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CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

10 THE STATE OF NEVADA,

11 Plaintiff,

12 v.

13 JOSE BENJAMIN RODRIGUEZ AKA BEN
14 RODRIGUEZ AKA JOSE RODRIGUEZ, DBA
15 MAJESTIC GROUP LLC, IMPERIAL TROY
16 GROUP, TROY ENTERPRISE LLC, or NEVADA
17 SKY PREMIER, LLC;

18 *Stricken*
19 FRANKLIN DAVID MARQUEZ, JR AKA
20 FRANKLIN MARQUEZ, DBA MAJESTIC
21 GROUP LLC, or IMPERIAL TROY GROUP;

22 SILVIA PATRICIA DE LA CRUZ AKA PATTY DE
23 LA CRUZ AKA SILVIA P ESTRADA, DBA
24 MAJESTIC GROUP LLC, IMPERIAL TROY
25 GROUP, TROY ENTERPRISE LLC or NEVADA
26 SKY PREMIER LLC;

27 JOSE GILBERTO NAVIDAD AKA GILBERTO
28 NAVIDAD, DBA MAJESTIC GROUP LLC, or
IMPERIAL TROY GROUP;

MARIA LORENA ANZU AKA LORENA ANZU;

RODOLFO CRUZ;

YANAY AGUIRRE AKA YANAY AGUIRRE
SANTOS; and,

ROBERTO VARGAS AKA ROBERTO V.
AYALA

Case No.: C-13-288653-2

Dept. No.: V

AMENDED BY ORDER OF THE COURT
STEVEN D. GRIERSON, CLERK OF THE COURT

DENISE TRUJILLO BY *Denise Trujillo* DEPUTY
MAR 16 2015

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

1 Defendants. }

2
3 **SUPERSEDING INDICTMENT**

4 The undersigned, CATHERINE CORTEZ MASTO, Attorney General of the State of
5 Nevada, by and through Deputy Attorney General ALLISON L. HERR, upon information and
6 belief and under penalty of perjury, complains and charges the above named defendants as
7 follows:

8 **JOSE BENJAMIN RODRIGUEZ aka BEN RODRIGUEZ aka JOSE RODRIGUEZ, dba**
9 **MAJESTIC GROUP LLC, or IMPERIAL TROY GROUP, or TROY ENTERPRISE, LLC or**
10 **NEVADA SKY PREMIER, LLC (hereinafter "Rodriguez"), has committed Nine (9) Counts of**
11 **MORTGAGE LENDING FRAUD, class C felonies in violation of NRS 205.372 and NRS**
12 **645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B felony in**
13 **violation of NRS 205.372 and NRS 645F.400; Three (3) Counts of THEFT - OBTAINING**
14 **MONEY BY MATERIAL MISREPRESENTATION AGAINST A PERSON 60 YEARS OF AGE**
15 **OR OLDER OR AGAINST A VULNERABLE PERSON, class B felonies in violation of NRS**
16 **205.0832, NRS 205.0835, and NRS 193.167; Six (6) Counts of THEFT - OBTAINING MONEY**
17 **BY MATERIAL MISREPRESENTATION, class B felonies in violation of NRS 205.0832 and NRS**
18 **205.0835; Five (5) Counts of BRIBING OR INTIMIDATING A WITNESS TO INFLUENCE**
19 **TESTIMONY, class C felonies in violation of NRS 199.240; and, One (1) Count of MULTIPLE**
20 **TRANSACTIONS INVOLVING FRAUD OR DECEIT, a class "B" felony in violation of NRS**
21 **205.377.**

22 **FRANKLIN DAVID MARQUEZ JR aka FRANKLIN MARQUEZ, dba MAJESTIC**
23 **GROUP LLC or IMPERIAL TROY GROUP, (hereinafter "Marquez") has committed Nine (9)**
24 **Counts of MORTGAGE LENDING FRAUD, class C felonies in violation of NRS 205.372 and**
25 **NRS 645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B**
26 **felony in violation of NRS 205.372 and NRS 645F.400; Three (3) Counts of THEFT -**
27 **OBTAINING MONEY BY MATERIAL MISREPRESENTATION AGAINST A PERSON 60**
28 **YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON, class B felonies in**

1 violation of NRS 205.0832, NRS 205.0835, and NRS 193.167; Six (6) Counts of THEFT -
2 OBTAINING MONEY BY MATERIAL MISREPRESENTATION, class B felonies in violation of
3 NRS 205.0832 and NRS 205.0835; and, One (1) Count of MULTIPLE TRANSACTIONS
4 INVOLVING FRAUD OR DECEIT, a class "B" felony in violation of NRS 205.377.

5 **SILVIA PATRICIA DE LA CRUZ aka PATTY DE LA CRUZ aka SILVIA P ESTRADA,**
6 **dba MAJESTIC GROUP LLC or IMPERIAL TROY GROUP, or TROY ENTERPRISE LLC or**
7 **NEVADA SKY PREMIER LLC, (hereinafter "De La Cruz") has committed Nine (9) Counts of**
8 **MORTGAGE LENDING FRAUD, class C felonies in violation of NRS 205.372 and NRS**
9 **645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B felony in**
10 **violation of NRS 205.372 and NRS 645F.400; Three (3) Counts of THEFT- OBTAINING**
11 **MONEY BY MATERIAL MISREPRESENTATION AGAINST A PERSON 60 YEARS OF AGE**
12 **OR OLDER OR AGAINST A VULNERABLE PERSON, class B felonies in violation of NRS**
13 **205.0832, NRS 205.0835, and NRS 193.167; Six (6) Counts of THEFT- OBTAINING MONEY**
14 **BY MATERIAL MISREPRESENTATION, class B felonies in violation of NRS 205.0832 and NRS**
15 **205.0835; and, One (1) Count of MULTIPLE TRANSACTIONS INVOLVING FRAUD OR**
16 **DECEIT, a class "B" felony in violation of NRS 205.377.**

