

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

~~CR~~ 19

054 JDM

UNITED STATES OF AMERICA

v.

MONIQUE BRADY,

Defendant.

Cr. No. 19-

In violation of:
18 U.S.C. § 1343
(Wire Fraud, Counts 1-9)

18 U.S.C. § 1028A
(Aggravated Identity Theft,
Counts 10-11)

18 U.S.C. § 1957(a) and 2
(Money Laundering, Count 12)

31 U.S.C. §§ 5324(a)(1) and 5324(d)
(Structuring, Count 13)

26 U.S.C. § 7212(a)
(Obstructing IRS Investigation,
Count 14)

INDICTMENT

The Grand Jury charges that:

COUNTS 1-9
(Wire Fraud)

Introduction

At all times relevant to this Indictment unless otherwise stated:

1. Defendant MONIQUE BRADY ("BRADY") resided in East Greenwich, Rhode Island.
2. From in or about 2011 through 2018, BRADY did business under the name "MNB" and/or "MLB, LLC." On December 15, 2016, BRADY formed Rhode Island corporation "MNB, LLC." BRADY is the sole owner and registered agent of MNB, LLC,

FILED

MAY 16 2019

U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

which has a principal place of business located at BRADY's personal residence in East Greenwich, Rhode Island. (Both MNB and MLB, LLC are hereafter referred to as "MNB.") The stated purpose of MNB is "Rehab Foreclosed Properties and Property Management."

3. When banks and other mortgage home loan providers foreclose on a piece of real property, they often solicit bids for desired work to be performed on the foreclosed property in order to maintain and preserve the property before resale. The work requested can include low dollar projects such as debris removal, changing the locks or mowing the lawn or at times can include high dollar maintenance work such as plumbing repairs and carpet installation.

4. Federal Home Loan Mortgage Corporation ("Freddie Mac") is a government-owned corporation that buys mortgages and packages them into mortgage-backed securities.

5. Homesteps® is the sales unit of Freddie Mac responsible for marketing and selling real estate owned homes to homeowners and investors. If Homesteps® determines that work needs to be performed to maintain or improve the condition of a property prior to resale, it hires a property preservation company to preserve the value of the property until the property is sold.

6. Banks and other entities holding ownership rights on foreclosed properties often hire national property preservation companies to perform work to preserve or increase the value of a foreclosed property prior to resale. National property preservation companies include AMS, Inc., Assurant Field Asset Services, LLC,

Gryphon Group, LLC, American Servicing Company, Carrington Property Services, LLC, Cyprex Services, LLC, Guardian Asset Management, Sentinel Field Services, Inc., Spectrum Field Service, Inc., and US Best Repair Service, Inc. (collectively, the "National Property Preservation Companies.")

7. The National Property Preservation Companies and Freddie Mac/Homesteps® typically hire Property Preservation Vendors to perform the requested work on the foreclosed properties. When work needs to be performed on a foreclosed property, the National Property Preservation Companies and Freddie Mac/Homesteps® solicit bids from Property Preservation Vendors to perform the requested work.

8. BRADY, through MNB, acted as a Property Preservation Vendor and submitted bids to perform services on numerous foreclosed properties in Rhode Island, Massachusetts, Connecticut and New Hampshire. The majority of contracts awarded to MNB were for relatively small projects for which MNB received less than \$1,000. Many of the projects were for less than \$1,000, including projects paying MNB as little as \$25. For these projects, MNB was paid to perform low-dollar tasks as described above and not full-scale rehabilitation projects.

Scheme and Artifice to Defraud

9. From in or about January 2014, and continuing until in or about July 2018, in the District of Rhode Island and elsewhere, the defendant

MONIQUE BRADY,

knowingly executed and attempted to execute a scheme and artifice to defraud and to obtain money or property by materially false and fraudulent pretenses, representations and promises.

