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MELINDA HAAG (CASBN 132612)
United States Attorney

FILED
MAR 21 2013
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CR13-00183

JEW

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
STEPHEN B. LOPEZ,)
)
Defendant.)

No.)
)
VIOLATIONS: 18 U.S.C. § 1341 - Mail)
Fraud; 18 U.S.C. § 1343 - Wire Fraud; 18)
U.S.C. § 1957(a) - Money Laundering; 18)
U.S.C. § 981(a)(1)(C) - Forfeiture)
OAKLAND VENUE)

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

1. Defendant STEPHEN B. LOPEZ ("LOPEZ") was the Managing Director of Lighthorse Ventures, LLC ("Lighthorse"), a private equity investment company founded in 2000 and located in Walnut Creek, California.
2. LOPEZ solicited loans on behalf of Lighthorse, drafting and signing promissory notes in which he promised to timely pay the principal and interest of 10% and 12% per year.
3. LOPEZ had sole signature authority on Lighthorse's Wells Fargo Bank business checking account ending in 1834 ("Lighthorse WFB Account").
4. Wells Fargo Bank was federally insured by the Federal Deposit Insurance Corporation.

INDICTMENT

1 COUNTS ONE THROUGH THREE: (18 U.S.C. § 1341 - Mail Fraud)

2 9. Paragraphs 1 through 8 are realleged as if fully set forth herein.

3 10. On or about the dates set forth below, in the Northern District of California and
4 elsewhere, defendant

5 STEPHEN B. LOPEZ,

6 having devised a scheme and artifice to defraud, and to obtain money and property from victims
7 by means of materially false and fraudulent pretenses, representations, and promises, and by
8 material omissions, did, for the purpose of executing the scheme and artifice to defraud,
9 knowingly cause the mail matter listed below to be deposited, sent, and delivered by the United
10 States Postal Service and interstate carriers:

| COUNT | DATE OF MAILING | MAILING |
|-------|-----------------|---|
| ONE | June 8, 2008 | Two promissory notes mailed from in or around Walnut Creek, California |
| TWO | June 11, 2008 | Two completed and signed promissory notes and two checks in the amounts of \$200,000 and \$300,000 made payable to Lighthouse Ventures, LLC mailed to in or around Walnut Creek, California |
| THREE | June 18, 2008 | Copies of two completed and signed promissory notes mailed from in or around Walnut Creek, California |

18 All in violation of Title 18, United States Code, Section 1341.

19 COUNTS FOUR THROUGH TEN: (18 U.S.C. § 1343 - Wire Fraud)

20 11. Paragraphs 1 through 10 are realleged as if fully set forth herein.

21 12. On or about the dates set forth below, in the Northern District of California and
22 elsewhere, defendant

23 STEPHEN B. LOPEZ,

24 having devised a scheme and artifice to defraud, and to obtain money and property from victims
25 by means of materially false and fraudulent pretenses, representations, and promises, and by
26 material omissions, did knowingly cause to be transmitted the following wire communications in
27 interstate and foreign commerce:
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INDICTMENT

| COUNT | DATE OF WIRE TRANSFER | WIRE TRANSFER |
|-------|-----------------------|--|
| FOUR | March 26, 2008 | Wire transfer of \$120,000 from H.C.'s Charles Schwab bank account to the Lighthouse WFB Account causing an interstate wire transfer |
| FIVE | March 26, 2008 | Wire transfer of \$90,000 from H.C.'s National Financial bank account to the Lighthouse WFB Account causing an interstate wire transfer |
| SIX | March 26, 2008 | Deposit of \$150,000 Wachovia official check from R.M. payable to Lighthouse Ventures LLC into the Lighthouse WFB Account causing an interstate wire transfer |
| SEVEN | March 26, 2008 | Deposit of \$150,000 Bank of America check from T.L. payable to Lighthouse Ventures LLC into the Lighthouse WFB Account causing an interstate wire transfer |
| EIGHT | March 27, 2008 | Wire transfer of \$190,000 from H.C.'s Charles Schwab bank account to the Lighthouse WFB Account causing an interstate wire transfer |
| NINE | April 3, 2008 | Deposit of \$50,000 Charles Schwab Bank check from T.L. payable to Lighthouse Ventures LLC into the Lighthouse WFB Account causing an interstate wire transfer |
| TEN | April 4, 2008 | Deposit of \$50,000 Wachovia official check from R.M. payable to Lighthouse Ventures LLC into the Lighthouse WFB Account causing an interstate wire transfer |

All in violation of Title 18, United States Code, Section 1343.

COUNTS ELEVEN AND TWELVE: (18 U.S.C. § 1957(a) - Money Laundering)

13. Paragraphs 1 through 12 are realleged as if fully set forth herein.

14. On or about the dates set forth below, in the Northern District of California and elsewhere, defendant

STEPHEN B. LOPEZ,

did knowingly engage in the following monetary transactions, in and affecting interstate commerce, in criminally derived property of a value greater than \$10,000, that was derived from specified unlawful activity, namely wire fraud, in violation of Title 18, United States Code, Section 1943.

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INDICTMENT

| COUNT | DATE | TRANSACTION |
|--------|----------------|---|
| ELEVEN | March 25, 2008 | Check #1209 in the amount of \$600,000 made payable to "Lonestar" drawn on Wells Fargo Bank account ending in 1834 |
| TWELVE | March 27, 2008 | \$50,000 wire transfer made payable to a person with the initials P. H. from Wells Fargo Bank business account ending in 1834 to Wells Fargo account ending in 5825 |

All in violation of Title 18, United States Code, Section 1957(a).

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

15. The allegations of Counts One through Ten of this Indictment are realleged as if fully set forth herein.

16. Upon a conviction of any of the offenses alleged in Counts One through Ten, defendant

STEPHEN B. LOPEZ,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes and is derived from proceeds traceable to a violation of the offenses alleged in Counts One through Ten.

17. If any of the property described above, as a result in any act of omission of the defendant:

- (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,

any and all interest any defendant has in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

INDICTMENT

1 Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

2 All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

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4 DATED: March 21, 2013

A TRUE BILL.

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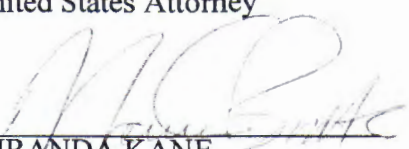

FOREPERSON

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MELINDA HAAG
United States Attorney

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MIRANDA KANE
Chief, Criminal Division

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(Approved as to form: 

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AUSA CORRIGAN

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INDICTMENT