

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	No. _____
	)	
v.	)	COUNT ONE:
	)	[all defendants]
BRENT MICHAEL BARBER,	)	18 U.S.C. § 371
[DOB: ██████████]	)	NMT 5 years and \$250,000
	)	Class D Felony
ROBERT DALE BECKLEY,	)	NMT 3 years Supervised Release
[DOB: ██████████]	)	
and	)	COUNTS TWO through FORTY-SEVEN:
	)	[Defendant BARBER: all counts]
	)	[Defendant BECKLEY: all counts]
RODERICK NEIL CRISS,	)	{Defendant CRISS: counts 2-34}
[DOB: ██████████]	)	18 U.S.C. §§ 2314 and 2
	)	NMT 10 years and \$250,000
Defendants.	)	Class C Felony
	)	NMT 3 years Supervised Release
	)	
	)	COUNTS FORTY-EIGHT through
	)	SIXTY-SIX:
	)	[Defendant Barber only]
	)	18 U.S.C. §§ 1957 and 2
	)	NMT 10 years and \$250,000
	)	Class C Felony
	)	NMT 3 years Supervised Release
	)	
	)	\$100 Special Assessment on each
	)	of the above counts.
	)	
	)	Restitution may be ordered.
	)	
	)	COUNT SIXTY-SEVEN:
	)	[Defendant BARBER only]
	)	(Forfeiture)
	)	18 U.S.C. § 981(a)(1)(C) and
	)	28 U.S.C. § 2461(c)

I N D I C T M E N T

THE GRAND JURY CHARGES THAT:

COUNT ONE

Introduction

1. At all times material herein:

a. Defendant BRENT MICHAEL BARBER was the owner of and

involved in multiple businesses, including Somerset Homes & Investment Company; Brush Creek Management Co., LLC; The Beef Pit, a barbeque restaurant in Grandview, Missouri; Hawthorne Plaza Association, LLC; Kansas City Security Co., LLC, also known as KC Security; Lucas/KC, LLC; Midtown Restoration, LLC; Midtown Insurance Consultants, LLC; National Foreclosure Properties, LLC; and Pacific Bryant I, LLC. He had the following bank accounts:

1. At First Bank of Kansas City, Kansas City, Missouri, defendant BARBER had accounts in the names Brent M. Barber or Lisa Barber, opened November 20, 1998, closed April 20, 2001; in the names Brent M. and Lisa M. Barber, opened April 10, 2001, closed June 20, 2002; in the names Mortgage Bank of Leawood and Brent Barber, opened October 4, 1999, closed December 29, 2000; in the name Somerset Homes Investment, opened January 28, 2000, closed October 31, 2000; and in the name Brush Creek Management Company LLC, opened March 6, 2000, closed June 28, 2002;

2. At First National Bank of Missouri, Lee's Summit, Missouri, defendant BARBER had multiple accounts in the names Brent M. and Lisa M. Barber: opened October 28, 1999, closed April 24, 2001; opened October 29, 1999, closed April 30, 2002; opened October 31, 2000, closed July 31, 2001; opened June 30, 2000, closed April 30, 2002; and opened September 29, 2000, closed April 30, 2002;

3. At Bank of America, Kansas City, Missouri, defendant BARBER had accounts in the name Brent Barber, d/b/a

Union Planter's Mortgage, opened October 6, 1999, closed June 30, 2000; in the name Brent Barber, d/b/a Norwest Mortgage, opened October 6, 1999, closed March 31, 2000; and in the name The Beef Pit, opened in or about January 1998, closed November 30, 2002;

4. At American Sterling Bank, Sugar Creek, Missouri, defendant BARBER had accounts in the names Brent M. Barber or Lisa M. Barber, opened June 30, 1999, closed May 1, 2002; in the name Brent Barber, d/b/a Somerset Homes, opened July 13, 1999, closed January 11, 2000; in the name Brent M. Barber, d/b/a Express Mortgage, opened September 22, 1999, closed March 2, 2000; and in the name Brent M. Barber, d/b/a Associates Mortgage, opened September 22, 1999, closed January 11, 2000;

5. At Hillcrest Bank, Overland Park, Kansas, and Independence, Missouri, defendant BARBER had accounts in the names Brent M. and Lisa M. Barber, opened July 26, 2000, closed April 4, 2002; and in the name Pacific Bryant I LLC, opened June 20, 2002, closed June 30, 2002;

6. At Bank Midwest, Grandview, Missouri, defendant BARBER had an account in the name Brent M. Barber, d/b/a Somerset Homes Investments, opened April 1, 1999, closed February 29, 2002;

7. At US Bank, Grandview, Missouri, defendant BARBER had an account in the names Brent M. and Lisa M. Barber, opened July 28, 2000, closed June 19, 2001; and

8. At First Community Bank, Lee's Summit, Missouri, defendant BARBER had an account in the name Kansas City

Security Company, opened June 27, 2001, closed May 31, 2002.

b. Defendant ROBERT DALE BECKLEY was a loan officer at Express Mortgage, Inc.; he subsequently was the owner of Mid Capital Mortgage LLC and was employed there as a loan officer. His duties at both mortgage companies included soliciting new loan applications, preparing and processing loan applications, obtaining supporting documentation, and closing loans. Defendant Beckley also did business as RB Management.

c. Defendant RODERICK NEIL CRISS was the owner of Express Mortgage, Inc., and was employed there as a mortgage broker. His duties included soliciting new loan applications, preparing and processing loan applications, obtaining supporting documentation, and closing loans, as well as managing the business.

d. Express Mortgage, Inc., hereafter Express Mortgage, was engaged in the business of brokering mortgage loans. Its offices were in Kansas City, Missouri.

e. Mid Capital Mortgage LLC, hereafter Mid Capital Mortgage, was engaged in the business of making mortgage loans. Its principal office was in Kansas City, Missouri.

f. Countrywide Home Loans, Inc., also doing business as America's Wholesale Lender, hereafter Countrywide, was engaged in the business of providing real estate mortgage loans. Its principal place of business was in California; it had a branch office in Overland Park, Kansas. It had a bank account at Bank of New York, New York, New York.

