

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
vs.	)	No.
	)	
CHARNPAL GHUMAN,	)	Violations: Title 18, United States
AGA KHAN,	)	Code, Sections 1344 and 215; and
AKASH BRAHMBHATT, and	)	Title 26, United States Code, Section
SHITAL MEHTA	)	7206(1)

COUNT ONE

The SPECIAL SEPTEMBER 2012 GRAND JURY charges:

1. At times material to the indictment:

a. American Enterprise Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation. American Enterprise Bank was in the business of, among other things, providing loans to applicants who satisfied certain qualifications.

b. The Small Business Administration was a quasi-governmental agency whose mission was to promote development of small businesses. As part of that mission, the SBA guaranteed certain loans up to a percentage of the loan if the loan applicant satisfied certain qualifications and rules of the SBA.

c. The SBA authorized American Enterprise Bank to act as a Preferred Lending Provider for business loans guaranteed in part by the SBA, which allowed American Enterprise Bank to process SBA loans on its own if the loan satisfied SBA qualifications and rules. As a result, American Enterprise Bank offered loans guaranteed in part by the SBA to certain loan applicants who qualified for such loans under SBA rules.

d. American Enterprise Bank and the SBA required applications for loans to provide truthful information, including the borrower's name and other identifiers, employment background, income, assets and liabilities, which information was material to the approval, terms, and funding of loans. Specifically, the SBA loan application required a certification that all information in the application and exhibits was true and complete to the best of the borrower's knowledge, and each loan form contained a warning against false statements. The Statement of Personal History form provided by the SBA for loan applications contained a warning against making false statements on the form, and cautioned that false statements violated federal law. The Personal Financial Statement form provided by the SBA for loan applications stated that the signature of the borrower certified that the statements contained in the document were true and accurate and that false statements may result in possible prosecution.

e. The SBA also required that borrowers of SBA loans invest a reasonable amount of equity in the business, to be determined through the loan process, rather using an SBA loan to provide 100% financing of the business.

f. CHARNPAL GHUMAN and AGA KHAN are individuals who, through various entities set forth below, all co-owned and controlled by GHUMAN and KHAN, sold and caused to be sold gas stations to purchasers financed by loans processed by American Enterprise Bank and guaranteed in part by the SBA.

g. AKASH BRAHMBHATT was a loan officer at American Enterprise Bank who handled the applications and processing of SBA loans for purchasers of gas stations owned by entities controlled by GHUMAN and KHAN.

h. SHITAL MEHTA was an accountant who was engaged in providing advice

and documents for a variety of accounting, tax and corporate functions, including the preparation and filing of incorporation documents, the preparation and filing of sales tax returns, and the preparation and filing of corporate and individual tax returns.

2. Beginning no later than in or about 2006 and continuing to at least in or about 2009, in the Northern District of Illinois, and elsewhere,

CHARNPAL GHUMAN,  
AGA KHAN,  
AKASH BRAHMBHATT and  
SHITAL MEHTA,

defendants herein, knowingly devised and participated in a scheme to defraud and to obtain money and funds owned by and under the custody and control of American Enterprise Bank, by means of materially false and fraudulent pretenses, representations and promises, which scheme is further described in the following paragraphs.

3. It was part of the scheme that GHUMAN and KHAN recruited purchasers for the gas stations that they jointly owned, and arranged for the purchasers to finance the deals, in total exceeding \$10,000,000 in SBA-guaranteed loans, from American Enterprise Bank through BRAHMBHATT, based on false representations, including false tax returns prepared by MEHTA.

4. It was further part of the scheme that, where a purchaser of a gas station did not have an acceptable credit record to qualify for all or part of the SBA loan, GHUMAN, KHAN and BRAHMBHATT arranged for the loans to be made in whole or in part in the name of the purchaser's family member or friend who had acceptable credit records, even though GHUMAN, KHAN and BRAHMBHATT knew that the family member or friend was not the purchaser of the gas station, and did not intend to have any role in the gas station business or in repayment of the loan proceeds. As a result, American Enterprise Bank did not know the true extent of the actual

purchaser's loan obligations, which was material to the approval, terms, and funding of loans.

