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SEP 28 2011

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA )  
 )  
 ) Plaintiff, )  
 )  
 v. )  
 )  
 VALERI MYSIN aka Val Mysin, )  
 ANGELA SHAVLOVSKY, )  
 NIKOLAY KATYNSKIY, )  
 MICHAEL KENNEDY, )  
 ALEXANDER KOKHANETS, )  
 BORIS MURZAK, )  
 ZINAIDA MURZAK, )  
 and )  
 VITALIY TUZMAN, )  
 )  
 Defendants. )

CASE NO. *2:11cr427 LKK*  
VIOLATIONS: 18 U.S.C. § 1349 -  
Conspiracy to Commit Mail Fraud  
(2 counts); 18 U.S.C. § 1957 -  
Engaging In Monetary  
Transactions In Criminally  
Derived Property (3 counts); 18  
U.S.C. § 981(a)(1)(c), 28  
U.S.C. § 2461(c), and 18 U.S.C.  
§ 982(a)(1) - Criminal  
Forfeiture

I N D I C T M E N T

COUNT ONE: [18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud]

The Grand Jury charges:

VALERI MYSIN,  
aka Val Mysin,  
ANGELA SHAVLOVSKY,

1 NIKOLAY KATYNSKIY,  
2 ALEXANDER KOKHANETS,  
3 BORIS MURZAK, and  
4 ZINAIDA MURZAK,

5 defendants herein, as follows:

6 I. INTRODUCTION

7 At all times relevant to this indictment:

8 1. Defendant VALERI MYSIN was a real estate salesperson licensed  
9 in the State of California and was employed as a loan officer for  
10 Nationwide Placer Mortgage (hereinafter "NPM"). NPM was located in  
11 Orangevale, California and operated as a mortgage loan company.  
12 Defendant VALERI MYSIN owned a company known as Designer Tile, and he  
13 controlled a company known as Processing and Market Development  
14 Services, that was registered in his wife's name. J.M. Processing and  
15 Market Development Services received commissions for the fraudulent  
16 mortgage loans identified herein. Designer Tile was purportedly a tile  
17 installation company, and was used to receive money generated from the  
18 fraudulent scheme described herein.

19 2. Defendant ANGELA SHAVLOVSKY resided in the Lynnwood,  
20 Washington area and was a partner in Guiding Light Construction LLP.  
21 Guiding Light Construction was purportedly in the business of  
22 construction and appeared to be a shell company that was created solely  
23 for the purpose of receiving money generated from the fraudulent scheme  
24 described herein.

25 3. Defendant NIKOLAY KATYNSKIY resided in the Lynnwood,  
26 Washington area and was the owner of Guiding Light Construction LLP and  
27 a company known as Homeland USA. Homeland USA was purportedly engaged  
28 in the business of short haul trucking and was used to receive and  
distribute fraudulently obtained proceeds from the scheme described

1 herein.

2 4. Defendant ALEXANDER KOKHANETS resided in the Sacramento area  
3 until May 2006, and then moved to Oregon. Defendant ALEXANDER KOKHANETS  
4 sold a residential property located at 188 Silberhorn Drive in Folsom,  
5 California to defendant NIKOLAY KATYNSKIY.

6 5. Defendants BORIS MURZAK and ZINAIDA MURZAK, husband and wife,  
7 resided in the Sacramento area and sold a residential property located  
8 at 9205 Pinehurst Drive in Roseville, California.

9 II. CONSPIRACY TO COMMIT MAIL FRAUD

10 6. From no later than on or about August 15, 2006 and continuing  
11 to at least on or about January 25, 2007, in the State and Eastern  
12 District of California and elsewhere, defendants VALERI MYSIN, ANGELA  
13 SHAVLOVSKY, NIKOLAY KATYNSKIY, ALEXANDER KOKHANETS, BORIS MURZAK, and  
14 ZINAIDA MURZAK did knowingly combine, conspire, confederate, and agree  
15 with each other and with others unknown to the Grand Jury to execute  
16 through the use of the mail a material scheme and artifice to defraud,  
17 and to obtain money by means of material false and fraudulent pretenses,  
18 representations and promises, and the concealment of material facts.

19 7. The object of the conspiracy was to obtain residential home  
20 loans from mortgage lenders based upon false and fraudulent loan  
21 applications, supporting documents, and invoices in order for the  
22 defendants to obtain money for themselves upon closing of the  
23 transactions.

24 8. Between in or about August 2006 and in or about January 2007,  
25 through various fraudulent acts set forth below, the defendants caused  
26 the origination of more than \$2.8 million in residential mortgage loans.  
27 All of these properties were foreclosed upon. As a result of the  
28 defendants' actions, mortgage lenders and others suffered losses of at

1 least \$1 million.

