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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
11-20675-CR-ALTONAGA/SIMONTON
CASE NO. _____

18 U.S.C. § 1349
18 U.S.C. § 1344
18 U.S.C. § 215
18 U.S.C. § 2
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(2)(A)

UNITED STATES OF AMERICA

vs.

ALINA RUBI,
a/k/a "Alina Garcia,"
CAMILO GARCIA,
SYLVIA M. ZAGALES,
IVETTE CARRENO,
a/k/a "Ivette Rios,"
PEDRO RUBI,
DIANELYS GARCIA,
a/k/a "Dianelys Fernandez,"
LUIS PARDO DIEGUEZ,
a/k/a "Luis Pardo,"
GALIA FERNANDEZ,
SHEENA EIZMENDIZ,
IVIS R. HERNANDEZ,
a/k/a "Ivis Rubi Hernandez,"
JOSE RAUL HERNANDEZ,
YOVANIS OBREGON JIMENEZ,
JOSE MANUEL PARDO,
a/k/a "Jose Pardo Dieguez,"
SANDRA M. RODRIGUEZ,
MAYRA MARTINEZ SUAREZ,
a/k/a "Myra Suarez,"
LAURA E. DIAZ,
JUAN R. PRIETO,
FLAVIA E. PEREZ,
JOSE ANTONIO DIAZ, and
JOHNY HERNANDEZ,

Defendants.

_____ /

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At various times relevant to this Indictment:

1. Regions Bank (“Regions”) was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the Federal Deposit Insurance Corporation (“FDIC”).

2. Flagstar Bank (“Flagstar”) was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.

3. Washington Mutual Bank (“WAMU”) was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.

4. IndyMac Bank F.S.B. (“IndyMac”) was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.

5. HSBC Mortgage Corporation, a division of HSBC Bank USA, N.A., was a financial institution with offices located throughout the United States, including in the State of Florida, and whose accounts were insured by the FDIC.

6. The term “mortgage” was used in the real estate industry to refer to a loan to finance the purchase of real estate property, usually with specified payment periods and interest rates, in which the borrower/mortgagor gave the lender/mortgagee a lien on the property as collateral for the loan.

7. The term "home equity line of credit" ("HELOC") was used in the real estate industry to refer to a loan in which the lender agreed to lend to the borrower a maximum amount of money within an agreed period, and the equity in the borrower's residential property served as collateral for the loan. The borrower was not advanced the entire sum of money up front, but used a line of credit to borrow sums that totaled no more than the total amount of money authorized under the HELOC.

8. The term "lenders" refers collectively to the mortgage lenders set forth in the preceding paragraphs 1 through 5 each of which extended mortgage and HELOC loans and disbursed mortgage and HELOC loan proceeds to fund the financing of residential properties in the State of Florida. The lender was often referred to as the "lien holder."

9. The term "deed" was used in the real estate industry to refer to a written document that transferred title and ownership or an interest in real property to another person or entity.

10. The term "closing" was used in the real estate industry to refer to the legal event at which the transfer of an interest in real estate from seller to buyer formally took place, as well as the point at which funds were transferred between the various parties, such as from the lending institution to the buyer or to the seller on the buyer's behalf, which transfer was often accomplished by temporarily passing the funds through an intermediary commonly referred to as a "settlement agent" or "title company."

11. A HUD-1 Settlement Statement ("HUD-1 Statement") was a standard form required to be executed for the closing of real estate transactions. A HUD-1 Statement itemized all aspects of a closing for the lender, including any payments made by the borrower, money due to the seller, and any fees paid to third parties in connection with the closing.

12. The terms "good faith deposit" and "earnest money deposit" were used in the real

estate industry to refer to the monetary obligation to be met by a party, usually the buyer, to indicate the buyer's intention to pursue a particular real estate property purchase, and in order for a closing on a particular real estate transaction to be completed.

13. The term "cash-to-close" was used in the real estate industry to refer to the monetary obligations to be met by a party, usually the buyer, in order for a closing on a particular real estate transaction to be completed.

14. Dream Makers Mortgage Corporation ("Dream Makers") was a mortgage brokerage company in the State of Florida with its principal places of business in the Southern District of Florida.

15. Wisdom Investment Mortgage, Corp., f/k/a Wisdom Investment, Inc. ("Wisdom"), was a mortgage brokerage company in the State of Florida with its principal places of business in the Southern District of Florida.