5. It was further part of the scheme that GHUMAN, KHAN and BRAHMBHATT caused materially false and fictitious information and documents to be submitted to American Enterprise Bank on behalf of the purchasers of GHUMAN's and KHAN's gas stations, which information and documents were material to the approval, terms, and funding of loans, so that the loans would be approved and the loan proceeds would be paid to GHUMAN and KHAN. This false information and documentation included, among other things:

- a. false information about employment, income, assets and liabilities;
- b. false income tax returns; and
- c. false information about the purchasers' contribution of equity, by making it appear that the purchasers had contributed equity to the purchase as required by the SBA, when in fact the purchasers had not contributed equity.

6. It was further part of the scheme that MEHTA prepared false tax returns for purchasers, showing income in an amount calculated to qualify for the loans, which MEHTA knew to be false, and which MEHTA submitted and caused to be submitted to BRAHMBHATT at American Enterprise Bank, for the purpose of becoming a material part of the loan application package.

7. It was further part of the scheme that GHUMAN, KHAN and BRAHMBHATT arranged for American Enterprise Bank to pay broker's fees to KHAN's brother, for work purportedly performed in connection with certain loans made by American Enterprise Bank to purchasers of gas stations owned by GHUMAN and KHAN, even though GHUMAN, KHAN and BRAHMBHATT knew that KHAN's brother did not perform any work in connection with those

loans.

8. It was further part of the scheme that GHUMAN and KHAN gave, offered and promised things of value to BRAHMBHATT, including cars, with the intent to influence and reward BRAHMBHATT, as an employee and agent of American Enterprise Bank, for his assistance in processing the fraudulent loans.

9. It was further part of the scheme that GHUMAN, KHAN, BRAHMBHATT and MEHTA caused American Enterprise Bank to issue loans based on fraudulent applications in excess of \$10,000,000.

10. It was further part of the scheme that the loan proceeds were paid to GHUMAN and KHAN as payment for gas stations owned by entities controlled by GHUMAN and KHAN, with loan proceeds frequently deposited into bank accounts jointly controlled by GHUMAN and KHAN.

#### Ish Petroleum Loans

11. It was further part of the scheme that on or about April 19, 2007, GHUMAN and KHAN, acting as the principals of Infinite Gas Fifteen and Infinite Gas Sixteen, sold and caused to be sold to Individual A two gas stations located in Macomb, Illinois, and arranged for BRAHMBHATT to process SBA loans through American Enterprise Bank to fund Individual A's purchase of the gas stations, even though GHUMAN, KHAN and BRAHMBHATT knew that Individual A did not qualify for SBA loans. GHUMAN, KHAN and BRAHMBHATT arranged for American Enterprise Bank to fund the purchase for the two gas stations through two loans, both made to an entity called Ish Petroleum, with both loans guaranteed by Individual A.

12. It was further part of the scheme that GHUMAN and BRAHMBHATT submitted

and caused to be submitted to the American Enterprise SBA loan file for Ish Petroleum a copy of two checks, in the amounts of \$175,000 and \$170,000, to falsely represent equity contributed by Individual A for the purchase of these two gas stations, knowing those checks were drawn by the sellers, the original checks were never provided to American Enterprise Bank or any other entity in connection with the purchase of the gas stations, and Individual A never tendered these checks or made any equity contribution to the purchase of the gas stations.

13. It was further part of the scheme that GHUMAN and BRAHMBHATT arranged for letters to be provided to American Enterprise Bank to document that Individual A had been provided funds as a gift for the purpose of paying the required equity contribution for the Ish Petroleum loans, when such documentation was false.

14. It was further part of the scheme that GHUMAN and BRAHMBHATT arranged for, created and submitted false application documents for the loans, knowing that such documents were false and intending for American Enterprise Bank to rely on such documents in approving and funding the loans. Such documents included false Personal Financial Statements for Individual A, which overstated the amount of cash available to Individual A, and false Statements of Personal History and false Management Resumes for Individual A, which overstated and misrepresented Individual A's experience.

