

1 Presented to the Court by the foreman of the
2 Grand Jury in open Court, in the presence of
3 the Grand Jury and FILED in The U.S.
4 DISTRICT COURT at Seattle, Washington.

5 DECEMBER 5 2007
6 BRUCE RIFKIN, Clerk
7 By [Signature] Deputy

8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.

14 EMILIO A. TORRELLA, BRANDY N.
15 TORRELLA, STEVEN W. BERWICK,
16 VICTORIA J. TADE, MEGAN M. OSOSKE,
17 ROBERT GRIEVE, ZIAD N. SAKHLEH,
18 PATRICK A. BOMBINO, ESAUN G. PINTO
19 SR., and DARCI P. TEMPLETON,
20 Defendants.

CR07 5775 RBL

INDICTMENT



07-CR-05775-INDI

21 THE GRAND JURY CHARGES THAT:

22 COUNT 1
23 (Conspiracy)

24 1. Beginning at a time unknown, but no later than in or about January 2004,
25 and continuing until in or about May 2007, at Belfair, Washington, within the Western
26 District of Washington and elsewhere, EMILIO A. TORRELLA, BRANDY N.
27 TORRELLA, STEVEN W. BERWICK, VICTORIA J. TADE, MEGAN M. OSOSKE,
28 ROBERT GRIEVE, ZIAD N. SAKHLEH, PATRICK A. BOMBINO, ESAUN G.
PINTO, DARCI P. TEMPLETON, and others known and unknown, did knowingly and
willfully conspire, combine, confederate and agree to commit offenses against the United
States, to wit:

a. Wire Fraud, in violation of Title 18, United States Code, Section

1 1343;

2 b. Fraudulent Elicitation of Social Security Administration Information,
3 in violation of Title 42, United States Code, Section 1307(b);

4 c. Solicitation of Federal Tax Information, in violation of Title 26,
5 United States Code, Section 7213(a)(4); and

6 d. Aggravated Identity Theft, in violation of Title 18, United States
7 Code, Section 1028A.

8 **A. Background.**

9 *At all times relevant to this Indictment:*

10 2. EMILIO A. TORRELLA and BRANDY N. TORRELLA (collectively, “the
11 TORRELLAS”), who are husband and wife, owned and operated BNT Investigations.
12 BNT Investigations was located in Belfair, Washington. BNT Investigations provided
13 private investigative and background research services. STEVEN W. BERWICK was
14 employed at BNT Investigations as office manager and as a researcher.

15 3. VICTORIA J. TADE, a licensed private investigator, owned and operated
16 the private investigations business firm C.I., Inc. TADE operated out of San Diego,
17 California.

18 4. MEGAN M. OSOSKE, a licensed private investigator, owned and operated
19 a private investigations firm *P.I. & Information Services*. OSOSKE operated out of
20 Beaverton, Oregon.

21 5. ROBERT GRIEVE, a licensed private investigator, owned and operated
22 Robert Grieve International, a private investigations firm based in Houston, Texas. ZIAD
23 N. SAKHLEH was employed as a private investigator by GRIEVE.

24 6. PATRICK A. BOMBINO, a licensed private investigator, owned and
25 operated AAA Allstate Investigations, a private investigations firm based in Brooklyn,
26 New York. ESAUN G. PINTO, SR. was employed as a private investigator by
27 BOMBINO.

28 7. DARCI P. TEMPLETON, a licensed private investigator, operated out of

1 Houston, Texas.

2 **B. Object of the Conspiracy and the Essence of the Scheme and Artifice to**
3 **Defraud.**

4 8. The object of the conspiracy and the essence of the scheme and artifice to
5 defraud was for the TORRELLAS, BERWICK, TADE, OSOSKE, GRIEVE, SAKHLEH,
6 BOMBINO, PINTO, TEMPLETON; and others to obtain confidential employment,
7 financial, tax and medical information of unsuspecting persons through false pretenses,
8 and to obtain a profit by selling such information. Specifically, private investigators
9 nationwide, including TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO, and
10 TEMPLETON, submitted requests to the TORRELLAS and their employees, including
11 BERWICK, to uncover confidential employment, financial, tax or medical information
12 regarding individuals they were investigating on behalf of other clients. When submitting
13 these requests, the private investigators provided the TORRELLAS with the subjects'
14 identifying information such as full names, dates of birth, addresses, and Social Security
15 Numbers. The individuals being investigated were not aware that their identifying
16 information was being disseminated and used in this manner, nor did they give permission
17 to anyone at BNT Investigations or to the private investigators to obtain the confidential
18 data.