16. Ocean Pyramid Investment, LLC. ("Ocean Pyramid") was a company in the State of Florida with its principal places of business in the Southern District of Florida.

17. Proyecto Paz y Amor, Inc. was a company in the State of Florida with its principal places of business listed in the Southern District of Florida.

18. Florida Realty of Miami was a realty company in the State of Florida with its principal places of business in the Southern District of Florida.

19. Rubi Investment Inc. was a company in the State of Florida with its principal places of business listed in the Southern District of Florida.

20. Bankers Financial Center Mortgage, Corp. was a company in the State of Florida with its principal places of business listed in the Southern District of Florida.

21. Bankers Lending Center Mortgage Corp. was a company in the State of Florida with its principal places of business listed in the Southern District of Florida.

22. Future Homes Mortgage Corp. was a company in the State of Florida with its principal places of business listed in the Southern District of Florida.

23. The Title Services Group, Inc. was a title company in the State of Florida, with its principal place of business in the Southern District of Florida.

24. Capital Title Solutions, Inc., was a title company in the State of Florida, with its principal place of business in the Southern District of Florida.

25. Unconscious Creations, Inc. was a company in the State of Florida with its principal places of business in the Southern District of Florida.

26. JMP Investor Associates LLC ("JMP") was a company in the State of Florida with its principal places of business in the Southern District of Florida.

27. Defendant **ALINA RUBI**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County. **ALINA RUBI** was the owner and operator of Wisdom and an employee of Dream Makers. As a mortgage broker, she was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers. **ALINA RUBI** was also an officer of Rubi Investment Inc, Bankers Lending Center Mortgage, and Ocean Pyramid.

28. Defendant **CAMILO GARCIA**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County. **CAMILO GARCIA** was the owner and operator of Dream Makers, and was also an officer of Ocean Pyramid. As a mortgage broker, he was responsible for preparing and processing mortgage applications and

associated paperwork on behalf of real estate buyers. **CAMILO GARCIA** was also a licensed real estate sales associate in the State of Florida, and worked for Florida Realty of Miami. As a real estate sales associate, he was responsible for preparing and processing real estate sales contracts and associated paperwork on behalf of real estate buyers and sellers.

29. Defendant **SYLVIA M. ZAGALES**, an individual who resided in Miami-Dade County, Florida, was the president of the Title Services Group and served as title and settlement agent for and on behalf of the Title Services Group and Capital Title Services in closing the purchase and sale of real property in the State of Florida. **ZAGALES** was also vice president of Proyecto Paz y Amor.

30. Defendant **IVETTE CARRENO**, an individual who resided in Miami-Dade County, Florida, was a branch manager at Regions, who served, among other things, as a loan officer that processed HELOC loans for Regions.

31. Defendant **PEDRO RUBI**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County, and was an officer of Rubi Investment Inc and Bankers Financial Center Mortgage. As a mortgage broker, he was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers.

32. Defendant **DIANELYS GARCIA**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County, and was employed by Wisdom. As a mortgage broker, she was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers. **DIANELYS GARCIA** was also a licensed real estate sales associate in the State of Florida. As a real estate sales associate, she

was responsible for preparing and processing real estate sales contracts and associated paperwork on behalf of real estate buyers and sellers.

33. Defendant **LUIS PARDO DIEGUEZ**, an individual who resided in Miami-Dade County, Florida, was a licensed real estate sales associate in the State of Florida, and worked for Florida Realty of Miami. **DIEGUEZ** was also an officer of Ocean Pyramid and an employee of Wisdom.

34. Defendant **GALIA FERNANDEZ**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County, and was employed by Dream Makers and Wisdom. As a mortgage broker, she was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers. **FERNANDEZ** was also a licensed real estate sales associate in the State of Florida. As a real estate sales associate, she was responsible for preparing and processing real estate sales contracts and associated paperwork on behalf of real estate buyers and sellers.

35. Defendant **SHEENA EIZMENDIZ**, was an individual who resided in Miami-Dade County, Florida, and was the owner and operator of Unconscious Creations.

36. Defendant **IVIS R. HERNANDEZ**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County, and was employed by Wisdom. As a mortgage broker, she was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers. **IVIS HERNANDEZ** was also president of Future Homes Mortgage Corp.

