

United States District Court
FILED
07 AUG 23 PM 4:35

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WILKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL DIVISION
VENUE: OAKLAND

553

UNITED STATES OF AMERICA

v.

MJJ

RENATO GONZALES QUIAZON

DEFENDANT.

INDICTMENT

A TRUE BILL.

[Signature]
FOREMAN

Filed in open court this 23rd Day of Aug. 2007

KAREN L. HOM

~~JOSEPH C. SPERO~~ Clerk
~~UNITED STATES MAGISTRATE JUDGE~~

Bail, \$ no bail amount wanted

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

26 USC § 7206(1) - 4 counts
 18 USC § 1343 - 11 counts
 18 USC § 1956(a)(1)(B)(i)
 12 counts

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

26 USC § 7206(1) - 3 yrs impris., \$100,000 fine, 1 yr superv. rel., \$100 Spec. Assess.; 18 USC § 1343 - 20 yrs impris., \$250,000 fine, 3 yr superv. rel., \$100 Spec. Assess.; 18 USC § 1956 - 20 yrs impris., \$500,000 fine, 3 yr superv. rel..

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCP 20, 21 or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

SCOTT N. SCHOOLS

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

THOMAS MOORE, AUSA, TAX DIV.

Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

FILED
 07 AUG 23 PM 4:35

DEFENDANT - U.S. DISTRICT COURT
 RICHARDSON
 CLERK, U.S. DISTRICT COURT
 RENO, DISTRICT OF CALIFORNIA
RENATO GONZALES QUIAZON

DISTRICT COURT NUMBER

CR 07 0553 MJJ

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of Institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: \$500,000

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: Contact IRS Special Agent Cecilia Braga re service of Summons (925) 260-7926

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SCOTT N. SCHOOLS
United States Attorney

FILED
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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RENATO GONZALES QUIAZON

Defendant.

CR

No. CR-

VIOLATIONS:

26 USC § 7206(1)-False Return
18 USC § 1343-Wire Fraud
18 USC § 1956(a)(1)(B)(i)-Money
Laundering

0553 MJJ

INDICTMENT

The Grand Jury charges:

BACKGROUND

1. At times relevant to this indictment, RENATO GONZALES QUIAZON, was a resident in the Northern District of California.
2. Beginning in or about January, 2000 and continuing until in or about October, 2004, both dates being approximate and inclusive, in the Northern District of California and elsewhere, the defendant RENATO GONZALES QUIAZON devised and intended to devise a scheme to fraudulently obtain payments of loan kickbacks, commissions, and cash outs/extraneous line items from borrowers' escrow accounts.

1 3. It was part of the scheme that RENATO GONZALES QUIAZON was employed
2 as a loan officer in the Emeryville, California branch of New Century Mortgage. In violation of
3 company policy, RENATO GONZALES QUIAZON entered into an agreement with an
4 independent mortgage broker to use his name, Alfonso Barretto (Barretto), and broker's license
5 on loans that RENATO GONZALES QUIAZON processed as the loan officer through New
6 Century Mortgage. By using the mortgage broker's identity on these particular loans, New
7 Century Mortgage issued a one percent commission (one percent of the total loan amount) to the
8 mortgage broker. As part of the agreement with the mortgage broker, the mortgage broker was
9 to retain twenty percent of the commissions and pay RENATO GONZALES QUIAZON a
10 kickback of eighty percent of the commissions. RENATO GONZALES QUIAZON deposited
11 the checks for the kickbacks into his bank account. The wires into escrow accounts were in and
12 affected interstate commerce.

13 **COUNTS ONE THROUGH ELEVEN:** (18 U.S.C. § 1343 - Wire Fraud)

14 4. Paragraphs One through Three are hereby realleged and incorporated herein as if
15 set forth in full.

16 5. Defendant RENATO GONZALES QUIAZON arranged with Barretto to use
17 Barretto's name and broker's license to obtain kickbacks of eighty percent of the loan
18 commission that was issued to Barretto.

19 6. In contrast to his arrangement with Barretto, defendant QUIAZON in or about
20 2002 started to get the commission checks directly, forge Barretto's signature on the back, and
21 deposit the checks into his bank account.