19 9. Using the identifying information, the TORRELLAS and their employees,
20 including BERWICK, with the knowledge of the requesting private investigators,
21 telephoned state and federal agencies, including various State Unemployment Insurance
22 Departments, the Social Security Administration, the Internal Revenue Service, as well as
23 private financial institutions, banks, pharmacies, and hospitals, and fraudulently posed as
24 the individuals about whom information was sought. This fraudulent practice is widely
25 known in the private investigations industry as "pretexting." Through such fraudulent
26 telephone calls, the TORRELLAS and their employees obtained personal wage
27 information, employment histories, Social Security benefits information, federal tax
28 records, and medication and hospitalization records. The gathered information was
provided to the private investigator that requested the research in return for a fee. Those

1 private investigators then passed on the information to their own clients for an additional
2 fee.

3 10. From January 2004 until May 2007, the TORRELLAS and their employees,
4 including BERWICK, on behalf of other private investigators nationwide, including
5 TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO, and TEMPLETON,
6 obtained or attempted to obtain confidential information through false pretenses on more
7 than 12,000 individuals.

8 **C. Manner and Means of the Conspiracy and Scheme to Defraud.**

9 11. It was a part of the conspiracy and the scheme and artifice to defraud that
10 private investigators, including TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO,
11 PINTO, and TEMPLETON, were utilized by attorneys, insurance companies, and
12 collection companies to investigate the backgrounds of opposing parties' and witnesses,
13 and to uncover assets or income for satisfaction of debts.

14 12. It was further a part of the conspiracy and the scheme and artifice to defraud
15 that the TORRELLAS promoted their business, BNT Investigations, to other private
16 investigators, including TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO,
17 and TEMPLETON, as a specialist in providing financial and other types of background
18 information on individuals.

19 13. It was further a part of the conspiracy and the scheme and artifice to defraud
20 that it was well known to private investigators, including the TORRELLAS, BERWICK,
21 TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO, and TEMPLETON, that
22 various State Unemployment Insurance Departments, the Social Security Administration,
23 and the Internal Revenue Service, along with banks and other financial institutions,
24 maintained confidential employment history information, wage, income, and asset
25 information useful to those conducting private investigations.

26 14. It was further a part of the conspiracy and the scheme and artifice to defraud
27 that it was well known to private investigators, including the TORRELLAS, TADE, and
28 OSOSKE, that pharmacies and hospitals maintained medical information about

1 individuals useful to those conducting private investigations.

2 15. It was further a part of the conspiracy and the scheme and artifice to defraud
3 that it was well known to private investigators, including the TORRELLAS, BERWICK,
4 TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO, and TEMPLETON, that
5 the information maintained by the various State Unemployment Insurance Departments,
6 the Social Security Administration, the Internal Revenue Service, private financial
7 institutions, banks, pharmacies, and hospitals was protected by various laws and
8 regulations, and that such information was lawfully released only to the individual
9 themselves or someone authorized by law to obtain such information.

10 16. It was further a part of the conspiracy and the scheme and artifice to defraud
11 that TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO, and TEMPLETON,
12 engaged the TORRELLAS and their employees, including BERWICK, to obtain
13 individuals' confidential employment, financial, and/or tax information without
14 knowledge or authorization from the individuals they were investigating.

15 17. It was further a part of the conspiracy and the scheme and artifice to defraud
16 that TADE and OSOSKE engaged the TORRELLAS to obtain individuals' confidential
17 *medical information without knowledge or authorization from the individuals they were*
18 *investigating.*

19 18. It was further a part of the conspiracy and the scheme and artifice to defraud
20 that when TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO, and
21 TEMPLETON requested information on individuals, they disclosed to the TORRELLAS
22 and their employees, including BERWICK, the subjects' identifying information such as
23 full name, date of birth, addresses, and Social Security Number.

