

FMC

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:08cr165

UNITED STATES OF AMERICA)
)
 v.)
)
 ELIZABETH WHITAKER CLEMENT)
 _____)

CRIMINAL INFORMATION

The United States Attorney charges that:

COUNT ONE

Introduction

1. Beginning in or around October 2002, and continuing up to and including February 2006, in the Eastern District of North Carolina and elsewhere, the defendant, ELIZABETH WHITAKER CLEMENT, and others entered into an agreement to defraud E-Loan, an Internet based financial services company located in Pleasanton, California that offers to the public mortgages and other types of consumer loans.

2. The defendant, ELIZABETH WHITAKER CLEMENT, and others, obtained multiple mortgage loans from E-Loan by submitting documents containing statements known to be false as to material matters such as the buyer's personal income and employment history.

Charge

Beginning in or around October 2002, and continuing up to and including February 2006, in the Eastern District of North Carolina and elsewhere, the defendant, ELIZABETH WHITAKER CLEMENT, did

knowingly and intentionally combine, conspire, confederate, agree and have a tacit understanding with other persons both known and unknown to the United States Attorney, to commit an offense against the United States, that is, to knowingly defraud and to obtain money and property by means of materially false and fraudulent pretenses by submitting fraudulent documents to E-Loan, with the intent to defraud said company out of monies and property, and in doing so, did, for the purpose of executing, and attempting to execute, a scheme and artifice to defraud, did cause to be transmitted in interstate and foreign commerce, by means of a wire communication, certain writings, signs, signals, and sounds, that is, a fraudulent documents, transferred by wire from the Eastern District of North Carolina to the State of California, in violation of Title 18, United States Code, Section 1343.

OBJECT OF CONSPIRACY

The object of the conspiracy was to obtain mortgage loans from E-Loan by submitting fraudulent documents.

OVERT ACTS

In furtherance of the conspiracy and to effect the objective thereof, the defendant, ELIZABETH WHITAKER CLEMENT, and others both known and unknown to the United States Attorney, committed and caused to be committed one or more of the following overt acts, among others:

1. On or about May 15, 2003, the defendant, ELIZABETH

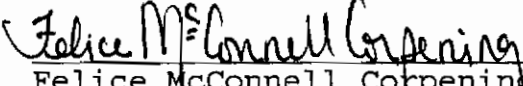
WHITAKER CLEMENT, and others both known and unknown to the United States Attorney, faxed a fraudulent W-2 Form to E-Loan which the defendant, ELIZABETH WHITAKER CLEMENT, knew to be false.

2. On or about June 15, 2003, the defendant, ELIZABETH WHITAKER CLEMENT, and others both known and unknown to the United States Attorney, faxed a fraudulent pay stub to E-Loan which indicated a year-to-date salary of \$73,077.04, which the defendant, ELIZABETH WHITAKER CLEMENT, knew to be false.

3. On or about June 25, 2003, the defendant, ELIZABETH WHITAKER CLEMENT, and others both known and unknown to the United States Attorney, signed and submitted a loan application to E-Loan falsely indicating her employment and monthly income, which the defendant, ELIZABETH WHITAKER CLEMENT, knew to be false.

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

GEORGE E.B. HOLDING
United States Attorney



Felice McConnell Corpening
Assistant United States Attorney