Object of the Scheme to Defraud

10. The object of the scheme to defraud was for defendant MONIQUE BRADY to unlawfully obtain funds from investors by promising them significant returns on investments in full-scale rehabilitation projects MNB was to perform on foreclosed properties, when, in reality, little or no work was to be performed by BRADY or MNB.

Manner and Means

11. From in or about January 2014 through July 2018, BRADY fraudulently represented to potential investors that MNB had secured contracts to perform large scale rehabilitation projects on foreclosed properties and that payments ranging from approximately \$20,000 to \$80,000 would need to be made to subcontractors to perform the work. For the majority of properties for which BRADY received investments from third parties, no work whatsoever was performed by MNB. For numerous other properties in which BRADY received investments, MNB performed low-dollar tasks and was paid small amounts, including many for less than \$1,000.

12. BRADY informed individuals interested in investing in these projects that if they paid the represented costs of the rehabilitation projects, including labor and materials, they would receive half of the profits from the projects within the following few months.

13. Many of the individuals from whom defendant BRADY solicited funds had close personal relationships with BRADY and her family, including long-term friends and a family member. Based on their close relationships with BRADY, these individuals believed BRADY's representations that large-scale rehabilitation projects were being performed by MNB, and they collectively invested millions of dollars with BRADY.

14. BRADY often solicited and received investments from numerous individuals for the same project. For example, on a contract valued at \$667.50 at 56 Crowell Street in Cumberland, Rhode Island, BRADY solicited and received investments from five separate individuals totaling \$237,475. BRADY fraudulently represented to each investor on this project that she needed \$47,225 of their funds which would be used to pay subcontractors, and that they would receive thousands of dollars in profits once the work was completed.

15. BRADY solicited and received millions of dollars in investments on more than 90 properties for which no contract was ever awarded to MNB and no work was ever performed by MNB. For these properties, BRADY fraudulently informed investors that MNB had secured substantial contracts to rehabilitate foreclosed properties when,

in reality, no such contracts had been awarded and no work whatsoever was performed by MNB.

16. In order to further deceive investors into believing that MNB had been awarded substantial rehabilitation contracts, BRADY forwarded to potential investors purported emails she claimed to have received from representatives of the National Property Preservation Companies indicating that MNB has been awarded a bid to rehabilitate the properties. In truth and in fact, BRADY fabricated the emails from the National Property Preservation Companies and used the identities of actual company employees as the purported senders of the fictitious emails.

17. After receiving funds from investors, BRADY sent them documents she created entitled "Promissory Note." In each Promissory Note, BRADY typically identified the property which was to be improved and stated that the investment amount was to be used to supply labor, materials and equipment for the real property improvement at that location. BRADY further agreed to repay the principal invested plus an agreed upon profit within a specified period of time, typically six months or less. On many of the Promissory Notes, BRADY forged the signatures of the individuals whom she claimed to have witnessed her signature.

18. When individual investors requested to have their investments returned and purported profits paid, BRADY convinced them to "roll over" their funds into additional fraudulent rehabilitation projects or would pay them back a small amount of what was owed.

19. When individual investors demanded from BRADY a return of some or all

of their investments and would not agree to “roll over” their funds into another project, BRADY would, at times, return some or all of the funds to one investor from funds received from another investor. In this way, BRADY operated a “ponzi scheme.”

20. From January 2014 through in or about July 2018, BRADY received approximately \$10,200,000 in investments from about 32 individuals and corporations to whom she fraudulently represented that large-scale rehabilitation projects had been awarded to MNB. These investors have sustained a loss of approximately \$4.78 million.

21. BRADY spent the fraudulent proceeds she received on a variety of personal expenses, including numerous vacations, personal mortgage payments and gambling related expenses.

Acts in Furtherance of Scheme to Defraud

In furtherance of the scheme to defraud and to advance its object, BRADY committed the following acts, among others:

22. On or about April 13, 2014, BRADY emailed J.J., a long-time family friend who previously served in a nanny-like role for BRADY’s children, an email soliciting J.J.’s investment in a \$75,210 rehabilitation project at 42 Henry Street, Westerly Rhode Island. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, J.J. invested \$50,000 with BRADY.