2 III. MANNER AND MEANS

3 9. It was part of the conspiracy that defendants VALERI MYSIN  
4 ANGELA SHAVLOVSKY, and NIKOLAY KATYNSKIY solicited strawbuyers to  
5 purchase residential properties at artificially-inflated prices using  
6 100% financing loans.

7 10. It was a further part of the conspiracy that, in order for the  
8 strawbuyers to qualify for a home loan, the defendants, including VALERI  
9 MYSIN and NIKOLAY KATYNSKIY, prepared and submitted, or caused to be  
10 submitted, fraudulent mortgage loan applications and supporting  
11 documents, which falsely represented the strawbuyers' employment,  
12 income, and intent to occupy the property as a primary residence.

13 11. It was a further part of the conspiracy that defendant VALERI  
14 MYSIN attempted to disguise his involvement with these fraudulent loans  
15 by making it appear that another loan officer in his office had handled  
16 them.

17 12. It was part of the conspiracy that, in order to obtain  
18 additional proceeds from these fraudulent transactions, the defendants  
19 created false invoices purporting to show that the seller of the subject  
20 property owed money to companies owned and/or controlled by the  
21 defendants or their associates for repairs or improvements to the  
22 subject property. These companies, which included Processing and Market  
23 Development Services, Designer Tile, Guiding Light Construction, and  
24 Homeland USA, did not actually perform any work for the seller of the  
25 property. Rather, the invoices were created as a way to siphon the  
26 fraudulently inflated equity out of the subject property. Defendants,  
27 including ALEXANDER KOKHANETS, BORIS MURZAK and ZINAIDA MURZAK, who were  
28 sellers of the properties, attested to the accuracy of these fraudulent

1 invoices.

2 After the lenders funded the loans, the defendants, including  
3 VALERI MYSIN, ANGELA SHAVLOVSKY, NIKOLAY KATYNSKIY, ALEXANDER KOKHANETS,  
4 BORIS MURZAK, and ZINAIDA MURZAK fraudulently diverted a portion of the  
5 proceeds from the inflated sales price to the organizers of this scheme.

6 IV. OVERT ACTS

7 In furtherance of the conspiracy and to effect the objects thereof,  
8 the defendants committed the following acts in the State and Eastern  
9 District of California and elsewhere:

10 13. In or about August 2006, defendant ANGELA SHAVLOVSKY recruited  
11 her acquaintance, defendant NIKOLAY KATYNSKIY, to act as a strawbuyer  
12 and submit fraudulent loan applications and supporting documents to  
13 OwnIt Mortgage to finance 100% of the purchase price of three  
14 properties: 2240 Portmarnock Circle, Roseville, California; 188  
15 Silberhorn Drive, Folsom, California; and 5101 Sierra Springs Drive,  
16 Pollack Pines, California.

17 2240 Portmarnock Circle, Roseville, CA

18 14. On or about August 15, 2006, defendant NIKOLAY KATYNSKIY  
19 signed and submitted to OwnIt Mortgage Solutions an application for a  
20 loan to purchase a residence located at 2240 Portmarnock Circle,  
21 Roseville, California. The application was materially false as to,  
22 among other things, defendant KATYNSKIY'S employment, income, and intent  
23 to occupy the property as his primary residence. The fraudulent  
24 application had been prepared by defendant VALERI MYSIN, who knew that  
25 the foregoing information was false.

26 15. On or about August 18, 2006, the defendants caused a deed of  
27 trust to be filed with the Placer County Records Office for the  
28 Portmarnock Circle property.

1           16. On or about October 2, 2006, the defendants caused a mortgage  
2 payment to be made on the Portmarnock Circle property on behalf of  
3 defendant KATYNSKIY in order to allay suspicion. Thereafter, the  
4 defendants made no further mortgage payments on that property, and the  
5 property went into foreclosure.

6           188 Silberhorn Drive, Folsom, CA

7           17. In or about September 2006, defendant NIKOLAY KATYNSKIY signed  
8 and submitted to OwnIt Mortgage Solutions an application for a loan to  
9 purchase a residence located at 188 Silberhorn Drive, Folsom,  
10 California. The application was materially false as to, among other  
11 things, defendant KATYNSKIY'S employment, income, and intent to occupy  
12 the property as his primary residence. The application also failed to  
13 disclose that KATYNSKIY had recently purchased the Portmarnock property,  
14 a material omission. The fraudulent application had been prepared by  
15 defendant VALERI MYSIN, who knew that the foregoing information was  
16 false.