37. Defendant **JOSE RAUL HERNANDEZ**, an individual who resided in Miami-Dade County, Florida, was a licensed real estate sales associate in the State of Florida. As a real estate

sales associate, he was responsible for preparing and processing real estate sales contracts and associated paperwork on behalf of real estate buyers and sellers.

38. Defendant **YOVANIS OBREGON JIMENEZ**, was an individual who resided in Miami-Dade County, Florida.

39. Defendant **JOSE MANUEL PARDO**, an individual who resided in Miami-Dade County, Florida, was a licensed real estate sales associate in the State of Florida. As a real estate sales associate, he was responsible for preparing and processing real estate sales contracts and associated paperwork on behalf of real estate buyers and sellers. **JOSE MANUEL PARDO** was also the president of JMP.

40. Defendant **SANDRA M. RODRIGUEZ**, was an individual who resided in Miami-Dade County, Florida.

41. Defendant **MAYRA MARTINEZ SUAREZ**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County. As a mortgage broker, she was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers.

42. Defendant **LAURA E. DIAZ**, was an individual who resided in Miami-Dade County, Florida,

43. Defendant **JUAN R. PRIETO**, an individual who resided in Miami-Dade County, Florida, was a licensed real estate sales associate in the State of Florida. As a real estate sales associate, he was responsible for preparing and processing real estate sales contracts and associated paperwork on behalf of real estate buyers and sellers.

44. Defendant **FLAVIA E. PEREZ**, an individual who resided in Miami-Dade County,

Florida, was a licensed mortgage broker doing business in Miami-Dade County. As a mortgage broker, she was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers.

45. Defendant **JOSE ANTONIO DIAZ**, was an individual who resided in Miami-Dade County, Florida.

46. Defendant **JOHNY HERNANDEZ**, an individual who resided in Miami-Dade County, Florida, was a licensed mortgage broker doing business in Miami-Dade County. As a mortgage broker, he was responsible for preparing and processing mortgage applications and associated paperwork on behalf of real estate buyers.

47. L.N., R.F., H.H., M.H., B.H., U.F., A.G., A.F., S.M., A.G., M.D., A.D., R.B., A.A.D., G.C., M.P, and G.V., individuals who were believed to have resided in Miami-Dade County, Florida, were mortgage applicants and HELOC applicants for certain residential properties in Miami-Dade and Broward Counties, Florida.

COUNT 1
CONSPIRACY TO COMMIT BANK FRAUD
(18 U.S.C. § 1349)

1. Paragraphs 1 through 47 of the General Allegations section of this Indictment are re-alleged and fully incorporated herein by reference.

2. From in or around March 2006, through in or around June 2008, the exact dates being unknown to the Grand Jury, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants,

ALINA RUBI,
a/k/a "Alina Garcia,"
CAMILO GARCIA,
SYLVIA M. ZAGALES,

**IVETTE CARRENO,
a/k/a "Ivette Rios,"
PEDRO RUBI,
DIANELYS GARCIA,
a/k/a "Dianelys Fernandez,"
LUIS PARDO DIEGUEZ,
a/k/a "Luis Pardo,"
GALIA FERNANDEZ,
SHEENA EIZMENDIZ,
IVIS R. HERNANDEZ,
a/k/a "Ivis Rubi Hernandez,"
JOSE RAUL HERNANDEZ,
YOVANIS OBREGON JIMENEZ,
JOSE MANUEL PARDO,
a/k/a "Jose Pardo Dieguez,"
SANDRA M. RODRIGUEZ,
MAYRA MARTINEZ SUAREZ,
a/k/a "Myra Suarez,"
LAURA E. DIAZ,
JUAN R. PRIETO,
FLAVIA E. PEREZ,
JOSE ANTONIO DIAZ, and
JOHNY HERNANDEZ,**

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree together and with others known and unknown to the Grand Jury to knowingly and with intent to defraud, execute and cause the execution of a scheme and artifice to defraud a financial institution, including Regions Bank, which scheme and artifice would employ a material falsehood, and to knowingly and with intent to defraud, execute, and cause the execution of a scheme and artifice to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2).