23. On or about October 7, 2016, BRADY emailed R.R., a personal friend she met while visiting her mother in the hospital, soliciting his investment in a \$71,175 rehabilitation project at 146-48 Blanchard, Berlin, New Hampshire. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, R.R.

invested \$57,075 with MNB, representing the purported cost of the rehabilitation project at 146-48 Blanchard, Berlin, New Hampshire.

24. On or about December 2, 2016, BRADY emailed the assistant of G.M., a close personal friend of BRADY, soliciting an investment from G.M. of \$43,025 to pay for the rehabilitation work MNB had been awarded to perform at 200 Messer Street, Providence, R.I. In truth and in fact, no such contract was ever awarded to MNB and MNB performed only minimal work at 200 Messer Street.

25. On or about December 2, 2016, BRADY emailed E.F., soliciting his investment in a \$54,047 rehabilitation project at 200 Messer Street, Providence, Rhode Island. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, E.F. invested \$43,025 with MNB, representing the purported cost of the rehabilitation project at 200 Messer Street, Providence, Rhode Island.

26. On or about September 7, 2017, BRADY emailed M.L., a close personal friend who attended law school with BRADY, that she had been awarded a large number of rehabilitation projects, including a rehabilitation project at 173 East Rocks Road, Norwalk, Connecticut for \$51,325. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, M.L. invested \$42,333 with MNB, representing the purported cost of the rehabilitation project at 173 East Rocks Road.

27. On or about September 25, 2017, BRADY emailed her step-brother, B.L., that MNB had been awarded a bid to perform a \$59,395 rehabilitation project at 182 Jefferson Road, Burrillville, RI. In truth and in fact, no such bid had been awarded to

MNB. Following the receipt of this fraudulent email, B.L. sent BRADY a check for \$49,532, representing the total purported cost of the project at 182 Jefferson Road.

28. On or about October 25, 2017, BRADY sent a text message to K.M., a firefighter who works with BRADY's husband, stating that BRADY had been awarded bids to perform four large rehabilitation projects, including a rehabilitation project at 144 Scappa Flow, Charlestown, Rhode Island for \$38,406. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, K.M. invested \$32,512 with MNB, representing the purported cost of the rehabilitation project at 144 Scappa Flow, Charlestown, Rhode Island.

29. On or about October 25, 2017, BRADY emailed G.L., soliciting his investment in an \$84,343 rehabilitation project at 140 Scribner Hill Road, Wilton, Connecticut. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, G.L. invested \$68,735 with MNB, representing the purported cost of the rehabilitation project at 140 Scribner Hill Road, Wilton, Connecticut.

30. On or about December 4, 2017, BRADY emailed D.C., the father of M.L., that MNB had been awarded three large rehabilitation projects, including a rehabilitation project at 182 Jefferson Road, Burrillville, RI for \$49,829. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, D.C. invested \$41,300 with MNB, representing the purported cost of the rehabilitation project at 182 Jefferson Road, Burrillville, RI.

31. On or about January 22, 2018, BRADY emailed S.S., a close personal friend, soliciting his investment in a \$70,125 rehabilitation project at 920 Peter Road,

Southbury, Connecticut. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, S.S. invested \$57,975 with MNB, representing the purported cost of the rehabilitation project at 920 Peter Road, Southbury, Connecticut.

32. On or about February 21, 2018, BRADY emailed D.S., soliciting his investment in a \$34,890 rehabilitation project at 53 Waterville Acres Road, Thornton, New Hampshire. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, D.S. invested \$29,950 with MNB, representing the purported cost of the rehabilitation project at 53 Waterville Acres Road, Thornton, New Hampshire.