15. It was further part of the scheme that the loan proceeds, which exceeded \$1,000,000, were used to pay for gas stations owned by entities controlled by GHUMAN and KHAN, and that the proceeds from the loans were deposited into bank accounts jointly controlled by GHUMAN and KHAN.

### Z&S Loans

16. It was further part of the scheme that on or about September 20, 2007, GHUMAN and KHAN, acting as the principals of Infinite Oil, sold and caused to be sold to Individual B three gas stations, two located in Rock Island, Illinois and one located in Silvis, Illinois. GHUMAN arranged for BRAHMBHATT to process SBA loans through American Enterprise Bank to fund Individual B's purchase of the gas stations, even though GHUMAN and BRAHMBHATT knew that Individual B did not qualify for SBA loans.

17. It was further part of the scheme that GHUMAN and BRAHMBHATT arranged for the purchase funds for the three gas stations to be provided by American Enterprise Bank in three loans, all made to an entity named Z&S Corp., with each of the loans guaranteed by Individuals B and C, even though GHUMAN and BRAHMBHATT knew that Individuals B and C did not qualify for the SBA loans, and that Individual C did not intend to have any role in the gas station or in repaying the loans.

18. It was further part of the scheme that GHUMAN and BRAHMBHATT arranged for, created and submitted false documents for the loans, knowing that such documents were false and intending for American Enterprise Bank to rely on such documents in approving and funding the loans. Such documents included false Personal Financial Statements, false Statements of Personal History and false Management Resumes, and false bank statements for Individual B and Individual C. These documents contained materially false statements made to American Enterprise Bank for the purpose of fraudulently obtaining three SBA loans for Individual B to purchase the three gas stations.

19. It was further part of the scheme that MEHTA, at the request of GHUMAN and

BRAHMBHATT, prepared tax returns containing false statements of income for Individual B and Individual C, and MEHTA submitted and caused to be submitted these false tax returns to American Enterprise Bank for the purpose of having the loans approved by American Enterprise Bank, knowing that the returns contained false statements and that such false statements were material to the approval, terms, and funding of loans by American Enterprise Bank.

20. It was further part of the scheme that GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Z & S Corp. a copy of two checks, in the amounts of \$150,000 and \$250,000, to falsely represent equity contributed by Individual B and Individual C for the purchase of the three gas stations, knowing those checks were drawn by the sellers, the original checks were never provided to American Enterprise Bank or any other entity in connection with the purchase of the gas stations, and neither Individual B nor Individual C provided these checks or any equity for the purchase of the gas stations.

21. It was further part of the scheme that the loan proceeds, which exceeded approximately \$1.8 million, were used to pay for gas stations owned by entities controlled by GHUMAN and KHAN, and that the proceeds from the loans were deposited into bank accounts jointly controlled by GHUMAN and KHAN.

#### Elite Petroleum Loans

22. It was further part of the scheme that between in or about October 2007 and December 2007, defendants GHUMAN and KHAN, acting as the principals of Iowa Gas, sold and caused to be sold to Individual A eight gas stations located in Iowa, and that GHUMAN arranged for BRAHMBHATT to process SBA loans through American Enterprise Bank to fund Individual A's purchase of the gas stations, even though GHUMAN and BRAHMBHATT knew that



Individual A did not qualify for SBA loans. GHUMAN and BRAHMBHATT arranged for the purchase funds for the eight gas stations to be provided by American Enterprise Bank in eight loans, made to entities named, sequentially, Elite Fuel One through Elite Fuel Eight. In order to hide that all eight loans were being made for the purchase of gas stations by Individual A, BRAHMBHATT and GHUMAN arranged for Individual A to act as the applicant for the loan to Elite Fuel One, and for Individual A's relatives and friends to act as applicants for seven other loans, even though GHUMAN and BRAHMBHATT knew that the purpose of all eight loans was for Individual A to purchase the eight gas stations, the applicants for loans to Elite Fuel Two through Elite Fuel Eight were not actually purchasing the gas stations, and the applicants for loans to Elite Fuel Two through Elite Fuel Eight, like Individual A, were not qualified to obtain the loans, and would have no role in repaying the loans.