24 19. It was further a part of the conspiracy and the scheme and artifice to defraud
25 that the TORRELLAS and their employees, including BERWICK, with the knowledge of
26 TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO and TEMPLETON, used
27 the identifying information provided by the private investigators to fraudulently pose as
28 the individuals about whom information was sought, and "pretexted" various businesses,

1 agencies and financial institutions to obtain information.

2 20. It was further a part of the conspiracy and the scheme and artifice to defraud
3 that the following examples of "pretexts," or false pretenses, were used to obtain
4 employment histories, wage information, income and asset information from various State
5 Unemployment Insurance Departments, the Social Security Administration, Internal
6 Revenue Service, banks, and other financial institutions:

7 a. In calls to the Internal Revenue Service, the TORRELLAS and their
8 employees, including BERWICK, posing as the individual about whom information was
9 sought, falsely stated that they recently fired their bookkeeper because of suspicions of
10 impropriety. The caller then requested copies of the impersonated individuals' past
11 returns from the IRS representative on the pretense that they needed to verify accuracy of
12 the filings made by the fired bookkeeper.

13 b. In calls to the Internal Revenue Service, the TORRELLAS and their
14 employees, including BERWICK, posing as the individual about whom information was
15 sought, falsely stated that they were at a hospital awaiting surgery, but the hospital would
16 not perform the operation until they received copies of tax returns for verification of
17 income.

18 c. In calls to various agencies and financial institutions, the
19 TORRELLAS and their employees, including BERWICK, posing as the individual about
20 whom they were seeking information, falsely claimed various hardships and made
21 embarrassing assertions for the purpose of distracting the telephone representative from
22 asking additional questions about why the information was being sought. The various
23 hardships claimed included being a battered spouse who needed the information to avoid
24 more beatings; having a child abducted; and experiencing bankruptcy, foreclosure or
25 serious illness.

26 21. It was further a part of the conspiracy and the scheme and artifice to defraud
27 that to obtain an individual's pharmacy and/or medical records, BRANDY TORRELLA
28 called pharmacies and hospitals, posing as the representative of a fictitious doctor's

1 office, and falsely represented that the individual was a patient of that doctor's office and
2 that she was authorized to obtain the requested prescription or hospitalization records on
3 the patient's behalf.

4 22. It was further a part of the conspiracy and the scheme and artifice to defraud
5 that the TORRELLAS reported their findings to the private investigators who requested
6 the information. When tax information was sought, the TORRELLAS at times forwarded
7 to the private investigator actual tax transcripts or tax forms obtained from the Internal
8 Revenue Service.

9 23. It was further a part of the conspiracy and the scheme and artifice to defraud
10 that the TORRELLAS charged the following amounts for their work:

11 Research Type	Amount Charged
12 Current employment information and rates 13 of pay obtained from State Workforce Agencies.	\$30.00 to \$75.00 per individual researched.
14 Banking information, including balance 15 information.	Approximately \$100.00 per individual researched.
16 Tax information.	\$130.00 to \$250.00 per year, per individual researched.
17 Comprehensive asset search.	\$250.00 to \$300.00 per individual researched.
18 Historical wage reports obtained from 19 Social Security Administration.	\$75.00 to \$125.00 per individual researched.
20 Medical information research.	Approximately \$50.00 per individual researched.
21 Five years of comprehensive medical 22 information research.	Approximately \$150.00 per individual researched.

23 24. It was further a part of the conspiracy and the scheme and artifice to defraud
24 that when TADE, OSOSKE, GRIEVE, SAKHLEH, BOMBINO, PINTO and
25 TEMPLETON, received the requested information from the TORRELLAS, they, in turn,
26 conveyed the information to their ultimate clients for additional fees.

27 25. It was further a part of the conspiracy and the scheme and artifice to defraud
28 that the TORRELLAS and their employees, including BERWICK, on behalf of private

1 investigators nationwide, including TADE, OSOSKE, GRIEVE, SAKHLEH,
2 BOMBINO, PINTO and TEMPLETON, obtained or attempted to obtain through
3 fraudulent pretexting confidential employment, wage, benefits, financial and/or medical
4 information belonging to approximately 12,000 individuals.