33. On or about March 5, 2018, BRADY emailed J.L., soliciting his investment in a \$72,302 rehabilitation project at 27 West Shore Road, Warwick, Rhode Island. In truth and in fact, no such contract had been awarded to MNB. Based on this fraudulent email, J.L. invested \$72,302 with MNB, representing the purported cost of the rehabilitation project at 27 West Shore Road, Warwick, Rhode Island.

Execution Of The Scheme

34. On or about the dates listed below, in the District of Rhode Island, and elsewhere, for the purpose of executing the aforementioned scheme and artifice, and attempting to do so, defendant MONIQUE BRADY did knowingly transmit and cause to be transmitted in interstate and foreign commerce by means of wire communication, any writings, signs, and signals, to wit emails from Rhode Island to the individuals identified below outside of Rhode Island:

Count	Date	Wire Communication from Brady
1	10/7/16	Email to R.R. concerning 146-48 Blanchard, Berlin, NH
2	12/2/16	Email to E.F. concerning 200 Messer St, Providence, RI
3	2/14/17	Email to L.N. concerning 189 Ledge St, Providence, RI
4	9/7/17	Email to M.L. concerning 173 East Rocks Rd, Norwalk, CT
5	9/25/17	Email to B.L. concerning 182 Jefferson Rd, Burrillville, RI
6	12/4/17	Email to D.C. concerning 182 Jefferson Rd, Burrillville, RI
7	1/9/18	Email to R.F. concerning 920 Peter Rd, Southbury, CT
8	3/5/18	Email to J.L. concerning 27 West Shore Rd, Warwick, RI
9	4/10/18	Email to S.C. concerning 8587 Lenox Ave., Bridgeport, CT

Each in violation of 18 U.S.C. § 1343.

COUNT 10
(Aggravated Identity Theft)

35. The Grand Jury realleges and incorporates by reference paragraphs 1-33 above in their entirety as if fully set forth herein.

36. On or about January 27, 2017, BRADY emailed B.L., soliciting his investment in a purported rehabilitation project at 200 Messer Street, Providence, Rhode Island. In this email, BRADY claimed to have received approval for a \$79,524 rehabilitation project at this location. In reality, no such contract had been awarded to MNB or BRADY.

37. In the aforementioned January 27, 2017 email to B.L., BRADY forwarded to B.L. an email she purported to have received on January 20, 2017 from Z.P., a former employee of Guardian Asset Management, a National Property Preservation Company. In the purported email from Z.P., Z.P. asked BRADY if she would be able to complete the \$79,524.84 bid approval for 200 Messer Street and itemized a list of tasks that needed to be performed at this location. Z.P. did not send this email to BRADY. The purported email from Z.P. was fabricated by BRADY.

38. Based on the fraudulent email he received from BRADY on January 27, 2017, which forwarded the fabricated email from Z.P., B.L. invested \$63,847 with MNB, representing the purported cost of the rehabilitation project at 200 Messer Street, Providence, Rhode Island.

39. On or about January 27, 2017, in the District of Rhode Island and elsewhere, the defendant,

MONIQUE BRADY,

during and in relation to the felony offense of Wire Fraud, contrary to 18 U.S.C. § 1343, did knowingly transfer, possess and use without lawful authority, the means of identification of another person, to wit the name of Z.P.

All in violation of 18 U.S.C. § 1028A.

COUNT 11
(Aggravated Identity Theft)

40. The Grand Jury realleges and incorporates by reference paragraphs 1-33 above in their entirety as if fully set forth herein.

41. On or about September 6, 2016, BRADY forwarded to investor E.F. an email she purported to have received on September 2, 2016 from C.S., Senior Vendor Manager of Home Steps®, a Division of Freddie Mac. In the purported email from C.S., C.S. wrote to BRADY that her “property cap” had increased to 25 properties and that she was therefore able to work on 25 different Freddie Mac properties at any given time. C.S. did not send this email to BRADY. The purported email from C.S. was fabricated by BRADY.