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by, among other things: (a) using unqualified borrowers who did not own residential properties to obtain HELOC loans; (b) using unqualified buyers and borrowers to purchase and finance residential and commercial properties in Miami-Dade and Broward Counties, Florida; (c) submitting false and fraudulent mortgage loan applications, closing documents, HUD-1 Statements, deeds, income tax returns, wage and earnings statements, and other related loan documents to financial and lending institutions, thereby inducing the financial and lending institutions to make mortgage and HELOC loans to unqualified buyers and borrowers for the properties; (d) causing the financial and lending institutions to loan money that they otherwise would not have loaned by preparing, and submitting to them, false and fraudulent loan documents, such as HUD-1 Statements that did not accurately reflect the money disbursed and the source of funds to the buyers and sellers; (e) concealing the fraudulent scheme by failing to record, and falsely recording, deeds and mortgage documentation with the State of Florida; and (f) diverting fraud proceeds for their personal use and benefit, and to further the fraud scheme.

MANNER AND MEANS OF CONSPIRACY

The manner and means by which the defendants and their co-conspirators sought to accomplish the objects and purpose of the conspiracy included, among others, the following:

1. **ALINA RUBI, CAMILO GARCIA, IVETTE CARRENO, PEDRO RUBI, LUIS PARDO DIEGUEZ, and JOSE RAUL HERNANDEZ**, as well as other co-conspirators, identified certain residential and commercial properties in Miami-Dade and Broward Counties, Florida (“the Properties”), that could be used to defraud lenders.

2. **ALINA RUBI, CAMILO GARCIA, PEDRO RUBI, LUIS PARDO DIEGUEZ, GALIA FERNANDEZ, and JOSE RAUL HERNANDEZ** recruited individuals, and paid others to recruit individuals, to fraudulently obtain mortgage and HELOC loans on the Properties, including in some instances when the individuals did not own the properties on which the HELOC loans were sought. Among the individuals recruited to act as unqualified buyers and borrowers were defendants and co-conspirators **DIANELYS GARCIA, SHEENA EIZMENDIZ, YOVANIS OBREGON JIMENEZ, JOSE MANUEL PARDO, SANDRA M. RODRIGUEZ, MAYRA MARTINEZ SUAREZ, LAURA E. DIAZ, JUAN R. PRIETO, FLAVIA E. PEREZ, JOSE ANTONIO DIAZ, JOHNY HERNANDEZ, L.N., R.F., H.H., M.H., B.H.,U.F., A.G., A.F., S.M., A.G., M.D., A.D., R.B., A.A.D., G.C., M.P, and G.V.** In some instances, **ALINA RUBI, CAMILO GARCIA, PEDRO RUBI, and LUIS PARDO DIEGUEZ** also acted as unqualified buyers and borrowers in order to fraudulently purchase and finance the Properties, and to obtain fraudulent HELOC loans.

3. **ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, IVETTE CARRENO, PEDRO RUBI, DIANELYS GARCIA, LUIS PARDO DIEGUEZ, SHEENA EIZMENDIZ, IVIS R. HERNANDEZ,** and their co-conspirators prepared, and caused to be prepared, false and fraudulent mortgage and HELOC loan applications and other related documents on behalf of the unqualified borrowers and buyers. The loan applications and related documents, which were submitted to lenders, contained numerous false statements and representations relating to the borrowers' and buyers' employment, income, deposits, assets, liabilities, other loan applications, intent to make the property a primary residence, and other information necessary for lenders to assess their qualifications to borrow money. In some instances, the loan applications and related documents contained numerous false statements and representations relating to the purchase

price of the Properties. The false and fraudulent documents were used to induce the lenders to fund mortgage and HELOC loans to purchase and finance the Properties.

4. As part of the loan application process, **ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, PEDRO RUBI, DIANELYS GARCIA, LUIS PARDO DIEGUEZ**, and their co-conspirators created, and caused to be created, false verifications of employment forms and fraudulent good faith deposits and cash-to-close checks in order to further induce the lenders to approve the mortgage and HELOC loans. They also utilized, and caused to be utilized, other individuals, entities, and co-conspirators to pose as employers of the unqualified borrowers and buyers, in order to further induce the lenders to approve the loans.

5. **ALINA RUBI, CAMILO GARCIA**, and other co-conspirators paid **IVETTE CARRENO** at Regions Bank money and other compensation to reward her for processing, submitting, and lobbying underwriters and representatives of the lenders to approve fraudulent loan transactions.

