  
: 18 U.S.C. § 1028A(a)(1) and  
ROHIT KUMAR : 18 U.S.C. § 2

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**INDICTMENT**

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

**COUNTS ONE THROUGH SIX**  
**(FALSE IMMIGRATION DOCUMENTS)**

**THE DEFENDANT AND OTHER INDIVIDUALS, ENTITIES, AND ORGANIZATIONS**

1. At all times relevant to this Indictment:

a. Utility A was a regulated gas and electric utility company that owned and operated nuclear power facilities at multiple locations, including in southern New Jersey.

Utility A maintained general offices in northern New Jersey and Long Island, New York.

b. IT Contractor 1 was one of the largest information technology (“IT”) companies in the world, ultimately owned and overseen by a large conglomerate headquartered in India.

c. From at least as early as December 2008, IT Contractor 1 began providing technical support to Utility A and administering Utility A’s IT applications and infrastructure. IT Contractor 1 provided these services by using offshore resources, including Indian foreign national workers. Over the next several years, IT Contractor 1 provided increased information technology (“IT”) services at Utility A’s New Jersey

locations and elsewhere, to include virtually all of the IT applications and infrastructure at Utility A, including the nuclear power facilities.

d. Contracting Manager was an individual who worked within the procurement office of Utility A. Contracting Manager was responsible for managing Utility A's contract with IT Contractor 1. Contracting Manager had the sole authority to prepare, approve, and sign "end-client letters," as more fully explained below, on behalf of Utility A with respect to the contracting for foreign workers who were provided by IT Contractor 1 to work at Utility A's locations in New Jersey and elsewhere.

e. Defendant ROHIT KUMAR ("defendant KUMAR") was a native and citizen of India. Defendant KUMAR was employed as a Project Manager Offshore for IT Contractor 1 in India.

f. Individual 1 was a native and citizen of India who was employed by IT Contractor 1 for a period of time. While employed by IT Contractor 1, Individual 1 worked as an IT support staff member for Utility A at Utility A's general offices in northern New Jersey and Long Island, New York.

g. Individual 2 was a native and citizen of India who was employed by IT Contractor 1 for a period of time. While employed by IT Contractor 1, Individual 2 worked as an IT support staff member for Utility A at Utility A's nuclear power facility in southern New Jersey.

h. Individual 4 was a native and citizen of India who was employed by IT Contractor 1 for a period of time. While employed with IT Contractor 1, Individual 4 worked as an IT support staff member for Utility A at Utility A's general office in northern New Jersey.

i. Individual 5 was a native and citizen of India who was employed by IT Contractor 1 for a period of time. While employed by IT Contractor 1, Individual 5 worked as an IT support staff member for Utility A at Utility A's general office in Long Island, New York.

j. Individual 6 was a native and citizen of India who was employed by IT Contractor 1 for a period of time. While employed by IT Contractor 1, Individual 6 worked as an IT support staff member for Utility A at Utility A's nuclear power facility in southern New Jersey.

k. Individual 8 is a native and citizen of India who was employed by IT Contractor 1 for a period of time. While employed with IT Contractor 1, Individual 8 worked as an IT support staff member for Utility A at Utility A's general office in northern New Jersey.

l. The United States Department of Homeland Security, United States Citizenship and Immigration Services ("USCIS") was an agency of the executive branch of the United States that was charged with, among other duties, the oversight of immigration into the United States. USCIS was empowered to approve and process applications for legal residency within the United States.

m. The United States Department of Labor ("USDOL") was an agency of the executive branch of the United States that was charged with, among other duties, enforcement of the requirements of labor regulations, including immigration-related employment standards and worker protections.

**BACKGROUND: THE H-1B VISA PROGRAM**

2. The Immigration and Nationality Act, Title 8, United States Code, Section 1101, controls and regulates several categories of foreign nationals who may be admitted to the United States on a temporary basis as non-immigrants.

3. Under federal law, companies operating in the United States, such as IT Contractor 1, can petition to employ certain foreign nationals in specialty occupations on a temporary basis through a government program known as the H-1B visa program.

4. The H-1B visa program allows an employer to temporarily employ a foreign national in the United States on a nonimmigrant basis in a “specialty occupation,” such as accounting, engineering, or computer science. A specialty occupation is one that requires the theoretical and practical application of a body of specialized knowledge and a bachelor’s degree or the equivalent in the relevant specialty.