42. On or about January 27, 2017, in the District of Rhode Island and elsewhere, the defendant,

MONIQUE BRADY,

during and in relation to the felony offense of Wire Fraud, contrary to 18 U.S.C. § 1343, did knowingly transfer, possess and use without lawful authority, the means of identification of another person, to wit the name of C.S.

All in violation of 18 U.S.C. § 1028A.

COUNT 12
(Money Laundering)

43. The Grand Jury realleges and incorporates by reference paragraphs 1-33 above in their entirety as if fully set forth herein.

44. On or about April 5, 2017, L.R. obtained a Treasurer's Check from her account at Centreville Bank in the amount of \$47,225 made payable to MNB. This check was the payment for A.B.'s investment in a rehabilitation project BRADY fraudulently represented MNB was to perform. This \$47,225 check was deposited into Bank RI account xxxxxx2396 of MNB on April 6, 2017.

45. On or about April 7, 2017, BRADY transferred \$40,000 from MNB's Bank RI account xxxxxx2396 into BRADY's personal Bank RI account xxxxxxx1984.

46. On or about April 7, 2017, BRADY caused a wire transfer in the amount of \$25,000 to be sent from Bank RI account xxxxxx1984 to Paradise Enterprises Ltd., d/b/a "Atlantis Paradise Island Bahamas Resort and Casino."

47. On or about April 7, 2017, in the District of Rhode Island and elsewhere, the defendant,

MONIQUE BRADY,

did knowingly engage in a monetary transaction by, through or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, that is a \$25,000 wire transfer from Bank RI account xxxxxxx1984 to Paradise Enterprises Ltd., d/b/a "Atlantis Paradise Island Bahamas Resort and Casino," such property having been derived from a specified unlawful

activity, that is Wire Fraud, contrary to 18 U.S.C. § 1343.

All in violation of 18 U.S.C. § 1957(a) and (b)(1) and 2.

COUNT 13
(Structuring of Monetary Transactions)

48. The Grand Jury realleges and incorporates by reference paragraphs 1-33 above in their entirety as if fully set forth herein.

49. Based on misrepresentations made by BRADY, J.J. provided BRADY and MNB with funds as investments into fictitious rehabilitation projects. J.J. provided funds to BRADY via checks and cash deposits that J.J. made directly into bank accounts controlled by BRADY.

50. When J.J. agreed to provide BRADY with more than \$10,000 in cash, BRADY instructed J.J. to make multiple deposits so that no single cash deposit would be \$10,000 or more.

51. On or about March 9, 2015, J.J., at the direction of BRADY, divided a deposit of \$25,200 in cash into three separate deposits, each for less than \$10,000. Specifically, at 12:24 p.m. on March 9, 2015, J.J., at the direction of BRADY, deposited \$9,000 in cash into Bank of America account xxxxxxxx7647, in the name of MNB. At 12:46 p.m. on March 9, 2015, J.J., at the direction of BRADY, deposited \$9,000 in cash into Bank of America account xxxxxxxx1801, in the name of BRADY. At 12:55 p.m. on March 9, 2015, J.J., at the direction of BRADY, deposited \$7,200 in cash into Bank of America account xxxxxxxx7647, in the name of MNB.

52. On or about March 9, 2015, in the District of Rhode Island and elsewhere, the defendant,

MONIQUE BRADY,

knowingly and for the purpose of evading the reporting requirements of section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, did cause and attempt to cause a domestic financial institution to fail to file a report required under section 5313(a) of Title 31, and any regulation prescribed under any such section,

All in violation 31 U.S.C. §§ 5324(a)(1) and 5324(d) and Title 31, C.F.R. §§ 1010.100, 1010.311 and 1010.313, and 18 U.S.C. § 2.

COUNT 14

(Corrupt Endeavor to Obstruct or Impede the
Due Administration of the Internal Revenue Laws)

53. The Grand Jury realleges and incorporates by reference paragraphs 1-33 above in their entirety as if fully set forth herein.