5 **C. Overt Acts.**

6 26. In furtherance of the conspiracy, and to accomplish one or more of its
7 objects, the following overt acts were committed or caused to be committed by one or
8 more of the conspirators:

9 a. On or about the following dates, TADE submitted to the
10 TORRELLAS identifying information belonging to the following individuals with the
11 following requests for information, and, as a result of the request, received from the
12 TORRELLAS confidential information as described below.

Date Information Requested	Victim	Requested Information	Date Information Provided	Information Provided
Oct. 4, 2006	W.B.	2004 and 2005 wage and income information reported to the IRS.	Nov. 17, 2006	Federal Income Tax information for 2004 and 2005
Dec. 21, 2006	T.E.	Current employment and earnings data.	Dec. 21, 2006	2006 State of Nevada unemployment information.
Jan. 3, 2007	J.S.	Employment and earnings history as far back as possible.	Jan. 8, 2007	Summary of 2000 through 2005 wage history, and Federal Income Tax Records from 2000 through 2004.
Jan. 3, 2007	R.P.	Five years of employment and earnings history.	Jan. 4, 2007	2000 through 2006 detailed employment and earnings data from Social Security Administration.

Date Information Requested	Victim	Requested Information	Date Information Provided	Information Provided
Feb 1, 2007	E.L.	Two years of employment and wage data, plus information on prescriptions taken by subject.	Feb. 5, 2007	Identified attending doctor, pharmacy where prescriptions filled, names of prescriptions taken. Also provided employment and wage data.
Feb. 26, 2007	A.G.	Information regarding all sources of income and amounts earned.	April 2, 2007	Identified bank accounts and current account balances, and 2005 Federal Income Tax documents.
April 23, 2007	R.K.	Financial information, including investments, stocks, and bonds.	May 2, 2007	Report identified bank accounts, current balances, specific investment accounts with approximate values, and summarized information from 2005 Federal Income Tax records.

b. On or about the following dates, PINTO, working for BOMBINO and AAA Allstate Investigations, submitted to the TORRELLAS identifying information belonging to the following individuals with the following requests for information, and, as a result of the request, received from the TORRELLAS confidential information as described below.

Date Information Requested	Victim	Requested Information	Date Information Received	Information Provided
March 21, 2006	T.K.	Identification of all assets.	March 21, 2006	Summary of information from IRS Form 1099, identification of bank accounts and current account balances.
Sep. 14, 2006	R.A.	Ten years of asset information.	Sep. 26, 2006	Information obtained from 1998 through 2005 Federal Income Tax Returns. Bank accounts and current balances.

Date Information Requested	Victim	Requested Information	Date Information Received	Information Provided
Sep. 14, 2006	D.M.	Ten years of asset information.	Sep. 27, 2006	Summary of 1999 through 2005 Federal Income Tax Returns information.
Dec. 28, 2006	L.G.	Complete asset information.	Jan. 19, 2007	2005 Federal Employment Tax records.
March 19, 2007	J.C.	Federal Income Tax information as far back as possible.	March 20, 2007	2005 Federal Income Tax records.
April 27, 2007	K.R.D.	Complete asset information, bank information, Federal Income Tax information, amounts of stocks and bonds.	April 27, 2007	2005 Federal Income Tax documents. Bank accounts and current balances.

c. Beginning at a time unknown, but no later than August 2005, PATRICK BOMBINO, as owner and operator of AAA Allstate Investigations, advertised to others that his firm frequently provided clients with investigative research services such as identifying the Social Security Numbers of individuals for \$50.00 per search, researching bank transaction histories at \$500.00 per person researched, uncovering Federal Tax Forms W-2 and 1099 information for \$350.00 per person researched, and uncovering five years worth of earnings and income information on individuals for \$600.00 per person researched.

d. On or about the following dates, OSOSKE submitted to the TORRELLAS identifying information belonging to the following individuals with the following requests for information, and, as a result of the request, received from the TORRELLAS confidential information as described below.

