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FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

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UNITED STATES OF AMERICA

:

CRIMINAL NO. JFM-09-065

:

CLERK'S OFFICE
DEPUTY

v.

:

:

OSMAN SHARRIEFF AL-BARI

:

(Mail Fraud, 18 U.S.C. § 1341;

JAMILAH AL-BARI

:

Wire Fraud, 18 U.S.C. § 1343;

:

Aiding and Abetting, 18 U.S.C. § 2)

.oOo.

INDICTMENT

COUNT ONE

The Grand Jury for the District of Maryland charges that:

Introduction

1. At all times relevant to this Indictment, Defendants **OSMAN SHARRIEFF AL-BARI** and **JAMILAH AL-BARI** participated in a multi-million dollar mail fraud and wire fraud scheme to purchase numerous properties in Maryland, Virginia, and Washington, DC, using mortgage and loan documents containing false statements and material misrepresentations. From 2006 to 2008, Defendant **OSMAN SHARRIEFF AL-BARI** and others paid straw buyers \$10,000 per property to purchase approximately 25 properties. Defendant **JAMILAH AL-BARI** assisted the fraud scheme by creating false bank documents to support the fraudulent loans. The Defendants and others received approximately \$3,830,418 in fraudulent funds as part of this mail and wire fraud scheme.

The Scheme and Artifice to Defraud

2. Beginning in or about February 2006, and continuing until in or about February 2008,

in the District of Maryland and elsewhere,

OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,

the defendants herein, did devise a scheme and artifice to defraud banks and mortgage lenders and to obtain proceeds of mortgage funds by means of materially false and fraudulent pretenses, representations and promises.

3. It was a part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI** and **JAMILAH AL-BARI** worked with other individuals such as co-conspirators K.M., S.W., T.W., T.R., J.L., and W.A. in furtherance of the scheme. **OSMAN SHARRIEFF AL-BARI** and others paid straw buyers \$10,000 per property to purchase homes. One of those straw buyers was co-defendant S.W. S.W. purchased four properties for **OSMAN SHARRIEFF AL-BARI** and others, including houses at 1429 W. Lombard Street, Baltimore, Maryland 21223; 34 Q and 32 Q Street, Washington, DC 20001; and 119 Bates Street NW, Washington, DC 20001. **OSMAN SHARRIEFF AL-BARI** and others paid S.W. approximately \$40,000 (\$10,000 per property) for these purchases.

4. It was further part of the scheme and artifice to defraud that S.W. and others used false and fraudulent loan applications and closing documents to qualify for the mortgages. The mortgage documents had false income amounts, misrepresentations concerning S.W.'s other mortgage loans (which she did not disclose), and false claims about her assets. S.W. listed each property as her primary residence.

5. It was further part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI** and his co-conspirators T.W. and T.R. created fraudulent invoices to claim that their

company Brotherly Investment Group performed “renovations” on the S.W. properties. Using these false documents, **OSMAN SHARRIEFF AL-BARI** and his co-conspirators were able to be “re-paid” at closing for the renovations that they claimed they had already done. **OSMAN SHARRIEFF AL-BARI**, T.W., and T.R. received wire transfers of \$515,820 for the four S.W. properties. **OSMAN SHARRIEFF AL-BARI** knew that the false invoices and other loan documents were mailed to the title companies, banks, and mortgage lenders to facilitate these fraudulent deals. After receiving the fraudulent funds, **OSMAN SHARRIEFF AL-BARI** split the proceeds equally with T.W. and T.R.

6. It was further part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI** kicked back a portion of the funds to W.A. and others who assisted in locating the S.W. properties in the fraud scheme. **OSMAN SHARRIEFF AL-BARI** and **JAMILAH AL-BARI** also worked with W.A. on other properties, where false invoices were used to receive funds at closing.