17 **JOSE GILBERTO NAVIDAD aka GILBERTO NAVIDAD, dba MAJESTIC GROUP,**
18 **LLC or IMPERIAL TROY GROUP, (hereinafter "Navidad") has committed Nine (9) Counts of**
19 **MORTGAGE LENDING FRAUD, class C felonies in violation of NRS 205.372 and NRS**
20 **645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B felony in**
21 **violation of NRS 205.372 and NRS 645F.400; Three (3) Counts of THEFT- OBTAINING**
22 **MONEY BY MATERIAL MISREPRESENTATION AGAINST A PERSON 60 YEARS OF AGE**
23 **OR OLDER OR AGAINST A VULNERABLE PERSON, class B felonies in violation of NRS**
24 **205.0832, NRS 205.0835, and NRS 193.167; Six (6) Counts of THEFT- OBTAINING MONEY**
25 **BY MATERIAL MISREPRESENTATION, class B felonies in violation of NRS 205.0832 and NRS**
26 **205.0835; and, One (1) Count of MULTIPLE TRANSACTIONS INVOLVING FRAUD OR**
27 **DECEIT, a class "B" felony in violation of NRS 205.377.**

1 **MARIA LORENA ANZU AKA LORENA ANZU**, (hereinafter "Anzu") has committed Nine
2 (9) Counts of MORTGAGE LENDING FRAUD, class C felonies in violation of NRS 205.372,
3 NRS 645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B
4 felony in violation of NRS 205.372, NRS 645F.400; Three (3) Counts of THEFT- OBTAINING
5 MONEY BY MATERIAL MISREPRESENTATION AGAINST A PERSON 60 YEARS OF AGE
6 OR OLDER OR AGAINST A VULNERABLE PERSON, class B felonies in violation of NRS
7 205.0832, NRS 205.0835, NRS 193.167; Six (6) Counts of THEFT- OBTAINING MONEY BY
8 MATERIAL MISREPRESENTATION, class B felonies in violation of NRS 205.0832, NRS
9 205.0835; Five (5) Counts of BRIBING OR INTIMIDATING A WITNESS TO INFLUENCE
10 TESTIMONY, class C felonies in violation of NRS 199.240; and, One (1) Count of MULTIPLE
11 TRANSACTIONS INVOLVING FRAUD OR DECEIT, a class "B" felony in violation of NRS
12 205.377.

13 **RODOLFO CRUZ**, (hereinafter "Cruz") has committed Nine (9) Counts of MORTGAGE
14 LENDING FRAUD, class C felonies in violation of NRS 205.372 and NRS 645F.400; One (1)
15 Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B felony in violation of NRS
16 205.372 and NRS 645F.400; Three (3) Counts of THEFT - OBTAINING MONEY BY
17 MATERIAL MISREPRESENTATION AGAINST A PERSON 60 YEARS OF AGE OR OLDER
18 OR AGAINST A VULNERABLE PERSON, class B felonies in violation of NRS 205.0832, NRS
19 205.0835, and NRS 193.167; Six (6) Counts of THEFT - OBTAINING MONEY BY MATERIAL
20 MISREPRESENTATION, class B felonies in violation of NRS 205.0832 and NRS 205.0835; and,
21 One (1) Count of MULTIPLE TRANSACTIONS INVOLVING FRAUD OR DECEIT, a class "B"
22 felony in violation of NRS 205.377.

23 **YANAY AGUIRRE aka YANAY AGUIRRE SANTOS**, (hereinafter "Aguirre") has
24 committed Nine (9) Counts of MORTGAGE LENDING FRAUD, class C felonies in violation of
25 NRS 205.372 and NRS 645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING
26 FRAUD, a class B felony in violation of NRS 205.372 and NRS 645F.400; Three (3) Counts of
27 THEFT - OBTAINING MONEY BY MATERIAL MISREPRESENTATION AGAINST A
28 PERSON 60 YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON, class B

1 felonies in violation of NRS 205.0832, NRS 205.0835, and NRS 193.167; Six (6) Counts of
2 THEFT - OBTAINING MONEY BY MATERIAL MISREPRESENTATION, class B felonies in
3 violation of NRS 205.0832 and NRS 205.0835; and, One (1) Count of MULTIPLE
4 TRANSACTIONS INVOLVING FRAUD OR DECEIT, a class "B" felony in violation of NRS
5 205.377.

6 **ROBERTO VARGAS aka ROBERTO V. AYALA** (hereinafter "Vargas") has committed
7 Nine (9) Counts of MORTGAGE LENDING FRAUD, class C felonies in violation of NRS 205.372
8 and NRS 645F.400; One (1) Count of PATTERN OF MORTGAGE LENDING FRAUD, a class B
9 felony in violation of NRS 205.372 and NRS 645F.400; Three (3) Counts of THEFT -
10 OBTAINING MONEY BY MATERIAL MISREPRESENTATION AGAINST A PERSON 60
11 YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON, class B felonies in
12 violation of NRS 205.0832, NRS 205.0835, and NRS 193.167; Six (6) Counts of THEFT -
13 OBTAINING MONEY BY MATERIAL MISREPRESENTATION, class B felonies in violation of
14 NRS 205.0832 and NRS 205.0835; and, One (1) Count of MULTIPLE TRANSACTIONS
15 INVOLVING FRAUD OR DECEIT, a class "B" felony in violation of NRS 205.377.

16 All of the acts alleged herein were committed on or between August 2010, and
17 September 2012 by the above-named Defendants.

18 All of these counts were committed within the County of Clark, State of Nevada, contrary
19 to the form, force and effect of the statutes in such cases, made and provided, and against the
20 peace and dignity of the State.

21 That at all times relevant herein, the Defendants were acting as principals as defined in
22 NRS 195.020 as whether the person directly commits the act constituting the offense, or aids
23 or abets in its commission, and whether present or absent; and every person who, directly or
24 indirectly, counsels, encourages, hires, commands, induces or otherwise procures another to
25 commit a felony is a principal.

26 During the period of August 2, 2010 to August 31, 2012, Majestic Group, LLC was a
27 Nevada limited liability company. Franklin Marquez and Patty De La Cruz were listed as the
28 managers of Majestic Group, LLC during all relevant periods. Jose Benjamin Rodriguez and

1 Jose Gilberto Navidad were managing members of Majestic Group, LLC from its inception
2 until August 22, 2011. This entity is now in default.

3 Majestic Group, LLC filed a Certificate of Business Fictitious Firm Name with the Clark
4 County Clerk on or about September 22, 2010 certifying that they were conducting business
5 under the name Imperial Troy Group.