5. The H-1B visa program permits companies to employ foreign nationals in designated specialty occupations, and it also allows foreign national beneficiaries to enter, work, and remain in the United States for a specific time period, usually up to three years. The United States Department of Labor, Employment and Training Administration (“USDOL-ETA”) is an agency of the United States established within the USDOL that is empowered to administer the H-1B program.

6. To obtain an H-1B visa for a foreign national employee, a prospective employer must file certain documents with various government agencies, including the USDOL-ETA and USCIS. Among other things, a prospective employer must file a Labor Condition Application for Nonimmigrant Workers with the USDOL-ETA.

7. The Labor Condition Application requires a prospective employer to provide the following materials and information to USDOL-ETA: (1) the type of visa supported by the

application; (2) the prospective employee's job title, rate of pay, place of employment and period of employment; (3) the employer's point-of-contact; and (4) information regarding the attorney or agent representing the employer. When a prospective employer submits the Labor Condition Application to USDOL-ETA for certification, the prospective employer is required to attest under penalty of perjury that the information provided in the application is true and accurate.

8. After the USDOL-ETA certifies the Labor Condition Application, the employer is required to obtain approval from USCIS to hire a specific individual for a specific position. This approval is obtained by filing a Petition for a Nonimmigrant Worker, Form I-129 and paying certain fees. The Form I-129 petition asks questions about the proposed employment, including questions about the location where the foreign national employee will be working and questions about the employer-employee relationship during the employment period. The general purpose of these questions is for USCIS to determine whether the petitioning company has sufficiently concrete plans in place to employ the potential foreign national employee and ensure that the foreign national employee will be performing appropriate duties in the designated specialty occupation. When a prospective employer files a Form I-129 Petition, the employer must attest under penalty of perjury that all the information provided on the Form I-129 is true and accurate.

9. During the time periods described herein, IT Contractor 1 submitted various I-129 applications to USCIS, along with supporting documentation. One type of supporting document submitted by IT Contractor 1 was known as an "end-client letter."

10. During the time periods described herein, an "end-client letter" was one form of documentation that a prospective employer might submit to USCIS with information about the proposed employment of a foreign national employee. Such letters often were used when a contracting employer, such as IT Contractor 1, intended to "contract out" the foreign national to work at facilities that were owned and operated by third parties (also known as "end-clients," or

“clients”), such as Utility A. Often, an end-client letter described the duties that would be performed by the foreign national employee at the client worksite, specified the expected duration of the employee’s work at the client worksite, and clarified that the employee was not a direct employee of the “end-client” (in this case, Utility A) but rather was under the control of the petitioning employer (in this case, IT Contractor 1). The end-client letter often was generated on the letterhead of the end-client and was designed to be signed by an appropriate employee of the end-client (in this case, Utility A’s Contracting Manager).

11. As described herein, in some instances, an end-client letter was submitted in support of a new H-1B visa application for a foreign worker and premised on new employment of that worker by IT Contractor 1 at Utility A. In other instances, an end-client letter was submitted in support of the continued employment of a foreign worker by IT Contractor 1 at Utility A. Accordingly, in some instances, the same individual may have been named as a foreign worker in multiple end-client letters submitted by IT Contractor 1 on behalf of Utility A.

12. Once USCIS approved an I-129 application that was submitted on behalf of a specific foreign worker, that foreign worker could apply for an H-1B visa at a United States embassy or consulate overseas. If the foreign worker already was lawfully in the United States, then the foreign worker’s immigration status could be adjusted without the foreign worker first having to leave the country.

13. Once an H-1B visa was issued to a foreign worker, or the worker received an adjustment of immigration status, as applicable, that foreign worker possessed lawful non-immigrant status within the United States. With this status, the foreign worker was permitted to reside in the United States and work for the designated employer until the worker’s H-1B visa expired (typically three years, with an option for renewal) or until the government-approved employment with the company ended, whichever occurred first. If the employment ended, the

employer was obligated to notify USCIS and pay for the beneficiary to return to her native country. The foreign worker could not immigrate, or permanently reside, in the United States solely under an H-1B visa.

14. If the foreign worker's employment was terminated before the worker's H-1B visa expired, the employer was required to send notice to USCIS and pay for the foreign worker to return to his or her native country.