g. National City Mortgage, also doing business as Commonwealth United, was engaged in the business of making mortgage loans. Its principal office was in Cleveland, Ohio; it had a branch office in Overland Park, Kansas. It had bank accounts at Citibank, Pittsford, New York, and Bank One, Port Arthur, Texas.

h. Home Mortgage Co., hereafter Home Mortgage, was engaged in the business of making mortgage loans. Its principal office was in Phoenix, Arizona; it had a branch office in Overland Park, Kansas. It had bank accounts at Union Bank of Switzerland (UBS) Warburg, New York, New York, and Residential Funding Corporation, Denver, Colorado.

i. Washington Mutual Bank, hereafter Washington Mutual, was engaged in the business of making mortgage loans. Its principal office was in Seattle, Washington; it had a branch office in Lee's Summit, Missouri. It had a bank account at Washington Mutual Bank, Stockton, California.

j. First Magnus Financial Corp., hereafter First Magnus Financial, was engaged in the business of making mortgage loans. Its principal office was in Tucson, Arizona. It had a bank account at Chase Manhattan Bank, New York, New York.

k. Associates Financial Services Co. of Missouri, Inc., hereafter Associates Financial, was engaged in the business of making mortgage loans. Its principal office was in Irving, Texas; it had a branch office in Independence, Missouri. It had

a bank account at Chase Manhattan Bank, Syracuse, New York.

l. The CIT Group/Consumer Finance, Inc., hereafter CIT Group, was engaged in the business of making mortgage loans. Its principal office was in Livingston, New Jersey; it had a branch office in St. Louis, Missouri. It had a bank account at the Bank of New York, Newark, Delaware.

m. Hamilton Mortgage Co., hereafter Hamilton Mortgage, was engaged in the business of making mortgage loans. Its principal office was in Phoenix, Arizona; it had a branch office in Kansas City, Missouri. It had a bank account at US Bank, Denver, Colorado.

n. Option One Mortgage Corp., hereafter Option One Mortgage, was engaged in the business of making mortgage loans. Its principal office was in Irvine, California. It had a bank account at Mellon Bank, Pittsburgh, Pennsylvania.

o. Chadwick Mortgage, Inc., hereafter Chadwick Mortgage, was engaged in the business of making mortgage loans. Its principal office was in Houston, Texas; it used First Collateral Services, Concord, California, as a funding warehouse. It had a bank account at Union Bank, Los Angeles, California.

p. Country Club Bank was a federally-insured financial institution with locations in Kansas City, Missouri, and Overland Park, Kansas.

q. Gold Bank was a federally-insured financial institution with locations in Kansas and Missouri.

r. Realty Title Co., hereafter Realty Title, was engaged in the business of title insurance, real estate escrows, and closings. It had offices in Independence, Missouri, and Leawood, Kansas. It had a bank account at Hillcrest Bank, Kansas City, Missouri; funds sent by wire transfer were received at Hillcrest Bank, Overland Park, Kansas.

The Conspiracy and Its Object

2. Beginning in or about October 1999 and continuing to at least in or about mid 2002, the exact dates being unknown to the grand jury, at Kansas City, in the Western District of Missouri, and elsewhere, defendants BRENT MICHAEL BARBER, ROBERT DALE BECKLEY, and RODERICK NEIL CRISS, and others known and unknown to the grand jury, knowingly and willfully combined, confederated and agreed with each other and others known and unknown to the grand jury, to obtain money from lenders by means of material false and fraudulent pretenses, representations and promises, and by the concealment of material facts, and in the execution of the said scheme to commit offenses against the United States, that is, to knowingly and willfully transport and transfer, and cause to be transported and transferred, in interstate commerce, money of a value of \$5,000 or more, knowing the same to have been converted and taken by fraud, in violation of Title 18, United States Code, Sections 2314 and 2.

Purpose of the Conspiracy

3. The purpose of the conspiracy was to obtain money from lenders and others by means of material false and fraudulent

representations and promises, and by the concealment of material facts, for the personal financial benefit of defendants.

Fraudulent Scheme

4. It was part of the scheme that defendants:

a. Fraudulently induced victim-investors to purchase real estate and obtain loans in connection therewith by promising that defendant BARBER would obtain renters for and sell the properties within approximately a year, that the victim-investors would pay no money for the properties and have no expenses or obligations in connection with the properties, that the victim-investors would be paid fees or a percentage of the profits, and by other material false and fraudulent representations and omissions of fact;

b. Prepared false and fraudulent loan applications and supporting documentation for submission to the lenders in the names of the victim-investors, making material false and fraudulent representations and omissions of material fact therein, and causing the victim-investors to sign such loan applications without questioning the veracity of the representations contained therein and forging the signatures of the victim-investors;

c. Caused false and inflated appraisals to be prepared in relation to the properties;

d. Submitted false and fraudulent loan applications, appraisals, documentation, and other representations to the lenders, making material false and fraudulent representations and



omissions of fact therein;

e. Caused the lenders to approve said loan applications in reliance on the material false and fraudulent representations and omissions of fact;

f. Caused the lenders to send in interstate commerce loan proceeds in the form of wire transfers and checks to Realty Title and others;

g. Caused Realty Title to disburse loan proceeds to defendant BARBER; and

h. Obtained personal benefit from the proceeds of the mortgage loans and from fees and commissions resulting therefrom.

Manner and Means

5. It was part of the conspiracy that in or about October 1999, the exact date being unknown to the grand jury, defendant BARBER approached defendant CRISS and a coconspirator and suggested that they set up a mortgage broker business to broker mortgage loans, giving defendant BARBER's loans precedence; defendant CRISS agreed. Express Mortgage was thereafter set up and licensed to do business in the State of Missouri, with defendant CRISS as owner.

