

FILED

DEC 13 2021

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. )  
 )  
 ROBERT WILLIAMS, )  
 )  
 Defendant. )

4:21CR694 MTS

INFORMATION

The United States Attorney charges that:

INTRODUCTION

1. The United States Small Business Administration (hereinafter "SBA") is an executive-branch agency of the United States government that provides support to entrepreneurs and small businesses. The mission of the SBA is to maintain and strengthen the nation's economy by enabling the establishment and viability of small businesses and by assisting in economic recovery after disasters.

2. To aid this effort, the SBA enabled and provided for loans through banks, credit unions, and other lenders. These loans have government-backed guarantees.

3. The Coronavirus Aid, Relief, and Economic Security (hereinafter "CARES") Act is a federal law that was enacted in March 2020 to provide emergency financial assistance to the millions of Americans suffering the economic impact caused by the COVID-19 pandemic. One source of relief provided for in the CARES Act is the authorization of forgivable loans to small businesses for job retention and certain other expenses, through the Paycheck Protection Program (hereinafter "PPP").

4. To obtain a PPP loan, a qualifying business is required to submit a PPP loan application, signed by an authorized representative of the business. The PPP loan application requires the business to acknowledge the program rules and make certain affirmative certifications in order to obtain the PPP loan. In the PPP loan application (SBA Form 2483), the small business (through its authorized representative) is required to certify: (a) that the small business was in operation on February 15, 2020; (b) average monthly payroll expenses; and (c) number of employees. These certifications are used to calculate the amount of money the small business is eligible to receive under the PPP. In addition, businesses applying for PPP loans are required to submit documentation supporting their payroll expenses.

5. A PPP loan application is then processed by a participating lender. If a PPP loan application is approved, the participating lender funds the loan using its own monies, which are then guaranteed by the SBA.

6. PPP loan funds are required to be used on certain permissible expenses, including payroll costs, mortgage interest, rent, and utilities for the business. Under the applicable PPP rules and guidance, the interest and principal on the PPP loan is eligible for forgiveness if the business spent the loan proceeds on these expense items within a designated period of time and used a certain portion of the loan toward payroll expenses.

7. Midwest Regional Bank, with branches located in St. Louis, Missouri, is a financial institution within the meaning of Title 18, United States Code, Section 20, the deposits of which are insured by the Federal Deposit Insurance Corporation.

8. Midwest Regional Bank accepts and funds PPP loan applications.

9. PNC Bank is a commercial lender headquartered in Pittsburgh, Pennsylvania, with branches located in St. Louis, Missouri, and is a financial institution within the meaning of Title

18, United States Code, Section 20, the deposits of which are insured by the Federal Deposit Insurance Corporation.

10. Justine Petersen Housing and Reinvestment Corporation (“JPHRC”) is a non-bank lender. JPHRC is a Community Development Financial Institution that holds and services loans and is an SBA Community Advantage Lender.

11. JPHRC serves as a loan processor for PPP loans issued by PNC Bank, and in that capacity, reviews and approves PPP loan applications.

12. Defendant Robert Williams is a resident of St. Louis County, Missouri, in the Eastern District of Missouri.

#### **THE ENTITIES**

13. Articles of Organization were filed with the Missouri Secretary of State for 2543 N. Grand, LLC on September 17, 2013. An individual besides defendant Williams is listed as the sole organizer of the LLC.

14. Included with the PPP loan application are documents which show defendant Williams’ sister, Wilma Williams, originally filed Articles of Organization with the Missouri Secretary of State for A Fresh Start Emergency Network 1 LLC on September 14, 2007 and these have been modified three times, mostly recently on April 30, 2018. An individual besides defendant Williams is listed as the sole organizer of the LLC.

15. Articles of Organization were filed with the Missouri Secretary of State for Afshari Enterprise, LLC on July 28, 2020. Defendant’s son Robert Williams is listed as the sole organizer of the LLC.

16. Defendant Williams filed Articles of Organization with the Missouri Secretary of State for Club TV One, LLC on April 13, 2008. Defendant Williams is listed as one of three organizers of the LLC.

17. Included with the PPP loan application are documents which show defendant Williams' sister, Wilma Williams, filed Articles of Organization with the Missouri Secretary of State for Emergency Funding, LLC on October 17, 2013. A Fresh Start, LLC and Emergency Network 1 LLC are listed as the organizers of the LLC.

18. Defendant Williams filed Articles of Organization with the Missouri Secretary of State for International Product Groups, LLC on April 6, 2013. Defendant Williams is listed as the sole organizer.

19. Articles of Organization were filed with the Missouri Secretary of State for Julia's Enterprize, LLC on July 29, 2020. Julia Booker is listed as the sole organizer of the LLC.

20. Defendant Williams filed New Articles of Organization with the Missouri Secretary of State for Snappy's International Holdings, LLC on December 29, 2017. Defendant Williams is listed as the sole organizer of the LLC, along with defendant Williams' International Products Group.