6. Based on the false and fraudulent loan applications and related documents submitted by the defendants, the lenders approved the fraudulent loan requests submitted by the defendants and provided the unqualified borrowers access to the HELOC funds associated with their loans or sent the loan proceeds to **SYLVIA M. ZAGALES** in Miami, Florida, for distribution at the closing of the real estate transactions. Thereafter, the defendants disbursed funds from their fraudulently obtained HELOC loans.

7. In total, the defendants fraudulently induced the lenders to fund approximately \$40,000,000 in loans.

8. As part of the closing procedure, **SYLVIA M. ZAGALES** prepared, and caused to be prepared, and submitted to lenders false and fraudulent HUD-1 Statements which falsely stated, among other things, that borrowers supplied their own cash-to-close funds at the closing of the sale transactions for various properties; that she had sufficient loan proceeds and cash-to-close funds to adequately cover the disbursements approved by the lender; and that good faith deposits had been provided by borrowers

9. At or near the time of the closings, **SYLVIA M. ZAGALES** and her co-conspirators fraudulently disbursed the loan proceeds to the sellers and others, prior to and without receiving the good faith deposits and cash-to-close payment from the buyers, contrary to the representations in the HUD-1 Statements. In some instances, **ZAGALES** used the loan proceeds to satisfy the buyers' cash-to-close obligations.

10. At or near the time of time of the closings, **SYLVIA M. ZAGALES** and her co-conspirators caused fraudulent payments and disbursements to be made from the mortgage loan and HELOC proceeds, and also fraudulently diverted loan proceeds from the sales transactions for their own personal benefit and to further the fraud scheme.

11. **SYLVIA M. ZAGALES** and her co-conspirators failed to record, and falsely recorded, mortgage deeds and mortgage documentation with State of Florida authorities in order to both conceal the fraud and to conduct multiple mortgage loan and HELOC closings on some of the Properties.

12. **ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, PEDRO RUBI, LUIS PARDO DIEGUEZ, GALIA FERNANDEZ, JOSE RAUL HERNANDEZ, FLAVIA PEREZ,** and other co-conspirators made, and caused to be made, payments to the unqualified

buyers and borrowers for their roles in fraudulently obtaining the mortgage and HELOC loans. They also made, and caused to be made, mortgage payments on the Properties in order to conceal the fraudulent nature of the transactions until they sold the Properties to other unqualified buyers or the Properties fell into foreclosure. Ultimately, the co-conspirators stopped making mortgage and HELOC loan payments, causing the Properties to go into foreclosure and resulting in substantial losses to the lenders.

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

COUNTS 2-21
BANK FRAUD
(18 U.S.C. § 1344)

1. Paragraphs 1 through 47 of the General Allegations section of this Indictment are re-alleged and incorporated fully herein by reference.
2. From in or around March 2006 through in or around June 2008, the exact dates being unknown to the Grand Jury, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants,

ALINA RUBI,
a/k/a "Alina Garcia,"
CAMILO GARCIA,
SYLVIA M. ZAGALES,
IVETTE CARRENO,
a/k/a "Ivette Rios,"
PEDRO RUBI,
DIANELYS GARCIA,
a/k/a "Dianelys Fernandez,"
LUIS PARDO DIEGUEZ,
a/k/a "Luis Pardo,"
GALIA FERNANDEZ,
SHEENA EIZMENDIZ,
IVIS R. HERNANDEZ,
a/k/a "Ivis Rubi Hernandez,"

**JOSE RAUL HERNANDEZ,
YOVANIS OBREGON JIMENEZ,
JOSE MANUEL PARDO,
a/k/a "Jose Pardo Dieguez,"
SANDRA M. RODRIGUEZ,
MAYRA MARTINEZ SUAREZ,
a/k/a "Myra Suarez,"
LAURA E. DIAZ,
JUAN R. PRIETO,
FLAVIA E. PEREZ,
JOSE ANTONIO DIAZ, and
JOHNY HERNANDEZ,**

did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to defraud one or more financial institutions, including Regions Bank, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of one or more said financial institutions by means of false and fraudulent pretenses, representations, and promises, relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2) and 2.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by, among other things: (a) using unqualified borrowers who did not own residential properties to obtain HELOC loans; (b) using unqualified buyers and borrowers to purchase and finance residential and commercial properties in Miami-Dade and Broward Counties, Florida; (c) submitting false and fraudulent mortgage loan applications, closing documents, HUD-1 Statements, deeds, income tax returns, wage and earnings statements, and other