23. It was further part of the scheme that GHUMAN and BRAHMBHATT arranged for, created and submitted false application documents for the loans, knowing that such documents were false and intending for American Enterprise Bank to rely on such documents in approving and funding the loans. Such documents included false Personal Financial Statements, false Statements of Personal History and false Management Resumes for the Elite Fuel loan applicants. These documents contained materially false statements made to American Enterprise Bank for the purpose of fraudulently obtaining eight SBA loans for Individual A to purchase eight gas stations in Iowa from entities controlled by GHUMAN and KHAN.

24. It was further part of the scheme that MEHTA, at the request of GHUMAN and BRAHMBHATT, prepared tax returns containing false statements of income for Individual A and certain of Individual A's relatives and friends who were acting as applicants for loans, and

MEHTA submitted and caused to be submitted these false tax returns to American Enterprise Bank for the purpose of having the loans approved by American Enterprise Bank, knowing that the returns contained false statements and that such false statements were material to the approval, terms, and funding of loans by American Enterprise Bank.

25. It was further part of the scheme that GHUMAN and BRAHMBHATT submitted and caused to be submitted false documentation of borrowers' equity contributions for certain Elite Fuel loan applications, each of which was material to the approval and funding of the respective loan, as follows:

a. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Elite Fuel One a copy of a check for \$115,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase;

b. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Elite Fuel Three a copy of a fake and altered check in the amount of \$100,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase;

c. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Elite Fuel Four a copy of a fake and altered check

in the amount of \$400,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase;

d. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Elite Fuel Five a copy of a fake and altered check in the amount of \$70,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase;

e. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Elite Fuel Six a copy of a fake and altered check in the amount of \$475,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase; and

f. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan file for Elite Fuel Seven a copy of a fake and altered check in the amount of \$55,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase.

26. It was further part of the scheme that on or about January 3, 2008, GHUMAN, KHAN, and BRAHMBHATT caused broker's commissions to be paid by American Enterprise Bank to KHAN's brother, in the amount of approximately \$34,845, for services allegedly performed by KHAN's brother in connection with loans made by American Enterprise Bank to Elite Fuel Three, Elite Fuel Four, Elite Fuel Five, Elite Fuel Seven, and Elite Fuel Eight, when GHUMAN, KHAN and BRAHMBHATT knew that KHAN's brother had not performed any services in connection with such loans.

27. It was further part of the scheme that the loan proceeds were used to pay for gas stations owned by entities controlled by GHUMAN and KHAN, and that the proceeds from the loans were deposited into bank accounts jointly controlled by GHUMAN and KHAN.

28. It was further part of the scheme that GHUMAN, BRAHMBHATT and MEHTA caused American Enterprise Bank to issue loans based on fraudulent applications to Elite Fuel One through Elite Fuel Eight in excess of \$5,800,000.

B&A, B&K, M&A

29. It was further part of the scheme that, at some time between October 2007 and December 2007, defendants GHUMAN and KHAN, acting as the principals of Infinite Oil, sold and caused to be sold to Individual B nine gas stations located in Nebraska, and that GHUMAN arranged for BRAHMBHATT to process SBA loans through American Enterprise Bank to fund Individual B's purchase of the gas stations, even though GHUMAN and BRAHMBHATT knew that Individual B did not qualify for SBA loans. BRAHMBHATT arranged for the purchase funds for the nine gas stations to be provided in three loans, made to the entities B&A, B&K and M&A. In order to hide that all of the loans were being made for the purchase of gas stations by

Individual B, BRAHMBHATT and GHUMAN arranged for Individual B's relatives to act as the individual applicants for loans to B&A, B&K and M&A, even though BRAHMBHATT and GHUMAN knew that the purpose of all three loans was for Individual B to purchase nine gas stations, that the applicants for loans to B&A, B&K and M&A were not actually purchasing the gas stations, and that the applicants for loans to B&A, B&K and M&A, like Individual B, were not qualified to obtain the loans.