6 During the period of March 1, 2011 to May 24, 2012, Nevada Sky Premier, LLC was a
7 Nevada limited liability company. Jose Benjamin Rodriguez and Patty De La Cruz were listed
8 as the managers of Nevada Sky Premier, LLC during this period. This entity is now in default.

9 On or about March 28, 2011, Troy Enterprise LLC was formed as a Nevada limited
10 liability company. Jose B Rodriguez and Patty De La Cruz were listed, and now remain as the
11 managers of Troy Enterprise LLC. This entity is now in default.

12 On or about March 23, 2012, the State of Nevada Department of Business and Industry
13 Division of Mortgage Lending issued an order against Majestic Group, LLC, Nevada Sky
14 Premier, LLC, and Jose Benjamin Rodriguez to immediately cease and desist from
15 advertising, engaging in, or otherwise carrying on, or holding themselves out as engaging in or
16 carrying on, the activities of a covered service provider as defined in NRS Chapter 645F. On
17 or about October 1, 2012 a final order was entered revoking Mortgage Agent License No.
18 22616 and Associated Covered Service Provider License No. 46467.

19 **COUNT ONE**

20 **MORTGAGE LENDING FRAUD**

21 **(Category "C" Felony - NRS 205.372 and 645F.400)**

22 From on or about August 2010 to September 2012, within the County of Clark, State of
23 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas either
24 by virtue of his or her own actions, or by the actions of his or her agents or employees,
25 knowingly acted, or conspired with another person to act as a participant in an unlawful
26 mortgage lending transaction, as defined by NRS 205.372(8)(c), by either making, concealing,
27 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
28 using or facilitating the use of a false statement or misrepresentation concerning a material

1 fact made by another; or, claiming, demanding, charging, collecting, or receiving
2 compensation for the performance of a mortgage lending transaction as defined under NRS
3 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
4 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
5 of Nevada law, and by failing to complete the services for which they were retained, all of
6 which constitutes mortgage lending fraud. To wit,

7 For compensation or in expectation of compensation and for fees portions of which
8 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
9 his or her own actions, or by the actions of his or her agents or employees solicited and
10 induced Edelmira Anorve Serrano (hereinafter "Serrano") into signing a Power of Attorney or
11 Quitclaim Deed to her real estate. Defendants further induced Serrano to stop paying her
12 mortgage and instead pay participation fees to Defendants on a monthly basis. Defendants
13 made misrepresentations to Serrano including, but not limited to, that Defendants would stop
14 the foreclosure of her property, that Defendants would pool Serrano's monies with those of
15 other participants to have investors purchase the note from her lender and then sell the real
16 estate back to her at a lower cost, resulting in more favorable terms, lowered principal or
17 lowered payments. Defendants have failed to complete the services promised and Serrano
18 subsequently lost her property in foreclosure and was evicted from her home.

19 **COUNT TWO**

20 **MORTGAGE LENDING FRAUD**

21 **(Category "C" Felony - NRS 205.372 and 645F.400)**

22 From on or about August 2010 to September 2012, within the County of Clark, State of
23 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
24 by virtue of his or her own actions, or by the actions of his or her agents or employees,
25 knowingly acted, or conspired with another person, to act as a participant in an unlawful
26 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
27 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
28 using or facilitating the use of a false statement or misrepresentation concerning a material

1 fact made by another; or, claiming, demanding, charging, collecting, or receiving
2 compensation for the performance of a mortgage lending transaction as defined under NRS
3 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
4 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
5 of Nevada law, and by failing to complete the services for which they were retained, all of
6 which constitutes mortgage lending fraud. To wit,

7 For compensation or in expectation of compensation and for fees portions of which
8 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
9 his or her own actions, or by the actions of his or her agents or employees solicited and
10 induced Eliseo and Maria Balandran (hereinafter "E. Balandran") into signing a Power of
11 Attorney or Quitclaim Deed to their real estate. Defendants further induced E. Balandran to
12 stop paying their mortgage and instead pay participation fees to Defendants on a monthly
13 basis. Defendants made misrepresentations to E. Balandran including, but not limited to, that
14 Defendants would stop the foreclosure of their property, that Defendants would pool E.
15 Balandran's monies with those of other participants to have investors purchase the note from
16 their lender and then sell the real estate back to them at a lower cost, resulting in more
17 favorable terms, lowered principal or lowered payments. Defendants failed to complete the
18 services as promised.

19 **COUNT THREE**

20 **MORTGAGE LENDING FRAUD**

21 **(Category "C" Felony - NRS 205.372 and 645F.400)**

22 From on or about August 2010 to September 2012, within the County of Clark, State of
23 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
24 by virtue of his or her own actions, or by the actions of his or her agents or employees,
25 knowingly acted, or conspired with another person, to act as a participant in an unlawful
26 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
27 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
28 using or facilitating the use of a false statement or misrepresentation concerning a material

1 fact made by another; or, claiming, demanding, charging, collecting, or receiving
2 compensation for the performance of a mortgage lending transaction as defined under NRS
3 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
4 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
5 of Nevada law, and by failing to complete the services for which they were retained, all of
6 which constitutes mortgage lending fraud. To wit,

7 For compensation or in expectation of compensation and for fees portions of which
8 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
9 his or her own actions, or by the actions of his or her agents or employees solicited and
10 induced Isidro Balandran (hereinafter "I. Balandran") into signing a Power of Attorney or
11 Quitclaim Deed to his real estate. Defendants further induced I. Balandran to stop paying his
12 mortgage and instead pay participation fees to Defendants on a monthly basis. Defendants
13 made misrepresentations to I. Balandran including, but not limited to, that Defendants would
14 stop the foreclosure of his property, that Defendants would pool I. Balandran's monies with
15 those of other participants to have investors purchase the note from his lender and then sell
16 the real estate back to him at a lower cost, resulting in more favorable terms, lowered principal
17 or lowered payments.