**CONDUCT OF THE DEFENDANT: AN OVERVIEW**

15. At various times relevant to this indictment, defendant KUMAR engaged in a scheme and artifice to fraudulently obtain H-1B visas and adjustments of status for various foreign workers employed by IT Contractor 1 and working at Utility A in New Jersey, including at Utility A's nuclear facility in New Jersey.

16. To execute this scheme, and in order to obtain immigration employment visas for foreign nationals to enter and remain in the United States, defendant KUMAR committed the following acts, among others:

a. Presented and caused to be presented materially false and fraudulent visa applications, petitions, and supporting documentation, including end-client letters that were false and fraudulent in that they were purportedly prepared, authorized, approved and signed by Utility A's Contracting Manager, to USCIS at its locations at the Vermont Service Center in St. Albans, Vermont and the Nebraska Service Center, in Lincoln, Nebraska, among other federal agencies, in support of IT Contractor 1's applications for immigration status for foreign nationals in the United States.

b. Created and caused to be created materially false and fraudulent end-client letters that were purportedly prepared, authorized, approved and signed by Utility A's

Contracting Manager, in support of IT Contractor 1's applications for immigration status for foreign nationals in the United States.

c. Sent and received email correspondence regarding foreign nationals who were seeking employment visas as well as others involved in the employment visa process, in support of IT Contractor 1's applications for immigration status for foreign nationals in the United States.

d. Circulated false and fraudulent end-client letters that were purportedly prepared, authorized, approved and signed by Utility A's Contracting Manager.

**PREPARING AND PRESENTING FALSE DOCUMENTS**

**Visa Application of Individual 1**

17. On or about April 17, 2018, in response to a request for an end-client letter on behalf of Individual 1, defendant KUMAR sent an email to Individual 1 and others. In this email, defendant KUMAR stated that Individual 1 needed to insert Individual 1's own employment information into an end-client letter and send it back to defendant KUMAR. Attached to this email was a false and fraudulent end-client letter dated February 12, 2018, purportedly signed by Utility A's Contracting Manager, that contained the employment information of another foreign worker.

18. On or about April 18, 2018, Individual 1 sent an email to defendant KUMAR asking him questions about the accuracy and propriety of certain information contained in the false and fraudulent end-client letter that defendant KUMAR had sent to Individual 1 the day before. Defendant KUMAR responded to Individual 1 via email and assured Individual 1 of the accuracy and propriety of the questioned information in the false and fraudulent end-client letter.

19. On or about April 18, 2018, Individual 1 sent an end-client letter back to defendant KUMAR dated April 18, 2018, containing Individual 1's own employment



information, which letter already was purportedly signed by Utility A's Contracting Manager. Individual 1 requested that defendant KUMAR send Individual 1 an "updated" copy of this end-client letter. That same day, Individual 1 wrote an email to a different employee of IT Contractor 1, "Employee RM," and reported that Individual 1 had received an "out-of-office" response from defendant KUMAR. Individual 1 asked Employee RM if Employee RM could "work on this."

20. Subsequently, on or about April 20, 2018, Employee RM sent Individual 1 an email with a false and fraudulent end-client letter containing Individual 1's own employment information, which already was purportedly signed by Utility A's Contracting Manager. The false and fraudulent end-client letter dated April 20, 2018 was identical to the end-client letter dated April 18, 2018, other than the date listed on the letter. In reality, Contracting Manager had not signed this end-client letter.

21. USCIS received the false and fraudulent end-client letter dated April 20, 2018 on or about June 7, 2018 as part of an I-129 application package submitted on behalf of Individual 1, filed by IT Contractor 1.

#### **Visa Application of Individual 2**

22. On or about May 8, 2017, in response to a request for an end-client letter on behalf of Individual 2, defendant KUMAR sent an email to an employee of IT Contractor 1, "Employee VP." In this email, defendant KUMAR noted that he had attached a "sample" end-client letter. Defendant KUMAR instructed Employee VP to "change the data highlighted in yellow" so that it reflected the employment information of Individual 2 "and send back to me. I will be sending the final copy."

