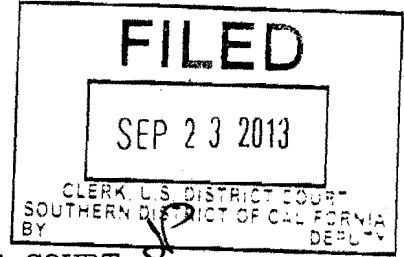


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 13CR1469-JAH
)	
Plaintiff,)	<u>I N F O R M A T I O N</u>
)	
v.)	Title 18, U.S.C., Sec. 371 -
)	Conspiracy to Commit Mail Fraud
)	and Wire Fraud
ADEL AFKARIAN (1),)	
ATEF AFKARIAN (2))	
)	
Defendants.)	
)	
)	
)	

The United States Attorney charges:

Count 1

CONSPIRACY TO COMMIT MAIL FRAUD AND WIRE FRAUD
[18 U.S.C. § 371]

1. Beginning on a date unknown, but no later than December 2009, and continuing through at least March 10, 2011, within the Southern District of California and elsewhere, defendants ADEL AFKARIAN and ATEF AKFARIAN knowingly conspired with each other and with others, to commit the following offenses against the United States:

(a) Mail Fraud, that is, to knowingly devise a scheme and artifice to defraud as to material matters and to obtain money and property by means of materially false and fraudulent pretenses,

1 representations, and promises, and the concealment of material facts,
2 and for the purpose of executing such scheme to cause to be placed in
3 a United States post office and other authorized depository for mail
4 matter items to be sent and delivered by the United States Postal
5 Service, in violation of Title 18, United States Code, Section 1341;
6 and

7 (b) Wire Fraud, that is, to knowingly devise a scheme and
8 artifice to defraud as to material matters and to obtain money and
9 property by means of materially false and fraudulent pretenses,
10 representations and promises, and the concealment of material facts,
11 and in executing such scheme, to knowingly use, and cause to be used,
12 interstate wire communications, in violation of Title 18, United
13 States Code, Section 1343.

14 MANNER AND MEANS OF THE CONSPIRACY

15 2. Defendants ADEL AFKARIAN and ATEF AFKARIAN and their co-
16 conspirators agreed to obtain funds from innocent purchasers of
17 residential real property by means of materially false and fraudulent
18 representations and omissions on documents the co-conspirators
19 recorded and caused to be recorded by the officials maintaining
20 records of real property ownership in the Southern District of
21 California, and to obtain funds from financial institutions and other
22 lenders by means of materially false and fraudulent representations
23 and omissions on home loan applications submitted in the names of
24 others. One goal of the conspiracy was to fraudulently obtain
25 purportedly clear title to real property identified as 3414 Caminito
26 Santa Fe Downs, Del Mar, California 92014 (further described as APN:
27 302-310-07-00) in order to subsequently deceive innocent purchasers
28 to pay more than \$1 million to defendants ADEL AFKARIAN AND ATEF

1 AFKARIAN for the real property without satisfying liens held by
2 institutional lenders, and to convert the proceeds of that sale of
3 3414 Caminito Santa Fe Downs to the defendants' own use and benefit.
4 To accomplish this purpose, it was part of the conspiracy that
5 defendants ADEL AFKARIAN and ATEF AKFARIAN:

6 (a) knowingly used unregistered and sham entities with no
7 legal or economic substance to execute and record documents falsely
8 purporting to affect the legal title to 3414 Caminito Santa Fe Downs,
9 Del Mar, California 92014;

10 (b) used persons to execute and record documents falsely
11 purporting to affect the legal title to 3414 Caminito Santa Fe Downs,
12 Del Mar, California 92014, knowing the persons had no legal authority
13 to execute and record such documents;

14 (c) executed and recorded, and caused to be executed and
15 recorded, fraudulent deeds of trust and reconveyances that falsely
16 purported to totally eliminate the defendants' debt to lenders secured
17 by 3414 Caminito Santa Fe Downs, Del Mar, California 92014;

18 (d) caused the San Diego County Recorder's Office, and
19 others to send and receive mail matter via the United States mails in
20 order to fraudulently record documents purportedly affecting title to
21 3414 Caminito Santa Fe Downs, Del Mar, California 92014, and to obtain
22 the proceeds of the sale of that property; and

23 (e) using the means and methods described above,
24 fraudulently obtained the entire proceeds of the sale of 3414 Caminito
25 Santa Fe Downs, Del Mar, California 92014 from innocent purchasers,
26 a sum of more than \$1 million.

27 3. In furtherance of the conspiracy and to effect and
28 accomplish the objects thereof, the following overt acts, among

1 others, were committed within the Southern District of California, and
2 elsewhere:

3 (a) on or about June 9, 2010, defendants ADEL AFKARIAN and
4 ATEF AFKARIAN caused to be mailed by the San Diego County Recorder a
5 fraudulent deed of trust (2010-xxx8456) sent to the Noble Djed
6 Foundation, Carlsbad, CA.;

7 (b) on or about June 15, 2010, defendants ADEL AFKARIAN and
8 ATEF AFKARIAN caused to be mailed by the San Diego County Recorder a
9 fraudulent full reconveyance (2010-xxx9184) sent to the Freedom Layla
10 Foundation, San Diego, CA.;

11 (c) on or about June 15, 2010, defendants ADEL AFKARIAN and
12 ATEF AFKARIAN caused to be mailed by the San Diego County Recorder a
13 fraudulent full reconveyance (2010-xxx9185) sent to the Freedom Layla
14 Foundation, San Diego, CA.; and

15 (d) on or about November 17, 2010, defendants ADEL AFKARIAN
16 and ATEF AFKARIAN caused to be mailed by the San Diego County Recorder
17 a fraudulent grant deed(2010-xxx9622) sent to Paras Shah, Del Mar, CA.
18 All in violation of Title 18, United States Code, Section 371.

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20 DATED: *September 23*, 2013.

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LAURA E. DUFFY
United States Attorney

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STEPHEN P. CLARK
Assistant U.S. Attorney

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