related loan documents to financial and lending institutions, thereby inducing the financial and lending institutions to make mortgage and HELOC loans to unqualified buyers and borrowers for the properties; (d) causing the financial and lending institutions to loan money that they otherwise would not have loaned by preparing, and submitting to them, false and fraudulent loan documents, such as HUD-1 Statements that did not accurately reflect the money disbursed and the source of funds to the buyers and sellers; (e) concealing the fraudulent scheme by failing to record, and falsely recording, deeds and mortgage documentation with the State of Florida; and (f) diverting fraud proceeds for their personal use and benefit, and to further the fraud scheme.

THE SCHEME AND ARTIFICE

The Manner and Means section of Count 1 of the Indictment is re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

EXECUTION OF THE SCHEME AND ARTIFICE

On or about the dates specified as to each count below, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants specified as to each count below did execute and attempt to execute the aforesaid scheme and artifice to defraud a financial institution and to obtain any moneys, funds, credit, assets, and other property owned by, and under the custody and control of, said financial institution, as more particularly described below:

2	3/22/06	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, and DIANELYS GARCIA</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of DIANELYS GARCIA and CAMILO GARCIA to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$150,000 in connection with the property located at 4330 SW 95 CT, Miami, FL 33165.</p>
3	7/6/2006	<p style="text-align: center;">LUIS PARDO DIEGUEZ, JOSE MANUEL PARDO, and MAYRA MARTINEZ SUAREZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of JOSE M. PARDO and MAYRA SUAREZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$100,000 in connection with the property located at 6365 Collins Ave, # 1909, Miami Beach, FL 33141.</p>
4	5/16/2007	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, LUIS PARDO DIEGUEZ, and LAURA E. DIAZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of LAURA E. DIAZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$365,000 in connection with the property located at 16699 Collins Ave, # 3102, Sunny Isles Beach, FL 33160.</p>

5	5/25/2007	<p style="text-align: center;">ALINA RUBI, SYLVIA M. ZAGALES, LUIS PARDO DIEGUEZ, and SHEENA EIZMENDIZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of SHEENA EIZMENDIZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$170,000 in connection with the property located at 16699 Collins Ave, # 2105, Sunny Isles Beach, FL 33160.</p>
6	5/25/2007	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, LUIS PARDO DIEGUEZ, and JUAN R. PRIETO</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of JUAN R. PRIETO to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$270,000 in connection with the property located at 16699 Collins Ave, # 2406, Sunny Isles Beach, FL 33160.</p>
7	6/13/2007	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, DIANELYS GARCIA, and LUIS PARDO DIEGUEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of R.F. to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$300,000 in connection with the property located at 6301 Collins Avenue, #2908, Miami Beach, FL 33141.</p>

8	7/5/2007	<p style="text-align: center;">ALINA RUBI, SYLVIA M. ZAGALES, DIANELYS GARCIA, and LUIS PARDO DIEGUEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of M.H. to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$400,000 in connection with the property located at 6365 Collins Avenue, # 3002, Miami Beach, FL 33141.</p>
9	10/29/2007	<p style="text-align: center;">ALINA RUBI, SYLVIA M. ZAGALES, PEDRO RUBI, LUIS PARDO DIEGUEZ, and SHEENA EIZMENDIZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of A.G. and A.D. to IndyMac for the purpose of obtaining a mortgage loan in the amount of approximately \$176,000 in connection with the purchase of the property located at 15460 SW 74 CT, Unit 1001, Miami, FL 33193.</p>
10	11/16/2007	<p style="text-align: center;">ALINA RUBI, SYLVIA M. ZAGALES, and PEDRO RUBI</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of Rubi Investment, Inc. to WAMU for the purpose of obtaining a mortgage loan in the amount of approximately \$1,000,000 in connection with the property located at 9145 SW 40 Street, Miami, FL 33165.</p>