6. It was further part of the conspiracy that defendants BARBER, BECKLEY, CRISS, and others known and unknown to the grand jury, solicited and caused to be solicited individuals to purchase and invest in real estate and obtain mortgage loans in connection therewith by falsely representing to potential investors that defendant BARBER would obtain renters for the

properties and would sell the properties within approximately a year, that the victim-investors would pay no money for the properties and have no expenses or obligations in connection with the properties, that the victim-investors would be paid fees for purchasing the properties, that the victim-investors would be paid fees or a percentage of the profits when the properties were sold, and by other material false and fraudulent representations and omissions of fact.

7. It was further part of the conspiracy that defendants and coconspirators made and caused to be made material false, fraudulent, and misleading statements, and concealed and caused to be concealed material facts, in order to induce individuals to purchase real estate from defendant BARBER, entities under his control, and others, and to obtain mortgage loans through lenders to finance the purchases.

8. It was further part of the conspiracy that defendants and coconspirators caused false and inflated appraisals to be prepared for submission in relation to the loan applications for the properties.

9. It was further part of the conspiracy that defendants and coconspirators prepared and provided to lenders, and caused to be prepared and provided, material false, fraudulent and misleading loan applications and supporting documents, including false ownership information regarding the properties; false asset information for the borrowers; false employment, wage and income information for the borrowers; and false and fictitious rental

agreements.

10. It was further part of the conspiracy that defendants and coconspirators forged the signatures of victim-investors or presented the loan applications to the victim-investors in such a manner as to conceal from them the material false, fraudulent, and misleading statements contained in the applications.

11. It was further part of the conspiracy that defendants and coconspirators submitted and caused to be submitted to lenders the material false, fraudulent and misleading loan applications, appraisals, and other documents in order to induce the lenders to approve the applications and lend funds to the victim-investors.

12. It was further part of the conspiracy that, in reliance on the said material false, fraudulent and misleading representations and omissions contained in the mortgage loan applications, the lenders approved the loans.

13. It was further part of the conspiracy that defendants and coconspirators caused the lenders to send in interstate commerce the loan proceeds by wire transfers and checks.

14. It was further part of the conspiracy that defendants and coconspirators caused loan proceeds to be disbursed to defendant BARBER and entities under his control.

15. It was further part of the conspiracy that defendants obtained personal financial benefit as a result of the scheme, in that defendant BARBER obtained proceeds of loans and defendants BECKLEY and CRISS obtained fees, bonuses, commissions, kickbacks,

and other benefits.

Overt Acts

16. In furtherance of and to effect the objectives of the conspiracy, and to accomplish its purposes and objectives, defendants committed and caused to be committed the following overt acts, among others, in Kansas City, in the Western District of Missouri and elsewhere:

a. In or about October 1999, defendant BARBER approached defendant CRISS and a coconspirator and suggested that they set up a mortgage broker business to broker mortgage loans, giving defendant BARBER's loans precedence; defendant CRISS agreed. Express Mortgage was thereafter set up and licensed to do business in the State of Missouri, with defendant CRISS as owner and loan officer; a coconspirator was another loan officer and a partner in the business; and defendant BECKLEY thereafter became a loan officer.

b. On or about September 1, 2000, defendant BARBER suggested defendant BECKLEY and a coconspirator set up Mid Capital Mortgage, LLC; defendant BECKLEY agreed to do so and was the owner and a loan officer. The coconspirator was loan officer and a partner in the business; and defendant CRISS was not part of Mid Capital Mortgage.

c. Between in or about October 1999 and December 26, 2001, defendants and coconspirators made and caused to be made material false and fraudulent representations and promises to

approximately 84 individuals in order to induce them to purchase real estate, including that:

1. Defendant BARBER needed to place properties in someone else's name in order to free up his credit;

2. The victim-investors would pay no money to purchase the properties, would make no down payment or any other payment for the properties, and would have no obligations regarding the properties;

3. Defendant BARBER would pay the mortgage payments, rent the properties, and collect the rents;

4. Defendant BARBER would maintain, manage, improve, and/or "rehab" the properties so they could be resold;

5. The properties would be sold within approximately a year; and

6. The victim-investors would be paid up to \$2,500 per property they allowed to be purchased in their names, and sometimes a fee or a percentage of the profits on the eventual sale of the property.

- d. Between in or about January 2000 and late 2001, defendants and coconspirators prepared and caused to be prepared false and fraudulent appraisals for the properties, which misrepresented the condition and inflated the value of the properties.

- e. Between in or about January 2000 and on or about December 26, 2001, defendants prepared and caused to be prepared approximately 223 mortgage loan applications and supporting

documentation in the names of approximately 84 victim-investors, which contained material false and fraudulent representations and omissions of fact, including:

1. False representations that the victim-investor had paid down payments in connection with the purchase of the property and would pay costs at closing;
2. False income, asset, and credit information;
3. False W-2 Wage and Tax Statements and false wage statements;
4. False income verifications;
5. False and forged sales contracts;
6. False and inflated appraisals and valuations of the properties;
7. False representations of the condition of the properties; and
8. False rental agreements.

f. Between on or about February 3, 2000, and on or about December 26, 2001, defendants and coconspirators forged victim-investors' signatures on the false and fraudulent loan applications or presented them in such a manner as to cause the victim-investors to sign the applications without questioning the veracity of the representations contained therein.

g. Between in or about January 2000 and December 2001, defendants submitted and caused to be submitted to lenders in the names of the victim-investors the loan packages which contained material false and fraudulent representations and omissions of fact.

h. Between in or about January 2000 and December 2001, defendants caused to be submitted to lenders in the names of the victim-investors false and fraudulent settlement statements which contained material false and fraudulent representations and omissions of fact, including that the borrowers had paid down payments for the properties and would pay closing costs.

i. Between in or about January 2000 and on or about December 26, 2001, defendants caused the lenders to approve the loans in reliance on the material false and fraudulent representations and omissions of fact.

j. Between on or about February 3, 2000, and on or about December 26, 2001, defendants caused the lenders to send the loan proceeds by wire transfers to Hillcrest Bank, Overland Park, Kansas, for subsequent wire transfer to the account of Realty Title, Hillcrest Bank, Kansas City, Missouri, and by check to Realty Title for Realty Title to disburse the loan proceeds; the funds were sent in interstate commerce.