18 COUNT FOUR

19 MORTGAGE LENDING FRAUD

20 (Category "C" Felony - NRS 205.372 and 645F.400)

21 From on or about August 2010 to September 2012, within the County of Clark, State of
22 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
23 by virtue of his or her own actions, or by the actions of his or her agents or employees,
24 knowingly acted, or conspired with another person, to act as a participant in an unlawful
25 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
26 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
27 using or facilitating the use of a false statement or misrepresentation concerning a material
28 fact made by another; or, claiming, demanding, charging, collecting, or receiving

1 compensation for the performance of a mortgage lending transaction as defined under NRS
2 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
3 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
4 of Nevada law, and by failing to complete the services for which they were retained, all of
5 which constitutes mortgage lending fraud. To wit,

6 For compensation or in expectation of compensation and for fees portions of which
7 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
8 his or her own actions, or by the actions of his or her agents or employees solicited and
9 induced Rose and Steven Loob (hereinafter "Loob") into signing a Power of Attorney or
10 Quitclaim Deed to their real estate. Defendants further induced Loob to stop paying their
11 mortgage and instead pay participation fees to Defendants on a monthly basis. Defendants
12 made misrepresentations to Loob including, but not limited to, that Defendants would stop the
13 foreclosure of their property, that Defendants would pool Loob's monies with those of other
14 participants to have investors purchase the note from their lender and then sell the real estate
15 back to them at a lower cost, resulting in more favorable terms, lowered principal or lowered
16 payments.

17 **COUNT FIVE**

18 **MORTGAGE LENDING FRAUD**

19 **(Category "C" Felony - NRS 205.372 and 645F.400)**

20 From on or about August 2010 to September 2012, within the County of Clark, State of
21 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
22 by virtue of his or her own actions, or by the actions of his or her agents or employees,
23 knowingly acted, or conspired with another person, to act as a participant in an unlawful
24 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
25 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
26 using or facilitating the use of a false statement or misrepresentation concerning a material
27 fact made by another; or, claiming, demanding, charging, collecting, or receiving
28 compensation for the performance of a mortgage lending transaction as defined under NRS

1 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
2 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
3 of Nevada law, and by failing to complete the services for which they were retained, all of
4 which constitutes mortgage lending fraud. To wit,

5 For compensation or in expectation of compensation and for fees portions of which
6 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
7 his or her own actions, or by the actions of his or her agents or employees solicited and
8 induced Marina Miranda (hereinafter "Miranda") into signing a Power of Attorney or Quitclaim
9 Deed to her real estate. Defendants further induced Miranda to stop paying her mortgage and
10 instead pay participation fees to Defendants on a monthly basis. Defendants made
11 misrepresentations to Miranda including, but not limited to, that Defendants would stop the
12 foreclosure of her property, that Defendants would pool Miranda's monies with those of other
13 participants to have investors purchase the note from her lender and then sell the real estate
14 back to her at a lower cost, resulting in more favorable terms, lowered principal or lowered
15 payments.

16 **COUNT SIX**

17 **MORTGAGE LENDING FRAUD**

18 **(Category "C" Felony - NRS 205.372 and 645F.400)**

19 From on or about August 2010 to September 2012, within the County of Clark, State of
20 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
21 by virtue of his or her own actions, or by the actions of his or her agents or employees,
22 knowingly acted, or conspired with another person, to act as a participant in an unlawful
23 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
24 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
25 using or facilitating the use of a false statement or misrepresentation concerning a material
26 fact made by another; or, claiming, demanding, charging, collecting, or receiving
27 compensation for the performance of a mortgage lending transaction as defined under NRS
28 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds

1 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
2 of Nevada law, and by failing to complete the services for which they were retained, all of
3 which constitutes mortgage lending fraud. To wit,

4 For compensation or in expectation of compensation and for fees portions of which
5 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
6 his or her own actions, or by the actions of his or her agents or employees solicited and
7 induced Robert and Rosa Ostler ("hereinafter "Ostler") into signing a Power of Attorney or
8 Quitclaim Deed to their real estate. Defendants further induced Ostler to stop paying their
9 mortgage and instead pay participation fees to Defendants on a monthly basis. Defendants
10 made misrepresentations to Ostler including, but not limited to, that Defendants would stop
11 the foreclosure of their property, that Defendants would pool Ostler's monies with those of
12 other participants to have investors purchase the note from their lender and then sell the real
13 estate back to them at a lower cost, resulting in more favorable terms, lowered principal or
14 lowered payments.

15 **COUNT SEVEN**

16 **MORTGAGE LENDING FRAUD**

17 **(Category "C" Felony - NRS 205.372 and 645F.400)**

18 From on or about August 2010 to September 2012, within the County of Clark, State of
19 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
20 by virtue of his or her own actions, or by the actions of his or her agents or employees,
21 knowingly acted, or conspired with another person, to act as a participant in an unlawful
22 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
23 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
24 using or facilitating the use of a false statement or misrepresentation concerning a material
25 fact made by another; or, claiming, demanding, charging, collecting, or receiving
26 compensation for the performance of a mortgage lending transaction as defined under NRS
27 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
28 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation

1 of Nevada law, and by failing to complete the services for which they were retained, all of
2 which constitutes mortgage lending fraud. To wit,

3 For compensation or in expectation of compensation and for fees portions of which
4 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
5 his or her own actions, or by the actions of his or her agents or employees solicited and
6 induced Liuvan Morena Perez (hereinafter "Perez") into signing a Power of Attorney or
7 Quitclaim Deed to his real estate. Defendants further induced Perez to stop paying his
8 mortgage and instead pay participation fees to Defendants on a monthly basis. Defendants
9 made misrepresentations to Perez including, but not limited to, that Defendants would stop the
10 foreclosure of his property, that Defendants would pool Perez's monies with those of other
11 participants to have investors purchase the note from his lender and then sell the real estate
12 back to him at a lower cost, resulting in more favorable terms, lowered principal or lowered
13 payments.

14 **COUNT EIGHT**

15 **MORTGAGE LENDING FRAUD**

16 **(Category "C" Felony - NRS 205.372 and 645F.400)**

17 From on or about August 2010 to September 2012, within the County of Clark, State of
18 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
19 by virtue of his or her own actions, or by the actions of his or her agents or employees,
20 knowingly acted, or conspired with another person, to act as a participant in an unlawful
21 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
22 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
23 using or facilitating the use of a false statement or misrepresentation concerning a material
24 fact made by another; or, claiming, demanding, charging, collecting, or receiving
25 compensation for the performance of a mortgage lending transaction as defined under NRS
26 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
27 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
28

1 of Nevada law, and by failing to complete the services for which they were retained, all of
2 which constitutes mortgage lending fraud. To wit,

3 For compensation or in expectation of compensation and for fees portions of which
4 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
5 his or her own actions, or by the actions of his or her agents or employees solicited and
6 induced Santiago and Amparo Bahena (hereinafter "Bahena") into signing a Power of Attorney
7 or Quitclaim Deed to their real estate. Defendants further induced Bahena to stop paying their
8 mortgage and instead pay participation fees to Defendants on a monthly basis. Defendants
9 made misrepresentations to Bahena including, but not limited to, that Defendants would stop
10 the foreclosure of their property, that Defendants would pool Bahena's monies with those of
11 other participants to have investors purchase the note from their lender and then sell the real
12 estate back to them at a lower cost, resulting in more favorable terms, lowered principal or
13 lowered payments.