Date Information Requested	Victim	Requested Information	Date Information Received	Information Provided
Jan. 6, 2006	K.D.	One month of detailed bank account activity.	Jan. 11, 2006	Detailed banking activity including withdrawals and deposits made for Dec. 2005.
April 28, 2006	T.F.	Pharmacy search for prescription drug information.	April 28, 2006	Identification of prescriptions and pharmacies used by T.F.
Aug. 4, 2006	L.S.	Five years of employment history, medical records search, identification of pharmacies used by subject and list of prescriptions used.	Aug. 4, 2006	Details of wages reported to Social Security for 2002 through 2006. Report of medical records for 2003, including prescriptions taken and emergency room visits.

e. In or about March 2007, GRIEVE and SAKHLEH conducted a telephone conference with the TORRELLAS to discuss how GRIEVE had previously obtained financial investigative services from TADE, but was dissatisfied with the timeliness of her work. GRIEVE and the TORRELLAS agreed that GRIEVE would engage BNT Investigations directly, rather than go through TADE, for future financial investigative research services.

f. On or about the following dates, SAKHLEH, working for GRIEVE and Robert Grieve International, submitted to the TORRELLAS identifying information belonging to the following individual with the following request for information, and, as a result of the request, received from the TORRELLAS confidential information as described below.

Date Information Requested	Victim	Requested Information	Date Information Received	Information Provided
March 19, 2007	V.D.	2005 Wage and Federal Income Tax information.	March 19, 2007	2005 Federal Income Tax and Wage Documents.

g. On or about March 19, 2007, BERWICK, working for the TORRELLAS and BNT Investigations, telephoned the Internal Revenue Service and falsely claimed that he was V.D. and obtained federal tax income and wage information belonging to V.D.

h. On or about the following dates, TEMPLETON submitted to the TORRELLAS identifying information belonging to the following individuals with the following requests for information, and, as a result of the request, received from the TORRELLAS confidential information as described below.

Date Information Requested	Victim	Requested Information	Date Information Received	Information Provided
Sep 15, 2006	R.S. and W.W.	Ten years of employment and earnings information.	Sep 20, 2006	Ten years of employment and earnings information from Social Security Administration. Identification of bank accounts and current account balances.
March 19, 2007	K.A.D	Asset information including funds possibly hidden in the names of children.	March 28, 2007	2005 federal income tax return records.
March 19, 2007	J.H.	Asset information and federal income tax information.	March 28, 2007	2005 federal income tax return records.
April 18, 2007	C.P.	Federal income tax return information.	April 23, 2007	Current bank account balances and 2005 federal income tax return records.

i. On or about April 23, 2007, BERWICK, working for the

1 TORRELLAS and BNT Investigations, telephoned the Internal Revenue Service and
2 falsely claimed that he was C.P. and obtained federal income tax return information.

3 27. In furtherance of the conspiracy, and to accomplish one or more of its
4 objects, one or more conspirators committed or caused to be committed the overt acts
5 described in Counts 2 through 21 of this Indictment.

6 All in violation of Title 18, United States Code, Section 371.

7 **COUNTS 2-6**
8 **(Wire Fraud)**

9 28. The entirety of Count One of this Indictment is hereby incorporated by
10 reference as through fully set forth herein.

11 29. On or about the dates set forth below, at Belfair, Washington, within the
12 Western District of Washington, and elsewhere, the following Defendants, having
13 devised, and aided and abetted in the devising of the above described scheme and artifice
14 to defraud, did, for purposes of executing and aiding and abetting the execution of this
15 scheme and artifice, knowingly transmit and cause to be transmitted, in interstate
16 commerce by means of wire communication, certain signs, signals, and sounds, as further
17 described below:

Count	Defendants	Date	Interstate Telephone Call	Victim	False Statement
2	EMILIO TORRELLA, BRANDY TORRELLA, and MEGAN OSOSKE.	July 18, 2006	BNT Inves. Belfair, WA to SSA Riverbend, WY	L.S.	BNT employee falsely claimed she was L.S. and requested five years of employment and earnings information.