k. Between on or about February 3, 2000, and on or about December 26, 2001, defendants caused Realty Title to disburse funds at closing to defendant BARBER, entities under his control, and others.

l. Between in or about February 2000 and December 26, 2001, defendants paid and caused to be paid to victim-investors fees and other monies for services and actions in connection with the scheme.

m. On or after February 25, 2000, defendant paid and

caused to be paid to victim-investor Nick Minks approximately \$1,000 as a fee for each of four properties purchased in his name.

n. On or about February 22, 2000, defendant BARBER paid and caused to be paid to victim-investor Joseph Pinter \$2,000 by check drawn on defendant's account at First Bank of Kansas City as a fee for properties purchased in his name.

o. On or about March 13, 2000, defendant BARBER paid and caused to be paid to victim-investor David Wittrock \$2,500 and \$3,430 by checks drawn on defendant's account at First Bank of Kansas City as fees for properties purchased in his name.

p. On or about April 24, 2000, defendant BARBER paid and caused to be paid to victim-investor Judi Monnig \$8,000 and \$2,000 by checks drawn on defendant's account at First Bank of Kansas City as fees for properties purchased in her name.

q. On or about April 27, 2000, defendant BARBER paid and caused to be paid to victim-investor Joseph Pinter \$10,000 by check drawn on defendant's account at First Bank of Kansas City as a fee for properties purchased in his name.

r. On or about July 25, 2000, defendant BARBER paid and caused to be paid to Erik Kolseth \$10,000 by check drawn on defendant's account at First Bank of Kansas City as a fee for properties purchased in his name.

s. On or about August 7, 2000, defendant BARBER met victim-investor Elvin Barton in the parking lot of Burger King, on Noland Road in Independence, Missouri, and paid him \$2,500 in



currency in \$100 bills as a fee for the purchase of a property in his name.

t. On or about September 11, 2001, defendants BARBER and CRISS purchased and caused to be purchased a money order from Hillcrest Bank, Overland Park, Kansas, payable to Realty Title, in the amount of \$135,770.74, falsely showing the remitter to be Elvin Barton, which money order was delivered to Realty Title at closing on the purchase of property at 155 Street of Dreams, Raymore, Missouri.

u. Between on or about February 3, 2000, and December 26, 2001, defendants BARBER, BECKLEY and CRISS caused the lenders to approve approximately 223 fraudulent loans in the approximate total amount of fifteen million six hundred eight thousand seven hundred thirty-three dollars (\$15,608,733).

v. Between on or about February 3, 2000, and on or about December 26, 2001, as a result of the scheme to defraud, defendant BARBER received loan proceeds in an amount exceeding four million dollars (\$4,000,000), which he deposited into accounts in his name and under his control at First Bank of Kansas City and Hillcrest Bank.

w. From late 1999 through in or about mid 2002, as a result of the scheme to defraud, defendants BECKLEY and CRISS, and coconspirators, obtained funds in the form of fees, commissions, and other payments.

x. The grand jury incorporates by reference as additional overt acts each of the transfers of funds set forth in

Counts Two through Forty-Seven. The said transfers of funds were made by lenders as a result of the material false, fraudulent, and misleading representations and promises, and omissions of material fact made and caused to be made by defendants to the lenders in relation to the victim-investors and properties listed in Counts Two through Forty-Seven, which caused the lenders to approve mortgage loans and transfer funds in interstate commerce in connection therewith.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO through FORTY-SEVEN

1. The Grand Jury incorporates by reference paragraphs one through sixteen of Count One of the Indictment as if fully set forth herein.

2. On or about the dates listed below, at Kansas City, in the Western District of Missouri, and elsewhere, in furtherance of the conspiracy and as a result of the scheme to defraud set forth in Count One of this Indictment, defendants BRENT MICHAEL BARBER (all counts), ROBERT DALE BECKLEY (all counts), and RODERICK NEIL CRISS (Counts Two through Thirty-Four) caused to be transferred in interstate commerce between the locations listed below and Kansas City, Missouri, and elsewhere, money of a value of \$5,000 or more, knowing at the time that the same had been obtained and taken by fraud as described in Count One, which is incorporated by reference as if fully set forth herein, and from which checks were disbursed to defendant BARBER, all as listed

below:

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
2	2/11/00	Joseph Pinter for 1) 4720 E. 46th St., Kansas City, MO and 2) 2817 E. 67th St., Kansas City, MO	Associates Financial Services checks drawn on Chase Manhattan of Syracuse, NY deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO, in the amount of \$39,600	\$ 18,859.58
3	2/17/00	Melvin Doran for 1) 6808 S. Benton, Kansas City, MO; and 2) 5708 Euclid, Kansas City, MO	1) Associates Financial Services checks drawn on Chase Manhattan Bank of Syracuse, NY deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO, in the amounts of 1) \$49,600 and 2) \$42,000	1) \$28,863.40; 2) \$21,175.35

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
4	2/23/00	Nick Minks for 5314 Highland, Kansas City, MO	Associates Financial Services check drawn on Chase Manhattan Bank of Syracuse, NY deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO in the amount of \$43,200	\$ 22,907.59
5	2/24/00	Joseph Pinter for 5231 Euclid, Kansas City, MO	Associates Financial Services check drawn on Chase Manhattan Bank of Syracuse, NY deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO in the amount of \$40,0000	\$ 19,134.66
6	2/25/00	Nick Minks for 1) 3910 Kensington, Kansas City, MO; 2) 3310 Bales, Kansas City, MO; and 3) 3918 12th Terrace, Kansas City, MO	Wire transfers of 1) \$36,537.23, 2) \$39,192.95, and 3) \$29,264.84 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 35,699.21