30. It was further part of the scheme that GHUMAN and BRAHMBHATT arranged for, created and submitted false application documents for the loans, knowing that such documents were false and intending for American Enterprise Bank to rely on such documents in approving and funding the loans. Such documents included false Personal Financial Statements, which overstated the amount of cash available to the applicants, and false Statements of Personal History and false Management Resumes, which overstated and misrepresented the experience of the loan applicants. These documents contained materially false statements made to American Enterprise Bank for the purpose of fraudulently obtaining three SBA loans for Individual B to purchase nine gas stations in Nebraska from entities controlled by GHUMAN and KHAN.

31. It was further part of the scheme that MEHTA, at the request of GHUMAN and BRAHMBHATT, prepared tax returns containing false statements of income for Individual B's relatives who were acting as applicants for loans, and MEHTA submitted and caused to be submitted these false tax returns to American Enterprise Bank for the purpose of having the loans approved by American Enterprise Bank, knowing that the returns contained false statements and that such false statements were material to the approval, terms, and funding of loans by American Enterprise Bank. For instance, on or about December 13, 2007, GHUMAN, BRAHMBHATT

and MEHTA provided to and caused to be provided to American Enterprise Bank a false 2005 individual income tax return and a false 2006 individual income tax return for the applicant for a loan to B&A, knowing that such tax returns contained statements that were materially false.

32. It was further part of the scheme that GHUMAN and BRAHMBHATT submitted and caused to be submitted false documentation of borrowers' equity contributions for the B&K, B&A and M&A loan applications, each of which was material to the approval and funding of the respective loan, as follows:

a. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise SBA loan file for B&A a copy of a fake and altered check in the amount of \$350,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase;

b. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise SBA loan file for B&K a copy of a fake and altered check in the amount of \$350,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase; and

c. GHUMAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise SBA loan file for M&A a copy of a fake and altered check in the amount of \$400,000, to falsely represent equity contributed by the borrower, knowing that the check was

drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, and the borrower never contributed any equity toward the purchase.

#### Other Loans Involving Fraud By Defendants

33. It was further part of the scheme that, on or about September 14, 2007, defendants GHUMAN and KHAN, acting as the principals of Mak Petroleum, sold and caused to be sold to Individual D as principal of Rabia Inc. a gas station located in Stevens Point, Wisconsin, and that GHUMAN and KHAN arranged for BRAHMBHATT to process a SBA loan through American Enterprise Bank to fund Individual D's purchase of the gas station, even though GHUMAN, KHAN and BRAHMBHATT knew that Individual D did not qualify for the SBA loan.

34. It was further part of the scheme that GHUMAN, KHAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan application package for Rabia, Inc. a copy of a check for \$80,000, to falsely represent equity contributed to the purchase of the gas station by the borrower, knowing that the check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, the borrower never contributed any equity toward the purchase, and the documentation of the borrower's equity was material to the approval and funding of the loan.

35. It was further part of the scheme that, on or about January 10, 2008, defendants GHUMAN and KHAN, acting as the principals of Iowa Gas Group, sold and caused to be sold to Individual E as principal of Mendota Oil and Gas a gas station located in Mendota, Illinois, and that GHUMAN and KHAN arranged for BRAHMBHATT to process a SBA loan through

American Enterprise Bank to fund Individual E's purchase of the gas station, even though GHUMAN, KHAN and BRAHMBHATT knew that Individual E did not qualify for the SBA loan.

36. It was further part of the scheme that GHUMAN, KHAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan application package for Mendota Oil and Gas a copy of a fake and altered check in the amount of \$250,000, to falsely represent equity contributed to the purchase of the gas station by the borrower, knowing that the original check was drawn by the seller, the original check was never tendered to American Enterprise Bank or any other entity in connection with the purchase of the gas station, the borrower never contributed any equity toward the purchase, and the documentation of the borrower's equity was material to the approval and funding of the loan.

