

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 21-60211-CR-MARTINEZ/SNOW

UNITED STATES OF AMERICA

vs.

JERICCA ROSADO,

Defendant.

FACTUAL PROFFER

The United States and Defendant Jericca Rosado (“Defendant”) agree that at trial, the United States would have proven beyond a reasonable doubt the following facts, which pertain to a violation of Title 18, United States Code, Section 371, and occurred in the Southern District of Florida and elsewhere.

From in around May 2020, through in or around July 2020, Defendant knowingly and willfully conspired and agreed with Individual 1, Individual 2, and others to submit and cause the submission of millions of dollars’ worth of fraudulent Paycheck Protection Program (“PPP”) loan applications. 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

Court Exhibit #1

borrower, the total amount of the loan, and the listed number of employees, was transmitted by the lender to the SBA during processing of 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 facilitated the submission of a PPP loan application on behalf of Company 1, which Individual 1 owned and controlled. Specifically, on or about May 26, 2020, Defendant obtained information from Individual 1 regarding Individual 1 and Company 1 and passed that information to co-conspirators with the understanding that the information would be sent to Individual 2 for preparation of a PPP loan application on behalf of Company 1. The information Individual 1 provided Defendant included the account and routing numbers for a Company 1 bank account, which Individual 1 intended as the depository account for the fraudulent PPP loan to Company 1.

On or about May 28, 2020, Individual 2 used a residential internet connection in Fort Lauderdale, Florida to submit electronically to Bank 1, through the internet-based loan processor Bank Processor 1, a PPP loan application package on behalf of Company 1 seeking a loan in the amount of \$409,735 (the Company 1 Loan”). The Company 1 Loan application documents contained several false and fraudulent representations, including falsified tax forms purporting to have been filed by Company 1 and false certifications regarding the number of employees that Company 1 had. As a result of these and other false and fraudulent representations made by Defendant, Individual 1, Individual 2, and others, in Company 1 Loan application documents,

Bank Processor 1 approved the Company 1 Loan. On or about May 29, 2020, Bank 1 funded the Company 1 Loan by making an electronic wire transfer of \$409,735 to the Company 1 bank account Individual 1 had provided to Defendant.

On or about June 2, 2020, Defendant text messaged Individual 1 wiring instructions for a bank account controlled by Individual 2. Defendant sent Individual 1 these instructions to facilitate Individual 1's kickback payment to Individual 2 for Individual 2's role in preparing the false Company 1 Loan application. On or about June 5, 2020, Individual 1 wired \$61,460 in Company 1 Loan proceeds from the Company 1 bank account to the bank account that Defendant had provided. Separately, during an in-person meeting with Individual 1 and as a kickback for Defendant's role in assisting Individual 1 obtain the fraudulent Company 1 Loan, Defendant collected in cash a portion of the Company 1 Loan proceeds.

Defendant also recruited others to the conspiracy. In and around June 2020, Individual 1 introduced three individuals to Defendant, who referred these individuals to co-conspirators with the understanding that Individual 2 would prepare fraudulent PPP loan applications on behalf of these individuals. One of these individuals, in fact, received a fraudulent PPP loan through the scheme. Defendant accepted a \$50,000 kickback payment from this individual for Defendant's role in procuring the fraudulent PPP loan through the scheme.

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The parties agree that the fraud scheme in this case involved the use of interstate wires, including those required to submit the fraudulent Company 1 Loan application. 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 sole count in the Information beyond a reasonable doubt.

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

Date: 7/26/2021


By:


KIRAN N. BHAT
ASSISTANT UNITED STATES ATTORNEY

JOSEPH S. BEEMSTERBOER
ACTING CHIEF, FRAUD SECTION


Date: 7/26/2021

By:

 for
PHILIP B. TROUT
TRIAL ATTORNEY

Date: 7-26-21

By:


JUAN MICHELEN
ATTORNEY FOR THE DEFENDANT

Date: 7-26-21

By:


JERICCA ROSADO
DEFENDANT