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
7	2/25/00	Dave Wittrock for 1) 6449 S. Benton, Kansas City, MO and 2) 5603 Virginia, Kansas City, MO	Wire transfers of 1) \$37,256.75 and 2) \$62,932.04 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title, Hillcrest Bank, Kansas City, MO	1) \$50,751.57; 2) \$24,971.42
8	2/28/00	Steve Shore for 1) 5706 Wabash, Kansas City, MO; 2) 2811 E. 73rd St., Kansas City, MO; and 3) 5905 Jackson, Kansas City, MO	1) Associates Financial Services checks drawn on Chase Manhattan Bank of Syracuse, NY deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO in the amounts of 1) \$36,000, 2) \$32,800, and 3) \$34,400	1) \$15,260.47; 2) \$13,282.13; 3) \$11,778.83
9	3/2/00	Margaret Ericson for 1) 3321 E. 60th, Kansas City, MO; 2) 6737 Bellefontaine, Kansas City, MO; 3) 4021 E. 68th St., Kansas City, MO; and 4) 3601 Benton, Kansas City, MO	Wire transfers of 1) \$43,485, 2) \$31,485, 3) \$36,285, and 4) \$30,685 from US Bank, Denver, CO to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title, Hillcrest Bank, Kansas City, MO	1) \$16,959.52; 2) \$5,889.70; 3) \$5,833.75; 4) \$3,893.26

<b>Count</b>	<b>Date of Transfer</b>	<b>Victim/Investors and Property</b>	<b>Form of Transfer</b>	<b>Funds Disbursed to Defendant Barber from Realty Title, Independence, MO</b>
10	3/2/00	Melvin Doran for 1306 E. 59th St., Kansas City, MO	Wire transfer of \$102,680.21 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 72,520.75
11	3/9/00	Dave Wittrock for 4007 E. 45th St., Kansas City, MO	Wire transfer of \$46,526.34 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 25,283.46
12	3/10/00	Dave Wittrock for 5707 Woodland, Kansas City, MO	Wire transfer of \$59,040 from Country Club Bank in Kansas City, MO to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank in Kansas City, MO	\$ 38,127.61

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
13	3/10/00	Nick Minks for 4200 E. 69th, Kansas City, MO	Wire transfer of \$30,874.15 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank in Kansas City, MO	\$ 11,906.67
14	3/13/00	Steve Shore for 1) 5726 Park, Kansas City, MO; 2) 3439 Olive, Kansas City, MO; and 3) 2927 Park, Kansas City, MO	Wire transfers of 1) \$33,918.75, 2) \$46,684.36, and 3) \$58,618.67 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$33,719.19; 2) \$46,414.08; 3) \$27,725.40
15	3/15/00	Steve Shore for 3705 Vineyard Road, Kansas City, MO	Wire transfer of \$40,316.53 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 39,993.05



Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
16	3/16/00	Dave Wittrock for 3835 E. 67th Terr., Kansas City, MO	Wire transfer of \$34,121.74 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 14,511.87
17	3/22/00	Dave Wittrock for 1) 2201 E. 67th, Kansas City, MO and 2) 5319 Cleveland, Kansas City, MO	The CIT Group Inc. checks drawn on The Bank of New York in Newark, DE deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO in the amounts of 1) \$35,186 and 2) \$35,186	1) \$14,999.11; 2) \$15,156.10
18	3/24/00	Roger Johnson for 1) 2314 Van Brunt Blvd., Kansas City, MO; 2) 913 E. 77th Terrace, Kansas City, MO; 3) 823 White Ave., Kansas City, MO; and 4) 5605 Michigan Ave., Kansas City, MO	Wire transfers of 1) \$39,395.61, 2) \$64,726.10, and 3) \$54,102.46, and 4) \$45,308.73 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$15,704.50; 2) \$0; 3) \$28,751.15; 4) \$45,054.05

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
19	4/12/00	Todd Wells for 1) 3928 Tracy, Kansas City, MO; 2) 4523 Wabash, Kansas City, MO; and 3) 9306 E. 9th St., Kansas City, MO	Wire transfers of 1) \$50,756.64, 2) \$39,332.65, and 3) \$47,817.64 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 15,356.16
20	4/13/00	Mark Cowdrey for 1) 3341 Brooklyn, Kansas City, MO; 2) 3408 Park, Kansas City, MO; and 3) 2618 Kensington, Kansas City, MO	Wire transfers of 1) \$36,304.31 2) \$38,493.13, and 3) \$40,367.92 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$36,009.75; 2) \$38,185.04; 3) \$11,590.53
21	4/14/00	Todd Wells for 5512 E. 12th, Kansas City, MO	Wire transfer of \$56,611.24 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 55,890.53

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
22	4/17/00	Randy Smith for 1) 3220 E. Linwood, Kansas City, MO and 2) 3714 Elmwood, Kansas City, MO	Wire transfer of 1) \$47,560.32 and 2) \$30,260.35 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 27,958.50
23	4/19/00	Mark Cowdrey for 1) 3033 Elmwood, Kansas City, MO and 2) 5116 Woodland, Kansas City, MO	1) Associates Financial Services checks drawn on Chase Manhattan Bank of Syracuse, NY deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO in the amounts of 1) \$44,000 and 2) \$44,800	1) \$22,929.68; 2) \$43,086.36
24	4/20/00	Larry & Judy Monnig for 1) 2502 E. 69th St., Kansas City, MO; 2) 7228 S. Benton, Kansas City, MO; and 3) 7027 Indiana, Kansas City, MO	Wire transfers of 1) \$36,789.91, 2) \$55,915.76, and 3) \$44,713.49 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 24,932.74

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
25	4/21/00	Larry & Judy Monnig for 5704 Brooklyn Ave., Kansas City, MO	Wire transfer of \$40,324.02 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 20,593.26
26	4/26/00	Joseph Pinter for 1) 5535 Brooklyn Ave., Kansas City, MO; 2) 5524 Woodland, Kansas City, MO; 3) 6732 S. Benton, Kansas City, MO; and 4) 5626 Wabash, Kansas City, MO	Wire transfers of 1) \$41,067.14, 2) \$43,454.38, 3) \$41,335.42, and 4) \$35,031.78 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$21,250.48; 2) \$23,572.32; 3) \$21,260.87; 4) \$15,362.20