37. It was further part of the scheme that, on or about January 10, 2008, defendants GHUMAN and KHAN, acting as the principals of New Boston Convenience, sold and caused to be sold to Individual F as principal of S & R Oil Five a gas station located in New Boston, Illinois, and that GHUMAN and KHAN arranged for BRAHMBHATT to process a SBA loan through American Enterprise Bank to fund Individual F's purchase of the gas station, even though GHUMAN, KHAN and BRAHMBHATT knew that Individual F did not qualify for the SBA loan.

38. It was further part of the scheme that GHUMAN, KHAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan application package for S & R Oil Five, a check in the amount of \$75,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the borrower never contributed any equity toward the purchase, and the documentation of the borrower's equity was material to the approval and funding of the loan.



39. It was further part of the scheme that, on or about January 10, 2008, defendants GHUMAN and KHAN, acting as the principals of Iowa Gas, sold and caused to be sold to Individual G as principal of Paddock Petroleum a gas station located in Paddock Lake, Wisconsin, and that GHUMAN and KHAN arranged for BRAHMBHATT to process a SBA loan through American Enterprise Bank to fund Individual G's purchase of the gas station, even though GHUMAN, KHAN and BRAHMBHATT knew that Individual G did not qualify for the SBA loan.

40. It was further part of the scheme that GHUMAN, KHAN and BRAHMBHATT submitted and caused to be submitted to the American Enterprise Bank SBA loan application package for Paddock Petroleum, a check in the amount of \$150,000, to falsely represent equity contributed by the borrower, knowing that check was drawn by the seller, the borrower never contributed any equity toward the purchase, and the documentation of the borrower's equity was material to the approval and funding of the loan.

41. It was further part of the scheme that on or about December 20, 2007, GHUMAN, KHAN and BRAHMBHATT caused broker's commissions to be paid by American Enterprise Bank to KHAN's brother, in the amount of approximately \$56,663, for services performed by KHAN's brother in connection with loans made by American Enterprise Bank to B&A, B&K and M&A, when GHUMAN, KHAN and BRAHMBHATT knew that KHAN's brother had not performed any services in connection with such loans.

42. It was further part of the scheme that the loan proceeds were used to pay for gas stations owned by entities controlled by GHUMAN and KHAN, and that the proceeds from the loans were deposited into bank accounts jointly controlled by GHUMAN and KHAN.

43. It was further a part of the scheme that defendants GHUMAN, KHAN, BRAHMBHATT and MEHTA concealed, misrepresented, and hid and caused to be concealed, misrepresented, and hidden, the existence and purpose of the scheme and the acts done in furtherance of the scheme.

44. On or about April 19, 2007, in the Northern District of Illinois, Eastern Division,  
CHARNPAL GHUMAN,  
defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$744,600, representing the proceeds for American Enterprise Bank Loan Number XXXXXX59001, for the purpose of financing Individual A's purchase on behalf of Ish Petroleum of a gas station located on LaFayette Street in Macomb, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT TWO

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about April 19, 2007, in the Northern District of Illinois, Eastern Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$750,000, representing the proceeds for American Enterprise Bank Loan Number XXXXXX59002, for the purpose of financing Individual A's purchase on behalf of Ish Petroleum of a gas station located on Jackson Street in Macomb, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT THREE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about September 20, 2007 in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,  
AKASH BRAHMBHATT, and  
SHITAL MEHTA,

defendants herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$642,000, representing the proceeds for American Enterprise Bank Loan Number XXXXXX19001, for the purpose of financing Individual B's purchase on behalf of Z&S Corp. of a gas station located in Silvis, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT FOUR

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about September 20, 2007 in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$613,900, representing the proceeds for American Enterprise Bank Loan Number XXXXXX19002, for the purpose of financing Individual B's purchase on behalf of Z&S Corp. of a gas station located on 24<sup>th</sup> Street in Rock Island, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT FIVE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about September 20, 2007 in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$613,900, representing the proceeds for American Enterprise Bank Loan Number XXXXXX19003, for the purpose of financing Individual B's purchase on behalf of Z&S Corp. of a gas station located on 7<sup>th</sup> Avenue in Rock Island, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT SIX

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 17, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$1,999,743, representing the proceeds for American Enterprise Bank Loan Number XXXXXX09001, for the purpose of financing Individual B's purchase on behalf of B&A Petroleum Corp. of a gas station located on Park Avenue in Omaha, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT SEVEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 17, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$1,666,883, representing the proceeds for American Enterprise Bank Loan Number XXXXXX69001, for the purpose of financing Individual B's purchase on behalf of B&K Petroleum Corp. of a gas station located on Hamilton Street in Omaha, Nebraska, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.