22 7. The defendant, for the purpose of executing the scheme and artifice to defraud
23 described in paragraphs 2, 3, 5 and 6 above and in attempting to do so, caused to be used wires
24 in interstate commerce to carry out essential elements of his scheme. From some time in 2002
25 until in or about October 2004, New Century Mortgage wired the commissions along with the
26 loan proceeds via the Deutsche Bank in New York and Banker's Trust Company of New York to
27 the title companies for disbursement in California.

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1 8. On or about the dates set forth below, in the Northern District of California and
 2 elsewhere, for the purpose of executing and attempting to execute the aforementioned scheme
 3 and artifice to defraud, defendant QUIAZON, did knowingly and willfully conduct financial
 4 transactions which used the wires and affected interstate commerce as set forth below:

Count	Bank of America Account Where Check was Deposited	Wire Date and Amount of Wire	Wired From	Title Company	Payee	Amount of Check, Check Number and Date QUIAZON Deposited
1	B of A #11482-11728	8/30/2002 \$163,215.49	Banker's Trust Co. of New York	North American Title	Loan Express Mortgage c/o New Century Mortgage	\$1,700 #157661 9/05/2002
2	B of A #11482-11728	5/30/2003 \$280,058.10	Deutsche Bank of New York	North American Title	Loan Agency c/o New Century Mortgage Corp.	\$2,900.00 #454095 6/03/2003
3	B of A #11482-11728	6/30/2004 \$466,407.77	Banker's Trust Co. of New York	Commonwealth Land Title Co.	Loan Express	\$4,680.00 #933369 7/09/2004
4	B of A #11482-11728	6/30/2004 \$250,014.04	Banker's Trust Co. of New York	Commonwealth Land Title Co.	Loan Express	\$4,680.00 #933369 7/09/2004
5	B of A #11482-11728	10/01/2002 \$240,003.61	Deutsche Bank of New York	North American Title	Evelyn P. Grefaldia and Antonio B. Grefaldi	\$6,369.00 #158528 10/18/2002
6	B of A #11482-11728	2/28/2003 \$294,932.89	Deutsche Bank of New York	Financial Title	JCP/MCCBG	\$952.00 #067796 3/26/2003
7	B of A #11482-11728	4/22/2003 \$249,170.66	Deutsche Bank of New York	North American Title	Magdalena E. Ruiz	\$1,505.40 #453057 4/29/2003
8	B of A #11482-11728	2/19/2004 \$296,348.25	Deutsche Bank of New York	Fidelity National Title	Magdalena E. Ruiz	\$3,076.00 #038912 3/09/2004
9	B of A #11482-11728	2/09/2004 \$285,013.94	Deutsche Bank of New York	North American Title	Aloysius Casanas	\$5,870.00 #459994 3/05/2004

10	B of A #11482-11728	3/29/2004 \$134,963.24	Deutsche Bank of New York	North American Title	Aloysius Casanas	\$9,500.00 #460938 4/05/2004
10 Con't	B of A #11482-11728	3/29/2004 \$134,963.24	Deutsche Bank of New York	North American Title	Capitol One Bank	\$1,049.00 #460935 5/10/2004
11	B of A #11482-11728	7/27/2004 \$190,257.20	Banker's Trust Co. of New York	Common- wealth Land Title Co.	Makeda Mahali	\$7,787.91 #952943 8/02/2004
11 Con't	B of A #11482-11728	7/27/2004 \$190,257.20	Banker's Trust Co. of New York	Common- wealth Land Title Co.	Capitol One Bank	\$791.00 #952937 8/17/2004

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

COUNTS TWELVE THROUGH TWENTY-THREE: (18 USC § 1956(a)(1)(B)(i) - Money Laundering)

9. Paragraphs One through Eight are hereby realleged and incorporated herein as if set forth in full.

10. On or about the dates set forth below, in the Northern District of California and elsewhere, defendant QUIAZON did knowingly conduct financial transactions affecting interstate commerce with the proceeds of a specified unlawful activity - namely wire fraud, a violation of Title 18, United States Code, Section 1343 - with the intent to conceal or disguise the nature, location, source, ownership, or control of the proceeds of the specified unlawful activity, as follows:

Count	Bank of America Account Where Check was Deposited	Wire Date and Amount of Wire	Wired From	Title Company	Payee	Amount of Check, Check Number and Date QUIAZON Deposited
12	B of A #11482-11728	8/30/2002 \$163,215.49	Banker's Trust Co. of New York	North American Title	Loan Express Mortgage c/o New Century Mortgage	\$1,700 #157661 9/05/2002

13	B of A #11482-11728	5/30/2003 \$280,058.10	Deutsche Bank of New York	North American Title	Loan Agency c/o New Century Mortgage Corp.	\$2,900.00 #454095 6/03/2003
14	B of A #11482-11728	6/30/2004 \$466,407.77	Banker's Trust Co. of New York	Common- wealth Land Title Co.	Loan Express	\$4,680.00 #933369 7/09/2004
14 Con't	B of A #11482-11728	6/30/2004 \$250,014.04	Banker's Trust Co. of New York	"	"	Two wires into escrow account with one check issued
15	B of A #11482-11728	10/01/2002 \$240,003.61	Deutsche Bank of New York	North American Title	Evelyn P. Grefaldia and Antonio B. Grefaldi	\$6,369.00 #158528 10/18/2002
16	B of A #11482-11728	2/28/2003 \$294,932.89	Deutsche Bank of New York	Financial Title	JCP/MCCB G	\$952.00 #067796 3/26/2003
17	B of A #11482-11728	4/22/2003 \$249,170.66	Deutsche Bank of New York	North American Title	Magdalena E. Ruiz	\$1,505.40 #453057 4/29/2003
18	B of A #11482-11728	2/19/2004 \$296,348.25	Deutsche Bank of New York	Fidelity National Title	Magdalena E. Ruiz	\$3,076.00 #038912 3/09/2004
19	B of A #11482-11728	2/09/2004 \$285,013.94	Deutsche Bank of New York	North American Title	Aloysius Casanas	\$5,870.00 #459994 3/05/2004
20	B of A #11482-11728	3/29/2004 \$134,963.24	Deutsche Bank of New York	North American Title	Aloysius Casanas	\$9,500.00 #460938 4/05/2004
21	B of A #11482-11728	3/29/2004 \$134,963.24	Deutsche Bank of New York	North American Title	Capitol One Bank	\$1,049.00 #460935 5/10/2004
22	B of A #11482-11728	7/27/2004 \$190,257.20	Banker's Trust Co. of New York	Common- wealth Land Title Co.	Makeda Mahali	\$7,787.91 #952943 8/02/2004
23	B of A #11482-11728	7/27/2004 \$190,257.20	Banker's Trust Co. of New York	Common- wealth Land Title Co.	Capitol One Bank	\$791.00 #952937 8/17/2004

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1 **COUNT TWENTY-FOUR:** (26 U.S.C. § 7206(1) - False Return)

2 11. On or about the 15th day of April, 2002, in the Northern District of California,
3 RENATO GONZALES QUIAZON, a resident of Hayward, CA, did willfully make and
4 subscribe to his 2001 Federal Individual Income Tax Return, which was verified by a written
5 declaration that it was made under the penalties of perjury and was filed with the Internal
6 Revenue Service, which said Income Tax Return he did not believe to be true and correct as to
7 every material matter in that the said Income Tax Return was false in that 1) defendant reported
8 his wages as a statutory employee and deducted expenses from a business that did not exist, and
9 2) defendant did not report the loan kickbacks and other payments in the approximate amount of
10 \$79,635 that he received during that tax period, whereas, as he then and there well knew and
11 believed that 1) defendant was not a statutory employee, and 2) defendant knew he had received
12 loan kickbacks of approximately \$79,635 during the tax period.