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
27	5/18/00	Margaret Ericson for 1) 5418 Lydia, Kansas City, MO; 2) 7115 Bellefontaine, Kansas City, MO; 3) Terrace, Kansas City, MO; and 4) 2536 Denver, Kansas City, MO	Wire transfers of 1) \$45,262.73, 2) 43,522.02, 3) 38,288.72, and 4) \$32,205.73 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$44,915.23; 2) \$43,400.82; 3) \$38,131.76; 4) \$0
28	5/31/00	Earl Crane for 1) 3820 Bales, Kansas City, MO; 2) 343 Wheeling Ave., Kansas City, MO; 3) 3529 Mersington, Kansas City, MO; and 4) 5024 Park, Kansas City, MO	Wire transfers of 1) \$44,590.38, 2) \$43,145.13, 3) \$31,087.21, and 4) \$37,653.94 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$44,489.73; 2) \$43,097.59; 3) \$31,202.16; 4) \$37,669.09

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
29	5/31/00	John Marchand for 1) 440 W. Broadway, Kansas City, MO; 2) 3730 Virginia Ave., Kansas City, MO; 3) 108 S. Lawn, Kansas City, MO; and 4) 402 E. 165th St., Belton, MO	Wire transfers of 1) \$56,624.73, 2) \$68,065.86, 3) \$58,889.75, and 4) \$62,370.87 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$0; 2) \$67,791.27; 3) \$50,716.38; 4) \$62,089.21
30	7/21/00	Eric Taylor for 3027 E. 32nd, Kansas City, MO; 2) 2448 Brooklyn Ave., Kansas City, MO; 3) 6908 Brooklyn Ave., Kansas City, MO; and 4) 4016 S. Benton, Kansas City, MO	Wire transfers of 1) \$44,813.05, 2) \$48,839.77, 3) \$52,169.62, and 4) \$42,259.23 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$15,632.04; 2) \$1,275.38; 3) \$0; 4) \$14,186.43

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
31	7/25/00	Sandy Duesterhaus for 1) 5433 Michigan, Kansas City, MO; 2) 5728 Forest, Kansas City, MO; 3) 3709 Myrtle, Kansas City, MO; and 4) 2420 E. 72nd, Kansas City, MO	Wire transfers of 1) \$41,928.34 2) \$42,193.53, 3) \$40,904.69, and 4) \$34,088.97 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$19,302.94; 2) \$18,32.07; 3) \$33,981; 4) \$40,232.48
32	7/25/00	Kevin Duesterhaus for 1) 5429 Euclid, Kansas City, MO; 2) 6430 S. Benton, Kansas City, MO, and 3) 5932 Wabash, Kansas City, MO	Wire transfers of 1) \$46,273.65, 2) \$49,628.76, and 3) \$62,995.56 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$25,405.35; 2) \$8,441.99; 3) 36,850.16

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
33	8/7/00	Elvin Barton for 1) 1928 Indiana, Kansas City, MO; 2) 3337 Gillham, Kansas City, MO; 3) 5016 Michigan, Kansas City, MO; and 4) 3019 Indiana, Kansas City, MO	1) Wire transfers of \$38,037.93, 2) \$70,013.32, and 3) 37,986.97, and 4) 45,371.77 from Bank of New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$16,273.87; 2) \$17,864.86; 3) \$18,957.16; 4) \$14,141.00
34	8/30/00	Tom Wittrock for 1) 2920 Brooklyn, Kansas City, MO; 2) 3610 E. 56th St., Kansas City, MO, and 3) 806 Brighton, Kansas City, MO; and 4) 6227 Peery, Kansas City, MO	Wire transfers of 1) \$53,547.59, 2) \$42,305.89, and 3) 50,748.89, and 4) 46,647.18 from Union Bank of Switzerland in New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$16,047.81; 2) \$17,743.46; 3) \$24,825.51; 4) \$15,802.21



Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
35	9/1/00	Melissa Maple for 1) 3629 Jackson, Kansas City, MO; 2) 2333 Bellefontaine, Kansas City, MO; and 3) 3305 Bellefontaine, Kansas City, MO	Wire transfers of 1) \$44,695.71, 2) \$53,368.88, and 3) \$55,644.80 from Union Bank of Switzerland in New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$30,052.37; 2) \$42,209.95; 3) \$52,315.73
36	9/13/00	Jennifer Levan for 1) 4226 E. 60th, Kansas City, MO; 2) 7037 Chestnut, Kansas City, MO; and 3) 806 Spruce, Kansas City, MO	Wire transfers of 1) \$41,721.52, 2) 49,405.91, and 3) 42,100.31 from Union Bank of Switzerland in New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$18,857.93; 2) \$5,239.06; 3) \$12,250.51

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
37	9/20/00	Roxanna Mull for 1) 4026 Indiana, Kansas City, MO; 2) 4405 E. 38th, Kansas City, MO	1) Wire transfers of \$40,002.53 and 2) \$42,247.22 from Union Bank of Switzerland in New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) 15,737.14; 2) \$18,237.36
38	10/11/00	Jennifer Levan for 1) 611 Concord, Kansas City, MO; 2) 2536 Michigan Ave., Kansas City, MO	Flagstar Bank FSB checks in the amount of 1) \$33,462.85 and 2) \$46,877.81 drawn on Flagstar Bank in Bloomfield, MI and deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO	1) \$33,719.11; 2) \$19,363.86
39	10/16/00	Roxanna Mull for 1) 2114 E. 77th Terrace, Kansas City, MO, 2) 3337 Garfield Ave., Kansas City, MO; 3) 3016 Agnes, Kansas City, MO; and 4) 1612 E. 39th, Kansas City, MO	1) Wire transfers of \$45,897.99, 2) \$63,865.28, 3) \$55,207.94 and 4) \$38,296.93 from Union Bank of Switzerland in New York, NY to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$22,613.91; 2) \$16,760.20; 3) \$35,104.43; 4) \$7,694.46