11	11/21/2007	<p style="text-align: center;">ALINA RUBI, IVETTE CARRENO, LUIS PARDO DIEGUEZ, IVIS R. HERNANDEZ, and SANDRA M. RODRIGUEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of ALINA RUBI to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$266,000 in connection with the property located at 6365 Collins Avenue, #2209, Miami Beach, FL 33141.</p>
12	12/6/2007	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, IVETTE CARRENO, and YOVANIS OBREGON JIMENEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of YOVANIS OBREGON JIMENEZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$250,000 in connection with the property located at 6301 Collins Avenue, #2203, Miami Beach, FL 33141.</p>
13	1/19/2008	<p style="text-align: center;">ALINA RUBI, IVETTE CARRENO, GALIA FERNANDEZ, JOSE RAUL HERNANDEZ, and FLAVIA E. PEREZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of FLAVIA E. PEREZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$100,000 in connection with the property located at 2301 Collins Avenue, # 628, Miami Beach, FL 33139.</p>

14	1/22/2008	<p style="text-align: center;">ALINA RUBI, IVETTE CARRENO, LUIS PARDO DIEGUEZ, and SANDRA M. RODRIGUEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of SANDRA M. RODRIGUEZ and LUIS PARDO DIEGUEZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$121,000 in connection with the property located at 6301 Collins Avenue, # 2307, Miami Beach, FL 33141.</p>
15	2/2/2008	<p style="text-align: center;">IVETTE CARRENO, LUIS PARDO DIEGUEZ, IVIS R. HERNANDEZ, and JOSE MANUEL PARDO</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of JOSE MANUEL PARDO to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$150,000 in connection with the property located at 10271 SW 11th Street, Miami, FL 33174.</p>
16	2/2/2008	<p style="text-align: center;">ALINA RUBI, IVETTE CARRENO, SYLVIA M. ZAGALES, PEDRO RUBI, GALIA FERNANDEZ, JOSE RAUL HERNANDEZ, IVIS R. HERNANDEZ, and FLAVIA E. PEREZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of H.H. to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$154,000 in connection with the property located at 620 SW 61st Avenue, Miami, FL 33144.</p>

17	2/5/2008	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, SYLVIA M. ZAGALES, IVETTE CARRENO, DIANELYS GARCIA, and LAURA E. DIAZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of LAURA E. DIAZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$250,000 in connection with the property located at 650 82nd Street, Miami Beach, FL 33141.</p>
18	2/25/2008	<p style="text-align: center;">ALINA RUBI, IVETTE CARRENO, PEDRO RUBI, GALIA FERNANDEZ, and JOSE RAUL HERNANDEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of B.H. to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$200,000 in connection with the property located at 2822 SW 69th Avenue, Miami, FL 33155.</p>
19	3/14/2008	<p style="text-align: center;">ALINA RUBI, IVETTE CARRENO, PEDRO RUBI, and LUIS PARDO DIEGUEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of PEDRO RUBI to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$240,000 in connection with the property located at 11031 SW 46th Street, Miami, FL 33165.</p>

20	4/11/2008	<p style="text-align: center;">ALINA RUBI, CAMILO GARCIA, IVETTE CARRENO, LUIS PARDO DIEGUEZ, JOSE RAUL HERNANDEZ, and JOHNY HERNANDEZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of JOHNY HERNANDEZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$240,000 in connection with the property located at 6365 Collins Avenue, # 2709, Miami Beach, FL 33141.</p>
21	5/2/2008	<p style="text-align: center;">ALINA RUBI, SYLVIA M. ZAGALES, IVETTE CARRENO, and JOSE ANTONIO DIAZ</p>	<p>Submission of fraudulent loan application, closing, and related documents in the name of JOSE A. DIAZ to Regions for the purpose of obtaining a HELOC loan in the amount of approximately \$600,000 in connection with the property located at 4775 Collins Avenue, # 3902, Miami Beach, FL 33140.</p>

In violation of Title 18, United States Code, Sections 1344(1) and (2), and 2.

COUNTS 22 - 23
RECEIPT OF GIFTS FOR PROCURING LOANS
(18 U.S.C. § 215)

On or about the dates set forth as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

IVETTE CARRENO,

as an employee of Regions, did knowingly and corruptly accept and agree to accept from any person anything of a value in excess of \$1,000, as described in each count below, intending to be influenced and rewarded in connection with any business and transaction of such institution:

COUNT	APPROX. DATE	DESCRIPTION OF COMMISSIONS OR GIFTS
22	2/5/2008	\$2,000 to IVETTE CARRENO from CAMILO GARCIA
23	5/2/2008	\$2,000 to IVETTE CARRENO from ALINA RUBI

In violation of Title 18, United States Code, Sections 215(a)(2) and 2.