23. On or about May 8, 2017, Employee VP sent an email to Individual 2 and Individual 6 and stated, "Please change the yellow highlighted portion of attached client letter"

and then send the letter back to Employee VP. Attached to this email was a false and fraudulent end-client letter dated June 28, 2016 on behalf of another foreign worker that purportedly already was signed by Utility A's Contracting Manager. That same day, Individual 2 sent an email attaching a false and fraudulent end-client letter to Employee VP. This letter was dated May 8, 2017 and contained Individual 2's own employment information. It already was purportedly signed by Utility A's Contracting Manager.

24. On or about May 9, 2017, defendant KUMAR emailed Employee VP a false and fraudulent end-client letter dated May 8, 2017 containing Individual 2's employment information. The end-client letter already was purportedly signed by Utility A's Contracting Manager. In reality, Contracting Manager had not signed this end-client letter. Employee VP then forwarded the email and the attached letter to Individual 2.

25. The false and fraudulent end-client letter dated May 8, 2017 was filed by IT Contractor 1 with USCIS as part of an I-129 application package submitted on behalf of Individual 2. USCIS received the false and fraudulent end-client letter on or about June 6, 2017.

#### **Visa Application of Individual 4**

26. On or about November 21, 2018, after receiving a request for assistance from Individual 4 concerning Individual 4's end-client letter, defendant KUMAR sent an email to Individual 4 attaching a false and fraudulent end-client letter dated November 21, 2018, containing the employment information for Individual 4, which already was purportedly signed by Utility A's Contracting Manager. In reality, Contracting Manager had not signed this end-client letter.

27. This same false and fraudulent end-client letter dated November 21, 2018 was filed by IT Contractor 1 with USCIS as part of an I-129 application package submitted on behalf

of Individual 4. USCIS received the false and fraudulent end-client letter on or about December 12, 2018.

**Visa Application of Individual 5**

28. On or about October 23, 2017, defendant KUMAR sent an email to Individual 5 and an employee of IT Contractor 1, “Employee IN.” In this email, defendant KUMAR stated that he was attaching a “sample” end client letter and instructed Individual 5 to “update with your details and export to PDF.”

29. Following additional email exchanges between Individual 5 and Employee IN, on or about October 23, 2017, Individual 5 sent an email to Employee IN stating that Individual 5 had finished making updates to the end-client letter and that the letter was ready for the signature of a particular individual at Utility A, “Employee MM” On or about October 25, 2017, Employee IN responded via email that Employee IN had “spoke[n] to [Employee MM] and [Employee MM] refused to sign the Client letter. [Employee MM] suggested that [Utility A’s Contracting Manager] should sign the client letter.”

30. This email chain was ultimately forwarded to an employee of IT Contractor 1, “Employee ND,” by another employee of IT Contractor 1, “Employee RB.” Employee RB wrote, “[Employee ND], As I understood from [Employee IN] that we need [Contracting Manager]’s signature on the attached documents. Request your help to get the same at the earliest convenience.”

31. In response to this email, on or about October 26, 2017, Employee ND forwarded the email chain to multiple people, including defendant KUMAR and Individual 5. In this email, Employee ND stated “Rohit generates the end client letter. Rohit [] please help here.” Attached to this email was an end-client letter dated October 26, 2017. This version of the letter did not contain a signature on behalf of Utility A’s Contracting Manager.

32. On or about October 27, 2017, Individual 5 sent an email to defendant KUMAR, Employee ND, and others, stating “Hi [Employee ND], This doc was initially provided by Rohit and as there was a confusion on which client person to get signed. We routed to [Contracting Manager]’s signature. If it has to [be] generated by exporting to pdf, I can take care as mentioned by Rohit initially. Hope it doesn’t cause any issue as we are using [Contracting Manager]’s signature without her notice.”

33. That same day, Individual 5 sent an email to defendant KUMAR, Employee ND, and others, stating “Hi Rohit, I exported the Client Letter to PDF format with Long Island Location and [Contracting Manager] signature. Please review and let me know if this is right.” This email attached a false and fraudulent end-client letter for Individual 5 dated October 26, 2017, which contained Individual 5’s own employment information and already was purportedly signed by Utility A’s Contracting Manager. In reality, Contracting Manager had not signed this end-client letter.

34. The false and fraudulent end-client letter dated October 26, 2017 was filed by IT Contractor 1 with USCIS as part of an I-129 application package submitted on behalf of Individual 5. USCIS received the false and fraudulent end-client letter on or about December 7, 2017.