14 **COUNT NINE**

15 **MORTGAGE LENDING FRAUD**

16 **(Category "C" Felony - NRS 205.372 and 645F.400)**

17 From on or about August 2010 to September 2012, within the County of Clark, State of
18 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
19 by virtue of his or her own actions, or by the actions of his or her agents or employees,
20 knowingly acted, or conspired with another person, to act as a participant in an unlawful
21 mortgage lending transaction as defined by NRS 205.372(8)(c) by either making, concealing,
22 or failing to disclose a false statement or misrepresentation concerning a material fact; or,
23 using or facilitating the use of a false statement or misrepresentation concerning a material
24 fact made by another; or, claiming, demanding, charging, collecting, or receiving
25 compensation for the performance of a mortgage lending transaction as defined under NRS
26 205.372(8)(b), by receiving monies in the form of salary, bonuses, or commissions from funds
27 deposited for the purpose of obtaining or securing a mortgage lending transaction, in violation
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1 of Nevada law, and by failing to complete the services for which they were retained, all of
2 which constitutes mortgage lending fraud. To wit,

3 For compensation or in expectation of compensation and for fees portions of which
4 were collected in advance, Defendants engaged in a scheme wherein Defendants by virtue of
5 his or her own actions, or by the actions of his or her agents or employees solicited and
6 induced Francisco Solis (hereinafter "Solis") into signing a Power of Attorney or Quitclaim
7 Deed to his real estate. Defendants further induced Solis to stop paying his mortgage and
8 instead pay participation fees to Defendants on a monthly basis. Defendants made
9 misrepresentations to Solis including, but not limited to, that Defendants would stop the
10 foreclosure of his property, that Defendants would pool Solis' monies with those of other
11 participants to have investors purchase the note from his lender and then sell the real estate
12 back to him at a lower cost, resulting in more favorable terms, lowered principal or lowered
13 payments.

14 **COUNT TEN**

15 **PATTERN OF MORTGAGE LENDING FRAUD**

16 **(Category "B" Felony - NRS 205.372)**

17 From on or about August 2010 to September 2012, within the County of Clark, State of
18 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
19 by virtue of his or her own actions, or by the actions of his or her agents or employees
20 engaged in, conspired, or attempted to engage in a pattern of mortgage lending fraud by
21 knowingly and unlawfully committing mortgage lending fraud in two or more mortgage lending
22 transactions having the same or similar purposes, results, accomplices, victims or methods of
23 commission, or having other interrelated distinguishing characteristics; to wit:

24 As set forth in Counts One through Nine above and herein incorporated by reference
25 as though fully set forth herein, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz,
26 Aguirre, and Vargas have committed mortgage lending fraud in two or more mortgage lending
27 transactions in which the purpose, results, methods or commission was the same or similar.

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1 All of which constitutes the crime of Pattern of Mortgage Lending Fraud - a category "B" felony
2 in violation of NRS 205.372.

3 **COUNT ELEVEN**

4 **THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION AGAINST A**
5 **PERSON 60 YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON**
6 **(A Category B Felony in Violation of NRS 205.0832, NRS 205.0835, and NRS 193.167)**

7 From on or about August 2010 to September 2012, within the County of Clark, State of
8 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
9 by virtue of his or her own actions, or by the actions of his or her agents or employees without
10 lawful authority, knowingly obtained real, personal or intangible property or the services of
11 another person 60 years of age or older, in an amount in excess of \$3,500.00 by a material
12 misrepresentation with intent to deprive that person of the property or services. To wit,

13 Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and
14 Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or
15 employees fraudulently obtained Ten Thousand One Hundred Eighty Seven Dollars and Fifty
16 Cents (\$10,187.50) from E. Balandran, an individual over the age of 60, by virtue of a
17 foreclosure avoidance scheme whereby the Defendants made misrepresentations to E.
18 Balandran including, but not limited to, that Defendants would stop the foreclosure of his
19 property, that Defendants would pool E. Balandran's monies with those of other participants to
20 have investors purchase the note on his home, from his lender and then sell the real estate
21 back to him at a lower cost, resulting in more favorable terms, lowered principal or lowered
22 payments. However, Defendants did not provide the services promised and instead converted
23 E. Balandran's payment to their own use. Defendant's misrepresentations, promises and
24 declarations were material, false, deceptive, and instrumental in causing the wrongful
25 obtaining of E. Balandran's property.

26 All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500
27 or More By A Material Misrepresentation From An Individual 60 Years of Age or Older or
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1 Against a Vulnerable Person, a felony in violation of NRS 205.0832, NRS 205.0835, NRS
2 193.167(2), and NRS 195.020.

3 **COUNT TWELVE**

4 **THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION AGAINST A**
5 **PERSON 60 YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON**
6 **(A Category B Felony In Violation of NRS 205.0832, NRS 205.0835, and NRS 193.167)**

7 From on or about August 2010 to September 2012, within the County of Clark, State of
8 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
9 by virtue of his or her own actions, or by the actions of his or her agents or employees without
10 lawful authority, knowingly obtained real, personal or intangible property or the services of
11 another person 60 years of age or older, in an amount in excess of \$3,500.00 by a material
12 misrepresentation with intent to deprive that person of the property or services. To wit,

13 Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and
14 Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or
15 employees fraudulently obtained Sixteen Thousand, Six Hundred Sixty Three Dollars
16 (\$16,663.00) from Rose Loob (hereinafter "R. Loob"), an individual over the age of 60, by
17 virtue of a foreclosure avoidance scheme whereby the Defendants made misrepresentations
18 to R. Loob including, but not limited to, that Defendants would stop the foreclosure of her
19 property, that Defendants would pool R. Loob's monies with those of other participants to
20 have investors purchase the note on her home, from his lender and then sell the real estate
21 back to her at a lower cost, resulting in more favorable terms, lowered principal or lowered
22 payments. However, Defendants did not provide the services promised and instead converted
23 R. Loob's payment to their own use. Defendant's misrepresentations, promises and
24 declarations were material, false, deceptive, and instrumental in causing the wrongful
25 obtaining of R. Loob's property.