COUNT EIGHT

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 17, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$1,999,743, representing the proceeds for American Enterprise Bank Loan Number XXXXXX49001, for the purpose of financing Individual B's purchase on behalf of M&A Petroleum Corp. of a gas station located on South 24<sup>th</sup> Street in Omaha, Nebraska, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT NINE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$480,819, representing the proceeds for American Enterprise Bank Loan Number XXXXXX39001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel One of a gas station located on Lafayette Avenue in Waterloo, Iowa, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT TEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$183,632, representing the proceeds for American Enterprise Bank Loan Number XXXXXX59001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel Three of a gas station located in Lime Spring, Iowa, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT ELEVEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$1,790,354, representing the proceeds for American Enterprise Bank Loan Number 15754069001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel Four of a gas station located in Indianola, Iowa, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT TWELVE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$207,162, representing the proceeds for American Enterprise Bank Loan Number XXXXXX79001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel Five of a gas station located at 806 SE 14<sup>th</sup> Street in Des Moines, Iowa, from an entity controlled by GHUMAN and A KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT THIRTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$1,898,393, representing the proceeds for American Enterprise Bank Loan Number 1 XXXXXX49001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel Six of a gas station located on Park Avenue in Des Moines, Iowa, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT FOURTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$89,014, representing the proceeds for American Enterprise Bank Loan Number XXXXXX99001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel Seven of a gas station located at 1919 E. 14<sup>th</sup> Street in Des Moines, Iowa, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT FIFTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about December 28, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN,

defendant herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$1,214,378, representing the proceeds for American Enterprise Bank Loan Number 1 XXXXXX49001, for the purpose of financing Individual A's purchase on behalf of Elite Fuel Eight of a gas station located on Easton Boulevard in Des Moines, Iowa, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.



COUNT SIXTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about September 14, 2007, in the Northern District of Illinois, Eastern

Division,

CHARNPAL GHUMAN and  
AGA KHAN,

defendants herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$842,200, representing the proceeds for American Enterprise Bank Loan Number XXXXXX29001, for the purpose of financing Individual D's purchase on behalf of Rabia, Inc. of a gas station located in Stevens Point, Wisconsin, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT SEVENTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about January 10, 2008, in the Northern District of Illinois, Eastern Division,

CHARNPAL GHUMAN and  
AGA KHAN,

defendants herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$896,100, representing the proceeds for American Enterprise Bank Loan Number XXXXXX89001, for the purpose of financing Individual E's purchase on behalf of Mendota Oil & Gas, Inc. of a gas station, located in Mendota, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT EIGHTEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about January 10, 2008, in the Northern District of Illinois, Eastern Division,

CHARNPAL GHUMAN and  
AGA KHAN,

defendants herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$331,700, representing the proceeds for American Enterprise Bank Loan Number XXXXXX29001, for the purpose of financing Individual F's purchase on behalf of S and R Oil Five of a gas station located in New Boston, Illinois, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT NINETEEN

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 43 of Count One are incorporated here.
2. On or about January 10, 2008, in the Northern District of Illinois, Eastern Division,

CHARNPAL GHUMAN and  
AGA KHAN,

defendants herein, knowingly executed the scheme by causing American Enterprise Bank to issue funds in the amount of approximately \$798,500, representing the proceeds for American Enterprise Bank Loan Number XXXXXX09002, for the purpose of financing Individual G's purchase on behalf of Paddock Petroleum of a gas station located Paddock Lake, Wisconsin, from an entity controlled by GHUMAN and KHAN;

In violation of Title 18, United States Code, Section 1344.