7. It was further part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI**, T.W., T.R., and others repeated this fraud pattern with over fifteen straw buyers and approximately twenty-five properties in Maryland, Washington, D.C., and Virginia. **OSMAN SHARRIEFF AL-BARI** and others created additional false invoices and other false documents to execute this scheme. Many of the loan applications for these buyers had misrepresentations concerning the buyers’ income and assets. The total value of these fraudulent loans was approximately ^{18 million} ~~\$14 million~~.

8. It was further part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI** and others used the same title company agent, co-conspirator J.L., for many of the transactions.

9. It was further part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI, JAMILAH AL-BARI,** and others had the straw buyers list false asset information claiming large account balances at various banks, including M&T Bank. **JAMILAH AL-BARI** abused her position as a Business Banking Liaison at M&T Bank in Upper Marlboro, Maryland and created several false documents to verify assets for straw buyers, when she and others knew that such straw buyers did not have such assets.

10. It was further part of the scheme and artifice to defraud that **JAMILAH AL-BARI** would send false verification letters on M&T Bank letterhead to banks and mortgage lenders to facilitate the fraud scheme. For example, **JAMILAH AL-BARI** created a false verification letter for W.A. on January 14, 2008, claiming that W.A. had over \$9,246,000 in assets at M&T Bank, when in fact W.A. had no such assets. **JAMILAH AL-BARI** repeated this process with several other co-conspirators in this case. On some of the false verification letters, **JAMILAH AL-BARI** listed her own name as the M&T banker handling the account.

11. It was further part of the scheme and artifice to defraud that **JAMILAH AL-BARI** created fictitious M&T Bank employees. **JAMILAH AL-BARI** used the fictitious employee names to sign some of the false verification letters.

12. It was further part of the scheme and artifice to defraud that **OSMAN SHARRIEFF AL-BARI, T.W., O.A.,** and others received approximately \$3,830,418 in fraudulent funds as part of this scheme. Most of the purchased properties have now gone into foreclosure. **JAMILAH AL-BARI** received a check or cash payment, disguised as a “consulting fee,” for each fraudulent transaction she helped to facilitate.

The Charge

13. On or about October 26, 2007, in the District of Maryland, and elsewhere,

**OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,**

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Sterling Title, 201 King Street, Alexandria, Virginia 22314 to deposit with a private, commercial interstate carrier false and fraudulent mortgage settlement documents for property at 152 N. Potomac Street, Baltimore, Maryland 21224, which was delivered to American Bank, 9001 Edmonston Road, Suite 100, Greenbelt, Maryland 20770.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT TWO

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about October 26, 2007, in the District of Maryland, and elsewhere,

OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Nationside Mortgage, 11300 Rockville Pike, Rockville, Maryland 20852 to deposit with a private, commercial interstate carrier false and fraudulent mortgage and loan documents for property at 34 N. Milton Street, Baltimore, Maryland 21224, which was delivered to AIG United Guaranty Corporation, 230 North Elm Street, Greensboro, North Carolina 27401.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT THREE

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.

2. On or about August 13, 2007, in the District of Maryland, and elsewhere,

**OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,**

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Sterling Title, 201 King Street, Alexandria, Virginia 22314 to deposit with a private, commercial interstate carrier false and fraudulent mortgage and loan documents for property at 146 N. Potomac Street, Baltimore, Maryland 21224, which was delivered to Nationside Mortgage, 11300 Rockville Pike, Rockville, Maryland 20852.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT FOUR

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about August 13, 2007, in the District of Maryland, and elsewhere,

**OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,**

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Sterling Title, 201 King Street, Alexandria, Virginia 22314 to deposit with a private, commercial interstate carrier false and fraudulent mortgage and loan documents for property at 148 N. Potomac Street, Baltimore, Maryland 21224, which was delivered to Nationside Mortgage, 11300 Rockville Pike, Rockville, Maryland 20852.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT FIVE

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about July 24, 2007, in the District of Maryland, and elsewhere,

**OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,**

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Sterling Title, 201 King Street, Alexandria, Virginia 22314 to deposit with a private, commercial interstate carrier false and fraudulent mortgage and loan documents for property at 127 N. Potomac Street, Baltimore, Maryland 21224, which was delivered to Nationside Mortgage, 11300 Rockville Pike, Rockville, Maryland 20852.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT SIX

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about June 22, 2007, in the District of Maryland, and elsewhere,

OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Sterling Title, 201 King Street, Alexandria, Virginia 22314 to deposit with a private, commercial interstate carrier false and fraudulent mortgage and loan documents for property at 11516 Little Bay Harbor Way, Spotsylvania, Virginia 22553, which was delivered to Nationside Mortgage, 11300 Rockville Pike, Rockville, Maryland 20852.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT SEVEN

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about June 22, 2007, in the District of Maryland, and elsewhere,

**OSMAN SHARRIEFF AL-BARI
and
JAMILAH AL-BARI,**

the defendants herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Sterling Title, 201 King Street, Alexandria, Virginia 22314 to deposit with a private, commercial interstate carrier false and fraudulent mortgage and loan documents for property at 11207 Fawn Lake Parkway, Spotsylvania, Virginia 22553, which was delivered to Nationside Mortgage, 11300 Rockville Pike, Rockville, Maryland 20852.

18 U.S.C. § 1341

18 U.S.C. § 2

COUNT EIGHT

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about May 12, 2006, in the District of Maryland, and elsewhere

OSMAN SHARRIEFF AL-BARI,

the defendant herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Falcon Title, c/o Millennium Bank, NA, Reston, Virginia 20190 to transmit via electronic wire in interstate commerce false and fraudulent mortgage loan proceeds for property at 34 Q Street, NW, Washington, DC 20001, to Brotherly Investment Group, Sandy Spring Bank, Olney, Maryland 20832.

18 U.S.C. § 1343

18 U.S.C. § 2

COUNT NINE

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about May 12, 2006, in the District of Maryland, and elsewhere

OSMAN SHARRIEFF AL-BARI,

the defendant herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Falcon Title, c/o Millennium Bank, NA, Reston, Virginia 20190 to transmit via electronic wire in interstate commerce false and fraudulent mortgage loan proceeds for property at 32 Q Street, NW, Washington, DC 20001, to Brotherly Investment Group, Sandy Spring Bank, Olney, Maryland 20832.

18 U.S.C. § 1343

18 U.S.C. § 2

COUNT TEN

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about June 29, 2006, in the District of Maryland, and elsewhere

OSMAN SHARRIEFF AL-BARI,

the defendant herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Falcon Title, c/o Millennium Bank, NA, Reston, Virginia 20190 to transmit via electronic wire in interstate commerce false and fraudulent mortgage loan proceeds for property at 119 Bates Street, NW Washington, DC 20001, to Brotherly Investment Group, Sandy Spring Bank, Olney, Maryland 20832.

18 U.S.C. § 1343

18 U.S.C. § 2

COUNT ELEVEN

The Grand Jury for the District of Maryland further charges that:


1. The allegations set forth in paragraphs 1 through 12 of Count One of the Indictment are hereby realleged and incorporated by reference as though fully set forth herein.
2. On or about July 26, 2006, in the District of Maryland, and elsewhere

OSMAN SHARRIEFF AL-BARI,

the defendant herein and others, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly and willfully cause Falcon Title, c/o Millennium Bank, NA, Reston, Virginia 20190 to transmit via electronic wire in interstate commerce false and fraudulent mortgage loan proceeds for property at 1429 W. Lombard Street, Baltimore, Maryland 21223, to Brotherly Investment Group, Sandy Spring Bank, Olney, Maryland 20832.

18 U.S.C. § 1343

18 U.S.C. § 2


Rod J. Rosenstein
United States Attorney

A TRUE BILL

SIGNATURE REDACTED

2 / 10 / 2009
Date