17           18. On or about September 22, 2006, defendant VALERI MYSIN caused  
18 S.M., a person not indicted herein, to falsely state to a representative  
19 of OwnIt Mortgage Solutions that defendant KATYNSKIY was then currently  
20 employed with A Plus Construction and that he had been so employed for  
21 the preceding two years.

22           19. On or about September 27, 2006, the defendants VALERI MYSIN,  
23 ANGELA SHAVLOVSKY, and NIKOLAY KATYNSKIY created, or caused to be  
24 created, a fraudulent invoice purporting to reflect that improvements  
25 and repairs had been made to the Silberhorn Drive property by Homeland  
26 USA. On or about the same date, defendant ALEXANDER KOKHANETS, the  
27 seller of the property, signed the fraudulent invoice falsely attesting  
28 that the work had been done. The defendants subsequently caused these

1 fraudulent invoices to be submitted to Stewart Title of Sacramento for  
2 payment.

3 20. On or about September 29, 2006, the defendants caused a deed  
4 of trust to be filed with the Sacramento County Recorders Office for the  
5 Silberhorn Drive property.

6 21. On or about September 29, 2006, defendant VALERI MYSIN  
7 deposited into his Designer Tile bank account check #2102 in the amount  
8 of \$16,936.88 which represented his commission on the sale of the  
9 Silberhorn Drive property.

10 22. On or about October 4, 2006, defendant NIKOLAY KATYNSKIY  
11 deposited into his Homeland USA bank account check #7225 in the amount  
12 of \$37,178.35 which had been issued by Stewart Title of Sacramento in  
13 payment for the fraudulent Homeland USA invoice.

14 23. On or about November 28, 2006, the defendants caused a  
15 mortgage payment to be made on the Silberhorn Drive property on behalf  
16 of defendant KATYNSKIY in order to allay suspicion. Thereafter, the  
17 defendants made no further mortgage payments on that property, and the  
18 property went into foreclosure.

19 5501 Sierra Springs Drive, Pollock Pines, CA

20 24. On or about October 31, 2006, defendant NIKOLAY KATYNSKIY  
21 signed and submitted to OwnIt Mortgage Solutions an application for a  
22 loan to purchase a residence located at 5501 Sierra Springs Drive,  
23 Pollock Pines, California. The application was materially false as to,  
24 among other things, defendant KATYNSKIY'S employment, income, and intent  
25 to occupy the property as his primary residence. The application also  
26 failed to disclose that defendant KATYNSKIY had recently purchased the  
27 Portmarnock and Silberhorn properties, a material omission. The  
28 fraudulent application had been prepared by defendant VALERI MYSIN, who

1 knew that the foregoing information was false.

2 25. On or about November 7, 2006, the defendants caused a deed of  
3 trust to be filed with the El Dorado County Recorders Office for the  
4 Sierra Springs Drive property.

5 9205 Pinehurst Drive, Roseville, CA

6 26. In or about the summer of 2006, defendant NIKOLAY KATYNSKIY  
7 introduced H.S., a person not indicted herein, to defendant ANGELA  
8 SHAVLOVSKY for the purpose of assisting H.S. to purchase a home for  
9 investment purposes. Based on his income and assets, H.S. did not  
10 believe he would qualify for a loan but wanted to hear what defendants  
11 KATYNSKIY and SHAVLOVSKY had to say.

12 27. On or about November 15, 2006, defendants NIKOLAY KATYNSKIY  
13 and ANGELA SHAVLOVSKY and H.S., formed a company called Guiding Light  
14 Construction.

15 28. On or about December 23, 2006, defendants VALERI MYSIN,  
16 NIKOLAY KATYNSKIY and ANGELA SHAVLOVSKY caused a loan application to be  
17 submitted to First Franklin Financial on behalf of H.S. for the purchase  
18 of residential property located at 9205 Pinehurst Drive, Roseville, CA.  
19 The application was materially false as to, among other things, H.S.'s  
20 employment, income, and intent to occupy the property as his primary  
21 residence.

22 29. On or about December 28, 2006, the defendants created, or  
23 caused to be created false invoices purporting to reflect work performed  
24 on the Pinehurst property by Guiding Light Construction and two  
25 individuals, A.S. and Y.S., individuals who are not indicted herein. On  
26 or about the same date, defendants BORIS MURZAK and ZINAIDA MURZAK, the  
27 sellers of the property, signed each of the fraudulent invoices falsely  
28 attesting that the work had been done. Defendants subsequently caused



1 these fraudulent invoices to be submitted to Stewart Title of Sacramento  
 2 for payment.