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
40	12/5/00	Elvin Barton for 19600 S. School Rd, Raymore, MO	Commonwealth United check in the amount of \$296,411.53 from Bank One in Port Arthur, TX deposited at Hillcrest Bank, Kansas City, MO to the account of Realty Title	\$ 61,120.86
41	12/15/00	Nick Minks for 2515 Myrtle, Kansas City, MO	Commonwealth United check in the amount of \$31,240.02 from Bank One in Port Arthur, TX deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO	\$ 29,402.54
42	3/6/01	Tom Wittrock for 10117 Fremont, Kansas City, MO; 2) 7114 Flora, Kansas City, MO; 3) 2512 Wabash, Kansas City, MO; and 4) 3701 Benton, Kansas City, MO	Commonwealth United checks in the amount of 1) \$64,176.76, 2) \$47,206.66, 3) \$53,010.19, and 4) 66,418.21 from Bank One in Port Arthur, TX deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO	1) \$67,905.26; 2) \$51,116.61; 3) \$56,588.62; 4) \$69,160.98

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
43	5/3/01	Tom Wittrock for 7570 Olive, Kansas City, MO and 5022 Park, Kansas City, MO	Commonwealth United checks in the amount of 1) \$57,212.22 and 2) \$39,534.97 from Bank One in Port Arthur, TX deposited to the account of Realty Title, Hillcrest Bank, Kansas City, MO	1) \$12,732.08; 2) \$11,232.52
44	5/3/01	Tom Wittrock for 3311 E. 30th St., Kansas City, MO and 2) 2950 Victor, Kansas City, MO	1) Wire transfers of \$90,291.36, and 2) \$59,127.98 from Chase Manhattan Bank in New York, NY to Hillcrest Bank, Overland Park wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$64,103.93; 2) \$59,800.05
45	6/19/01	Tom Osbern for 3307 College, Kansas City, MO; 2) 3803 Bellefontaine, Kansas City, MO; and 3) 5208 Wabash, Kansas City, MO	1) Commonwealth United checks in the amount of 1) \$49,747.61, 2) 41,258.44, and 3) 50,074.04 from Bank One in Port Arthur, TX deposited at Hillcrest Bank, Kansas City, MO to the account of Realty Title	\$ 32,636.66

Count	Date of Transfer	Victim/Investors and Property	Form of Transfer	Funds Disbursed to Defendant Barber from Realty Title, Independence, MO
46	7/24/01	Tom Osbern for 1) 2942 Poplar, Kansas City, MO; 2) 1720 Corrington, Kansas City, MO; 3) 2415 Poplar, Kansas City, MO	Wire transfers of 1) \$48,626.80, 2) \$27,744.52, 3) \$43,736.87 from Chase Manhattan Bank in New York, NY to Hillcrest Bank, Overland Park wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	1) \$18,593.64; 2) \$0; 3) \$14,001.96
47	9/10/01	Elvin Barton for 155 Street of Dreams, Belton, MO	Wire transfer of \$515,934.55 from Washington Mutual Bank, F.A. in Stockton, CA to Hillcrest Bank, Overland Park, KS, wired to the account of Realty Title at Hillcrest Bank, Kansas City, MO	\$ 187,100.49

All in violation of Title 18, United States Code, Sections 2314 and 2.

COUNTS FORTY-EIGHT through SIXTY-SIX

1. The Grand Jury incorporates by reference paragraphs one through 15 of Count One of this Indictment as if fully set forth herein.

2. On or about the dates listed below, at Kansas City, in the Western District of Missouri, and elsewhere, defendant BRENT MICHAEL BARBER did knowingly engage and cause to be engaged in monetary transactions, affecting interstate commerce, in criminally derived property of a value greater than \$10,000, that is, drawing on funds obtained by fraud as described in Count One,

which is incorporated herein by reference, which funds defendant deposited into bank accounts in his name and under his control, defendant thereafter wrote checks drawn on the said accounts payable to the entities described below, the banks being located in the Kansas City, Missouri, all as further described below:

COUNT	DESCRIPTION OF CRIMINALLY DERIVED FUNDS	DESCRIPTION OF CHECKS CONSTITUTING MONETARY TRANSACTIONS
48	Deposit to defendant's account at First Bank of Kansas City of a check dated 02/23/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$22,907.59, for property purchased by Nick Minks	Check dated 02/24/00, drawn on First Bank of Kansas City, payable to Somerset Homes in the amount of \$35,000
49	Deposit to defendant's account at First Bank of Kansas City of a check dated 02/25/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$35,699.21, for property purchased by Nick Minks	Check dated 02/29/00, drawn on First Bank of Kansas City, payable to Express Mortgage in the amount of \$20,000
50	Deposit to defendant's account at First Bank of Kansas City of a check dated 02/29/00 in the amount of \$11,778.83, and checks dated 03/01/00 in the amounts of \$17,574.41, \$50,751.57, \$24,971.42, and \$27,375.63, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber, for property purchased by Nick Minks, Steve Shore, and Dave Wittrock, which funds were commingled with funds already in the account	Checks dated 03/09/00, drawn on First Bank of Kansas City, payable to First Bank of Kansas City for \$43,600, and First National Bank of Missouri for \$200,000

COUNT	DESCRIPTION OF CRIMINALLY DERIVED FUNDS	DESCRIPTION OF CHECKS CONSTITUTING MONETARY TRANSACTIONS
51	Deposit to defendant's account at First Bank of Kansas City of checks dated 03/10/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$11,906.67, for property purchased by Nick Minks, and in the amount of \$38,127.61, for property purchased by Dave Wittrock, which funds were commingled with funds already in the account	Check dated 03/10/00, drawn on First Bank of Kansas City, payable to Brent Barber for \$36,000
52	See preceding deposit	Check dated 03/15/00, drawn on First Bank of Kansas City, payable to Chauncey Calvert for \$17,500
53	Deposit to defendant's account at First Bank of Kansas City of checks dated 03/22/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amounts of \$14,999.11 and \$15,156.10, for property purchased by Dave Wittrock, which funds were commingled with funds already in the account	Check dated 03/22/00, drawn on First Bank of Kansas City, payable to First Bank of Kansas City for \$300,000
54	See preceding deposit	Check dated 03/24/00, drawn on First Bank of Kansas City, payable to First Bank of Kansas City for \$100,000