#### **Visa Application of Individual 6**

35. On or about May 3, 2017, an employee of IT Contractor 1, “Employee VP,” sent an email to an employee of IT Contractor 1, “Employee SS,” in which Employee VP stated, among other things, that “Both [Individual 6] and [Individual 2] from our Nuclear team need to file H1B extension” and “[a]s part of this they need,” among other things, “End Client letters.” Employee VP further stated, “Attaching documents they have filled-up for signature” and requested that Employee SS send him the “scanned” copies of, among other things, the “End

Client letters of both [Individual 6] and [Individual 2].” Attached to Employee VP’s email was, among other things, an unsigned draft of an end-client letter dated May 3, 2017 containing Individual 6’s employment information.

36. On or about May 8, 2017, Employee SS forwarded the above-described email string to defendant KUMAR and Employee VP and requested that defendant KUMAR send the end-client letters for Individual 6 and Individual 2 to Employee VP. Defendant KUMAR responded to this email on May 8, 2017 and stated that he was attaching the “sample” end client letters. Defendant KUMAR instructed, “Pl change the data highlighted in yellow for [Individual 6] and [Individual 2] and send back to me. I will be sending the final copy.”

37. On or about May 8, 2017, Employee VP forwarded the above-described email string to Individual 2 and Individual 6 and asked them to “Please change the yellow highlighted portion of attached client letter” and “send it back to me asap.” Attached to this email was, among other things, a false and fraudulent end-client letter that contained the employment information of a different foreign worker. This end client letter already was purportedly signed by Utility A’s Contracting Manager.

38. That same day, Individual 6 responded on behalf of both Individual 6 and Individual 2, stating “Please find the attached document for Me and [Individual 2].” Attached to this email were, among other things, the false and fraudulent end-client letters containing the employment information of Individual 6 and Individual 2. These letters already were purportedly signed by Utility A’s Contracting Manager.

39. On or about May 8, 2017, Employee VP sent an email to Employee SS and defendant KUMAR, stating that Employee VP had attached the “updated documents” for Individual 6 and Individual 2 and asking defendant KUMAR to “provide” the “[e]nd client letters,” among other things.

40. The next day, on or about May 9, 2017, defendant KUMAR sent an email to both Employee VP and Employee SS, in which defendant KUMAR stated that the end-client letter for Individual 6 was attached. Employee VP forwarded this same email to Individual 6, which attached a false and fraudulent end-client letter dated May 8, 2017. This end-client letter contained the employment information of Individual 6 and already was purportedly signed by Utility A's Contracting Manager. In reality, Contracting Manager had not signed this end-client letter.

41. The above-described, false and fraudulent end-client letter dated May 8, 2017 was filed by IT Contractor 1 with USCIS as part of an I-129 application package submitted on behalf of Individual 6. USCIS received the false and fraudulent end-client letter on or about June 29, 2017.

#### **Visa Application of Individual 8**

42. On or about August 8, 2017, an employee of IT Contractor 1, "Employee ST," sent an email to defendant KUMAR asking defendant KUMAR to "please help" with the end-client letter for Individual 8, explaining that "[t]his is needed for [Individual 8's] H1B amendment."

43. That same day, defendant KUMAR sent an email to Individual 8 and others, noting that he was attaching a "sample" end client letter and asking Individual 8 to "Pls fill/edit with your details and send back to me."

44. On or about August 10, 2017, Individual 8 sent the end-client letter back to defendant KUMAR and asked defendant KUMAR to "[k]indly get it signed and share the signed copies." At this time, the end-client letter was dated August 10, 2017 and did not reflect a purported signature on behalf of Utility A's Contracting Manager.

45. A false and fraudulent end-client letter dated August 14, 2017 and purporting to bear Contracting Manager’s signature, was filed by IT Contractor 1 with USCIS as part of an I-129 application package submitted on behalf of Individual 8. In reality, Contracting Manager had not signed this end-client letter. USCIS received the false and fraudulent end-client letter on or about August 22, 2017.