26 All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500
27 Or More By A Material Misrepresentation From An Individual 60 Years Of Age Or Older Or
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1 Against a Vulnerable Person, a felony in violation of NRS 205.0832, NRS 205.0835, NRS
2 193.167(2), and NRS 195.020.

3 **COUNT THIRTEEN**

4 **THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION AGAINST A**
5 **PERSON 60 YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON**
6 **(A Category B Felony in Violation of NRS 205.0832, NRS 205.0835, and NRS 193.167)**

7 From on or about August 2010 to September 2012, within the County of Clark, State of
8 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
9 by virtue of his or her own actions, or by the actions of his or her agents or employees without
10 lawful authority, knowingly obtained real, personal or intangible property or the services of
11 another person 60 years of age or older, in an amount in excess of \$3,500.00 by a material
12 misrepresentation with intent to deprive that person of the property or services. To wit,

13 Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and
14 Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or
15 employees fraudulently obtained Fourteen Thousand Six Hundred Ninety Eight Dollars
16 (\$14,698.00) from Santiago Bahena (hereinafter "S. Bahena"), a vulnerable individual who
17 suffers from a condition of physical limitation that restricts his ability to perform the normal
18 activities of daily living, by virtue of a foreclosure avoidance scheme whereby the Defendants
19 made misrepresentations to S. Bahena including, but not limited to, that Defendants would
20 stop the foreclosure of his property, that Defendants would pool S. Bahena's monies with
21 those of other participants to have investors purchase the note on his home, from his lender
22 and then sell the real estate back to him at a lower cost, resulting in more favorable terms,
23 lowered principal or lowered payments. However, Defendants did not provide the services
24 promised and instead converted S. Bahena's payment to their own use. Defendant's
25 misrepresentations, promises and declarations were material, false, deceptive, and
26 instrumental in causing the wrongful obtaining of S. Bahena's property.

27 All of which constitutes the crime of Theft- Obtaining Money In The Amount Of \$3,500
28 Or More By A Material Misrepresentation From An Individual 60 Years Of Age Or Older Or

1 Against a Vulnerable Person, a felony in violation of NRS 205.0832, NRS 205.0835, NRS
2 193.167(2), and NRS 195.020.

3 **COUNT FOURTEEN**

4 **THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION**

5 **(A Category B Felony in Violation of NRS 205.0832 and NRS 205.0835)**

6 From on or about August 2010 to September 2012, within the County of Clark, State of
7 Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either
8 by virtue of his or her own actions, or by the actions of his or her agents or employees without
9 lawful authority, knowingly obtained real, personal or intangible property or the services of
10 another person, in an amount in excess of \$3,500.00 by a material misrepresentation with
11 intent to deprive that person of the property or services. To wit,

12 Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and
13 Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or
14 employees fraudulently obtained Eleven Thousand Dollars (\$11,000.00) from Serrano
15 (hereinafter "Serrano") by virtue of a foreclosure avoidance scheme whereby the Defendants
16 made misrepresentations to Serrano including, but not limited to, that Defendants would stop
17 the foreclosure of his property, that Defendants would pool Serrano's monies with those of
18 other participants to have investors purchase the note on his home, from his lender and then
19 sell the real estate back to him at a lower cost, resulting in more favorable terms, lowered
20 principal or lowered payments. However, Defendants did not provide the services promised
21 and instead converted Serrano's payment to their own use. Defendant's misrepresentations,
22 promises and declarations were material, false, deceptive, and instrumental in causing the
23 wrongful obtaining of Serrano's property.

24 All of which constitutes the crime of Theft - Obtaining Money In The Amount Of
25 \$3,500.00 Or More By A Material Misrepresentation, a felony in violation of NRS 205.0832
26 and NRS 205.0835.

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COUNT FIFTEEN

THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION

(A Category B Felony In Violation of NRS 205.0832 and NRS 205.0835)

From on or about August 2010 to September 2012, within the County of Clark, State of Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority, knowingly obtained real, personal or intangible property or the services of another person, in an amount in excess of \$3,500.00 by a material misrepresentation with intent to deprive that person of the property or services. To wit,

Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees fraudulently obtained Eight Thousand Four Dollars (\$8,004.00) from I. Balandran by virtue of a foreclosure avoidance scheme whereby the Defendants made misrepresentations to I. Balandran including, but not limited to, that Defendants would stop the foreclosure of his property, that Defendants would pool I. Balandran's monies with those of other participants to have investors purchase the note on his home, from his lender and then sell the real estate back to him at a lower cost, resulting in more favorable terms, lowered principal or lowered payments. However, Defendants did not provide the services promised and instead converted I. Balandran's payment to their own use. Defendant's misrepresentations, promises and declarations were material, false, deceptive, and instrumental in causing the wrongful obtaining of I. Balandran's property.

All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500.00 Or More By A Material Misrepresentation, a felony in violation of NRS 205.0832 and NRS 205.0835.

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COUNT SIXTEEN

THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION

(A Category B Felony in Violation of NRS 205.0832 and NRS 205.0835)

From on or about August 2010 to September 2012, within the County of Clark, State of Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority, knowingly obtained real, personal or intangible property or the services of another person, in an amount in excess of \$3,500.00 by a material misrepresentation with intent to deprive that person of the property or services. To wit,

Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees fraudulently obtained Eighteen Thousand Dollars (\$18,000.00) from Miranda by virtue of a foreclosure avoidance scheme whereby the Defendants made misrepresentations to Miranda including, but not limited to, that Defendants would stop the foreclosure of her property, that Defendants would pool Marina Miranda's monies with those of other participants to have investors purchase the note on her home, from her lender and then sell the real estate back to her at a lower cost, resulting in more favorable terms, lowered principal or lowered payments. However, Defendants did not provide the services promised and instead converted Miranda's payment to their own use. Defendant's misrepresentations, promises and declarations were material, false, deceptive, and instrumental in causing the wrongful obtaining of Miranda's property.