COUNT	DESCRIPTION OF CRIMINALLY DERIVED FUNDS	DESCRIPTION OF CHECKS CONSTITUTING MONETARY TRANSACTIONS
55	Deposit to defendant's account at First Bank of Kansas City of checks dated 04/14/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amounts of \$11,590.53, \$55,890.53, \$15,356.16, and \$24,022.32, for property purchased by Mark Cowdrey, Todd and Stephanie Wells, and Rob Beckley, which funds were commingled with funds already in the account	Check dated 04/19/00, drawn on First Bank of Kansas City, payable to First National Bank of Missouri for \$275,000
56	See preceding deposit	Check dated 04/21/00, drawn on First Bank of Kansas City, payable to First National Bank of Missouri for \$200,000
57	See preceding deposit	Check dated 04/24/00, drawn on First Bank of Kansas City, payable to First Bank of Kansas City for \$22,700, and to Express Mortgage for \$11,300
58	Deposit to defendant's account at Hillcrest Bank of checks dated 07/24/00 and 07/26/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amounts of \$19,302.94, \$25,405.35, \$36,850.16, \$18,132.07, \$33,981.64, \$45,193.82, and \$40,182.48, for property purchased by Sandy and Kevin Duesterhaus	Check dated 07/26/00, drawn on First Bank of Kansas City, payable to Brent Barber for \$90,500.00
59	See preceding deposit	Check dated 07/27/00, drawn on First Bank of Kansas City, payable to Hillcrest Bank for \$128,018.00



COUNT	DESCRIPTION OF CRIMINALLY DERIVED FUNDS	DESCRIPTION OF CHECKS CONSTITUTING MONETARY TRANSACTIONS
60	Deposit to defendant's account at First Bank of Kansas City of check dated 08/08/00 and 08/09/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amounts of \$16,273.87, \$17,864.86, \$18,957.16, and \$14,141.00, for property purchased by Elvin Barton	Check dated 08/11/00, drawn on First Bank of Kansas City, payable to American Express for \$30,125.13
61	Deposit to defendant's account at First Bank of Kansas City of checks dated 09/21/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amounts of \$15,737.14 and \$18,237.36, for property purchased by Roxanna Mull, which funds were commingled with funds already in the account	Check dated 09/25/00, drawn on First Bank of Kansas City, payable to Brent Barber for \$71,811.63
62	Deposit to defendant's account at Hillcrest Bank of checks dated 10/18/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amounts of \$16,760.20, \$35,104.42, and \$22,613.91 for property purchased by Roxanna Mull, which funds were commingled with funds already in the account	Debits dated 10/18/00 on First Bank of Kansas City in the amount of \$88,141.87 and \$22,616.00
63	Deposit to defendant's account at Hillcrest Bank of a check dated 12/06/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$61,120.86, for property purchased by Elvin Barton, which funds were commingled with funds already in the account	Check dated 12/06/00, drawn on Hillcrest Bank, payable to Brent Barber for \$61,120.86

COUNT	DESCRIPTION OF CRIMINALLY DERIVED FUNDS	DESCRIPTION OF CHECKS CONSTITUTING MONETARY TRANSACTIONS
64	Deposit to defendant's account at First Bank of Kansas City of a check dated 12/19/00, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$29,402.54, for property purchased by Nick Minks, which funds were commingled with funds already in the account	Checks dated 12/29/00, drawn on Hillcrest Bank, payable to Brent Barber for \$50,000.00 and \$50,000.00, and to Firststar Bank for \$17,512.24
65	Deposit to defendant's account at First Bank of Kansas City of a check dated 01/15/01, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$296,765.00, for property purchased by Phil and Consuelo Thomas	Check dated 1/16/01, drawn on Hillcrest Bank, payable to Phil Thomas for \$97,349.12
66	Deposit to defendant's account at Hillcrest Bank of a check dated 09/11/01, drawn on the account of Hillcrest Bank, Overland Park, Kansas, payable to Brent Barber in the amount of \$187,100.49, for property purchased by Elvin Barton	Money order dated 09/11/01 in the amount of \$135,770.74 and check dated 09/11/01, payable to Brent Barber in the amount of \$50,756.00, both drawn on Hillcrest Bank

All in violation of Title 18, United States Code, Sections 1957 and 2.

COUNT SIXTY-SEVEN

1. The Grand Jury realleges and incorporates by reference the allegations in Counts One through Forty-Seven of this Indictment for the purpose of alleging forfeiture 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).

2. As a result of the offenses alleged in Counts One

through Forty-Seven, the defendant BRENT MICHAEL BARBER shall forfeit to the United States all property, real and personal, constituting or derived from proceeds traceable to the aforesaid offenses, including but not limited to the following property:

a. Approximately Four Million (\$4,000,000) in United States currency and all interest and proceeds traceable thereto, representing the amount of proceeds obtained by the defendant BRENT MICHAEL BARBER, in that such sum in aggregate constitutes or is derived from proceeds traceable to the offenses alleged in Counts One through Forty-Seven.

Substitute Assets

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the

forfeitable property (that is, approximately \$4,000,000), including but not limited to:

Real Property

(1) a parcel of property legally described as Lot 16, Block 5, STREET OF DREAMS AT LOCH LLOYD PHASE SIX, a subdivision in Cass County, Missouri, according to the recorded plat thereof, filed in Plat Book 12 at Page 261, including all of its buildings, appurtenances, and improvements, and commonly known as 150 Street of Dreams, Belton, Missouri.

All in violation of Title 18, United States Code, Section 981(a)(1)(C), and Title 21, United States Code, Section 2461(c).

A TRUE BILL.

/s/ Foreperson  
FOREPERSON OF THE GRAND JURY

2/10/05  
Date

/s/ Linda Parker Marshall  
Linda Parker Marshall #24954  
Assistant United States Attorney