

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 20-60140-CR-SINGHAL/SNOW

UNITED STATES OF AMERICA

vs.

JUDLEX JEAN LOUIS,

Defendant.

FACTUAL PROFFER

The United States of America and Judlex Jean Louis (the "Defendant") agree that had this case gone to trial, the United States would have proven the following facts, which occurred in the Southern District of Florida and elsewhere.

The Paycheck Protection Program ("PPP") was a federal government program that authorized participating private lenders to issue potentially forgivable government-backed loans to American businesses, including sole proprietorships, to cover certain expenses during the COVID-19 pandemic. To obtain a PPP loan, a qualifying sole proprietorship could submit a PPP loan application (SBA Form 2483), signed by the sole proprietor. The PPP loan application required the sole proprietor to acknowledge the PPP rules and make certain affirmative certifications in order to be eligible to obtain the loan. In addition, the sole proprietor had to report business income and expenses, as typically reported to the Internal Revenue Service on Form 1040, Schedule C. Participating PPP lenders used this information to calculate the amount of money the applicant was entitled to receive.

From late May 2020 through his arrest in early August 2020, the Defendant engaged in a scheme to enrich himself unlawfully by obtaining PPP loan proceeds through PPP loan

applications submitted under false and fraudulent pretenses and with false and fraudulent representations. The Defendant first created false social security numbers and obtained, without authorization, victims' personally identifiable information ("PII"), including names, true social security numbers, and Florida driver licenses. The Defendant then used the false social security numbers, the unauthorized PII, the Florida driver licenses, or a combination of these items, to open and control by fraud accounts at the federally-insured financial institution identified in the Information as Bank 2 and at other financial institutions that also had deposits insured by the Federal Deposit Insurance Corporation ("FDIC").

The Defendant then submitted or aided and abetted the submission of fraudulent PPP loan applications, usually on behalf of non-existent sole proprietorships, for amounts near the \$20,833 maximum for such businesses, for deposit into one of the bank accounts that he had fraudulently opened and controlled. These PPP loan applications, submitted to the federally-insured institution identified in the Information as Bank 1 and to other private lenders participating in the PPP, used the Defendant's and victims' names, as well as the same or similar false social security numbers, unauthorized PII, and Florida driver licenses that the Defendant had used to open and control the intended depository bank accounts. Each application on behalf of a sole proprietorship also included a fabricated bank statement and 2019 Form 1040, Schedule C filing. Relying on these false and fraudulent pretenses and misrepresentations, PPP lenders including Bank 1 approved several of the Defendant's fraudulent PPP loan applications and deposited PPP loan proceeds into bank accounts that the Defendant opened and controlled by fraud. The Defendant submitted or aided and abetted the submission of at least 10 fraudulent PPP loans for a total intended loss of at least \$510,000.

In one of several iterations of this scheme, the Defendant used, without permission, the identity of his romantic partner, J.A.G.C., to open bank accounts and to apply for and obtain a PPP loan for deposit into one of those accounts. On May 31, 2020, the Defendant used an online banking platform to open a savings account ending -6499 and a checking account ending -9989 with Bank 2. Bank 2 records showed that the Defendant opened both accounts in the name "J.C.," a variant on J.A.G.C.'s name, and that the Defendant used J.A.G.C.'s Florida driver license and a false social security number that did not belong to J.A.G.C. to open the accounts. The Defendant opened and later controlled these accounts without J.A.G.C.'s knowledge or permission.

Three days later, on June 3, 2020, the Defendant opened an account using the same variant of J.A.G.C.'s name, "J.C.," on a website operated by a financial technology company based in Redwood City, California, that partnered with Bank 1 to provide an online PPP loan application platform. Records from the financial technology company and Bank 1 showed that on June 3, 2020, the Defendant submitted an application for a PPP loan for \$19,412 in the name of a sole proprietorship purportedly operated by "J.C." On the SBA Form 2483 corresponding to this PPP loan application, which the Defendant signed as "J.C.," the Defendant listed a false social security number which did not belong to J.A.G.C. and which was one digit off from the false social security number the Defendant used to open and control the two bank accounts in the name "J.C." at Bank 2. The Defendant also included with the application package images of the front and back of J.A.G.C.'s Florida driver license; a request that the PPP loan be deposited into the Bank 2 account ending -6499 that the Defendant fraudulently opened and controlled in the name "J.C."; a fabricated 2019 Form 1040, Schedule C tax filing purporting to showed income to a sole proprietorship operated by "J.C." that the Defendant knew did not exist; and a fabricated bank statement altered from the Defendant's own bank statement to include the name "J.C." and the

business address the Defendant listed on the SBA Form 2483. The Defendant submitted this PPP loan application without J.A.G.C.'s knowledge or permission.


On June 5, 2020, Bank 1, relying on the Defendant's false and fraudulent PPP loan application, deposited \$19,412 in PPP loan proceeds into the Bank 2 account ending -6499, which contained \$20 at the time of the deposit. The same day, the Defendant transferred \$19,400 in PPP loan proceeds from the Bank 2 account ending -6499 to the Bank 2 account ending -9989, which also contained \$20 at the time of the deposit. Bank 2 records showed that after the transfer, the Defendant used a debit card affiliated with the Bank 2 account ending -9989 to make purchases at a convenience store, an online retailer, a restaurant, and a coffee shop. Bank 2 video cameras captured the Defendant on June 5, 8, 10, 11, and 12, 2020, withdrawing cash in \$500 increments from the Chase Bank account ending -9989. Moreover, at the time of the transfer between the two accounts at Bank 2, the Defendant had already drafted and signed for "J.C." a \$15,000 check dated June 3, 2020, made out to the Defendant and drawn from the Bank 2 account ending -9989. On June 11, 2020 the Defendant deposited this check into an account in his name held at a separate financial institution with deposits insured by the FDIC.

The proceeds of the false and fraudulent PPP loans obtained as the result of the scheme described above were deposited or transferred into multiple bank accounts, including the four bank accounts identified as "directly forfeitable property" in Paragraph 13 of the Plea Agreement corresponding to this Factual Proffer, which bank accounts the Defendant controlled. The Defendant also transferred the proceeds of the false and fraudulent PPP loans into other bank accounts, including the bank account identified as "substitute property" in Paragraph 13 of the Plea Agreement corresponding to this Factual Proffer, which bank accounts the Defendant controlled.

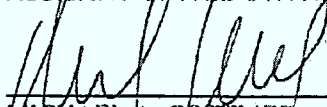
These are not the only facts known to the United States in this matter, nor are they all the facts the United States would have presented had this case gone to trial. The parties stipulate that these facts prove Counts 1 and 2 of the Information beyond a reasonable doubt.

ARIANA FAJARDO ORSIAN
UNITED STATES ATTORNEY

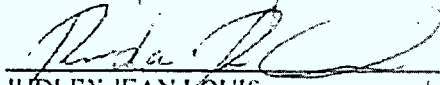
Date: 1/8/2021

By: 
KIRAN N. BHAT
ASSISTANT UNITED STATES ATTORNEY

Date: 1/7/21

By: 
MICHAEL A. GOTTLIEB
COUNSEL FOR DEFENDANT

Date: 2/24/2020

By: 
JUDLEX JEAN LOUIS
DEFENDANT