

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1349 -- Conspiracy to Commit Wire Fraud Forfeiture

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: Up to 20 years in prison; maximum \$250,000 fine; up to 3 years of supervised release; restitution; mandatory special assessment \$100

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ CRAIG FOSSELLA

DISTRICT COURT NUMBER
CR 20-0362 RS

FILED

Sep 24 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form DAVID L. ANDERSON

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) C. HIGHSMITH, A. SHEPARD

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges ▶
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

} If "Yes" give date filed

DATE OF ARREST ▶ Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY ▶ Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:


Date/Time: _____ Before Judge: _____

Comments:

FILED
Sep 24 2020
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,) CASE NO. CR 20-0362 RS
12 Plaintiff,)
13 v.) VIOLATIONS:
14 CRAIG FOSSELLA,) 18 U.S.C. § 1349 – Conspiracy to Commit Wire
15 Defendant.) Fraud
16) 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –
17) Forfeiture
18) SAN FRANCISCO VENUE
19)
20) 

21 INFORMATION

22 The United States Attorney charges:

23 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

24 Beginning in or about August 2019 and continuing through in or about December 2019, in the
25 Northern District of California and elsewhere, the defendant,
26 CRAIG FOSSELLA,
27 did knowingly and intentionally conspire with Geoffrey Mark PALERMO and others, known and
28 unknown to the United States Attorney, to commit wire fraud, that is to devise and intend to devise a
scheme and artifice to defraud ReadyCap Lending LLC, an SBA preferred lender, as to a material matter
and to obtain money and property, to wit, approximately \$5,000,000 in loans for GMP Cars LLC, by

INFORMATION

1 means of materially false and fraudulent pretenses, representations, and promises, and by omission and
2 concealment of material facts, and, for the purpose of executing such scheme or artifice and attempting
3 to do so, did transmit, and cause to be transmitted, by means of wire communication in interstate and
4 foreign commerce, certain writings, signs, signals, pictures, and sounds, in violation of Title 18, United
5 States Code, Section 1343.

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

7
8 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

9 The allegations contained in this Information are re-alleged and incorporated by reference for the
10 purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title
11 28, United States Code, Section 2461(c).

12 Upon conviction for the offense set forth in this Information, the defendant,

13 CRAIG FOSSELLA,

14 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and
15 Title 28, United States Code, Section 2461(c), all property, real or personal, constituting, or derived
16 from proceeds the defendant obtained directly and indirectly, as the result of those violations.

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

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

23 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
24 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

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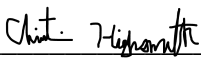
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1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code,
2 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

3
4 DATED: September 24, 2020

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6 DAVID L. ANDERSON
United States Attorney

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8 
9 CHRISTIAAN H. HIGHSMITH
Assistant United States Attorney
10 ALEXANDRA SHEPARD
Special Assistant United States Attorney

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

FILED

Sep 24 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. CRAIG FOSSELLA

CASE NUMBER:

CR 20-0362 RS

Is This Case Under Seal?Yes No**Total Number of Defendants:**1 2-7 8 or more**Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?**Yes No **Venue (Per Crim. L.R. 18-1):**SF OAK SJ**Is this a potential high-cost case?**Yes No **Is any defendant charged with a death-penalty-eligible crime?**Yes No **Is this a RICO Act gang case?**Yes No **Assigned AUSA****(Lead Attorney):** AUSA C. Highsmith, SAUSA A. SHEPARD **Date Submitted:** 9/23/2020**Comments:**