21. Defendant Williams filed New Articles of Organization with the Missouri Secretary of State converting Crossroads Building Management to Tasty Brands Enterprize, LLC on February 6, 2017. Defendant Williams is listed as one of two organizers of the LLC.

22. Defendant Williams filed Articles of Organization with the Missouri Secretary of State for Commercial Capital Finance, LLC on March 14, 2013. Included with the PPP loan application are documents which show defendant Williams and A Fresh Start Emergency Agency, LLC, are listed as the organizers of the LLC:

31

**COUNTS I-VII**  
(BANK FRAUD: 18 U.S.C. § 1344)

**THE SCHEME TO DEFRAUD**

23. Paragraphs 1-22 are realleged and incorporated by reference as if fully set forth herein.

24. In or about April 2020, in St. Louis, in the Eastern District of Missouri, the defendant,

**ROBERT WILLIAMS,**

devised and intended to devise a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by, or under the custody and control of federally insured financial institutions, by means of false and fraudulent pretenses, representations, and promises.

**MANNER AND MEANS**

25. It was part of the scheme to defraud that Defendant Williams both directly applied for and assisted other individuals and their associated entities in applying for PPP loan funds in applications containing material misrepresentations as to the number of employees of and the average amount of monthly payroll paid by the applicant entities.

26. It was further part of the scheme and artifice to defraud that Defendant Williams was responsible for causing the disbursement of over \$1,500,000 in fraudulently obtained PPP funds.

27. It was part of the scheme to defraud that Defendant Williams applied for a PPP loan at Midwest Regional Bank with the intent to obtain loan proceeds.

28. It was further part of the scheme to defraud that Defendant Williams submitted a PPP loan application for Commercial Capital Finance, LLC.

29. It was further part of the scheme that Defendant Williams falsely and fraudulently represented on the PPP loan application for Commercial Capital Finance, LLC, that the company

had six employees, when in truth and fact, the company had no employees other than Defendant Williams.

30. It was further part of the scheme that Defendant Williams falsely represented in the PPP loan application for Commercial Capital Finance, LLC, that the average monthly payroll for the six fictitious employees was \$14,500.

31. It was further part of the scheme that by listing employees on his PPP loan applications who were not, in fact, employed by Commercial Capital Finance, LLC, Defendant Williams falsely and fraudulently inflated the amount of PPP loan money to which he was entitled on behalf of his businesses.

32. It was further part of the scheme that but for Defendant Williams's misrepresentations regarding the number of employees employed by Commercial Capital Finance, LLC, and the average monthly payroll of the business, Midwest Regional Bank would not have approved the loan application and subsequently issued \$35,700 in PPP loan funds to Defendant Williams.

**DEFENDANT WILLIAMS CAUSED THE SUBMISSION OF  
FRAUDULENT PPP LOAN APPLICATIONS PROCESSED BY JPHRC**

33. It was further part of the scheme to defraud that Defendant Williams applied and caused others to apply for PPP loans through JPHRC with the intent to obtain PPP loan proceeds, which were issued by PNC Bank.

34. It was further part of the scheme to defraud that Defendant Williams submitted fraudulent supporting documentation with the PPP loan applications.

35. It was further part of the scheme to defraud Defendant received funds directly from many of the entities that were provided with PPP loans, even though Defendant Williams had no employment relationship with the entities themselves.

36. It was further part of the scheme to defraud that in some instances, PPP loan applicants

paid Defendant Williams a fee in connection with the application. In some instances, loan recipients compensated Defendant Williams using the funds received from PPP loans.

37. It was further part of the scheme to defraud that Defendant Williams caused the submission of PPP loan applications to JPHRC for the following entities: 2543 N. Grand, LLC, Afshari Enterprise, LLC, Club TV One, LLC, Emergency Funding, LLC, International Product Groups, Inc., Julia's Enterprize, LLC, Tasty Brands Enterprize, LLC, and Snappy's International Holdings, LLC.

38. It was further part of the scheme that the loan applications Defendant Williams caused to be submitted for each of these entities materially falsely and fraudulently represented both the number of employees and the average monthly payroll paid by the applicant companies.

39. It was further part of the scheme that by listing employees on the PPP loan applications who were not, in fact, employed by 2543 N. Grand, LLC, A Fresh Start & Associates, LLC, Afshari Enterprise, LLC, Club TV One, LLC, Emergency Funding, LLC, International Product Groups, Inc., Julia's Enterprize, LLC, or Snappy's International Holdings, LLC, this falsely and fraudulently inflated the amount of PPP loan money to which the companies were entitled.

