

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA : CRIMINAL NO.  
 :  
 : **1 : 04 CR 00141**  
 :  
 v. : INFORMATION  
 :  
 : 18 U.S.C. § 2  
 PATRICK THOMAS SWEENEY : 18 U.S.C. § 371  
 : 18 U.S.C. § 1341  
 :  
 : HONORABLE SANDRA S. BECKWITH

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COUNT 1  
(18 U.S.C. § 371)

CONSPIRACY

A. OBJECTS OF THE CONSPIRACY

1. Between January 14, 2002, and October 22, 2003, in the Southern District of Ohio, the defendant, **PATRICK THOMAS SWEENEY**, did knowingly, intentionally, and willfully combine, conspire, confederate, and agree with Jay Sullivan, Troy Clements, and others, to commit an offense against the United States as follows:

a. The defendant, along with his coconspirators, devised a scheme and artifice to defraud various federally insured financial institutions and other financial institutions by, among other things, knowingly submitting false documents to those financial institutions in support of a loan application.

b. The defendant, along with his coconspirators, unlawfully, willingly, and knowingly, devised and intended to devise a scheme and artifice to defraud and obtain money and property by false and fraudulent pretenses, representations, and promises as described in Paragraph 1(a), and for the purpose of executing said scheme and artifice, and attempting to do so placed or caused to be

placed, letters, property, matter, or things to be sent and delivered by the United States Postal Service and/or by commercial interstate carriers, according to the direction thereon, in violation of Title 18, United States Code, Sections 1341 and 2.

## **B. BACKGROUND OF THE CONSPIRACY**

1. At all times relevant to this conspiracy:
  - a. The defendant, **PATRICK THOMAS SWEENEY**, was a loan officer at Airline Union's Mortgage Company, which was located at 1313 East Kemper Road in Cincinnati, Ohio.
  - b. Jay Sullivan is the President of Airline Union's Mortgage Company and oversaw the loan officers.
  - c. Troy Clements, operating under the trade name of American Funding, also conducted his business at 1313 East Kemper Road in Cincinnati, Ohio.
  - d. The victims, among others, included Washington Mutual Bank, whose deposits are insured by the Federal Deposit Insurance Corporation, and ABN AMRO Mortgage Group, Inc., a division of Standard Federal Bank, which is also a federally insured institution.

## **C. MANNER AND MEANS OF THE CONSPIRACY**

The use of the term "the conspirators" herein refers to the defendant, **PATRICK THOMAS SWEENEY**, and one or more unindicted conspirators, or to some other person whom one or more of the conspirators caused to act.

In order to accomplish the foregoing objects of the conspiracy, the defendant used the following manner and means, among others:

a. Airline Union's Mortgage and American Funding would mail out fliers seeking buyers of real estate. The fliers would promise the buyers that they could obtain real estate with no money down and no other out-of-pocket expenses.

b. Once the conspirators located a buyer, the loan officers and processor would determine the loan amount for which a borrower could legitimately qualify.

c. The conspirators, including the loan officers and processor, would then create false documents, including, but not limited to, verifications of employment, verifications of deposit, 401(k)s, gift letters, verifications of mortgage and/or rental or lease agreements.

d. The conspirators would then submit a fraudulent loan package to the lender in order to obtain a "refinance" loan that would be used in significant part to pay the conspirators.

#### **D. OVERT ACTS**

In furtherance of the conspiracy and to effectuate the objects of the conspiracy, the following overt act, among others, was committed in the Southern District of Ohio and elsewhere.

1. The following substantive count is realleged and incorporated herein (as if it was fully reproduced herein) as an overt act.

**All in violation of 18 U.S.C. § 371.**

**COUNT 2**  
**(18 U.S.C. §§ 1341 and 2)**

1. Part A of Count 1 of the Information is realleged and incorporated by reference as though set forth in full herein as a description of the scheme and artifice to defraud.

2. On or about August 22, 2002, in the Southern District of Ohio and elsewhere, having devised and intended to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, the defendant, **PATRICK THOMAS SWEENEY**, for the purpose of executing such scheme and artifice to defraud, knowingly caused a fraudulent loan package to be sent, delivered, and moved by the United States mails and commercial interstate carriers, from Airline Union's Mortgage Company located at 1313 East Kemper Road in Cincinnati, Ohio to ABN AMRO Mortgage Group, Inc. located at 1201 East Lincoln Avenue in Madison Heights, Michigan.

3. On or about August 22, 2002, Patrick Thomas Sweeney assisted Tammie Martin in obtaining a refinance loan for her residence located at 3119 Deshler Drive in Cincinnati, Ohio. Heather Batdorf, the loan processor at Airline Union's Mortgage Company, instructed Mr. Sweeney that in order to obtain a desirable interest rate for the loan, Mr. Sweeney and Ms. Martin would need to document assets of \$35,000 for Ms. Martin. Mr. Sweeney then produced a fraudulent 401(k) statement for Ms. Martin, without her knowledge, showing \$41,056.26 in her retirement funds in order to meet the lender's requirements. At the time of the transaction, Ms. Martin's actual 401(k) account held less than \$600 in assets. The loan package was submitted to ABN AMRO Mortgage Group, Inc., a division of Standard Federal Bank ("ABN AMRO"). When Mr. Sweeney conducted each of these transactions he was aware that the United States mail and/or commercial interstate carriers would be used in furtherance of these transactions.

Further, Mr. Sweeney's actions were committed in furtherance of a scheme and artifice to defraud ABN AMRO.

**All in violation of 18 U.S.C. §§ 1341 and 2.**

**GREGORY G. LOCKHART  
UNITED STATES ATTORNEY**

A handwritten signature in black ink, appearing to read "Ralph W. Kohnen", is written over a horizontal line.

**RALPH W. KOHNEN  
Deputy Criminal Chief**