COUNT TWENTY

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. At times material to the indictment, Akash Brahmbhatt was a loan officer at American Enterprise Bank, a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation.

2. On or about October 27, 2007, in the Northern District of Illinois, Eastern Division,  
  
CHARNPAL GHUMAN,  
  
defendant herein, corruptly gave, offered and promised something of value, namely a two-year lease of a Cadillac Escalade vehicle, to Akash Brahmbhatt, with intent to influence and reward him in connection with the business and transactions of American Enterprise Bank;

In violation of Title 18, United States Code, Section 215.

COUNT TWENTY-ONE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraph 1 of Count Twenty are incorporated here.
2. On or about December 17, 2007, in the Northern District of Illinois, Eastern Division,

CHARNPAL GHUMAN,

defendant herein, corruptly gave, offered and promised something of value, namely \$23,000 in the form of a check, to Akash Brahmhatt, with intent to influence and reward him in connection with the business and transactions of American Enterprise Bank;

In violation of Title 18, United States Code, Section 215.

COUNT TWENTY-TWO

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. The allegations of paragraph 1 of Count Twenty are incorporated here.
2. On or about July 3, 2008, in the Northern District of Illinois, Eastern Division,

CHARNPAL GHUMAN,

defendant herein, corruptly gave, offered and promised something of value, namely a Lexus vehicle, to Akash Brahmhatt, with intent to influence and reward him in connection with the business and transactions of American Enterprise Bank;

In violation of Title 18, United States Code, Section 215.

COUNT TWENTY-THREE

The SPECIAL SEPTEMBER 2012 GRAND JURY further charges:

1. In the calendar year 2006, defendant CHARNPAL GHUMAN sold his interests in three gas stations, located in Rockford, Illinois, Macomb, Illinois, and Beloit, Wisconsin, and received approximately \$762,500 in proceeds from those sales.

2. On or about October 19, 2007, in the Northern District of Illinois, Eastern Division, and elsewhere,

CHARNPAL GHUMAN,

defendant herein, willfully made and subscribed, and caused to be made and subscribed, a United States Income Tax Return individually (Form 1040 with schedules and attachments) for the calendar year 2006, which return was verified by a written declaration that it was made under penalties of perjury, and filed with the Internal Revenue Service, which return defendant did not believe to be true and correct as to every material matter, in that:

a. The return falsely stated on line 22 that the total income was \$203,583, when defendant knew and believed that the amount of total income substantially exceeded that amount;

b. The return false stated on line 37 that the adjusted gross income was \$203,583, when defendant knew and believed that the adjusted gross income substantially exceeded that amount; and

c. The return falsely stated on line 63 that the total tax was \$37,260, when defendant knew and believed that the total tax substantially exceeded that amount;

In violation of Title 26, United States Code, Section 7206(1).



## FORFEITURE ALLEGATION

The SPECIAL SEPTEMBER 2012 GRAND JURY further alleges:

1. The allegations of Counts One through Nineteen of this indictment are incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(A) and Title 28, United States Code, Section 2461(c).

2. As a result of their violations of Title 18, United States Code, Section 1344, as alleged in the indictment,

CHARNPAL GHUMAN and  
AGA KHAN,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A) and Title 28, United States Code, Section 2461(c), any and all right, title, and interest they may have in any property constituting, and derived from, proceeds they obtained directly and indirectly as the result of such violation.

3. The interests and property of the defendants subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(A) and Title 28, United States Code, Section 2461(c), include but are not limited to the sum of approximately \$10,000,000, including funds in the amount of \$198,180.66, which are proceeds from the sale of a 2005 Porsche Carrera GT Coupe automobile, VIN WP0CA29815L001419, purchased with proceeds from the scheme.

4. If any of the forfeitable property described above, as a result of any act or omission by 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 28, United States Code, Section 2461(c);

All pursuant to Title 18, United States Code, Section 982(a)(2)(A) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

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FOREPERSON

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UNITED STATES ATTORNEY