40. It was further part of the scheme that but for the misrepresentations regarding the number of employees employed by 2543 N. Grand, LLC, A Fresh Start & Associates, LLC, Afshari Enterprise, LLC, Club TV One, LLC, Emergency Funding, LLC, International Product Groups, Inc., Julia's Enterprize, LLC, and Snappy's International Holdings, LLC, and the average monthly payroll of each business, PNC Bank would not have issued PPP loan funds.

41. On or about the dates set forth below in each individual count, in St. Louis, Missouri, in the Eastern District of Missouri, the defendant,

**ROBERT WILLIAMS,**

executed and attempted to execute the scheme and artifice set forth above, to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of Midwest Regional Bank and PNC Bank, which were financial institutions as defined in Title 18, United States Code, Section 20, by means of material false and fraudulent pretenses, representations, and promises, in that Defendant Williams submitted and caused to be submitted false and fraudulent PPP loan applications for the purpose of obtaining money, funds, credits, assets, securities, and other property owned by, and under the custody and control of the financial institutions, as described below for each count, each submission constituting a separate count:

COUNT	DATE	LOAN APPLICATION	AMOUNT
I	June 3, 2020	Loan proceeds for application #18005609 for Commercial Capital Finance, LLC wired from Midwest Regional Bank	\$35,700.00
II	August 18, 2020	Loan proceeds wired from PNC Bank account #xxxxxxxxxxx0096 to 2543 N. Grand, LLC First Community Credit Union account #xxxxxxxx8908	\$130,000.00
III	August 5, 2020	Loan proceeds wired from PNC Bank account #xxxxxxxxxxx0096 to Tasty Brands Enterprise, LLC First Community Credit Union account #xxxxxxxx4415	\$186,000.00
IV	August 14, 2020	Loan proceeds wired from PNC Bank account #xxxxxxxxxxx0096 to Afshari Enterprise, LLC First Community Credit Union account #xxxxxxxx7214	\$250,000.00
V	August 11, 2020	Loan proceeds wired from PNC Bank account #xxxxxxxxxxx0096 to Club TV One, LLC First Community Credit Union account #xxxxxxxx6069	\$250,000.00
VI	July 7, 2020	Loan proceeds wired from PNC account #xxxxxxxxxxx3761 to Emergency Funding, LLC First	\$35,791.87



		Community Credit Union account #xxxxxxxx0642	
VII	July 7, 2020	Loan proceeds wired from PNC Bank account #xxxxxxxxxxx3761 to Snappy's International Holdings, LLC First Community Credit Union account #xxxxxxxx1705	\$90,000.00

All in violation of Title 18, United States Code, Section 1344.

**FORFEITURE ALLEGATION**

The United States Attorney further alleges there is probable cause that:

1. Pursuant to Title 18, United States Code, Sections 982(a)(2), upon conviction of an offense in violation of Title 18, United States Code, Section 1344 as set forth in Counts I-VII, the defendant shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, constituting or derived from any proceeds traceable to such violation.

2. Specific property subject to forfeiture includes, but is not limited to, the following:

- a. \$2,935.23 from First Community Credit Union account ending in #1705 held in the name of Snappy's International Holdings LLC
- b. \$23,179.77 from First Community Credit Union account ending in #6069 held in the name of Club TV One LLC
- c. \$103,243.53 from First Community Credit Union account ending in #7214 held in the name of Afshari Enterprises LLC
- d. \$210,020.00 from First Community Credit Union account ending in #5062 held in the name of International Products Group
- e. \$11,323.64 from First Community Credit Union account ending in #4415 held in the name of Tasty Brands Enterprize LLC
- f. \$127.84 from United Missouri Bank account ending in #8055 held in the name of Phillip Lee Williams & Pamela Kay Williams

- g. \$15,254.42 from FIRST COMMUNITY CREDIT UNION account ending in #7202 held in the name of Julia's Enterprize
- h. 2017 Jaguar, F-Pace, VIN: SADCL2BV8HA893179
- i. \$100,000.00 in earnest money received from Continental Title
- j. 2017 MASERATI LEVANTE - WAGON 4 DOOR, VIN: ZN661XUA9HX257839

4. If any of the property described above, as a result of any act or omission of the defendant:

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

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

Respectfully submitted,

SAYLER A. FLEMING  
United States Attorney

*s/Edward L. Dowd III*  
EDWARD DOWD, #61909(MO)  
Assistant United States Attorney

UNITED STATES OF AMERICA        )  
EASTERN DIVISION                )  
EASTERN DISTRICT OF MISSOURI    )

I, Edward Dowd, Assistant United States Attorney for the Eastern District of Missouri,  
being duly sworn, do say that the foregoing information is true as I verily believe.

/s Edward L. Dowd III  
EDWARD L. DOWD III #61909MO

Subscribed and sworn to before me this 30th day of November 2021.



**Gregory J. Linhares**

CLERK, U.S. DISTRICT COURT

By: Deborah O'Leary  
DEPUTY CLERK