3 30. On or about January 3, 2007, the defendants caused a deed of  
 4 trust to be filed with the Placer County Recorders Office for the  
 5 Pinehurst Drive property.

6 31. On or about January 17, 2007, defendant ANGELA SHAVLOVSKY  
 7 caused Y.S. to deposit into a bank account jointly held by Y.S. and  
 8 defendant SHAVLOVSKY a \$15,000 check that Y.S. received from Stewart  
 9 Title of Sacramento in payment for the fraudulent invoice.

10 32. On or about January 17, 2007, defendant NIKOLAY KATYNSKIY  
 11 caused to be deposited into the Guiding Light Construction bank account  
 12 a \$40,000 check that Guiding Light Construction received from Stewart  
 13 Title of Sacramento in payment for a fraudulent invoice.

14 33. On or about January 25, 2007, defendant NIKOLAY KATYNSKIY  
 15 caused to be deposited into the Guiding Light Construction bank account  
 16 a \$45,000 check that Guiding Light Construction received from Stewart  
 17 Title of Sacramento in payment for a fraudulent invoice.

18 V. MAILINGS

19 34. On or about the dates listed below, for the purpose of  
 20 executing the aforementioned conspiracy, and attempting to do so,  
 21 defendants VALERI MYSIN, ANGELA SHAVLOVSKY, NIKOLAY KATYNSKIY, ALEXANDER  
 22 KOKHANETS, ZINAIDA MURZAK, BORIS MURZAK, and others, did knowingly cause  
 23 to be delivered by United States Postal Service or commercial carrier  
 24 the following matter:

25

<u>Date</u>	<u>Description</u>	<u>From</u>	<u>To</u>
8/18/06	Deed of Trust for 2240 Portmarnock Circle	Placer County Recorder's Office	OwnIt Mortgage Solutions, Inc.

26  
27  
28

9/29/06	Deed of Trust for 188 Silberhorn Drive	Sacramento County Recorder's Office	OwnIt Mortgage Solutions, Inc.
11/7/06	Deed of Trust for 5101 Sierra Springs Drive	El Dorado County Recorder's Office	OwnIt Mortgage Solutions, Inc.
1/3/07	Deed of Trust for 9205 Pinehurst Drive	Placer County Recorder's Office	First Franklin Financial

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO: [18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud]

The Grand Jury further charges:

VALERI MYSIN,  
 aka Val Mysin,  
 ANGELA SHAVLOVSKY,  
 MICHAEL KENNEDY,  
 and  
 VITALIY TUZMAN,

defendants herein, as follows:

I. INTRODUCTION

1. The Grand Jury realleges and incorporates by reference the allegations set forth in paragraphs 1 and 2 of Count One.

2. Defendant MICHAEL KENNEDY resided in the Lynnwood, Washington area and was a licensed real estate salesperson in the State of Washington. Defendant MICHAEL KENNEDY was also the owner of a company called MSK Construction. MSK Construction appeared to be a shell company that was created solely for the purpose of receiving money generated from the fraudulent scheme described herein. Defendant KENNEDY was a business associate of D.S., an individual not indicted herein.

1           3. Defendant VITALIY TUZMAN resided in West Sacramento,  
2 California and owned a residential property located at 3800 Tahoe Street  
3 in West Sacramento, California that he sold to D.S.

4                           II. CONSPIRACY TO COMMIT MAIL FRAUD

5           4. From no later than on or about July 31, 2006 and continuing to  
6 at least on or about November 16, 2006, in the State and Eastern  
7 District of California and elsewhere, defendants VALERI MYSIN, ANGELA  
8 SHAVLOVSKY, MICHAEL KENNEDY, and VITALIY TUZMAN, did knowingly combine,  
9 conspire, confederate, and agree with each other and with others both  
10 known and unknown to the Grand Jury to execute through the use of the  
11 mail a material scheme and artifice to defraud, and to obtain money by  
12 means of material false and fraudulent pretenses, representations and  
13 promises, and the concealment of material facts.

14           5. The object of the conspiracy was to obtain residential home  
15 loans from mortgage lenders based upon false and fraudulent loan  
16 applications, supporting documents, and invoices in order for the  
17 defendants to obtain money for themselves upon closing of the  
18 transactions.

19           6. Between in or about July 2006 and in or about November 2006,  
20 through various fraudulent acts set forth below, the defendants caused  
21 the origination of more than \$2 million in residential mortgage loans.  
22 All of these properties were foreclosed upon. As a result of the  
23 defendants' actions, mortgage lenders and others suffered losses of at  
24 least \$800,000.