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

14 **COUNT TWENTY-FIVE:** (26 U.S.C. § 7206(1) - False Return)

15 12. On or about the 15th day of April, 2003, in the Northern District of California,
16 RENATO GONZALES QUIAZON, a resident of Hayward, CA, did willfully make and
17 subscribe to his 2002 Federal Individual Income Tax Return, which was verified by a written
18 declaration that it was made under the penalties of perjury and was filed with the Internal
19 Revenue Service, which said Income Tax Return he did not believe to be true and correct as to
20 every material matter in that the said Income Tax Return was false in that 1) defendant reported
21 his wages as a statutory employee and deducted expenses from a business that did not exist, and
22 2) defendant did not report the loan kickbacks and other payments in the approximate amount of
23 \$104,572 that he received during that tax period, whereas, as he then and there well knew and
24 believed that 1) defendant was not a statutory employee, and 2) defendant knew he had received
25 loan kickbacks and other payments of approximately of \$104,572 during the tax period.

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

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1 **COUNT TWENTY-SIX:** (26 U.S.C. § 7206(1) - False Return)

2 13. On or about the 15th day of April, 2004, in the Northern District of California,
3 RENATO GONZALES QUIAZON, a resident of Hayward, CA, did willfully make and
4 subscribe to his 2003 Federal Individual Income Tax Return, which was verified by a written
5 declaration that it was made under the penalties of perjury and was filed with the Internal
6 Revenue Service, which said Income Tax Return he did not believe to be true and correct as to
7 every material matter in that the said Income Tax Return was false in that 1) defendant reported
8 his wages as a statutory employee and deducted expenses from a business that did not exist, and
9 2) defendant did not report the loan kickbacks and other payments in the approximate amount of
10 \$137,638 that he received during that tax period, whereas, as he then and there well knew and
11 believed that 1) defendant was not a statutory employee, and 2) defendant knew he had received
12 loan kickbacks and other payments of approximately of \$137,638 during the tax period.

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

14 **COUNT TWENTY-SEVEN:** (26 U.S.C. § 7206(1) - False Return)

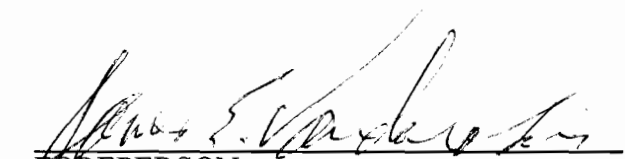
15 14. On or about April, 15, 2005, in the Northern District of California, RENATO
16 GONZALES QUIAZON, a resident of Hayward, CA, did willfully make and subscribe to his
17 2004 Federal Individual Income Tax Return, which was verified by a written declaration that it
18 was made under the penalties of perjury and was filed with the Internal Revenue Service, which
19 said Income Tax Return he did not believe to be true and correct as to every material matter in
20 that the said Income Tax Return was false in that 1) defendant underreported the loan kickbacks
21 and other payments in the approximate amount of \$108,816 that he received during that tax
22 period, and 2) it falsely claims on the Schedule C for the business name Clarissa G. Quiazon
23 with the business address of "C/O First Plus Funding Inc., San Ramon." Clarissa G Quiazon,
24 who is defendant's spouse and an accountant/bookkeeper, operated a loan consulting business
25 with the gross receipts of \$64,722. The \$64,722 that was falsely reported as gross receipts for
26 that business on that Schedule C were kickbacks that defendant earned and had paid in his
27 spouse's name in order to further conceal his kickback scheme, whereas, as he then and
28 there well knew and believed that 1) he had received more income from the kickbacks

1 and other payments in the amount of \$108,816 more then he reported, and 2) defendant knew he
2 used his wife's name in an attempt to hid income he received.

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

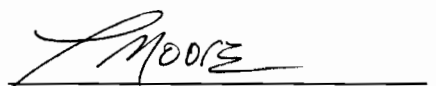
4 A True Bill

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7 Dated: 8. 23- 2007


FOREPERSON

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9 SCOTT N. SCHOOLS
United States Attorney

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11 
12 DOUGLAS SPRAGUE
Acting Chief, Criminal Section

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14 Approved as to Form
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16 THOMAS MOORE
Assistant United States Attorney

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