All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500.00 Or More By A Material Misrepresentation, a felony in violation of NRS 205.0832 and NRS 205.0835.

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COUNT SEVENTEEN

THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION

(A Category B Felony In Violation of NRS 205.0832 and NRS 205.0835)

From on or about August 2010 to September 2012, within the County of Clark, State of Nevada, Rodriguez, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority, knowingly obtained real, personal or intangible property or the services of another person, in an amount in excess of \$3,500.00 by a material misrepresentation with intent to deprive that person of the property or services. To wit,

Defendants Rodriguez, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees fraudulently obtained Ten Thousand One Hundred Eighty Seven Dollars and Fifty Cents (\$10,187.50) from Ostler by virtue of a foreclosure avoidance scheme whereby the Defendants made misrepresentations to Ostler including, but not limited to, that Defendants would stop the foreclosure of their property, that Defendants would pool Ostler's monies with those of other participants to have investors purchase the note on their home, from their lender and then sell the real estate back to them at a lower cost, resulting in more favorable terms, lowered principal or lowered payments. However, Defendants did not provide the services promised and instead converted Ostler's payment to their own use. Defendant's misrepresentations, promises and declarations were material, false, deceptive, and instrumental in causing the wrongful obtaining of Ostler's property.

All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500.00 Or More By A Material Misrepresentation, a felony in violation of NRS 205.0832 and NRS 205.0835.

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COUNT EIGHTEEN

THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION

(A Category B Felony In Violation of NRS 205.0832 and NRS 205.0835)

From on or about August 2010 to September 2012, within the County of Clark, State of Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority, knowingly obtained real, personal or intangible property or the services of another person, in an amount in excess of \$3,500.00 by a material misrepresentation with intent to deprive that person of the property or services. To wit,

Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees fraudulently obtained Ten Thousand Six Hundred Dollars (\$10,600.00) from Perez by virtue of a foreclosure avoidance scheme whereby the Defendants made misrepresentations to Perez including, but not limited to, that Defendants would stop the foreclosure of his property, that Defendants would pool Perez' monies with those of other participants to have investors purchase the note on his home, from his lender and then sell the real estate back to him at a lower cost, resulting in more favorable terms, lowered principal or lowered payments. However, Defendants did not provide the services promised and instead converted Perez' payment to their own use. Defendant's misrepresentations, promises and declarations were material, false, deceptive and instrumental in causing the wrongful obtaining of Perez' property.

All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500.00 Or More By A Material Misrepresentation, a felony in violation of NRS 205.0832 and NRS 205.0835.

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COUNT NINETEEN

**THEFT- OBTAINING MONEY BY MATERIAL MISREPRESENTATION
(A Category B Felony In Violation of NRS 205.0832 and NRS 205.0835)**

From on or about August 2010 to September 2012, within the County of Clark, State of Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority, knowingly obtained real, personal or intangible property or the services of another person, in an amount in excess of \$3,500.00 by a material misrepresentation with intent to deprive that person of the property or services. To wit,

Defendants Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions, or by the actions of his or her agents or employees fraudulently obtained Fourteen Thousand One Hundred Thirty Five Dollars and Fifty Four Cents (\$14,135.54) from Solis by virtue of a foreclosure avoidance scheme whereby the Defendants made misrepresentations to Solis including, but not limited to, that Defendants would stop the foreclosure of his property, that Defendants would pool Solis' monies with those of other participants to have investors purchase the note on his home, from his lender and then sell the real estate back to him at a lower cost, resulting in more favorable terms, lowered principal or lowered payments. However, Defendants did not provide the services promised and instead converted Solis' payment to their own use. Defendant's misrepresentations, promises and declarations were material, false, deceptive, and instrumental in causing the wrongful obtaining of Solis' property.

All of which constitutes the crime of Theft - Obtaining Money In The Amount Of \$3,500.00 Or More By A Material Misrepresentation, a felony in violation of NRS 205.0832 and NRS 205.0835.

All of which is contrary to the form, force and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada.

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COUNT TWENTY

BRIBING OR INTIMIDATING WITNESS TO INFLUENCE TESTIMONY

(A Class C Felony In Violation of NRS 199.240)

From on or about March 1, 2012 to April 30, 2012, within the County of Clark, State of Nevada, Rodriguez and Anzu either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority did give, offer or promise directly or indirectly compensation, gratuity or reward to a witness or person who may be called as a witness in an official proceeding, upon an agreement or understanding that his or her testimony will be thereby influenced; or by force, threat, intimidation or deception with the intent to influence the testimony of any witness or person who may be called as a witness in an official proceeding; cause or induce him or her to give false testimony or to withhold true testimony, or cause or induce him or her to withhold a record, document or other object from the proceeding. To wit,

Upon Serrano learning that the bank had foreclosed or was about to foreclose upon her house, she confronted the Defendants and requested the return of the monies she had paid until her contract. Rodriguez attempted to influence Serrano's testimony by making the return of her money contingent upon her signing a document waiving the liability of himself, Anzu and Nevada Sky Premier LLC; and, further agreeing not to testify or provide information against them to other parties.

All of which constitutes the crime of Bribing or Intimidating a Witness to Influence Testimony, a felony in violation of NRS 199.240.

COUNT TWENTY-ONE

BRIBING OR INTIMIDATING WITNESS TO INFLUENCE TESTIMONY

(A Class C Felony In Violation of NRS 199.240)

From on or about March 15, 2012 to June 15, 2012 within the County of Clark, State of Nevada, Rodriguez and Anzu either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority did give, offer or promise directly or indirectly compensation, gratuity or reward to a witness or person who may be called as a

1 witness in an official proceeding, upon an agreement or understanding that his or her
2 testimony will be thereby influenced; or by force, threat, intimidation or deception with the
3 intent to influence the testimony of any witness or person who may be called as a witness in
4 an official proceeding; cause or induce him or her to give false testimony or to withhold true
5 testimony; or cause or induce him or her to withhold a record, document or other object from
6 the proceeding. To wit,

7 Upon Bahena learning from an employee that the Defendants were engaged in
8 fraudulent activity, they withdrew their participation in the program offered by Defendants and
9 requested the return of the monies they had paid until their contract. Rodriguez attempted to
10 influence Bahena's testimony by making the return of their money contingent upon them
11 signing a document waiving the liability of himself, Anzu and Nevada Sky Premier LLC; and,
12 further agreeing not to testify or provide information against them to other parties.