Count	Defendants	Date	Interstate Telephone Call	Victim	False Statement
3	EMILIO TORRELLA, BRANDY TORRELLA, and VICTORIA TADE	Jan. 24, 2007	BNT Inves. Belfair, WA to IRS Chamblee, GA	P.B.	Posing as taxpayer, BNT employee falsely claimed that the taxpayer's accountant was charged with embezzlement and tax records were needed to determine if such crime took place and determine whether the tax payer should enter class action lawsuit.
4	EMILIO TORRELLA, BRANDY TORRELLA, PATRICK BOMBINO, and ESAUN PINTO, Sr.	March 19, 2007	BNT Inves. Belfair, WA to IRS Philadelphia, PA	J.C.	Posing as taxpayer, BNT employee falsely claimed that hospital would not allow the taxpayer to receive surgery until the taxpayer provides 2005 Federal Income Tax information.
5	EMILIO TORRELLA, BRANDY TORRELLA, STEVEN BERWICK, ROBERT GRIEVE, and ZIAD SAHKLEH	March 19, 2007	BNT Inves. Belfair, WA to IRS Memphis, TN	V.D.	Posing as taxpayer, BERWICK falsely claimed that the taxpayer was going to court proceedings and needed federal income tax returns.
6	EMILIO TORRELLA, BRANDY TORRELLA, STEVEN BERWICK and DARCI TEMPLETON	April 23, 2007	BNT Inves. Belfair, WA to IRS Holtsville, NY	C.P.	Posing as taxpayer, BERWICK falsely claimed that the taxpayer's lawyer needed Federal Income Tax Transcripts and Wage Transcripts for court.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNTS 7 - 10
(Fraudulent Elicitation of
Social Security Administration Information)

30. On or about the dates listed below, at Belfair, Washington, within the Western District of Washington, and elsewhere, the following Defendants, with the intent to elicit information as to the employment, wages, and benefits of individual Social Security Number holders, did knowingly make and aided and abetted in the making of false representations to the Commissioner of Social Security and the Secretary, to wit, a BNT Investigations employee telephoned the Social Security Administration and falsely represented that he or she was another Social Security Number holder and sought employment, wages and benefits information regarding that Social Security Number holder:

Count	Defendants	Date	Individual Falsely Impersonated
7	EMILIO TORRELLA, BRANDY TORRELLA, and MEGAN OSOSKE	July 18, 2006	L.S.
8	EMILIO TORRELLA, BRANDY TORRELLA, and DARCI TEMPLETON	Sept. 18, 2006	R.S.
9	EMILIO TORRELLA, BRANDY TORRELLA, PATRICK BOMBINO, and ESAUN PINTO, Sr.	April 20, 2007	N.F.
10	EMILIO TORRELLA, BRANDY N. TORRELLA, and VICTORIA TADE	April 24, 2007	T.N.

All in violation of Title 42, United States Code, Section 1307(b) and Title 18, United States Code, Section 2.

COUNTS 11-12
(Solicitation of Federal Tax Information)

31. On or about the following dates, at Belfair, Washington, within the Western District of Washington and elsewhere, VICTORIA J. TADE, did willfully offer, and aided and abetted in offering, an item of material value, to wit, monetary payment as

1 listed below, in exchange for federal income tax returns and federal income tax return
2 information, and did receive such federal income tax returns and federal income tax
3 return information.

Count	Date	Victim	Information Purchased	Amount Offered
11	Oct. 13, 2006	W.B.	2004 and 2005 income tax return information from the IRS	\$130.00
12	March 26, 2007	S.C.	Summary of 2004 and 2005 income reported to the IRS.	\$130.00

10 All in violation of Title 26, United States Code, Section 7213(a)(4) and Title 18,
11 United States Code, Section 2.

12
13 **COUNT 13**
(Solicitation of Federal Tax Information)

14 32. On or about the following date, at Belfair, Washington, within the Western
15 District of Washington and elsewhere, ZIAD N. SAKHLEH and ROBERT GRIEVE, did
16 willfully offer, and aided and abetted in offering, an item of material value, to wit,
17 monetary payment as listed below, in exchange for federal income tax returns and federal
18 income tax return information, and did receive such federal income tax returns and
19 federal income tax return information.