25                           III. MANNER AND MEANS

26           7. It was part of the conspiracy that defendants VALERI MYSIN and  
27 ANGELA SHAVLOVSKY solicited strawbuyers to purchase residential  
28 properties at artificially-inflated prices using 100% financing loans.

1           8. It was a further part of the conspiracy that, in order for the  
2 strawbuyers to qualify for a home loan, the defendants, including VALERI  
3 MYSIN, ANGELA SHAVLOVSKY and MICHAEL KENNEDY, prepared and submitted, or  
4 caused to be submitted, fraudulent mortgage loan applications and  
5 supporting documents, which falsely represented the strawbuyers'  
6 employment, income, and intent to occupy the property as a primary  
7 residence.

8           9. It was a further part of the conspiracy that defendant VALERI  
9 MYSIN attempted to disguise his involvement with these fraudulent loans  
10 by making it appear that another loan officer in his office had handled  
11 them.

12           10. It was a further part of the conspiracy that, in order to  
13 obtain additional proceeds from these fraudulent transactions, the  
14 defendants created false invoices purporting to show that the seller of  
15 the subject property owed money to companies owned and/or controlled by  
16 the defendants or their associates for repairs or improvements to the  
17 subject property. These companies, which included Processing and Market  
18 Development Services, Designer Tile, and MSK Construction, did not  
19 actually perform any work for the seller of the property. Rather, the  
20 invoices were created as a way to siphon the fraudulently inflated  
21 equity out of the subject property. N.V. and defendant VITALIY TUZMAN,  
22 who were sellers of a property, attested to the accuracy of these  
23 fraudulent invoices.

24           After the lenders funded the loans, the defendants, including  
25 VALERI MYSIN and ANGELA SHAVLOVSKY, fraudulently diverted a portion of  
26 the proceeds from the inflated sales price to the organizers of this  
27 scheme.

1 IV. OVERT ACTS

2 In furtherance of the conspiracy and to effect the objects thereof,  
3 the defendants committed the following acts in the State and Eastern  
4 District of California and elsewhere:

5 11. In or about August 2006, defendant ANGELA SHAVLOVSKY recruited  
6 her acquaintance, defendant MICHAEL KENNEDY, to submit fraudulent  
7 mortgage loan applications. Thereafter, as more particularly described  
8 below, defendant VALERI MYSIN assisted defendant KENNEDY in preparing  
9 and submitting fraudulent loan applications and supporting documents, to  
10 OwnIt Mortgage and ResMAE Mortgage Company to obtain 100% financing for  
11 the purchase price of three residential properties: 3350 Jami Court,  
12 Roseville, California; 3800 Tahoe Street, West Sacramento, California;  
13 and 1125 Augusta Way, Roseville, California.

14 3350 Jami Court, Roseville, CA

15 12. On or about July 27, 2006, defendant MICHAEL KENNEDY caused to  
16 be submitted to ResMAE Mortgage Corporation an application for a loan  
17 in the name of D.S. for the purchase of a residence located at 3350 Jami  
18 Court, Roseville, California. The application was materially false as  
19 to, among other things, D.S.'s employment, income, and intent to occupy  
20 the property as his primary residence. The fraudulent application had  
21 been prepared by defendant VALERI MYSIN, who knew that the foregoing  
22 information was false.

23 13. On or about July 31, 2006, the defendants VALERI MYSIN, ANGELA  
24 SHAVLOVSKY and MICHAEL KENNEDY created, or caused to be created false  
25 invoices purporting to reflect work performed on the Jami Court property  
26 by Designer Tile, MSK Construction, and by Y.S., an individual who is  
27 not indicted herein. On or about the same date, N.V., the seller of the  
28 property who is not indicted herein, signed a document entitled

1 "Seller's Estimate of Net Proceeds" attesting to the accuracy of the  
2 fraudulent invoices. Defendants subsequently caused these fraudulent  
3 invoices to be submitted to Stewart Title of Sacramento for payment.

4 14. On or about July 31, 2006, the defendants caused a deed of  
5 trust to be filed with the Placer County Records Office for the Jami  
6 Court property at the close of escrow.

7 15. On or about August 2, 2006, defendant VALERI MYSIN deposited  
8 into his Designer Tile bank account a \$10,000 check that he had received  
9 from Stewart Title of Sacramento in payment for one of the fraudulent  
10 invoices referenced above.