13 All of which constitutes the crime of Bribing or Intimidating a Witness to Influence
14 Testimony, a felony in violation of NRS 199.240.

15 **COUNT TWENTY-TWO**

16 **BRIBING OR INTIMIDATING WITNESS TO INFLUENCE TESTIMONY**

17 **(A Class C Felony in Violation of NRS 199.240)**

18 From on or about March 1, 2012 to May 30, 2012 within the County of Clark, State of
19 Nevada, Rodriguez and Anzu either by virtue of his or her own actions, or by the actions of his
20 or her agents or employees without lawful authority did give, offer or promise directly or
21 indirectly compensation, gratuity or reward to a witness or person who may be called as a
22 witness in an official proceeding, upon an agreement or understanding that his or her
23 testimony will be thereby influenced; or by force, threat, intimidation or deception with the
24 intent to influence the testimony of any witness or person who may be called as a witness in
25 an official proceeding; cause or induce him or her to give false testimony or to withhold true
26 testimony; or cause or induce him or her to withhold a record, document or other object from
27 the proceeding. To wit,

1 Upon E. Balandran becoming suspicious that they were being defrauded they
2 requested the return of the monies they had paid until their contract. Rodriguez attempted to
3 influence E. Balandran's testimony by making the return of their money contingent upon them
4 signing a document waiving the liability of himself, Anzu and Nevada Sky Premier LLC; and,
5 further agreeing not to testify or provide information against them to other parties.

6 All of which constitutes the crime of Bribing or Intimidating a Witness to Influence
7 Testimony, a felony in violation of NRS 199.240.

8 **COUNT TWENTY-THREE**

9 **BRIBING OR INTIMIDATING WITNESS TO INFLUENCE TESTIMONY**

10 **(A Class C Felony in Violation of NRS 199.240)**

11 From on or about March 1, 2012 to May 30, 2012 within the County of Clark, State of
12 Nevada, Rodriguez and Anzu either by virtue of his or her own actions, or by the actions of his
13 or her agents or employees without lawful authority did give, offer or promise directly or
14 indirectly compensation, gratuity or reward to a witness or person who may be called as a
15 witness in an official proceeding, upon an agreement or understanding that his or her
16 testimony will be thereby influenced; or by force, threat, intimidation or deception with the
17 intent to influence the testimony of any witness or person who may be called as a witness in
18 an official proceeding; cause or induce him or her to give false testimony or to withhold true
19 testimony; or cause or induce him or her to withhold a record, document or other object from
20 the proceeding. To wit,

21 Upon I. Balandran becoming suspicious that he was being defrauded, he requested the
22 return of the monies he had paid until his contract. Rodriguez attempted to influence I.
23 Balandran's testimony by making the return of his money contingent upon him signing a
24 document waiving the liability of himself, Anzu and Nevada Sky Premier LLC; and, further
25 agreeing not to testify or provide information against them to other parties.

26 All of which constitutes the crime of Bribing or Intimidating a Witness to Influence
27 Testimony, a felony in violation of NRS 199.240.

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COUNT TWENTY-FOUR

BRIBING OR INTIMIDATING WITNESS TO INFLUENCE TESTIMONY

(A Class C Felony in Violation of NRS 199.240)

From on or about August 1, 2012 to September 30, 2012 within the County of Clark, State of Nevada, Rodriguez and Anzu either by virtue of his or her own actions, or by the actions of his or her agents or employees without lawful authority did give, offer or promise directly or indirectly compensation, gratuity or reward to a witness or person who may be called as a witness in an official proceeding, upon an agreement or understanding that his or her testimony will be thereby influenced; or by force, threat, intimidation or deception with the intent to influence the testimony of any witness or person who may be called as a witness in an official proceeding; cause or induce him or her to give false testimony or to withhold true testimony; or cause or induce him or her to withhold a record, document or other object from the proceeding. To wit,

Upon Solis becoming suspicious that he was being defrauded, he requested the return of the monies he had paid until his contract. Anzu attempted to influence Solis' testimony by making the return of his money contingent upon him signing a document waiving the liability of herself, Rodriguez and Nevada Sky Premier LLC; and, further agreeing not to testify or provide information against them to other parties.

All of which constitutes the crime of Bribing or Intimidating a Witness to Influence Testimony, a felony in violation of NRS 199.240.

COUNT TWENTY-FIVE

MULTIPLE TRANSACTIONS INVOLVING FRAUD OR DECEIT

(A Class "B" Felony in Violation of NRS 205.377)

From on or about August 2010 to September 2012, within the County of Clark, State of Nevada, Rodriguez, Marquez, De La Cruz, Navidad, Anzu, Cruz, Aguirre, and Vargas, either by virtue of his or her own actions or by the actions of his or her agents or employees, in the course of an enterprise or occupation, knowingly and with the intent to defraud, engaged in an act, practice or course of business or employed a device, scheme or artifice which operates or

1 would operate as a fraud or deceit upon a person by means of a false representation or
2 omission of a material fact that was rely upon and resulted in a loss to any person in at least
3 two transactions that have the same or similar pattern, intents, results, accomplices, victims or
4 methods of commission. To wit,

5 As set forth in Counts Eleven through Nineteen above and herein incorporated by
6 reference as though fully set forth herein, Rodriguez, Marquez, De La Cruz, Navidad, Anzu,
7 Cruz, Aguirre, and Vargas have committed multiple transactions involving fraud or deceit in
8 the course of enterprise or occupation, in two or more transactions in which the purpose,
9 results, methods or commission was the same or similar.

10 All of which constitutes the crime of Multiple Transactions Involving Fraud or Deceit in
11 course of enterprise or occupation, a felony in violation of NRS 205.377.

12 DATED this 14th day of May 2013.

13 CATHERINE CORTEZ MASTO
14 Attorney General

15 By: Allison L. Herr
16 ALLISON L. HERR
17 Deputy Attorney General
18 Bureau of Criminal Justice, Fraud Division
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25 ENDORSEMENT: A True Bill

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27 By: Chris Rose
28 Foreperson, Clark County Grand Jury