Count	Date	Victim	Information Purchased	Amount Offered
13	March 22, 2007	V.D.	2005 Federal income and wages reported to IRS by V.D.	\$130.00

25 All in violation of Title 26, United States Code, Section 7213(a)(4) and Title 18,
26 United States Code, Section 2.

COUNTS 14-17
(Solicitation of Federal Tax Information)

33. On or about the following dates, at Belfair, Washington, within the Western District of Washington and elsewhere, PATRICK A. BOMBINO and ESAUN G. PINTO SR., did willfully offer, and aided and abetted in offering, an item of material value, to wit, monetary payment as listed below, in exchange for federal income tax returns and federal income tax return information, and did receive such federal income tax returns and federal income tax return information.

Count	Date	Victim	Information Purchased	Amount Offered
14	Sep. 26, 2006	R.A.	Summary of information reported to the IRS on federal income tax returns for the years 1998 through 2005 by R.A.	\$100.00
15	Sep. 27, 2006	D.M.	Summary of information reported to the IRS on federal income tax returns for the years 1999 through 2005 by D.M.	\$100.00
16	Jan. 23, 2007	L.G.	Information reported in 2005 federal employment tax return for a partnership by L.G.	\$100.00
17	March 22, 2007	J.C.	2005 wages and income reported to the IRS by J.C.	\$130.00

All in violation of Title 26, United States Code, Section 7213(a)(4) and Title 18, United States Code, Section 2.

COUNTS 18-20
(Solicitation of Federal Tax Information)

34. On or about the following dates, at Belfair, Washington, within the Western District of Washington and elsewhere, DARCY P. TEMPLETON, did willfully offer, and aided and abetted in offering, an item of material value, to wit, monetary payment as listed below, in exchange for federal income tax returns and federal income tax return

1 information, and did receive such federal income tax returns and federal income tax
2 return information.

Count	Date	Victim	Information Purchased	Amount Offered
18	Sep. 21, 2006	R.S.	Bank account interest payments and mortgage interest payments reported to the IRS on behalf of R.S.	\$230.00
19	Feb 13, 2007	T.G.	Summary of 2005 income reported to the IRS by T.G.	\$130.00
20	May 2, 2007	C.P.	2005 wage and income reported to the IRS by C.P.	\$100.00

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12 All in violation of Title 26, United States Code, Section 7213(a)(4) and Title 18,
13 United States Code, Section 2.
14

15 **COUNT 21**
16 **(Aggravated Identity Theft)**

17 35. The entirety of Counts Two through Eight of this Indictment is hereby
18 incorporated by reference as though fully set forth herein.

19 36. Beginning in or about September 2006 and continuing until in or about
20 April 2007, at Belfair, Washington, within the Western District of Washington and
21 elsewhere, EMILIO A. TORRELLA, BRANDY N. TORRELLA, STEVEN W.
22 BERWICK, VICTORIA J. TADE, MEGAN M. OSOSKE, ROBERT GRIEVE, ZIAD N.
23 SAKHLEH, PATRICK A. BOMBINO, ESAUN G. PINTO, and DARCI P.
24 TEMPLETON, knowingly used, and aided and abetted in the use, without lawful
25 authority, a means of identification of other persons during and in relation to a felony

26 //

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28 //

1 listed in Title 18, United States Code, Section 1028A(c), to wit, Wire Fraud, in
2 violation of Title 18, United States Code, Section 1343, as alleged in Counts Two
3 through Five of this Indictment, and Fraudulent Solicitation of Social Security
4 Information, in violation of Title 42, Section 1307(b), as alleged in Counts Six through
5 Eight of this Indictment.


6 All in violation of Title 18, United States Code, Sections 1028A and 2.

8 A TRUE BILL:

9 DATED: 12/5/2007

10 Signature of Foreperson redacted pursuant
11 to the policy of the Judicial Conference
12 of the United States.

13 FOREPERSON

14 
15 JEFFREY C. SULLIVAN
16 United States Attorney

17 
18 CARL BLACKSTONE
19 Assistant United States Attorney

20 
21 KATHRYN KIM FRIERSON
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