

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

DANIEL E. SAAD,

Defendant.

Criminal Case No. ~~16-35~~ **16-35** *M*

In Violation of:

18 U.S.C. § 1343

18 U.S.C. § 844(h)

18 U.S.C. § 844(i)

18 U.S.C. § 2

INDICTMENT

The grand jury charges that:

At all times relevant to the information:

A. Introduction

1. DNJ, Inc. (DNJ) was a Massachusetts Corporation, located in Spencer, Massachusetts and was the owner of certain real estate and improvements located at 2461 Putnam Pike, Glocester, Rhode Island. The defendant, DANIEL E. SAAD (SAAD) was DNJ, Inc.'s president, and director.

2. RMZ, LLC (RMZ) was a foreign limited liability company registered with the Rhode Island Secretary of State whose office was located at 290 Dresser Hill Road, Charlton, Massachusetts. SAAD, was the manager of RMZ and operated a restaurant and lounge located at 2461 Putnam Pike, Glocester, Rhode Island known as Snow's Clam Box Restaurant and Pub/Shakerz Lounge (jointly referred to as Clam Box).

3. Oxford Insurance Agency, Inc. is a Massachusetts corporation located in Oxford, Massachusetts offering insurance services to its retail customers including RMZ.

4. Underwriters at Lloyds is an international consortium of investors with offices in the United States who join together as a syndicate to insure certain risks. Underwriters at Lloyds had issued an insurance policy for fire damage losses sustained at 2461 Putnam Pike, Snow's Clam Box Restaurant and Pub/Shakerz Lounge.

5. XS Brokers Insurance Agency, Inc. is a Massachusetts corporation based in Quincy, Massachusetts offering insurance sales and services including insurance offered by Underwriters at Lloyds.

FILED
MAR 29 2016
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DISTRICT OF RHODE ISLAND

6. Vanguard Claims Administration, Inc. is a New Jersey Corporation providing third party administration services for insurers including Underwriters at Lloyds.

B. The Scheme

7. Beginning in late November 2014, the defendant, DANIEL E. SAAD, devised and intended to devise a scheme and artifice to defraud Underwriters at Lloyds by knowingly and intentionally causing the real property located at 2461 Putnam Pike, Glocester, Rhode Island to sustain property damage by means of fire and to thereafter file a claim with his local insurance agent, Oxford Insurance Agency, Inc. to fraudulently obtain money from Underwriters at Lloyds by means of false and fraudulent pretenses, representations and promises.

C. Manner and Means

8. It was further part of that scheme that on or about November 30, 2014, the defendant, DANIEL E. SAAD, entered his business located at 2461 Putnam Pike in Glocester, Rhode Island and knowingly and intentionally set fire to the business, such fire resulting in substantial property damage.

9. It was part of the scheme and artifice to defraud that the defendant, DANIEL E. SAAD, on or about November 30, 2014 filed an insurance claim with the Oxford Insurance Agency, Inc. for fire damages sustained at his Glocester, Rhode Island businesses, Snow's Clam Box Restaurant and Pub/Shakerz Lounge.

10. It was further part of that scheme that the defendant, DANIEL E. SAAD, provided substantially false statements to an insurance investigator and a special agent of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, in that he claimed that at the time of the fire he was home in Spencer, Massachusetts.

D. Execution of the Scheme

11. From November 30, 2014 to December 1, 2014, for the purpose of executing the aforementioned scheme and artifice to defraud and attempting to do so, the Defendant, DANIEL E. SAAD, did knowingly and willfully transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds, as set forth below:

<u>Count</u>	<u>Date</u>	<u>Execution</u>
I	12/01/2014	An email transmitted on December 1, 2014 from XS Brokers in Quincy, Massachusetts to Vanguard Claims Administration, Inc. located in the State of New Jersey, said email initiating the claims process for the fire damage of November 30, 2014.

<u>Count</u>	<u>Date</u>	<u>Execution</u>
II	12/01/2014	An email transmitted on December 1, 2014 from Vanguard Claims Administration located in the State of New Jersey to XS Brokers in Quincy, Massachusetts, said email including a claims acknowledgement letter related to fire damage of November 30, 2014.

All in violation of Section 18 U.S.C. § 1343.

