

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 09-20637-CR-JORDAN/MCALILEY

18 U.S.C. § 1349

18 U.S.C. § 982(a)(2)(A)

UNITED STATES OF AMERICA

vs.

FIELDING DAMERON,

Defendant.

_____ /

INFORMATION

The Acting United States Attorney charges that:

GENERAL ALLEGATIONS

At various times relevant to this Information:

1. Zubrick, Inc., was a Florida corporation incorporated on or about August 21, 2002, with a principal place of business located at 13615 South Dixie Highway, Suite 470, Pinecrest, Florida and whose registered agent was an individual whose initials are "N.W."
2. Defendant **FIELDING DAMERON** was a Miami-Dade County resident.

CONSPIRACY TO COMMIT WIRE FRAUD
(18 U.S.C. § 1349)

1. Paragraphs 1 and 2 of the General Allegations section of this Information are realleged and incorporated as though fully set forth herein.
2. From in or around September 2005, and continuing through in or around August 2007, the exact dates being unknown to the Acting United States Attorney, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

FIELDING DAMERON,

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree with persons known and unknown to the Acting United States Attorney, to knowingly, and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and knowingly transmit and cause to be transmitted certain wire communications in interstate commerce, for the purpose of executing the scheme and artifice, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was a purpose of the conspiracy for the defendant and his co-conspirators to unlawfully enrich themselves by, among other things: (a) engaging in the sale and purchase of real property by submitting materially false and fraudulent mortgage loan applications and related documents to lending institutions; (b) producing fraudulent real estate appraisals that misrepresented properties' market valuation; (c) causing the lending institutions to fund the loans on the basis of the fraudulent applications, related documents, and appraisals; and (d) using fraud proceeds for their personal benefit and to further the fraud scheme.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendant and his co-conspirators sought to accomplish the object and purpose of the conspiracy included, but were not limited to, the following:

4. **FIELDING DAMERON** and others would generate fraudulent purchase and sale transactions of residential property located in Miami-Dade and Broward Counties by recruiting

individuals to serve as straw purchasers and using stolen identities as purchasers.

5. In order to fund a transaction, a co-conspiring mortgage broker would apply for a loan on behalf of a straw purchaser or stolen identity by preparing and causing to be prepared a materially false and fraudulent Uniform Residential Loan Application. Along with other false information concerning the supposed purchaser's qualifications for a loan, **FIELDING DAMERON** would create, and cause to be submitted to the lender, fraudulent appraisals under a false name.

6. Once a lending institution would approve a loan application, which would often be for an amount higher than what was negotiated with the seller, it would send the loan proceeds by wire in interstate commerce to a co-conspiring title company's escrow account for closing on the real property.

7. Prior to a transaction's closing, a co-conspiring title agent would wire deposit a portion of the loan proceeds to bank accounts controlled by **FIELDING DAMERON** under the name of Zubrick, Inc., or its registered agent "N.W." **FIELDING DAMERON** would, in turn, withdraw the funds and return them to the co-conspiring title agent, or another co-conspirator, in the form of cashier's checks, one of which would be used as the purchaser's cash contribution to close the transaction.

8. Following the transaction's closing, the co-conspiring title agent would wire deposit thousands of dollars to the bank accounts controlled by **FIELDING DAMERON** as his share of the transaction's proceeds.

9. As a result of their conduct, **FIELDING DAMERON** and his co-conspirators fraudulently caused lending institutions to issue over \$9.8 million in loans.

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

CRIMINAL FORFEITURE

1. The allegations of this Information are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of certain property in which the defendant has an interest, pursuant to the provisions of Title 18, United States Code, Sections 982(a)(2)(A) and 982(b), and the procedures outlined at Title 21, United States Code, Section 853.

2. Upon conviction of this Information, the defendant shall forfeit to the United States all property, constituting or derived from proceeds obtained, directly or indirectly, from the violation.

All pursuant to Title 18, United States Code, Sections 982(a)(2)(A) and 982(b), and the procedures outlined at Title 21, United States Code, Section 853.

A TRUE BILL

FOREPERSON



JEFFREY H. SLOMAN
ACTING UNITED STATES ATTORNEY



JEFFREY E. TSAI
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

FIELDING DAMERON,

Defendant.

Court Division: (Select One)

Superseding Case Information:

X Miami _____ Key West
_____ FTL _____ WPB _____ FTP

New Defendant(s) Yes _____ No _____
Number of New Defendants _____
Total number of counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the Information, the number of defendants, the number of probable witnesses and the legal complexities of the Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) No
List language and/or dialect _____

4. This case will take 0 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)

I	0 to 5 days	<u>X</u>	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<u>X</u>
V	61 days and over	_____		


6. Has this case been previously filed in this District Court? (Yes or No) No

If yes:
Judge: _____ Case No. _____
(Attach copy of dispositive order)
Has a complaint been filed in this matter? (Yes or No) No
If yes:
Magistrate Case No. _____
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of _____
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? _____ Yes X No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? _____ Yes X No



Jeffrey E. Tsai
Assistant United States Attorney
Court Id. No. A5500953

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Fielding Dameron

Case No: _____

Count 1:

Conspiracy to Commit Wire Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** 20 years' imprisonment

Count:

***Max. Penalty:** _____

Count:

***Max. Penalty:** _____

Count:

***Max. Penalty:** _____

***Refers only to possible term of incarceration; does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**