COUNT 24
PROVIDING GIFTS FOR PROCURING LOANS
(18 U.S.C. § 215)

On or about February 5, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

CAMILO GARCIA,

did knowingly and corruptly give, offer, and promise anything of a value in excess of \$1,000, that is, \$2000, to **IVETTE CARRENO**, an employee of Regions, a federally insured financial

institution, with the intent to influence and reward such person in connection with any business and transaction with such institution.

In violation of Title 18, United States Code, Sections 215(a)(1) and 2.

COUNT 25
PROVIDING GIFTS FOR PROCURING LOANS
(18 U.S.C. § 215)

On or about May 2, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

ALINA RUBI,

did knowingly and corruptly give, offer, and promise anything of a value in excess of \$1,000, that is, \$2000, to **IVETTE CARRENO**, an employee of Regions, a federally insured financial institution, with the intent to influence and reward such person in connection with any business and transaction with such institution.

In violation of Title 18, United States Code, Sections 215(a)(1) and 2.

FORFEITURE
(18 U.S.C. §§ 982(a)(2)(A) and 981(a)(1)(C))

1. The allegations of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants,

ALINA RUBI,
a/k/a "Alina Garcia,"
CAMILO GARCIA,
SYLVIA M. ZAGALES,
IVETTE CARRENO,
a/k/a "Ivette Rios,"
PEDRO RUBI,
DIANELYS GARCIA,
a/k/a "Dianelys Fernandez,"

**LUIS PARDO DIEGUEZ,
a/k/a "Luis Pardo,"
GALIA FERNANDEZ,
SHEENA EIZMENDIZ,
IVIS R. HERNANDEZ,
a/k/a "Ivis Rubi Hernandez,"
JOSE RAUL HERNANDEZ,
YOVANIS OBREGON JIMENEZ,
JOSE MANUEL PARDO,
a/k/a "Jose Pardo Dieguez,"
SANDRA M. RODRIGUEZ,
MAYRA MARTINEZ SUAREZ,
a/k/a "Myra Suarez,"
LAURA E. DIAZ,
JUAN R. PRIETO,
FLAVIA E. PEREZ,
JOSE ANTONIO DIAZ, and
JOHNY HERNANDEZ,**

have an interest.

2. Upon conviction of a violation of, or a conspiracy to violate, Title 18, United States Code, 1344, as alleged in Counts 1 through 21 of this Indictment, the defendant so convicted shall forfeit all of his or her respective right, title and interest to the United States in any property constituting, or derived from, proceeds obtained directly or indirectly, as the result of such violation, pursuant to Title 18, United States Code, Section 982(a)(2).

3. Upon conviction of a violation of Title 18, United States Code, 215, as alleged in Counts 22 through 25 of this Indictment, the defendant so convicted shall forfeit all of his or her respective right, title and interest to the United States in any property, real or personal, which constitutes, or is derived from, any proceeds traceable to such violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C), as made applicable by Title 28, United States Code, Section 2461(c).

4. The property subject to forfeiture includes, but is not limited to, the following:

(a) the real property known and numbered as 9145 SW 40 Street, Miami, Florida 33165, with all appurtenances, improvements and attachments thereon; and


(b) a sum of money equal in value to the property constituting, or derived from, proceeds obtained directly or indirectly, as the result of the violations alleged in Counts 1 through 21 of this Indictment, which the United States will seek as a forfeiture money judgment against each defendant so convicted, jointly and severally, as part of their respective sentence; and

(c) a sum of money equal in value to the property, real or personal, which constitutes, or is derived from, any proceeds traceable to the violations alleged in Counts 22 through 25 of this Indictment, which the United States will seek as a forfeiture money judgment against each defendant so convicted, jointly and severally, as part of their respective sentence.

All pursuant to Title 18, United States Code, Sections 982(a)(2), Title 18, United States Code, Section 981(a)(1)(C), as made applicable by Title 28, United States Code, Section 2461(c), and the procedures set forth at Title 21, United States Code, Section 853.

A TRUE BILL.

FOREPERSON

for 
WIFREDO A. FERRER
UNITED STATES ATTORNEY


ROGER CRUZ
ASSISTANT UNITED STATES ATTORNEY