Count III

(Use of Fire to Commit the Wire Fraud)

12. Paragraphs 1 through 11 of this indictment are re-alleged and incorporated by reference as though fully set forth herein.

13. On or about November 30, 2014 in the District of Rhode Island, the defendant, DANIEL E. SAAD, knowingly used fire to commit wire fraud, a felony prosecutable in a court of the United States.

In violation of 18 U.S.C., § 844(h).

Count IV

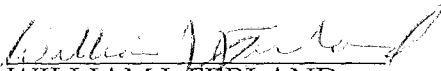
(Arson)

14. On or about November 30, 2014, in the District of Rhode Island, the defendant, DANIEL E. SAAD, maliciously damaged and destroyed and attempted to maliciously damage and destroy by means of fire and explosive materials, the building located at 2461 Putnam Pike, Glocester, Rhode Island, which building was used in and affecting interstate commerce, and aided and abetted the same.

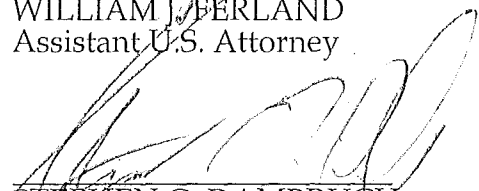
In violation of 18 U.S.C. § 844(i) and 18 U.S.C. § 2.

PETER F. NERONHA,
United States Attorney

A TRUE BILL:


WILLIAM J. FERLAND
Assistant U.S. Attorney

REDACTED


STEPHEN G. DAMBRUCH
First Assistant U.S. Attorney

Date: 3/29/16

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☒ INDICTMENT ☐ COMPLAINT

CASE NO. _____

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile
☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

 UNITED STATES DISTRICT COURT RHODE ISLAND
 DISTRICT OF RHODE ISLAND Divisional Office

 Name and Office of Person
 Furnishing Information on ☒ U.S. Atty ☐ Other U.S. Agency
 THIS FORM Phone No. (401) 709-5000

 Name of Asst.
 U.S. Attorney WILLIAM J. FERLAND
 (if assigned)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ATF/ James Hartman, S.A.

☐ person is awaiting trial in another Federal or State Court
 (give name of court)

☐ this person/proceeding transferred from another district
 per (circle one) FRCP 20, 21 or 40. Show District

☐ this is a reprosecution of charges
 previously dismissed which were
 dismissed on motion of:

☐ U.S. Atty ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant. (Notice of Related
 Case must still be filed with the
 Clerk.)

☐ prior proceedings or appearance(s)
 before U.S. Magistrate Judge
 regarding this defendant were
 recorded under
SHOW
DOCKET NO.MAG. JUDGE
CASE NO.
 Place of
 offense RHODE ISLAND County

USA vs.

Defendant: DANIEL E. SAAD

Address

REDACTED

☐Birth
Date
 Alien
 (if applicable)

Social

Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody☐ Currently in State Custody☐ Writ Required☐ Currently on bond☐ Fugitive

Defense Counsel (if any): William C. Dimitri, Esq

☐ FPD ☐ CJA ☒ RET'D☐ Appointed on Target Letter☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 4

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	See Attached		<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
		Trial: 1 Week	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

**OFFENSE CHARGED – U.S.C. CITATION – STATUTORY MAXIMUM PENALTIES –
ADDITIONAL INFORMATION OR COMMENTS**

Total # of Counts: 15

Count Breakdown	Title & Section/Offense Level (Petty = 1/ Misdemeanor = 3/ Felony = 4)	Description of Offense Charged	Felony/Misd.
1-2	18 U.S.C. § 1343	Fraud by wire, radio, or television	FELONY
	Imprisonment: 20 years Supervised Release: 3 years	Fine: \$250, 000 Special Assessment: \$100	
3	18 U.S.C. § 844(h)	Use of Fire to Commit the Wire Fraud	FELONY
	Imprisonment: 10 years Supervised Release: 3	Fine: \$250,000 Special Assessment: \$100	
4	18 U.S.C. § 844(i) & 2	Arson	FELONY
	Imprisonment: 20 years Supervised Release: 3 years	Fine: \$250, 000 Special Assessment: \$100	