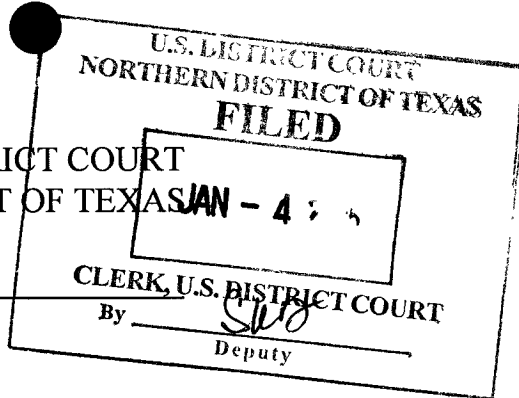


ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



UNITED STATES OF AMERICA

§  
§  
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§

v.

No. 3:04CR-246-L

GEORGE ERIC CARDONA (1)

ELEMENTS

Mail Fraud:

In order to establish a violation of 18 U.S.C. §1341, the government must prove the following essential elements beyond a reasonable doubt.

First: That the defendant knowingly created a scheme to defraud, that is to obtain money or property by means of false and fraudulent material pretenses, representations, or promises, well knowing at the time that the pretenses, representations, or promises would be and were false, fraudulent, and misleading when made;

Second: That the defendant acted with a specific intent to defraud;

Third: That the defendant caused something to be delivered by commercial interstate carrier for the purpose of carrying out the scheme; and

Fourth: That the scheme to defraud employed false material representations.

Money Laundering:

In order to establish a violation of 18 U.S.C. §1956(a)(1)(B)(i), the government must prove the following essential elements beyond a reasonable doubt:

First: That the defendant knowingly conducted a financial transaction;

Second: That the financial transaction involved the proceeds of a specified unlawful activity, namely mail fraud;

Third: That the defendant knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity; and

Fourth: That the defendant knew that the transaction was designed in whole or part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds.

### FACTUAL RESUME

From at least January 1997 through July 17, 2004, in Dallas, Texas and Hawaii, defendant George Eric Cardona (Cardona), devised a scheme to defraud and for obtaining money by means of false and fraudulent material pretenses and representations. As part of the scheme, Cardona (1) incorporated First Cambridge Mortgage Corporation (First Cambridge), a ~~Florida~~<sup>FL</sup> corporation; (2) moved First Cambridge into office space previously occupied by Union Mortgage Company (Union); ~~Union Mortgage Company~~<sup>SO</sup>; ~~Union Mortgage Company~~<sup>NO</sup>; ~~Union Mortgage Company~~<sup>LH</sup>; (4) received telephone calls and facsimilies from title companies and others inquiring about payoff balances on mortgages held by Union; (5) pretended that First Cambridge was the legal successor to Union; (6) pretended that First Cambridge was entitled to the payment of debts owed to Union; (7) sent loan payoff information to others by facsimile; (8) sent release of lien documents to others by facsimile; (9) pretended that releases of lien sent to others would release debts to Union upon payment of checks; (10) caused others to send loan repayment checks to him by commercial interstate carrier and U.S. mail; (11) caused the checks to be deposited into a First Cambridge bank account


and (12) kept the funds for his own use and to promote the scheme.

For the purpose of executing the scheme, on November 28, 2000, Cardona caused to be delivered by commercial interstate carrier according to the direction thereon, an envelope addressed to First Cambridge Mortgage Corporation, 9354 Riverwalk Lane, Irving, TX 75063, which envelope contained a check in the amount of \$6,486.70.

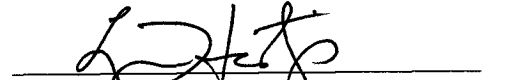
Cardona laundered proceeds of the scheme on November 29, 2000 by causing a check in the amount of \$6,486.70 sent to him by a customer of Union to be deposited into a bank account in the name of First Cambridge Mortgage Corporation at Preston National Bank, a financial institution, the activities of which affected interstate commerce, knowing that the check was proceeds of specified unlawful activity. This financial transaction was designed to conceal and disguise the ownership and control of the proceeds of the mail fraud scheme.

The <sup>government alleges, but the defendant does not agree, that</sup> scheme resulted in a loss of \$1,012,386.58, involved sophisticated money laundering and involved 50 or more victims.


RICHARD B. ROPER  
UNITED STATES ATTORNEY



GEORGE ERIC CARDONA  
Defendant



LYNN HASTINGS  
Assistant United States Attorney  
Texas State Bar No. 09209700  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242-1699  
Tel: 214.659.8600  
Fax: 214.659-8803



SAM OGAN  
Attorney for Defendant