11 16. On or about August 2, 2006, defendant ANGELA SHAVLOVSKY caused  
12 Y.S. to negotiate a \$27,500 check that Y.S. received from Stewart Title  
13 of Sacramento in payment for one of the fraudulent invoices referenced  
14 above at the Comerica Bank branch on Capital Avenue in Sacramento,  
15 California. Y.S. negotiated the \$27,500 check and received \$5,000 cash  
16 and obtained an official check in the amount of \$22,500

17 17. On or about August 2, 2006, defendant ANGELA SHAVLOVSKY caused  
18 Y.S. to deposit into a bank account jointly held by Y.S. and S.S. the  
19 \$22,500 check referenced above.

20 18. On or about August 9, 2006, defendant MICHAEL KENNEDY  
21 deposited into his MSK Construction bank account a \$42,500 check that he  
22 had received from Stewart Title of Sacramento in payment for one of the  
23 fraudulent invoices referenced above.

24 19. On or about September 14, 2006, the defendants caused a  
25 mortgage payment to be made on the Jami Court property on behalf of  
26 D.S. in order to allay suspicion. Thereafter, the defendants made no  
27 further mortgage payments on that property, and the property went into  
28 foreclosure.

1        1125 Augusta Way, Roseville, CA

2        20. On or about August 16, 2006, defendant MICHAEL KENNEDY and  
3 D.S. caused to be submitted to ResMAE Mortgage Corporation an  
4 application for a loan to purchase a residence located at 1125 Augusta  
5 Way, Roseville, California. The application was materially false as to,  
6 among other things, D.S.'s employment, income and intent to occupy the  
7 property as his primary residence. The application also failed to  
8 disclose that D.S. had recently purchased the Jami Court property, a  
9 material omission. The fraudulent application had been prepared by  
10 defendant VALERI MYSIN, who knew that the foregoing information was  
11 false.

12        21. On or about August 17, 2006, the defendants caused a deed of  
13 trust to be filed with the Placer County Recorders Office for the  
14 Augusta Way property.

15        22. On or about August 22, 2006, defendant VALERI MYSIN deposited  
16 into his personal bank account a \$7,635 check that represented his  
17 commission on the sale of the Augusta Way property.

18        23. On or about October 13, 2006, the defendants caused a mortgage  
19 payment to be made on the Augusta Way property on behalf of D.S. in  
20 order to allay suspicion. Thereafter, the defendants made no further  
21 mortgage payments on that property, and the property went into  
22 foreclosure.

23  
24        3800 Tahoe Street, West Sacramento, CA

25        24. On or about September 21, 2006, D.S. and defendant MICHAEL  
26 KENNEDY caused to be submitted to OwnIt Mortgage Solutions an  
27 application for a loan to purchase a residence located at 3800 Tahoe  
28 Street, West Sacramento, California. The application was materially

1 false as to, among other things, D.S. employment, income and intent to  
2 occupy the property as his primary residence. The application also  
3 failed to disclose that D.S. had recently purchased the Jami Court and  
4 Augusta Way properties, a material omission. The fraudulent application  
5 had been prepared by defendant VALERI MYSIN, who knew that the foregoing  
6 information was false.

7 25. On or about September 27, 2006, the defendants VALERI MYSIN,  
8 ANGELA SHAVLOVSKY and MICHAEL KENNEDY created, or caused to be created,  
9 false invoices purporting to reflect work performed on the Tahoe Street  
10 property by MSK Construction, and by Y.S., an individual who is not  
11 indicted herein. On or about the same date, defendant VITALIY TUZMAN,  
12 the seller of the property, signed the fraudulent invoices falsely  
13 attesting that the work had been done. Defendants subsequently caused  
14 these fraudulent invoices to be submitted to Stewart Title of Placer for  
15 payment.

16 26. On or about September 29, 2006, the defendants caused a deed  
17 of trust to be filed with the Yolo County Records Office for the Tahoe  
18 Street property.

19 27. On or about October 2, 2006, defendant VALERI MYSIN deposited  
20 into his Processing and Market Development bank account a \$19,711.88  
21 check that he had received from Nationwide Placer Mortgage that  
22 represented his commission on the sale of the Tahoe Street property.

23 28. On or about October 5, 2006, defendant ANGELA SHAVLOVSKY  
24 caused Y.S. to deposit into a bank account jointly held by Y.S. and S.S.  
25 a \$34,000 check that Y.S. received from Stewart Title of Placer in  
26 payment for one of the fraudulent invoices referenced above.

27 29. On or about October 10, 2006, defendant MICHAEL KENNEDY  
28 deposited into his MSK Construction bank account a \$43,000 check that he



1 had received from Stewart Title of Placer in payment for one of the  
2 fraudulent invoices referenced above.

