

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 21-cr-60171-SMITH/VALLE**

**UNITED STATES OF AMERICA**

**vs.**

**CINDI ELLIS DENTON,**

**Defendant.**

---

**FACTUAL PROFFER**

The United States and Defendant Cindi Ellis Denton (“Defendant”) agree that had this case proceeded to trial, the United States of America would have proven, beyond a reasonable doubt, the following facts, among others, pertaining to violations of Title 18, United States Code, Sections 371 and 1343, which occurred in the Southern District of Florida and elsewhere.

From in around June 2020, through in or around at least September 2020, Defendant knowingly and willfully conspired and agreed with Individual 1, Individual 2, and others to submit and cause the submission of a fraudulent Paycheck Protection Program (“PPP”) loan application. PPP loans are forgivable business loans for small businesses, created as part of the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, the general purpose of which was to help businesses pay their expenses during the COVID-19 Pandemic and to encourage them to retain their employees. Generally, a business could seek a PPP loan in the amount of 2.5 times its average monthly payroll.

A PPP loan application was processed by a participating lender. If a PPP loan application was approved, the participating lender funded the PPP loan using its own monies. While it was the participating lender that issued the PPP loan, the loan was 100% guaranteed by the Small

Business Administration (“SBA”). Data from the application, including information about the borrower, the total amount of the loan, and the listed number of employees, was transmitted by the lender to the SBA in the course of processing the loan.

PPP loan proceeds were required to be used by the business on certain permissible expenses—payroll costs, interest on mortgages, rent, and utilities. The PPP allowed the interest and principal on the PPP loan to be entirely forgiven if the business spent the loan proceeds on these expense items within a designated period of time and used a defined portion of the PPP loan proceeds on payroll expenses.

In furtherance of the conspiracy, and to accomplish its object and purpose, Defendant caused the submission of a PPP loan application on behalf of her company, Emerald Jade Solutions, Inc. (“Emerald Jade”), that Defendant knew contained materially false and fraudulent representations. Specifically, on or about June 2, 2020, Individual 2, in coordination with Defendant and at Defendant’s request, electronically submitted to Bank 1, through Bank Processor 1, a PPP loan application package on behalf of Emerald Jade seeking a loan in the amount of \$491,310 (the “Emerald Jade Loan”). The loan application documents falsely claimed that Emerald Jade had 24 employees and an average monthly payroll of \$589,574.04. And the supporting documents, which included a purported company bank statement and IRS Forms 941 for 2019 (Employer’s Quarterly Federal Tax Return) signed with the name “Cindi Denton,” were forgeries. IRS records showed that Emerald Jade did not file any Forms 941 in 2019.

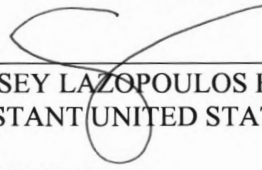
As a result of the knowing and willful false and fraudulent representations made by Defendant and his co-conspirators in the loan documents, Bank Processor 1 approved the Emerald Jade Loan, which Bank 1 funded by making an electronic wire transfer in the amount of \$491,310 to the Emerald Jade bank account on June 3, 2020. The following day, on June 4,

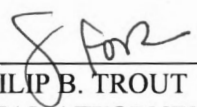
2020, Defendant wired \$98,262.00 to Individual 2 as a kickback for preparing the fraudulent PPP loan application. The Defendant also sent a \$150,000 wire to a business checking account using funds she had received from the Emerald Jade Loan.

The parties agree that the fraud scheme in this case involved the use of interstate wires, including those required to submit the fraudulent Emerald Jade PPP loan application.

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

The information contained in this proffer is not a complete recitation of the facts and circumstances of this case, but the parties agree it is sufficient to prove the Information beyond a reasonable doubt.

Date: 7/10/21 By:   
JUAN ANTONIO GONZALEZ  
ACTING UNITED STATES ATTORNEY  
LINDSEY LAZOPOULOS FRIEDMAN  
ASSISTANT UNITED STATES ATTORNEY

Date: 7/10/21 By:   
DANIEL KAHN  
ACTING CHIEF, FRAUD SECTION  
PHILIP B. TROUT  
TRIAL ATTORNEY

Date: 6/29/21 By:   
MANUEL GONZALEZ  
ATTORNEY FOR THE DEFENDANT

Date: 6-22-21 By:   
CINDI ELLIS DENTON  
DEFENDANT