54. On or about December 7, 2017, Internal Revenue Service Criminal Investigators informed BRADY that she was the subject of an Internal Revenue Service criminal investigation.

55. After learning of the Internal Revenue Service criminal investigation, BRADY contacted MNB investors and requested that they delete or destroy all email correspondence, texts and documents relating to their investments in MNB rehabilitation projects.

56. From in or about January of 2018, to in or about September of 2018, after meeting with IRS criminal investigators and being informed of the criminal

investigation, in the District of Rhode Island and elsewhere, the defendant,

MONIQUE BRADY,

did corruptly endeavor to obstruct and impede the due administration of the internal revenue laws by the following means, among others,

- a. Asking L.R. to delete all emails and attachments relating to her investment in MNB rehabilitation projects,
- b. Asking S.C. to delete all emails and texts and dispose of the original promissory notes relating to his investment in MNB rehabilitation projects,
- c. Asking M.C. to delete information from M.C.'s Quickbooks records, personal records and email account relating to her investment in MNB rehabilitation projects,
- d. Asking D.C. to throw away all promissory notes and records related to his investment in MNB rehabilitation projects,
- e. Asking L.N. to delete all emails relating to her investment in MNB rehabilitation projects,
- f. Asking D.S. to provide to her original promissory notes and to delete all emails relating to his investment in MNB rehabilitation projects.

All in violation of 26 U.S.C. § 7212(a).

FORFEITURE ALLEGATION UNDER 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461
(Wire Fraud)

Upon conviction of one or more of the wire fraud offenses alleged in Count(s) 1-9 of this Indictment, defendant MONIQUE BRADY shall forfeit to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461, all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1343.

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

- (1) Real property located at 15 Lenihan Lane, East Greenwich, Rhode Island;
- (2) A forfeiture money judgment equal to the total amount of any property, real or personal, which constitutes or is derived from proceeds traceable to or obtained a result of the offenses of conviction.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of substitute assets of said defendant up to the value of the forfeitable property described above.

All in accordance with 18 U.S.C. § 981(a)(1)(c) as incorporated by 28 U.S.C. § 2461(c), and Rule 32.2(a), Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION UNDER 18 U.S.C. § 982(a)(2)(B)
(Aggravated Identity Theft)

Upon conviction of one or more of the aggravated identity theft offenses alleged in Count(s) 10-11 of this Indictment, defendant MONIQUE BRADY shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2)(B), all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1028A.

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

1. Real property located at 15 Lenihan Lane, East Greenwich, Rhode Island;
2. A forfeiture money judgment equal to the total amount of any property, real or personal, which constitutes or is derived from proceeds traceable to or obtained a result of the offenses of conviction.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28

U.S.C. § 2461(c), to seek forfeiture of substitute assets of said defendant up to the value of the forfeitable property described above.

All in accordance with 18 U.S.C. § 1028 and Rule 32.2(a), Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION UNDER 18 U.S.C. § 982(a)(1)
(Money Laundering)

Upon conviction of the money laundering offense alleged in Count 12 of this Indictment, defendant MONIQUE BRADY shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(1), all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1957(a), and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation.

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


1. Real property located at 15 Lenihan Lane, East Greenwich, Rhode Island;
2. A forfeiture money judgment equal to the total amount of any property, real or personal, which constitutes or is derived from proceeds traceable to or obtained a result of the offenses of conviction.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is

the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of substitute assets of said defendant up to the value of the forfeitable property described above.

All in accordance with 18 U.S.C. § 981(a)(1) and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL:


Grand Jury Foreperson

AARON L. WEISMAN
United States Attorney



Lee H. Vilker
Assistant U.S. Attorney



Sandra Hebert
Assistant U.S. Attorney
Deputy Criminal Division Chief

Date: 5/16/2019