3 30. On or about November 16, 2006, the defendants caused a  
4 mortgage payment to be made on the Tahoe Street property on behalf of  
5 D.S. in order to allay suspicion. Thereafter, the defendants made no  
6 further mortgage payments on the property, and the property went into  
7 foreclosure.

8 V. MAILINGS

9 31. On or about the dates listed below, for the purpose of  
10 executing the aforementioned conspiracy, and attempting to do so,  
11 defendants VALERI MYSIN, ANGELA SHAVLOVSKY, MICHAEL KENNEDY, and VITALIY  
12 TUZMAN, and others, did knowingly cause to be delivered by United States  
13 Postal Service or commercial carrier the following matter:

14

Date	Description	From	To
7/31/06	Deed of Trust for 3350 Jami Court	Placer County Recorder's Office	OwnIt Mortgage Solutions, Inc.
8/17/06	Deed of Trust for 1125 Augusta Way	Placer County Recorder's Office	ResMAE Mortgage Corp.
9/20/06	Deed of Trust for 3800 Tahoe Court	Yolo County Recorder's Office	OwnIt Mortgage Solutions, Inc.
9/27/06	Executed Loan Documents for 3800 Tahoe Street	Stewart Title of Placer	OwnIt Mortgage Solutions, Inc.

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27 All in violation of Title 18, United States Code, Section 1349.

28 COUNTS THREE AND FOUR: [18 U.S.C. § 1957 - Money Laundering]

The Grand Jury further charges: T H A T

NIKOLAY KATYNSKIY,

defendant herein, on or about the dates set forth below, in the State and Eastern District of California and elsewhere, did knowingly engage and attempt to engage in a monetary transaction affecting interstate and foreign commerce in criminally derived property of a value greater than \$10,000, as set forth below, such property having been derived from specified unlawful activity, that is, conspiracy to commit mail fraud in violation of Title 18, United States Code, Sections 1341 and 1349.

<u>COUNT</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>MONETARY TRANSACTION</u>
3	10/12/2006	\$12,000	Electronic Funds Transfer from Bank of America, N.A., account number 4134XXXX, into Bank of America, N.A., account number 7885XXXX, held in the name of NIKOLAY KATYNSKIY
4	10/13/2006	\$16,000	Electronic Funds Transfer from Bank of America, N.A., account number 4134XXXX, into Bank of America, N.A., account number 4134XXXX, held in the name of NIKOLAY KATYNSKIY - Homeland USA

All in violation of Title 18, United States Code, Section 1957.

COUNT FIVE: [18 U.S.C. § 1957 - Money Laundering]

The Grand Jury further charges: T H A T

MICHAEL KENNEDY,

defendant herein, on or about the dates set forth below, in the State and Eastern District of California and elsewhere, did knowingly engage and attempt to engage in a monetary transaction affecting interstate and foreign commerce in criminally derived property of a value greater than

1 \$10,000, as set forth below, such property having been derived from  
 2 specified unlawful activity, that is, conspiracy to commit mail fraud in  
 3 violation of Title 18, United States Code, Sections 1341 and 1349.  
 4

COUNT	DATE	AMOUNT	MONETARY TRANSACTION
5	10/23/2006	\$15,000	Check number 1007 in the amount of \$15,000 made payable to defendant MICHAEL KENNEDY drawn on Bank of America, N.A., account number 1275XXXX, held in the name of MSK Construction - Michael Kennedy.

10  
 11 FORFEITURE ALLEGATION: [18 U.S.C. § 981(a)(1)(c), 28 U.S.C. § 2461(c),  
 12 and 18 U.S.C. § 982(a)(1) - Criminal Forfeiture]

13 1. Upon conviction of the offense alleged in Counts One and Two  
 14 of this Indictment, defendants VALERI MYSIN, ANGELA SHAVLOVSKY, NIKOLAY  
 15 KATYNSKIY, ALEXANDER KOKHANETS, BORIS MURZAK, MICHAEL KENNEDY, and  
 16 VITALIY TUZMAN shall forfeit to the United States, pursuant to 18 U.S.C.  
 17 § 981(a)(1)(c) and 28 U.S.C. § 2461(c), all property, real and personal,  
 18 which constitutes or is derived from proceeds traceable to such  
 19 violation, including but not limited to:

20 a. A sum of money equal to the amount of proceeds obtained as  
 21 a result of the offense, for which defendants are convicted.

22 2. Upon conviction of one or more of the offenses alleged in  
 23 Counts Three through Five of this Indictment, defendants NIKOLAY  
 24 KATYNSKIY and MICHAEL KENNEDY shall forfeit to the United States,  
 25 pursuant to 18 U.S.C. § 982(a)(1), all property, real and personal,  
 26 involved in such violations, and any property traceable to such  
 27 property, including but not limited to the following:  
 28

1 a. A sum of money equal to the total amount of money involved  
2 in the offense, for which defendants are convicted.

3 3. If any property subject to forfeiture, as a result of the  
4 offenses alleged in Counts One through Four of this Indictment, for  
5 which defendants are convicted:

6 (a) cannot be located upon the exercise of due diligence;

7 (b) has been transferred or sold to, or deposited with, a  
8 third party;

9 (c) has been placed beyond the jurisdiction of the court;

10 (d) has been substantially diminished in value; or

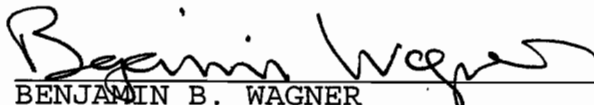
11 (e) has been commingled with other property which cannot be  
12 divided without difficulty;

13 it is the intent of the United States, pursuant to 18 U.S.C. § 982(b)(1)  
14 and 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(p), to seek  
15 forfeiture of any other property of said defendants up to the value of  
16 the property subject to forfeiture.

17 A TRUE BILL.

18 **/s/ Signature on file w/AUSA**

19 \_\_\_\_\_  
20 FOREPERSON

21   
22 BENJAMIN B. WAGNER  
23 United States Attorney  
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27  
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**US v. VALERIA MYSIN, ANGELA SHAVLOVSKY, NIKOLAY KATYNSKIY, SMITRY SAVIN, MICHAEL KENNEDY, ALEXANDER KOKHANETS, BORIS MURZAK, ZINAIDA MURZAK, and VITALITY TUZMANN  
PENALTY SLIP**

**COUNT 1:** VALERI MYSIN, ANGELA SHAVLOVSKY, NIKOLAY KATYNSKIY, ALEXANDER KOKHANETS, BORIS MURZAK and ZINAIDA MURZAK

**VIOLATION:** 18 U.S.C. § 1349 - Conspiracy to Commit Wire Fraud

**PENALTY:** 20 Years Imprisonment,  
\$250,000 Fine, or both;  
3 Years TSR

**COUNT 2:** VALERI MYSIN, ANGELA SHAVLOVSKY, DMITRY SAVIN, MICHAEL KENNEDY, and VITALITY TUZMAN

**VIOLATION:** 18 U.S.C. § 1349 - Conspiracy to Commit Wire Fraud

**PENALTY:** 20 Years Imprisonment,  
\$250,000 Fine, or both;  
3 Years TSR

**COUNTS 3 & 4:** NIKOLAY KATYNSKIY

**VIOLATION:** 18 U.S.C. § 1957 - Money Laundering

**PENALTY:** Not more than 10 Years Imprisonment,  
\$250,000,000 Fine, or both;  
3 Years TSR

**COUNT 5:** MICHAEL KENNEDY

**VIOLATION:** 18 U.S.C. § 1957 - Money Laundering

**PENALTY:** Not more than 10 Years Imprisonment,  
\$250,000,000 Fine, or both;  
3 Years TSR

**FORFEITURE**

**ALLEGATION:**

**VIOLATION:** 18 U.S.C. § 981(a)(1)(c), 28 U.S.C. § 2461(c), and  
18 U.S.C. § 982(a)(1) - Criminal Forfeiture

**PENALTY:** As Alleged in the Indictment

**SPECIAL**

**ASSESSMENT:** Mandatory \$100 for each Count

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

VALERI MYSIN aka VAL MYSIN, ANGELA SHAVLOVSKY, NIKOLAY KATYNSKIY, MICHAEL KENNEDY, ALEXANDER KOKHANETS, BORIS MURZAK, ZINAIDA MURZAK, and VITALIY TUZMAN

INDICTMENT

VIOLATION(S): 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud (2 Counts); 18 U.S.C. § 1957 - Engaging in Monetary Transactions in Criminally Derived Property (3 Counts); 18 U.S.C. § 981 (a)(1)(c), 28 U.S.C. §2461 (c), and 18 U.S.C. §982 (a)(1) - Criminal Forfeiture

A true bill,

151

Foreman.

Filed in open court this 28 day

of September, A.D. 20 11

[Signature]

Clerk.

Bail, \$

NO BAIL WARRANT PENDING HEARING

[Signature]

GPO 863 525

Summons = Alexander Kokhanets; Boris Murzak; Zinaida Murzak

= Valeri Mysin; Angela Shavlovsky; Nikolay Katynskiy; Michael Kennedy; Vitaliy Tuzman