

United States District Court
District of Connecticut
FILED AT BRIDGEPORT
7/12/12
Honorable J. Roberts, Clerk
By: O. Lewis
Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA : CASE NO. 3:12CR162 (JCH)
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v. : 18 U.S.C. § 1349 (Conspiracy)
: 18 U.S.C. § 982(a)(2) (Forfeiture)
: 18 U.S.C. § 981(a) (Forfeiture)
BRADFORD J. RIEGER : 28 U.S.C. § 2461(c) (Forfeiture)

INFORMATION

The United States Attorney charges:

COUNT ONE
(Conspiracy – 18 U.S.C. § 1349)

The Conspiracy

1. From approximately 2006 to November 2008, in the District of Connecticut and elsewhere, the defendant BRADFORD J. RIEGER (“RIEGER”) did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree with others, both known and unknown to the United States Attorney, to commit an offense against the United States as follows:

- a. to devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute the scheme and artifice, did knowingly deposit and cause to be deposited items to be sent and delivered by U.S. Mail and by private and commercial interstate carrier, in violation of Title 18, United States Code, Section 1341;
- b. to devise and to intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute the scheme and artifice, did knowingly transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343; and

- c. to devise and to intend to devise a scheme and artifice to defraud a financial institution, and for obtaining money and property owned by, or under the custody and control of, a financial institution, did knowingly execute and attempt to execute a scheme and artifice to defraud by means of material false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

Purpose and Object of the Conspiracy

2. A purpose and object of the conspiracy was for RIEGER, Ronald E. Hutchison, Jr. (“Hutchison”), a co-conspirator charged elsewhere, and their co-conspirators to enrich themselves by obtaining millions of dollars in real estate mortgages through the use of materially false loan applications, loan documents, and HUD-1 forms, and to conceal the conspiracy from others.

Manner and Means of the Conspiracy

The manner and means by which RIEGER, Hutchison, and their co-conspirators sought to accomplish the objects of the conspiracy included the following:

3. It was part of the conspiracy that Hutchison and other borrowers sought to purchase dozens of multi-family properties in New Haven, Connecticut.
4. It was part of the conspiracy that Hutchison and other borrowers would and did apply for mortgages from mortgage lenders and federally-insured financial institutions (“Lenders”) to purchase such properties.
5. It was further part of the conspiracy that Hutchison and other borrowers would and did enter into sales contracts with sellers of real property for prices higher than the actual prices that the sellers agreed to receive at closing.
6. It was further part of the conspiracy that RIEGER, an attorney licensed to practice law in Connecticut, served as the settlement agent and closing attorney for numerous real estate

transactions.

7. It was further part of the conspiracy that while RIEGER, Hutchison, and their co-conspirators disclosed to the Lenders the contract sale price, they knowingly and wilfully concealed from the Lenders the true, lower sale price accepted by the seller at closing.

8. It was further part of the conspiracy that RIEGER, Hutchison, and their co-conspirators made, or caused to be made, materially false statements in the loan applications, HUD-1 forms, leases, and other documentation submitted to the Lenders in order to obtain financing based on the higher contract price.

9. It was further part of the conspiracy that, in multiple transactions, RIEGER prepared two HUD-1 forms: one that was disclosed to the Lender and reflected the higher contract sale price, and another, not disclosed to the Lender, that reflected the true, lower sale price.

10. It was further part of the conspiracy that, in multiple transactions, the HUD-1 form RIEGER and his co-conspirators submitted to the Lenders indicated that the borrowers paid funds at closing when, as he and his co-conspirators well knew, the borrowers paid no such funds at closing.

11. It was further part of the conspiracy that, in multiple transactions, the HUD-1 form RIEGER and his co-conspirators submitted to the Lenders indicated that the borrowers paid funds at closing when, as he and his co-conspirators well knew, RIEGER distributed funds to the borrowers at closing.

12. It was further part of the conspiracy that RIEGER, Hutchison, and their co-conspirators would and did cause wires to be sent from Lenders outside Connecticut to RIEGER's attorney trust account in Connecticut.

13. It was further part of the conspiracy that RIEGER, Hutchison, and their co-conspirators would and did cause items to be deposited into the U.S. Mail and into private and commercial interstate carrier.

14. It was further part of the conspiracy that RIEGER, Hutchison, and their co-conspirators would and did distribute the fraudulent proceeds among themselves.

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

FORFEITURE ALLEGATION

15. Upon conviction of the offense alleged in this Information, RIEGER shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 982(a)(2), Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 1349, 1341, 1343, and 1344, including but not limited to a sum of money equal to the total amount of any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 1349, 1341, 1343, and 1344, that is, a money judgment of at least \$21,438.87.

16. If any of the above-described forfeitable property, as a result of any act or omission of RIEGER, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property that cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of RIEGER up to the value of the forfeitable property described above.

All in accordance with Title 18, United States Code, Section 982, Title 18, United States Code, Section 981(a)(1), as incorporated by Title 28, United States Code, Section 2461(c), and Rule 32.2(a), Federal Rules of Criminal Procedure.

UNITED STATES OF AMERICA



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