



1           2.     VOLODYMYR DUBINSKY, owned in whole or in part, and operated  
2 the following entities: Alhambra Martco Incorporated (hereinafter  
3 "Alhambro Martco"); Samia Forest, LLC; Marina Ridge, LLC; Madison  
4 Estates Development, LLC; Gold West Construction, Incorporated  
5 (hereinafter "Gold West Construction"); and Trade House USA,  
6 Incorporated, the last of which in turn operated under the fictitious  
7 business name VLD Realty (hereinafter "Trade House/VLD Realty").  
8 These companies were primarily involved in the development and sale  
9 of residential real estate located in Carmichael, Sacramento, and  
10 Copperopolis, California. Trade House/VLD Realty was also in the  
11 business of offering "deed-of-trust" investments to private  
12 individuals. These "deed-of-trust" investments were essentially  
13 "hard money" loans that were used to finance the operations of the  
14 development companies owned by VOLODYMYR DUBINSKY. VOLODYMYR  
15 DUBINSKY was issued a California Department of Real Estate  
16 salesperson license on March 20, 2003, which was revoked on January  
17 2, 2012.

18           3.     Defendant LEONID DOUBINSKI owned and operated Gold West  
19 Construction and Trade House/VLD Realty along with his brother  
20 VOLODYMYR DUBINSKY. Gold West Construction was in the business of  
21 building residential real estate in the development communities owned  
22 by VOLODYMYR DUBINSKY. LEONID DOUBINSKI was issued a California  
23 Department of Real Estate broker license on March 7, 2003, which was  
24 revoked on January 2, 2012.

25           4.     VOLODYMYR DUBINSKY and LEONID DOUBINSKI recruited family  
26 members, employees, and associates with sufficient credit scores to  
27 act as buyers for residential properties (hereinafter referred to as  
28 "straw buyers") in the fraudulent scheme described herein. Gold West

1 Construction and Trade House/VLD Realty employed several of the straw  
2 buyers who were recruited by VOLODYMYR DUBINSKY and LEONID DOUBINSKI.

3 5. Defendant ROBIN DIMICELI was a salesperson licensed by the  
4 California Department of Real Estate. DIMICELI assisted VOLODYMYR  
5 DUBINSKY and LEONID DOUBINSKI in submitting URLAs to lenders on  
6 behalf of the straw buyers. DIMICELI knowingly submitted to lenders  
7 URLAs that contained false statements regarding a straw buyer's  
8 income, employment, bank account balances, and his/her intent to live  
9 in the properties purchased. DIMICELI submitted a number of URLAs to  
10 lenders which failed to disclose mortgage loans obtained by a straw  
11 buyer from other lending institutions. DIMICELI also served as a  
12 straw buyer for VOLODYMYR DUBINSKY and LEONID DOUBINSKI.

13 II. SCHEME TO DEFRAUD

14 6. Between on or about August 21, 2006 and on or about May 15,  
15 2008, in the Counties of Sacramento and Calaveras, in the State and  
16 Eastern District of California and elsewhere, defendants VOLODYMYR  
17 DUBINSKY, LEONID DOUBINSKI, and ROBIN DIMICELI knowingly devised,  
18 participated in, and executed a material scheme to defraud mortgage  
19 lending institutions and to obtain money and property from said  
20 institutions by means of materially false and fraudulent pretenses,  
21 representations, and promises, and the concealment of material facts.

22 7. Between on or about August 21, 2006 and May 15, 2008, the  
23 defendants were responsible for the origination of over \$3.7 million  
24 in residential mortgage loans for the six properties listed below:

	<u>Property Address</u>	<u>Straw Buyer</u>
25		
26	1 332 Calypso Beach Drive, Copperopolis, CA	V.M.
27	2 4856 Samia Court, Carmichael, CA	A.R./I.R.
28	3 38 Poseidon Way, Copperopolis, CA	K.S.

4	4844 Samia Court, Carmichael, CA	H.W./M.W.
5	52 Apollo Lane, Copperopolis, CA	ROBIN DIMICELI/G.M.
6	26 Argonaut Drive, Copperopolis, CA	ROBIN DIMICELI

All of these properties were foreclosed upon by the lenders or were sold for less than the mortgage debt owed, resulting in a total loss of over \$2 million. Additional properties not listed in this Indictment were also subject to the fraud scheme and resulted in further losses to various lenders.

### III. WAYS AND MEANS

8. The scheme to defraud was carried out, in substance, in the following manner:

a. Defendants VOLODYMYR DUBINSKY and LEONID DOUBINSKI recruited individuals with adequate credit scores to act as buyers for residential properties, knowing that these buyers did not, in fact, have sufficient income or assets to qualify for the residential mortgage loans for which they were applying. VOLODYMYR DUBINSKY and LEONID DOUBINSKI recruited these straw buyers to purchase properties in the residential real estate developments built and owned by VOLODYMYR DUBINSKY, where it was becoming more difficult to sell properties as the real estate market began to decline.

b. To facilitate the sale of these homes to the straw buyers at an inflated sales price above the market price, VOLODYMYR DUBINSKY and LEONID DOUBINSKI paid the straw buyers. VOLODYMYR DUBINSKY and LEONID DOUBINSKI deliberately concealed these payments from lenders by making these payments outside of escrow, or by falsely characterizing either the source or intended use of these payments on the HUD-1 settlement statements. To the extent these

1 funds were disclosed in the escrow process, they were often  
2 characterized as down payments made by the straw buyers themselves or  
3 as payments for improvements to the purchased properties. In truth  
4 and in fact, the money was not from the straw buyers but from  
5 VOLODYMYR DUBINSKY and LEONID DOUBINSKI. Similarly, for the most  
6 part, the funds diverted to the bank accounts that defendants and  
7 others controlled were not used to make improvements to the purchased  
8 properties, but were used for other purposes.

9 c. Defendants VOLODYMYR DUBINSKY and ROBIN DIMICELI  
10 prepared and/or submitted URLAs that contained false information as  
11 to the loan applicant's income, employment, assets, liabilities,  
12 and/or intent to occupy the property as a primary residence.  
13 Furthermore, the loan application packages often contained false and  
14 fabricated supporting documentation including altered bank  
15 statements, false Certified Public Accountant (hereinafter "CPA")  
16 letters, false Verification of Employment forms (hereinafter "VOEs"),  
17 false pay stubs, and false Verification of Deposit forms (hereinafter  
18 "VODs"). Defendants VOLODYMYR DUBINSKY and ROBIN DIMICELI also did  
19 not disclose to the lenders that a straw buyer had concurrently  
20 submitted a URLA to another lender. This information and  
21 documentation was material to a lender's decision to approve or  
22 disapprove a loan.

23 d. Defendants, including ROBIN DIMICELI, presented the  
24 false and fraudulent URLAs to lenders, knowing that the URLAs  
25 contained materially false and fraudulent statements and/or omitted  
26 material facts. DIMICELI received loan origination fees or  
27 commissions for the false loans submitted.  
28

1 e. Defendants, including VOLODYMYR DUBINSKY and LEONID  
 2 DOUBINSKI, directed the straw buyers to make payments on the subject  
 3 properties for a limited period of time. In some cases, VOLODYMYR  
 4 DUBINSKY and LEONID DOUBINSKI provided straw buyers with the funding  
 5 necessary to make these payments. VOLODYMYR DUBINSKY and LEONID  
 6 DOUBINSKI took such actions in an attempt to conceal the scheme from  
 7 lenders by preventing immediate defaults on the fraudulently obtained  
 8 loans.

9 f. Additionally, ROBIN DIMICELI acted as a straw buyer  
 10 and signed URLAs for the properties at 52 Apollo Lane and 26 Argonaut  
 11 Drive that contained false information as to her income.

#### 12 IV. MAILINGS

13 9. On or about the dates set forth below, in the Counties of  
 14 Sacramento and Calaveras in the State and Eastern District of  
 15 California, for the purpose of executing and attempting to execute  
 16 the aforementioned scheme and artifice to defraud, the defendants did  
 17 knowingly cause to be placed in a post office or authorized  
 18 depository for mail matter to be sent and delivered by the United  
 19 States Postal Service, and deposited or caused to be deposited any  
 20 matter or thing whatever to be sent and delivered by any private or  
 21 commercial interstate carrier, and knowingly caused to be delivered  
 22 by mail or such carrier thereon, the items listed below:

23 <u>Ct.</u>	<u>Date</u>	<u>Mailing</u>	<u>To</u>	<u>From</u>
24 1.	10/21/07	Deed of Trust of V.M.'s 25 purchase of 332 Calypso Beach Drive	Countrywide Bank, FSB, FDIC	Calaveras County Recorder
26 2.	08/23/07	Deed of Trust of A.R.'s 27 purchase of 4856 Samia Court	Washington Mutual Bank, FDIC	Sacramento County Recorder

3.	09/12/07	Deed of Trust of K.S.'s purchase of 38 Poseidon Way	Washington Mutual Bank, FDIC	Calaveras County Recorder
4.	07/03/07	Deed of Trust of H.W.'s purchase of 4844 Samia Court	Wells Fargo Bank, FDIC	Sacramento County Recorder
5.	08/21/06	Deed of Trust of ROBIN DIMICELLI'S and G.M.'s purchase of 52 Apollo Lane	Washington Mutual Bank, FDIC	Calaveras County Recorder
6.	08/31/07	Deed of Trust of ROBIN DIMICELLI's purchase of 26 Argonaut Drive	Washington Mutual Bank, FDIC	Calaveras County Recorder

All in violation of Title 18, United States Code, Sections 2 and 1341.

COUNTS SEVEN THROUGH NINETEEN: [18 U.S.C. § 1341 - Mail Fraud]

The Grand Jury charges:

VOLODYMYR DUBINSKY,  
LEONID DOUBINSKI, and  
EDWARD KHALFIN,

defendants herein, as follows:

I. INTRODUCTION

1. The allegations in Paragraphs 1 through 4, and 6 through 7 of Counts One through Six are hereby incorporated by reference.

2. Defendant EDWARD KHALFIN was a mortgage broker licensed by the California Department of Real Estate. KHALFIN assisted VOLODYMYR DUBINSKY and LEONID DOUBINSKI in submitting Uniform Residential Loan Applications (hereinafter "URLAs") on behalf of straw buyers. KHALFIN knowingly submitted to lenders URLAs which contained false statements regarding a straw buyer's income, employment, bank account balances, and his/her intent to live in the properties purchased. KHALFIN submitted a number of URLAs to lenders which failed to disclose mortgage loans obtained by a straw buyer from other lending

1 institutions. KHALFIN also submitted a number of altered bank  
 2 statements to lenders. These bank statements listed account balances  
 3 which materially overstated a borrower's true bank account balances.

4 II. SCHEME TO DEFRAUD

5 3. Between on or about August 21, 2006 and on or about May 15,  
 6 2008, in the Counties of Sacramento and Calaveras, in the State and  
 7 Eastern District of California and elsewhere, defendants VOLODYMYR  
 8 DUBINSKY, LEONID DOUBINSKI, and EDWARD KHALFIN knowingly devised,  
 9 participated in, and executed a material scheme to defraud mortgage  
 10 lending institutions and to obtain money and property from said  
 11 institutions by means of materially false and fraudulent pretenses,  
 12 representations, and promises, and the concealment of material facts.

13 4. Between on or about August 21, 2006 and May 15, 2008, the  
 14 defendants were responsible for the origination of over \$6 million in  
 15 residential mortgage loans for the thirteen properties listed below:

16

17	1	4608 Jion Court, Sacramento, CA	S.D.
18	2	4848 Samia Court, Carmichael, CA	S.D.
19	3	66 Argonaut Drive, Copperopolis, CA	H.W.
20	4	12 Selene Way, Copperopolis, CA	M.W.
21	5	4604 Jion Court, Sacramento, CA	Z.C.
22	6	4859 Samia Court, Carmichael, CA	Z.C.
23	7	30 Selene Way, Copperopolis, CA	Z.C.
24	8	4615 Jion Court, Sacramento, CA	Sv.D.
25	9	4623 Jion Court, Sacramento, CA	Sv.D.
26	10	44 Apollo Lane, Copperopolis, CA	D.W.
27	11	4619 Jion Court, Sacramento, CA	D.W.

28



12	6 Argonaut Drive, Copperopolis, CA	D.W.
13	4843 Samia Court, Carmichael, CA	K.S.

3 All of these properties were foreclosed upon by the lenders, or sold  
4 for less than the mortgage debt owed. The total loss stands at over  
5 \$3 million. Additional properties not listed in this Indictment were  
6 also subject to the fraud scheme and resulted in further losses to  
7 various lenders.

### 8 III. WAYS AND MEANS

9 5. The scheme to defraud was carried out, in substance, in the  
10 following manner:

11 a. Defendants VOLODYMYR DUBINSKY and LEONID DOUBINSKI  
12 recruited individuals with adequate credit scores to act as buyers  
13 for residential properties, knowing that these buyers did not, in  
14 fact, have sufficient income or assets to qualify for the residential  
15 mortgage loans for which they were applying. VOLODYMYR DUBINSKY and  
16 LEONID DOUBINSKI recruited these straw buyers to purchase properties  
17 in the residential real estate developments built and owned by  
18 VOLODYMYR DUBINSKY, where it was becoming more difficult to sell  
19 properties as the real estate market began to decline.

20 b. To facilitate the sale of these homes to the straw  
21 buyers at an inflated sales price above the market price, VOLODYMYR  
22 DUBINSKY and LEONID DOUBINSKI paid the straw buyers. VOLODYMYR  
23 DUBINSKY and LEONID DOUBINSKI deliberately concealed these payments  
24 from lenders by making these payments outside of escrow, or by  
25 falsely characterizing either the source or intended use of these  
26 payments on the HUD-1 settlement statements. To the extent these  
27 funds were disclosed in the escrow process, they were often  
28 characterized as down payments made by the straw buyers themselves or

1 as payments for improvements to the purchased properties. In truth  
2 and in fact, the money was not from the straw buyers but from  
3 VOLODYMYR DUBINSKY and LEONID DOUBINSKI. Similarly, for the most  
4 part, the funds diverted to the bank accounts that defendants and  
5 others controlled were not used to make improvements to the purchased  
6 properties, but were used for other purposes.

7 c. Defendants VOLODYMYR DUBINSKY and EDWARD KHALFIN  
8 prepared and/or submitted URLAs that contained false information as  
9 to the loan applicant's income, employment, assets, liabilities,  
10 and/or intent to occupy the property as a primary residence.  
11 Furthermore, the loan application packages often contained false and  
12 fabricated supporting documentation including altered bank  
13 statements, false CPA letters, false VOEs, false pay stubs, and false  
14 VODs. Defendants VOLODYMYR DUBINSKY and EDWARD KHALFIN also did not  
15 disclose to the lenders that a straw buyer had concurrently submitted  
16 a URLA to another lender. This information and documentation was  
17 material to a lender's decision to approve or disapprove a loan.

18 d. Defendants, including EDWARD KHALFIN, presented the  
19 false and fraudulent URLAs to lenders, knowing that the URLAs  
20 contained materially false and fraudulent statements and/or omitted  
21 material facts. KHALFIN received loan origination fees or  
22 commissions for the false loans submitted.

23 e. Defendants, including VOLODYMYR DUBINSKY and LEONID  
24 DOUBINSKI, directed the straw buyers to make payments on the subject  
25 properties for a limited period of time. In some cases, VOLODYMYR  
26 DUBINSKY and LEONID DOUBINSKI provided straw buyers with the funding  
27 necessary to make these payments. VOLODYMYR DUBINSKY and LEONID  
28 DOUBINSKI took such actions in an attempt to conceal the scheme from

1 lenders by preventing immediate defaults on the fraudulently obtained  
2 loans.

3 IV. MAILINGS

4 6. On or about the dates set forth below, in the Counties of  
5 Sacramento and Calaveras in the State and Eastern District of  
6 California, for the purpose of executing and attempting to execute  
7 the aforementioned scheme and artifice to defraud, the defendants did  
8 knowingly cause to be placed in a post office or authorized  
9 depository for mail matter to be sent and delivered by the United  
10 States Postal Service, and deposited or caused to be deposited any  
11 matter or thing whatever to be sent and delivered by any private or  
12 commercial interstate carrier, and knowingly caused to be delivered  
13 by mail or such carrier thereon, the items listed below:

14

<u>Ct.</u>	<u>Date</u>	<u>Mailing</u>	<u>To</u>	<u>From</u>
15 7.	4/09/07	Deed of Trust of S.D.'s purchase of 4608 Jion Court	Washington Mutual Bank, FDIC	Sacramento County Recorder
16 8.	05/02/07	Deed of Trust of S.D.'s purchase of 4848 Samia Court	Downey Savings & Loan, FDIC	Sacramento County Recorder
17 9.	07/03/07	Deed of Trust of H.W.'s purchase of 66 Argonaut Way	Washington Mutual Bank, FDIC	Calaveras County Recorder
18 10.	08/10/07	Deed of Trust of M.W.'s purchase of 12 Selene Way	Washington Mutual Bank, FDIC	Calaveras County Recorder
19 11.	04/18/07	Deed of Trust of Z.C.'s purchase of 4604 Jion Court	Washington Mutual Bank, FDIC	Sacramento County Recorder
20 12.	05/08/07	Deed of Trust of Z.C.'s purchase of 4859 Samia Court	Downey Savings & Loan, FDIC	Sacramento County Recorder

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1	13.	01/14/08	Deed of Trust of Z.C.'s purchase of 30 Selene Way	Washington Mutual Bank, FDIC	Calaveras County Recorder
2					
3	14.	10/05/07	Deed of Trust of Sv.D.'s purchase of 4615 Jion Court	Washington Mutual Bank, FDIC	Sacramento County Recorder
4					
5	15.	10/05/07	Deed of Trust of Sv.D.'s purchase of 4623 Jion Court	Washington Mutual Bank, FDIC	Sacramento County Recorder
6					
7	16.	04/13/07	Deed of Trust of D.W.'s purchase of 44 Apollo Lane	Washington Mutual Bank, FDIC	Calaveras County Recorder
8					
9	17.	05/08/07	Deed of Trust of D.W.'s purchase of 4619 Jion Court	Washington Mutual Bank, FDIC	Sacramento County Recorder
10					
11	18.	05/18/07	Deed of Trust of D.W.'s purchase of 6 Argonaut Drive	IndyMac, FDIC	Calaveras County Recorder
12					
13	19.	05/15/08	Deed of Trust for K.S.'s purchase of 4843 Samia Court	Parkside Lending	Sacramento County Recorder
14					

15  
16 All in violation of Title 18, United States Code, Sections 2 and  
17 1341.

18 COUNTS TWENTY THROUGH THIRTY-SEVEN: [18 U.S.C. § 1014 - False  
19 Statements on Loan and Credit  
20 Applications]

21 The Grand Jury further charges: T H A T

22 VOLODYMYR DUBINSKY,  
23 LEONID DOUBINSKI,  
24 EDWARD KHALFIN, and  
25 ROBIN DIMICELI,

26 defendants herein, on or about the dates listed below, in the  
27 Counties of Sacramento and Calaveras in the State and Eastern  
28 District of California, knowingly made and caused to be made false  
statements and reports for the purpose of influencing the actions of

1 the lenders set forth below, the accounts of which were then insured  
 2 by the Federal Deposit Insurance Corporation ("FDIC"), in connection  
 3 with home loans being sought in the names of straw buyers, by among  
 4 other things, falsely inflating income and assets, falsely reporting  
 5 employment, and falsely reporting a straw buyer's intention to occupy  
 6 the properties set forth below:  
 7

<u>Ct.</u>	<u>Date</u>	<u>Address</u>	<u>Lender</u>	<u>Defendants</u>
20.	08/23/07	4856 Samia Court Carmichael, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI DIMICELI
21.	09/12/07	38 Poseidon Way Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI DIMICELI
22.	04/09/07	4608 Jion Court Sacramento, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
23.	05/02/07	4848 Samia Court Sacramento, CA	Downey Savings & Loan, FDIC	DUBINSKY DOUBINSKI KHALFIN
24.	07/03/07	66 Argonaut Way Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
25.	07/03/07	4844 Samia Court, Carmichael, CA	Wells Fargo Bank, FDIC	DUBINSKY DOUBINSKI DIMICELI
26.	08/10/07	12 Selene Way Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN

1	27.	04/18/07	4604 Jion Court Sacramento, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
2					
3	28.	05/08/07	4859 Samia Court Carmichael, CA	Downey Savings & Loan, FDIC	DUBINSKY DOUBINSKI KHALFIN
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5					
6	29.	01/14/08	30 Selene Way, Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
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8					
9	30.	10/05/07	4615 Jion Court Sacramento, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
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11	31.	10/05/07	4623 Jion Court Sacramento, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
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14	32.	04/13/07	44 Apollo Lane Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
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16	33.	05/08/07	4619 Jion Court Sacramento, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI KHALFIN
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19	34.	08/21/06	52 Apollo Lane Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI DIMICELI
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21	35.	08/31/07	26 Argonaut Drive Copperopolis, CA	Washington Mutual Bank, FDIC	DUBINSKY DOUBINSKI DIMICELI
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24	36.	5/18/07	6 Argonaut Drive Copperopolis, CA	IndyMac, FDIC	DUBINSKY DOUBINSKI KHALFIN
25					
26	37.	10/3/07	332 Calypso Beach Drive, Copperopolis, CA	Countrywide Bank, FSB, FDIC	DUBINSKY DOUBINSKI DIMICELI
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1 All in violation of Title 18, United States Code, Sections 2 and  
2 1014.

3 FORFEITURE ALLEGATION: [18 U.S.C. § 982(a)(2)(A) - Criminal  
4 Forfeiture]

5 1. Upon conviction of one or more of the offenses alleged in  
6 Counts One through Thirty-Seven of this Indictment, defendants  
7 VOLODYMYR DUBINSKY, LEONID DOUBINSKI, EDWARD KHALFIN, and ROBIN  
8 DIMICELI, shall forfeit to the United States of America, pursuant to  
9 Title 18, United States Code, Section 982(a)(2)(A), all property,  
10 real and personal, which constitutes or is derived from proceeds  
11 obtained directly or indirectly as the result of said violations,  
12 including but not limited to a sum of money equal to the total amount  
13 of proceeds obtained as a result of the offenses, for which the  
14 defendants are convicted.

15 2. If any property subject to forfeiture, as a result of the  
16 offenses alleged in Counts One through Thirty-Seven of this  
17 Indictment, for which the defendants are convicted:

- 18 (a) cannot be located upon the exercise of due diligence;  
19 (b) has been transferred or sold to, or deposited with, a  
20 third party;  
21 (c) has been placed beyond the jurisdiction of the court;  
22 (d) has substantially diminished in value; or  
23 (e) has been commingled with other property which cannot  
24 be divided without difficulty;

25 it is the intent of the United States, pursuant to Title 18, United  
26 States Code, Section 982(b)(1), incorporating Title 21, United States

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28 / / /

1 Code, Section 853(p), to seek forfeiture of any other property of  
2 said defendants up to the value of the property subject to  
3 forfeiture.

4 A TRUE BILL.

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6                         /S                          
FOREPERSON

7 Benjamin Wagner  
8 BENJAMIN B. WAGNER  
United States Attorney  
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**UNITED STATES DISTRICT COURT**

*Eastern District of California*

*Criminal Division*

**THE UNITED STATES OF AMERICA**

vs.

**VOLODYMYR DUBINSKY,  
LEONID DOUBINSKI,  
EDWARD KHALFIN, and  
ROBIN DIMICELI**

**INDICTMENT**

**VIOLATIONS: 18 U.S.C. § 1341 - Mail Fraud (6 Counts); 18  
U.S.C. § 1014 - False Statements on Loan and Credit Applications  
(13 Counts); 18 U.S.C. § 982(a)(2)(A) - Criminal Forfeiture**

*A true bill,*

**SEALED**

*151*

*Foreman.*

Filed in open court this 13 day

of September, A.D. 2012

*[Signature]*  
*Clerk.*

Bail, \$

**NO BAIL WARRANT PENDING HEARING**

*- All defendants v. Dubinsky;  
" Doubinski;  
E. Khalfin;  
R. Dimiceli*

*[Signature]*

**PENALTY SLIP**

VOLODYMYR DUBINSKY  
LEONID DOUBINSKY  
EDDWARD KHALFIN  
ROBIN DIMICELI

2:12 - CR - 0328 JAM

**COUNTS 1-6** VOLODYMYR DUBINSKY, LEONID DOUBINSKY, EDWARD KHALFIN and  
ROBIN DIMICELI

**Violation:** 18 U.S.C. § 1343 - Wire Fraud

**Penalty:** Not More than 20 Years Imprisonment,  
Not More than \$250,000 Fine, or both;  
3 Years TSR

**COUNTS 7-19** VOLODYMYR DUBINSKY, LEONID DOUBINSKY, EDWARD KHALFIN

**Violation:** 18 U.S.C. § 1343 - Wire Fraud

**Penalty:** Not More than 20 Years Imprisonment,  
Not More than \$250,000 Fine, or both;  
3 Years TSR

**SEALED**

**COUNTS 20-37** VOLODYMYR DUBINSKY, LEONID DOUBINSKY, EDWARD KHALFIN and  
ROBIN DIMICELI

**Violation:** 18 U.S.C. § 1014 - False Statements on Loan and Credit Applications

**Penalty:** Not More than 30 Years Imprisonment,  
Not More than \$1,000,000 or both;  
5 Years TSR

**FORFEITURE**

**ALLEGATION** 18 U.S.C. § 982(a)(2)(A) - Criminal Forfeiture

**Penalty:** As stated in the Indictment

**COURT**

**ASSESSMENT** \$100 each count