**THE CHARGES**

46. On or about the dates set forth below, in Salem and Essex Counties, in the District of New Jersey and elsewhere, defendant

ROHIT KUMAR

knowingly caused to be made under oath, and under penalty of perjury under Section 1746 of Title 28, United States Code, to be subscribed as true, false statements with respect to material facts in the following immigration forms and supplementing documents that were required by immigration laws and regulations prescribed thereunder, and knowingly presented to the United States Citizenship and Immigration Service such forms and supplementing documents that contained such false statements and that failed to contain any reasonable basis in law or fact, knowing that the forms and supplementing documents were false, and aided and abetted the same:

<b>COUNT</b>	<b>ON BEHALF OF INDIVIDUAL</b>	<b>APPROXIMATE DATE OF OFFENSE</b>	<b>SUBJECT MATTER/FALSE AND FRAUDULENT DOCUMENT</b>
1	1	June 7, 2018	a false and fraudulent Form end-client letter supporting an H-1B visa application
2	2	June 6, 2017	a false and fraudulent Form end-client letter supporting an H-1B visa application

3	4	December 12, 2018	a false and fraudulent Form end-client letter supporting an H-1B visa application
4	5	December 7, 2017	a false and fraudulent Form end-client letter supporting an H-1B visa application
5	6	June 29, 2017	a false and fraudulent Form end-client letter supporting an H-1B visa application
6	8	August 22, 2017	a false and fraudulent Form end-client letter supporting an H-1B visa application

In violation of Title 18, United States Code, Sections 1546(a) and 2.



**COUNTS SEVEN THROUGH TWELVE**  
**(AGGRAVATED IDENTITY THEFT)**

1. Paragraphs 1 through 45 of Counts 1 through 6 of this Indictment are hereby incorporated and realleged as if fully set forth herein.

2. On or about the dates listed below, in Salem and Essex Counties, in the District of New Jersey and elsewhere, defendant

ROHIT KUMAR

did knowingly transfer, possess, and use without lawful authority, and aided and abetted others in the transfer, possession, and use of, without lawful authority, a means of identification of the victim listed below, during and in relation to the felony offenses of false immigration documents, in violation of Title 18, United States Code, Section 1546(a), as charged elsewhere in this Indictment, knowing that the means of identification belonged to an actual person:

<b>COUNT</b>	<b>ON BEHALF OF INDIVIDUAL</b>	<b>APPROXIMATE DATE OF OFFENSE</b>	<b>SUBJECT MATTER/STOLEN MEANS OF IDENTIFICATION</b>
7	1	June 7, 2018	Name and signature of Utility A's Contracting Manager on end-client letter submitted in support of H-1B visa application
8	2	June 6, 2017	Name and signature of Utility A's Contracting Manager on end-client letter submitted in support of H-1B visa application
9	4	December 12, 2018	Name and signature of Utility A's Contracting Manager on end-client letter submitted in support of H-1B visa application
10	5	December 7, 2017	Name and signature of Utility A's Contracting Manager on end-client letter submitted in support of H-1B visa application
11	6	June 29, 2017	Name and signature of Utility A's Contracting Manager on end-client letter submitted in support of H-1B visa application
12	8	August 22, 2017	Name and signature of Utility A's Contracting Manager on end-client letter submitted in support of H-1B visa application

In violation of Title 18, United States Code, Sections 1028A(a)(1) and (c)(6), and Title

18, United States Code, Section 2.

**FORFEITURE ALLEGATIONS AS TO COUNTS ONE THROUGH SIX**

3. As a result of committing the offenses charged in Counts One through Six of this Indictment, defendant KUMAR shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(6)(A)(ii) any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offenses charged in Counts One through Six, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in Counts One through Six of this Indictment.

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

- a. cannot be located upon the 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 shall be entitled, pursuant to 21 U.S.C. § 853(p) (as incorporated by 28 U.S.C. § 2461(c) and 18 U.S.C. § 982(b)), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

A TRUE BILL

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~~FOREPERSON~~

*Philip R. Sellinger b7c Az*

PHILIP R. SELLINGER  
United States Attorney

CASE NUMBER: 22-

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

v.

ROHIT KUMAR

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INDICTMENT FOR

18 U.S.C. §1546(a)  
18 U.S.C. §1028A(a)(1)  
18 U.S.C. § 2

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A True Bill,

~~Foreperson~~

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PHILIP R. SELLINGER  
U.S. ATTORNEY, NEWARK, NEW JERSEY

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JASON M. RICHARDSON  
SARA A. ALIABADI  
ASSISTANT U.S. ATTORNEYS  
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