

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) No. _____
)
 MICHAEL SALEM,) Violations: Title 18, United States Code,
 HAKIM A. JARADAT, and) Sections 1341 and 1343.
 ROBERT GOLDBERG)
) **UNDER SEAL**

COUNT ONE

The SPECIAL JANUARY 2009 GRAND JURY charges:

1. At times material to this indictment:

a. The Federal Bureau of Investigation and the Department of Housing and Urban Development, Office of Inspector General, conducted an undercover operation in which a cooperating individual (CI) posed as someone selling residences to nominee buyers by fraudulently obtaining mortgage loans on behalf of the nominee buyers who would default on the loans; and undercover agents (UCs) posed as the nominee buyers and as para-legals assisting in closing the real estate transactions;

b. As part of this undercover investigation, residences owned by the government, including 1225 Hickory Road, Homewood, Illinois (1225 Hickory), were deeded to fictitious identities which the CI represented to be nominee sellers through which he controlled the residence;

c. Defendant MICHAEL SALEM was a realtor who represented buyers and sellers in real estate transactions and a loan officer who prepared and submitted loan applications and supporting documentation to lenders.

d. Defendant HAKIM A. JARADAT was a professional tax preparer located at

3948 North Austin Avenue, Chicago, Illinois.

e. Defendant ROBERT GOLDBERG was the partial owner and corporate secretary of a construction company called Accurate Builders # 2 located in Chicago, Illinois.

f. Countrywide Bank, FSB (Countrywide) was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, which made mortgage loans.

2. Beginning in or about January 2008 and continuing until in or about March 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

MICHAEL SALEM,
HAKIM A. JARADAT, and
ROBERT GOLDBERG,

defendants herein, together with others known and unknown to the Grand Jury, knowingly devised and participated in a scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme affected a financial institution, as further described below.

3. It was part of the scheme that defendants MICHAEL SALEM, HAKIM A. JARADAT, and ROBERT GOLDBERG, together with other co-schemers, fraudulently obtained mortgage loan proceeds from Countrywide by knowingly causing to be prepared and submitted a loan application and supporting loan documents on behalf of a nominee buyer of 1225 Hickory that contained materially false and fraudulent statements concerning the nominee buyer's qualifications for the loan.

4. It was further part of the scheme that, on or about January 23, 2008, defendant

MICHAEL SALEM met with the CI and a UC posing as a nominee buyer of 1225 Hickory, and agreed that he would assist in obtaining a fraudulent mortgage loan on behalf of the nominee buyer. During this meeting, defendant SALEM accepted a \$1,000 check from the CI as earnest money for 1225 Hickory.

5. It was further part of the scheme that, on or about January 28, 2008, defendant HAKIM A. JARADAT met with the CI and gave the CI two sets of false tax returns for 2005 and 2006 in the name of the nominee buyer to be used to support the nominee buyer's fraudulent loan application for 1225 Hickory. Defendant JARADAT told the CI that he would recruit defendant ROBERT GOLDBERG to provide a false and fraudulent verification of employment for the nominee buyer to support the nominee buyer's fraudulent loan application.

6. It was further part of the scheme that, on or about February 25, 2008, defendant HAKIM A. JARADAT met with the CI and collected \$200 from the CI to be given to defendant ROBERT GOLDBERG in return for defendant GOLDBERG's assistance in providing a false and fraudulent verification of employment for the nominee buyer.

7. It was further part of the scheme that, on or about March 3, 2008, defendant ROBERT GOLDBERG had a telephone conversation with the CI, during which conversation defendant GOLDBERG agreed to provide a fraudulent verification of employment to a mortgage lender which would falsely state that the nominee buyer had been a supervisor at defendant GOLDBERG's construction company for the past three years.

8. It was further part of the scheme that defendant MICHAEL SALEM caused to be prepared and submitted to Countrywide a loan application and supporting documentation on behalf of the nominee buyer to purchase 1225 Hickory, well knowing it to contain materially false and

fraudulent statements and documents, including the false tax returns prepared by defendant HAKIM A. JARADAT, and the false representation that the nominee buyer worked for defendant ROBERT GOLDBERG's company.

9. It was further part of the scheme that, on or about March 17, 2008, defendants caused Countrywide to close and fund a mortgage loan of approximately \$171,000, during which closing defendant MICHAEL SALEM obtained proceeds of the fraudulent mortgage loan in the form of an \$8,000 check made payable to the realtor at which he was employed.

10. It was further part of the scheme that, in or about March, 2008, defendant HAKIM A. JARADAT met with the CI and received \$1000 from the CI for assisting in fraudulently obtaining the mortgage loan.

11. It was further part of the scheme that defendants MICHAEL SALEM, HAKIM A. JARADAT, and ROBERT GOLDBERG misrepresented, concealed, and hid, and caused to be misrepresented, concealed, and hidden, the purposes and acts done in furtherance of the scheme.

12. On or about March 17, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

MICHAEL SALEM,
HAKIM A. JARADAT, and
ROBERT GOLDBERG,

defendants herein, for the purpose of executing the above-described scheme, knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$173,749.46 from The Bank of New York Mellon in New York, New York, to First American Trust, FSB in Santa Ana, California, which funds represented the proceeds of a mortgage loan for the purchase of 1225 Hickory;

In violation of Title 18, United States Code, Section 1343.

COUNT TWO

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. Paragraphs 1-11 of Count One of this indictment are realleged and incorporated as though fully set forth herein.
2. On or about March 18, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

MICHAEL SALEM,
HAKIM A. JARADAT, and
ROBERT GOLDBERG,

defendants herein, for the purpose of executing the above-described scheme and attempting to do so, knowingly caused to be delivered by Federal Express (“Fed Ex”), a commercial interstate courier, an envelope containing mortgage and closing documents for the purchase of the Hickory property, which envelope was addressed to:

Countrywide Bank, FSB Closing Department
1011 Warrenville Road, #115
Lisle, Illinois 60532
Fed Ex Tracking Number 7918 6785 1075;

In violation of Title 18, United States Code, Section 1341.

FORFEITURE ALLEGATION

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations of Counts 1 and 2 of this Indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture to the United States pursuant to Title 18, United States Code, Section 982.

2. As a result of their violations of Title 18, United States Code, Sections 1341 and 1343, as alleged in the foregoing Indictment,

MICHAEL SALEM,
HAKIM A. JARADAT, and
ROBERT GOLDBERG,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), any and all right, title, and interest they may have in any property, real and personal, constituting, and derived from, proceeds obtained directly and indirectly, from bank and mail fraud in connection with Countrywide Bank, FSB, which property is subject to forfeiture pursuant to Title 18, United States Code, Section 982.

3. The interests of the defendants, jointly and severally, subject to forfeiture pursuant to Title 18, United States Code, Section 982, include: all money and other property that was the subject of each transaction; constituted and was derived from proceeds of each transaction and was obtained, directly and indirectly, as a result of those violations, including funds in the amount of approximately \$10,200;

4. If any of the property subject to forfeiture and described above, as a result of any act or omission of the defendants:

(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 of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY