AO93
(Rev. 8/82)

SEARCH WARRANT ON WRITTEN AFFIDAVIT

COPY USA

UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v.	DOCKET NO. MAGISTRATE'S CASE NO. 12-1396M
THE PREMISES KNOWN AS: 18850 Ventura Boulevard, Tarzana, CA 91356	TO: ANY SPECIAL AGENT(S) WITH THE FBI OR ANY OTHER AUTHORIZED OFFICER

Affidavit having been made before me by the below-named affiant that he has reason to believe that on the premises known as

SEE ATTACHMENT A

in the Central District of California

there is now being concealed certain property, namely:

SEE ATTACHMENT B*

and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the person or premises above-described and the grounds for application for issuance of the search warrant exist as stated in the supporting affidavit, which are incorporated herein by reference and attached hereto.

YOU ARE HEREBY COMMANDED to search on or before fourteen (14) days **(not to exceed 14 days) the person or place named above for the property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) (at any time in the day or night)** and if the property be found there to seize it, leaving a copy of this warrant and receipt for the property taken, and prepare a written inventory of the property seized [in accordance with the procedures set forth in the application] and promptly return this warrant to** the duty U.S. Magistrate Judge **as required by law.**

NAME OF AFFIANT	SIGNATURE U.S. MAGISTRATE JUDGE***	DATE/TIME ISSUED
FBI SA RYAN BELL	ANDREW J. WISTRICH	11:45; 6/13/2012

* If sophisticated hashing tools are to be used, they have to be listed in Attachment B and incorporated as part of the warrant

** If a search is to be authorized "at any time in the day or night" pursuant to Federal Rules of Criminal Procedure Rule 41(e)(2)(A)(ii), show reasonable cause therefor.

*** United States Judge or Judge of a State Court of Record.

AUSA: *A. Neuman* AN

RETURN

DATE WARRANT RECEIVED	DATE AND TIME WARRANT EXECUTED	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH

INVENTORY MADE IN THE PRESENCE OF

INVENTORY OF PROPERTY TAKEN PURSUANT TO THE WARRANT

CERTIFICATION

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant.

_____

Subscribed, sworn to, and returned before me this date.

_____

U.S. JUDGE OR MAGISTRATE DATE

RETURN FOR DIGITAL DEVICES

INVENTORY OF PROPERTY TAKEN PURSUANT TO THE WARRANT

INVENTORY OF PROPERTY RETURNED

DEVICES AND DATA RETAINED PURSUANT TO COURT ORDER

CERTIFICATION

I swear that this inventory is a true and detailed account of all digital data that was seized as falling within the items to be seized in the warrant. To my knowledge, the government has destroyed or returned all copies of data that it was not otherwise entitled to keep pursuant to the warrant or other court order.

_____

Subscribed, sworn to, and returned before me this date.

_____

U.S. JUDGE OR MAGISTRATE DATE

ATTACHMENT A

SUBJECT PREMISES TO BE SEARCHED

1. SUBJECT PREMISES 1 is more particularly described as follows:

a. SUBJECT PREMISES 1 is located at 18850 Ventura Boulevard, Tarzana, CA 91356 and includes all attached ~~and~~ ~~unattached~~ rooms, storage areas, safes, lockers, briefcases, containers, trash bags, trash, and trash areas located in or assigned to ~~on~~ the Subject premises 1.

b. SUBJECT PREMISES 1 is rented office space located in the southwest portion of the first floor of the "E-Realty Homes" building, a two-story multi-unit commercial building, white in color, located on the southeast corner of Ventura Boulevard and Wilbur Avenue in Tarzana, CA. The building is rectangular with an interior courtyard. Access to units lining the outside of the building can be made through doors on the outside perimeter of the building. SUBJECT PREMISES 1 is located on the first floor of the southwest corner of the building. No suite number is posted on the outside of SUBJECT PREMISES 1. There are three glass doors along the west side of the building along Wilbur Avenue. Access to SUBJECT PREMISES 1 can be made through the southern most door of those mentioned above. It is unclear whether there is access to other parts of the building from SUBJECT PREMISES 1. In addition to the glass door entrance,

windows line the subject premises on both the west and south sides. It is unclear whether there are additional access doors to SUBJECT PREMISES 1.

2. SUBJECT PREMISES 2 is more particularly described as follows:

a. SUBJECT PREMISES 2 is condominium number 101, located within the condominium complex at 14572 Dickens Street, Sherman Oaks, CA 91403, a three-story condominium building on the southeast corner of Dickens Street and Cedros Avenue in Sherman Oaks, CA, and includes all attached and unattached rooms, attics, garages and storage areas, safes, lockers, briefcases, containers, trash bags, trash, and trash areas ~~and vehicles~~ located in the Subject Premises 2 or in designated parking spots. The building is light brown in color. SUBJECT PREMISES 2 is on the first floor and is a corner unit on the northwest corner of the building. Attached to SUBJECT PREMISES 2 are two balconies facing Cedros Avenue, which can be accessed by sliding glass doors. On the north side of SUBJECT PREMISES 2 are windows that are behind trees. A public records search indicates SUBJECT PREMISES 2 is a 1,400 sq. foot condominium with two bedrooms and two bathrooms.

b. Entry to SUBJECT PREMISES 2 can be made through the main entrance, a double glass door on the west side of the building facing Cedros Avenue, a fire door behind a shrub immediately north of the main entrance, and a gated underground parking garage on the north side of the building, facing Dickens

Street. Upon entering the building through the fire door and passing through a second door, SUBJECT PREMISES 2 is immediately to the left. The front door of SUBJECT PREMISES 2 is brown wood with the numbers "101" on the right side. It is unclear whether there are additional access doors to SUBJECT PREMISES 2.

ATTACHMENT B

ITEMS TO BE SEIZED

1. The items to be seized are as follows:

a. Any and all records dating from January 2011 to the present relating to the following properties including, but not limited to: grant deeds, deeds of trust, mortgages and notes, loan applications, purchase offers, purchase contracts/agreements, short sale applications, short sale approval letters; escrow documents to include buyer/seller instructions, escrow receipt of funds, and escrow disbursements/schedules; title insurance company records including preliminary title reports and title policies; appraisal/broker price opinion documents/documents containing opinions on price or value, and MLS records, including listings:

1. 5436 Woodman Avenue, Sherman Oaks, California
2. 1344 Raymond Avenue, Glendale, California
3. 12233 Octagon Street, Los Angeles, California
4. 13939 Branton Place, Sherman Oaks, California
5. 1952 Stradella Road, Los Angeles, California
6. 88 Stagecoach Road, Bell Canyon, California

b. Any and all documents relating to the ownership of corporate entities which may be involved in real estate transactions including but not limited to: articles of incorporation, articles of organization, certificates and statements of corporate signers and other corporate documents

indicating the owners and/or authorized signers of the corporation.

c. Records, documents, programs and applications pertaining to personal and company finances, to include financial statements, balance sheets, accounting ledgers, financial receipts and banking records, to include bank statements, credit cards and checks;

d. Communications, or records of communications, to include email correspondence and attachments, with individuals or other entities concerning real estate transactions, including records or applications on cellular telephones containing or evidencing text messages, email messages, telephone number or address records, and records of calls or communications transmitted or received;

e. Any of the following valuable items, if valued at over $1,000:

1) Cash

2) Gold and/or other valuable metals

3) Jewelry

4) Luxury clothing

5) Electronics

6) Casino chips

f. Any computer or cellular telephone used to facilitate the above-listed violations and forensic copies thereof.

g. Identification documents which contain name(s) or other mean(s) of identification which are different than the true legal names or means of identification of individuals located at the SUBJECT PREMISES 1 and 2.

h. With respect to any digital devices containing evidence falling within the scope of the foregoing search categories, records, documents, programs, applications or materials, or evidence of the absence of same, sufficient to show the actual user(s) of the digital device during the time period between January 2011 and present.

i. As used above and below, the terms records, documents, programs, applications or materials include records, documents, programs, applications or materials created, modified or stored in any form, including in digital form on any digital device and any forensic copies thereof. As used both above and below, the term "digital device" includes any electronic system or device capable of storing and/or processing data in digital form, including: central processing units; laptop or notebook computers; personal digital assistants; wireless communication devices such as telephone paging devices, beepers, and mobile telephones; peripheral input/output devices such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices such as modems, cables, and connections; storage media such as hard disk drives, floppy disks, compact disks, magnetic tapes used to store digital

data (excluding analog tapes such as VHS), and memory chips; and security devices.

2. In searching for digital devices and in searching digital data stored on digital devices, law enforcement personnel executing this search warrant will employ the following procedure:

a. Law enforcement personnel or other individuals assisting law enforcement personnel will, in their discretion, either search the digital device(s) on-site or seize and transport the device(s) to an appropriate law enforcement laboratory or similar facility to be searched at that location. The team of law enforcement personnel, which may include the investigating agent(s), and/or individuals assisting law enforcement personnel searching the digital device(s) shall complete the search as soon as is practicable but not to exceed 60 days from the date of execution of this warrant. If additional time is needed, the government may seek an extension of this time period from the Court within the original 60 day period from the date of execution of the warrant.

b. The team searching the digital devices will do so only by using search protocols specifically chosen to identify only the specific items to be seized under this warrant.

i. The team may subject all of the data contained in the digital device capable of containing items to be seized as specified in this warrant to the protocols to determine

whether the digital device and any data falls within the items to be seized as set forth herein. The team searching the digital device may also search for and attempt to recover "deleted," "hidden" or encrypted data to determine, pursuant to the protocols, whether the data falls within the list of items to be seized as set forth herein.

ii. The team searching the digital device also may use tools to exclude normal operating system files and standard third-party software that do not need to be searched.

c. When searching a digital device pursuant to the specific protocols selected, the team searching the digital device shall make and retain notes regarding how the search was conducted pursuant to the selected protocols.

d. If the team searching a digital device pursuant to the selected protocols encounters immediately apparent contraband or other evidence of a crime outside the scope of the items to be seized, the team shall immediately discontinue its search of that digital device pending further order of Court and shall make and retain notes detailing how the contraband or other evidence of a crime was encountered, including how it was immediately apparent contraband or evidence of a crime.

e. At the conclusion of the search of the digital devices as set forth in subparagraph (a) above, any digital device determined to be itself an instrumentality of the offense(s) and all the data thereon shall be retained by the

government until further order of court or one year after the conclusion of the criminal case/investigation.

f. Notwithstanding the above, after the completion of the search of the digital devices as set forth in subparagraph (a) above, the government shall not access digital data falling outside the scope of the items to be seized in this warrant on any retained digital devices or digital data absent further order of court.

g. If the search team determines that a digital device is not an instrumentality of any offense under investigation and does not contain any data falling within the list of items to be seized pursuant to this warrant, the government will as soon as practicable return the digital device and delete or destroy all the forensic copies thereof.

h. If the search determines that the digital device or the forensic copy does contain data falling within the list of the items to be seized pursuant to this warrant, the government may retain the digital device and the forensic copy without further order of the court.

3. In order to search for data that is capable of being read or interpreted by a digital device, law enforcement personnel are authorized to seize the following items, subject to the procedures set forth above:

a. Any digital device capable of being used to commit, further or store evidence of the offense listed above;

b. Any equipment used to facilitate the transmission, creation, display, encoding or storage of digital data, including word processing equipment, modems, docking stations, monitors, printers, plotters, encryption devices and optical scanners;

c. Any magnetic, electronic or optical storage device capable of storing data, such as floppy disks, hard disks, tapes, CD-ROMs, CD-R, CD-RWs, DVDs, optical disks, printer or memory buffers, smart cards, PC cards, memory calculators, electronic dialers, electronic notebooks, cellular telephones and personal digital assistants;

d. Any documentation, operating logs and reference manuals regarding the operation of the digital device or software used in the digital device;

e. Any applications, utility programs, compilers, interpreters and other software used to facilitate direct or indirect communication with the digital device;

f. Any physical keys, encryption devices, dongles and similar physical items that are necessary to gain access to the digital device or data stored on the digital device; and

g. Any passwords, password files, test keys, encryption codes or other information necessary to access the digital device or data stored on the digital device.

4. The special procedures relating to digital media found in this warrant govern only the search of digital media pursuant to the authority conferred by this warrant and do not apply to

any search of digital media pursuant to any other court order.

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A F F I D A V I T

I, Ryan Bell, do hereby declare and affirm:

I. INTRODUCTION

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") presently assigned to the FBI's Los Angeles Division, and have been so employed since August of 2009. I am currently assigned to a white collar crime squad. Prior to joining the FBI, I worked as an accountant for approximately five years and have been a Certified Public Accountant since May 2008. During the twenty-one weeks of training I completed at the FBI Academy in Quantico, Virginia, I received specific training in the areas of financial institution fraud, securities fraud, credit card fraud, and other white collar federal offenses. Since becoming an SA, I have attended various fraud seminars and classes, including specific training in corporate fraud, financial institution fraud, mortgage fraud, and short sale fraud, as well as general white collar crime investigative training sponsored by the FBI and other law enforcement organizations. I am responsible for and have been trained in the investigation of fraud cases like this investigation. I have investigated and actively participated in white collar crime cases using a variety of investigative techniques, including interviews and interrogations, subpoenas, search warrants, records analysis, public records searches, surveillance, Title

III wiretaps, consensual recordings and more. As a member of a white collar crime squad, my duties are to investigate violations of federal statutes including but not limited to bank fraud (18 U.S.C § 1344), mail fraud (18 U.S.C § 1341), wire fraud (18 U.S.C § 1343), loan fraud (18 U.S.C § 1014) and related financial crimes.

2. The information in this affidavit is based on my personal participation in this investigation and knowledge obtained by reviewing documents, such as escrow files and bank records, and electronic surveillance, such as consensual audio and video recordings; by speaking with witnesses, victims, cooperating targets, and other special agents and investigators; and is based on my training and personal experience. This affidavit is intended to show only that there is sufficient probable cause for the requested warrants and does not purport to set forth all of my knowledge of, or investigation into, this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

3. This affidavit is made in support of an application for warrants to search the following locations:

a. The office space located at 18850 Ventura Boulevard, Tarzana, CA 91356 ("SUBJECT PREMISES 1"); and

b. The condominium located at 14572 Dickens Street

#101, Sherman Oaks, CA 91403 ("SUBJECT PREMISES 2").

4. SUBJECT PREMISES 1 and 2 are further described in Attachment A, which is incorporated by reference into this affidavit.

II. SUBJECT PREMISES TO BE SEARCHED

5. SUBJECT PREMISES 1 is more particularly described as follows:

a. SUBJECT PREMISES 1 is located at 18850 Ventura Boulevard, Tarzana, CA 91356 and includes all attached and unattached rooms, storage areas, safes, lockers, briefcases, containers, trash bags, trash, and trash areas located on the premises.

b. SUBJECT PREMISES 1 is rented office space located in the southwest portion of the first floor of the "E-Realty Homes" building, a two-story multi-unit commercial building, white in color, located on the southeast corner of Ventura Boulevard and Wilbur Avenue in Tarzana, CA. The building is rectangular with an interior courtyard. Access to units lining the outside of the building can be made through doors on the outside perimeter of the building. SUBJECT PREMISES 1 is located on the first floor of the southwest corner of the building. No suite number is posted on the outside of SUBJECT PREMISES 1. There are three glass doors along the west side of the building along Wilbur Avenue. Access to SUBJECT PREMISES 1 can be made

through the southern most door of those mentioned above. It is unclear whether there is access to other parts of the building from SUBJECT PREMISES 1. In addition to the glass door entrance, windows line the subject premises on both the west and south sides. It is unclear whether there are additional access doors to SUBJECT PREMISES 1.

6. SUBJECT PREMISES 2 is more particularly described as follows:

a. SUBJECT PREMISES 2 is condominium number 101, located within the condominium complex at 14572 Dickens Street, Sherman Oaks, CA 91403, a three-story condominium building on the southeast corner of Dickens Street and Cedros Avenue in Sherman Oaks, CA, and includes all attached and unattached rooms, attics, garages and storage areas, safes, lockers, briefcases, containers, trash bags, trash, trash areas and vehicles located in designated parking spots. The building is light brown in color. SUBJECT PREMISES 2 is on the first floor and is a corner unit on the northwest corner of the building. Attached to SUBJECT PREMISES 2 are two balconies facing Cedros Avenue, which can be accessed by sliding glass doors. On the north side of SUBJECT PREMISES 2 are windows that are behind trees. A public records search indicates SUBJECT PREMISES 2 is a 1,400 sq. foot condominium with two bedrooms and two bathrooms.

b. Entry to SUBJECT PREMISES 2 can be made through

the main entrance, a double glass door on the west side of the building facing Cedros Avenue, a fire door behind a shrub immediately north of the main entrance, and a gated underground parking garage on the north side of the building, facing Dickens Street. Upon entering the building through the fire door and passing through a second door, SUBJECT PREMISES 2 is immediately to the left. The front door of SUBJECT PREMISES 2 is brown wood with the numbers "101" on the right side. It is unclear whether there are additional access doors to SUBJECT PREMISES 2.

III. ITEMS TO BE SEIZED

7. The items to be seized are defined in Attachment B.

8. The items to be seized are evidence, fruits, and/or instrumentalities of violations of 18 U.S.C. §§ 1343 (Wire Fraud), 1344 (Bank Fraud), and 1349 (Conspiracy to Commit Wire and Bank Fraud), as set forth below and in Attachment B.

IV. DESCRIPTION OF RELEVANT TERMS

9. This search warrant is sought as part of a real estate and mortgage fraud investigation focused on the activities of several individuals and their involvement in fraudulent real-property transactions. Explaining the various real estate transactions in question will require the use of various common, as well as uncommon, real estate terms. In order to facilitate the reading of this affidavit, I will define several relevant terms which will be used throughout this affidavit. The

definitions included herein are based on my training and experience, interviews I have conducted relating to this case and information readily available on various real estate related websites. Based on those sources, the following terms are defined as follows for purposes of this affidavit:

a. Title: Generally every parcel of land with designated boundaries, whether developed or undeveloped, has a title of ownership. In the United States, title of ownership is generally overseen and maintained by the county within which the specific parcel is located. A county recorder's office generally maintains records relating to any and all land improvements, specific descriptions of the property (for example whether a particular parcel of land has a single family residence located on the property), changes of ownership, and liens, judgements or encumbrances filed against the property. These records, organized chronologically, are commonly referred to as the "chain of title." In California, the law requires that any change to the title of a property be recorded by the county recorder's office.

b. Grant Deed: A grant deed is a real estate instrument used to record a change of ownership from one party to another. This form is generally used when a property is sold for consideration from one party to another. The seller, or grantor, must sign the grant deed. Counties within the state of

California require the signature on a grant deed to be notarized.

c. Deed of Trust: A deed of trust, or trust deed, is an instrument used to record a loan secured against a specific property, such as a mortgage. The deed of trust indicates the amount and terms of the loan, and must be signed by the borrower. The signature of the borrower on a deed of trust is often, if not always, notarized. Upon repayment of a mortgage note or other loan secured against the property, the deed of trust should be reconveyed and removed from the title of the property. A property can have multiple deeds of trust recorded against it at the same time. Generally, the deeds of trust are referred to in the order they were filed against the property, for example first trust deed, second trust deed and so on.

d. Escrow Company: In California, escrow companies are used as settlement agents for real estate transactions. The primary responsibility of an escrow company is to act as a fiduciary agent between the various parties to a real estate transaction and make sure the proper documents are filled out and executed by the responsible parties. Escrow companies maintain escrow trust bank accounts which are used to maintain security and control over the monies received and disbursed by the escrow company. In order to open escrow on a real estate transaction, the seller and buyer must execute a purchase contract, indicating, among other things, the sales price. Also, in order

to open the escrow file, an earnest money deposit into the escrow trust bank account is generally required from the buyer. In California, escrow companies are responsible for executing a HUD-1 Settlement Statement which is used to record and disclose all receipts and disbursements of funds relating to a specific real estate transaction. The accuracy of the HUD-1 is relied upon by the various parties to the transaction.

e. Title Insurance Company: The responsibility of a title company is to provide insurance to a buyer as well as any and all lenders on a real estate transaction. A title company policy insures clear title, that is, that the seller has the power to convey the property, among other things. Generally the seller pays for the buyer's title policy and the buyer pays for the lenders' policy. Title companies often provide a "Preliminary Title Report" which is used and relied upon by the various parties leading up to the closing of a real estate transaction, prior to the title insurance policies taking effect. In California, the title insurance companies are typically responsible for paying off any and all secured liens on a property during a sale transaction, prior to closing. After all secured liens are paid off, the title insurance company will forward any and all sale proceeds to the escrow company for disbursement. The escrow company disburses the remaining funds to various unsecured payees pursuant to the escrow instructions

(for example seller proceeds, broker commission payments and any and all additional fees).

f. Short Sale Transaction: A short sale transaction is one in which a lender, holding a deed of trust on a property, agrees to accept a lesser amount than what is owed to the lender pursuant to the note in exchange for the property. A short sale generally occurs when the value of a property has dropped below the principal amount owed on one or more of the mortgage notes on the same property. Due to various factors, including a distressed homeowner and/or a non- or underperforming note, a lender may agree to a short sale. Generally, when a lender agrees to a short sale transaction, the lender will issue a "short sale approval letter" which indicates the price the lender is willing to accept from a prospective buyer in order to release its interest in the property (through the reconveyance of its lien(s)).

g. Hard-money Lender: A hard-money lender is a party that issues a loan against a property based primarily on the property's value and the amount of the homeowner's equity in the property. Hard-money lenders are typically less concerned with credit scores or other qualification requirements than conventional lenders since they lend strictly on the value of the subject property which acts as collateral for the subject loan. Due to the risks incurred by this type of lending, a hard-money

lender typically charges higher interest rates and fees than a conventional mortgage lender. It is common practice for a hard-money lender to record a deed of trust against the subject property for the amount of its loan, which provides the lender with the recourse of foreclosing on the property in case of a default on the terms of the loan. Hard-money loans typically have a shorter term than conventional mortgage loans.

V. PROBABLE CAUSE

10. I am currently one of the case agents overseeing an investigation of a large-scale mortgage and real estate fraud scheme involving potential losses of millions of dollars. The investigation has thus far included interviews of victims, witnesses, subjects and targets; reviews of bank records; reviews of public records; analyses of escrow records; and undercover operations involving both undercover agents and cooperators who are implicated in the schemes, as discussed below, which have yielded recordings of in-person meetings, telephone calls, e-mails and text messages. As a result of these efforts, I have identified several fraudulent schemes being carried out by multiple targets. Among those targets, I have identified AHMED TARIQ ASGHARI ("ASGHARI"), who resides in SUBJECT PREMISES 2 and who uses the rented office space which constitutes SUBJECT PREMISES 1, as being involved in a scheme involving fraudulent short sale approvals.

11. On June 1, 2012, a federal grand jury returned an indictment charging ASGHARI with one count of violating 18 U.S.C. § 1344: attempted bank fraud, and one count of violating 18 U.S.C. § 1028A(a)(1): aggravated identity theft. That indictment is currently under seal, but will be unsealed upon the arrest of ASGHARI, which agents hope to accomplish on the same day that the instant search warrant is executed (if approved). A warrant for ASGHARI's arrest has been issued. The indictment is based on one of the fraudulent schemes uncovered during the course of this investigation, related to ASGHARI's involvement in transactions related to the property on Stagecoach Road, Bell Canyon, California, which is discussed below. Based on my knowledge of this investigation, as set forth herein, I know that ASGHARI's attempt to execute the scheme in the Stagecoach Road Property transaction is only an example of the broader fraudulent scheme in which he is and has been engaged.

12. Based on what I have discovered during this investigation, there is probable cause to believe that ASGHARI has been involved in a real estate fraud scheme involving multiple properties and victims, and resulting in millions of dollars of losses. This is in addition to the attempted transaction related to the Stagecoach Road property for which he has been indicted. As discussed herein, there is probable cause to believe that ASGHARI uses the two subject premises to

facilitate and further his criminal offenses.

13. One of ASGHARI's co-conspirators began cooperating with law enforcement during the course of this investigation, following the execution of a search warrant at that person's home. The co-conspirator, who will not be identified by name herein because of safety concerns but who will be referred to as the "cooperator," is represented by counsel and has been told that he/she will be charged with felony criminal violations related to his/her participation in the fraudulent schemes identified herein, as well as for other fraudulent schemes not discussed herein. The cooperator has participated in numerous proffers of information with agents and government counsel, and has, at the direction of agents, also participated in surreptitiously recorded telephone conversations and in-person meetings with ASGHARI and other co-conspirators which I and other agents have reviewed. The cooperator has also participated in email and text message exchanges with these individuals, the messages have been provided to the FBI, and I have reviewed those pertinent to this affidavit. The cooperator is cooperating with law enforcement with the understanding that his/her cooperation will be brought to the attention of the United States district court judge who eventually sentences the cooperator for his/her role in the identified fraudulent schemes, and in the hopes of eventual leniency at the time of sentencing.

a. During the course of recorded conversations with the cooperator, which I have reviewed, ASGHARI has acknowledged his involvement in the scheme described below.

b. Based on the investigation to date, including the recordings of the conversations involving the cooperator as well as independent investigation by law enforcement, the cooperator has been shown to be reliable, in that the information that he/she has provided to date has been independently verified to the extent possible, and has turned out to be truthful as far as I know.

14. Based on my training and experience, I know the following:

a. In order for a legitimate residential short sale to take place, one or more of the lenders holding notes against a particular residential property must agree to allow the homeowner to sell that property for less than what is owed on the notes.

b. The lender, or lenders, must approve the amount agreed upon by the seller and the buyer. Generally, lenders will provide a "short sale approval letter" to indicate their approval of a short sale price and their agreement to accept an amount of money less than the amount they are owed in order to reconvey their liens on the subject property.

15. Based on my review of the evidence, I know that ASGHARI and others have been, and are, orchestrating a scheme through

which lenders and others are being defrauded. A general outline of the scheme, which is not intended to set forth all of my knowledge of the scheme or all of the steps taken by ASGHARI or others to effect the fraudulent scheme, is set forth below:

a. ATIQULLAH NABIZADA, also known as "Gio Khair" and other related aliases ("NABIZADA"), conducted various real estate transactions with the cooperator.[1] NABIZADA told the cooperator that NABIZADA had a contact at Bank of America ("BofA"), which is insured by the Federal Deposit Insurance Corporation, who, in exchange for a bribe, would approve short sales for residential properties where BofA held liens (in the form of mortgages) for significantly less than the value of the liens on the property and less than BofA would otherwise approve. By purchasing the properties at the fraudulently deflated values, NABIZADA or his clients could turn a profit by reselling the property for at or near the fair market value, or by refinancing the properties and walking away from repaying the resulting loans.

b. The cooperator, in turn, told ASGHARI that he/she knew of a connection at BofA who could approve short sales at a significant discount and invited ASGHARI to participate in the

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[1] NABIZADA has been separately indicted for conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349 and aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1). That indictment, like the indictment of ASGHARI, is expected to be unsealed upon execution of this and other requested search warrants and corresponding arrest warrants.

scheme. ASGHARI was to find real estate buyers/investors who were interested in purchasing residential properties where the owners were in default and BofA had begun the foreclosure process, thereby making the properties potential candidates for a short sale transaction. Claiming to have a good relationship with certain individuals at BofA or otherwise be able to negotiate low prices for short sales from BofA, ASGHARI, together with the cooperator and others, would represent to the buyers/investors that they were able to obtain approvals for short sales of the distressed properties for slightly less than the fair market value. The buyers/investors would agree to purchase the properties at that price, which will be referred to herein as "Price A."

c. At the same time, ASGHARI and the cooperator obtained a fraudulent short sale approval letter for the same properties from NABIZADA with a far lower approval amount, significantly less than the fair market value of the property; this will be referred to as "Price B." The plan was for the property to be purchased from the lender (BofA) at Price B but for ASGHARI and the cooperator to tell the buyers/investors that it had been purchased for Price A. As the intermediaries controlling the escrow company (usually involving a co-conspirator escrow agent), ASGHARI and the cooperator could hide the purchase Price B from the buyers/investors and have the

buyers/investors fund the transaction for Price A. The difference between Price A and Price B would be disbursed from escrow to ASGHARI, NABIZADA, and their co-conspirators, and would be profit for ASGHARI, NABIZADA, and others. Based on the evidence available, it appears that ASGHARI and the cooperator believed that NABIZADA obtained the Price B approvals by paying a bribe to a BofA employee, and that the properties were actually being purchased for that price, with BofA forgiving the liens as a result of the insider's fraudulent activity. However, the investigation to date suggests that NABIZADA would often if not always simply create fictitious short sale approval letters without any approval from BofA, whether through a bribe or otherwise. As discussed below, this resulted in the property never actually having been sold, leaving the buyers/investors who paid Price A with, at best, clouded title to the property.

d. Jackie BURCHELL ("BURCHELL"), a co-conspirator who worked at various escrow companies, would assist ASGHARI, NABIZADA, and the cooperator to complete the scheme by concealing documents and producing and/or knowingly transmitting fraudulent documents which allowed the schemers to hide the fact that the property had been purchased for Price B from the buyers/investors. She would also conceal the payouts to ASGHARI, NABIZADA, and others through the creation of fraudulent HUD-1 forms.

I. On September 9, 2011, I interviewed BURCHELL, the PBE escrow officer who performed escrow services on the Woodman Avenue property sale. During this interview, BURCHELL provided the following information, among other facts: BURCHELL stated that she worked with ASGHARI, the cooperator, and others as the escrow officer on several BofA short sale transactions which she understood to be fraudulent. BURCHELL admitted preparing false HUD-1 Settlement Statements ("HUD-1") in order to conceal facts about the transactions from certain parties.

e. The purpose of the fraudulent short sale approval letter was largely to fool the title company that was involved in the transaction. That is, as described above, in California it is the responsibility of the title company to disburse funds from a real estate transaction to the lenders in order to secure the reconveyance of all liens. In a short sale, the title company will not wire the money to the lenders to pay off the loans without a short sale approval letter. In the case of a fraudulent short sale approval letter, the title company will wire the fraudulent approval price to the lender, thinking that it has been approved. The title company will then assure the parties that title is clear and the property can be transferred. In the case of a BofA short sale, due to the volume of short sales happening during the relevant period, title companies often did not wait for BofA to actually reconvey the deeds of trust

prior to moving forward with the transaction. Thus, in the case of fraudulent short sale approval letters, a title company, fooled into thinking that BofA had approved the short sale and would reconvey their liens against the specific property, would allow the transaction to move forward without receiving clearance from BofA in the form of a reconveyance of the deed of trust.

f. As an example of how the scheme would work, ASGHARI would identify a property with a market value of $400,000 and would tell a potential buyer that he could obtain a short sale price of $350,000 (Price A). ASGHARI, through the cooperator, and through NABIZADA, would obtain a fraudulent short sale approval letter for $100,000 (Price B). The buyer would fund to escrow the transaction for Price A ($350,000), under the assumption the funds were going to pay off the liens at the bank. However, BURCHELL, as the escrow officer, would wire Price B ($100,000) to the title company who, having seen the fraudulent short sale approval letter, would wire the money to the bank to pay off the liens according to the terms of the fraudulent short sale approval letter. The $250,000 difference would then be split between ASGHARI and others involved in the scheme, paid to them from the escrow account. Once BofA discovered the wired funds, the wired funds would be sent back to the title company because BofA had never actually approved the short sale. Thus, the buyers/investors were left with clean title but BofA

continued to claim it held liens.

g. Based on the evidence gathered to date, it appears that ASGHARI would also at times find "straw" buyers who knew about the fraudulent short sale approval letter from NABIZADA and the purchase at Price B. After closing a transaction with the significant discount of Price B, the "straw" buyer would re-finance the property for a greater amount, and the proceeds would be split among the co-conspirators. BURCHELL would play a similar role, concealing Price B from the refinancing lender.

A. EVIDENCE AND EXAMPLES OF THE SCHEME AT WORK

16. Based on interviews of witnesses, the cooperator, and other targets of this investigation, and a review of escrow documents, I am aware that ASGHARI was involved in the following BofA short sale transactions, all of which involved some variation of the fraudulent scheme described above:

a. 5436 Woodman Avenue, Sherman Oaks, California ("the Woodman Avenue property");

b. 1344 Raymond Avenue, Glendale, California ("the Raymond Avenue property");

c. 12233 Octagon Street, Los Angeles, California ("the Octagon Street property");

d. 13939 Branton Place, Sherman Oaks, California ("the Branton Place property"); and

e. 1952 Stradella Road, Los Angeles, California ("the

Stradella Road property").

The Woodman Avenue Property

17. I have reviewed escrow files for a transaction involving the Woodman Avenue property and discussed the transaction with a number of individuals who were involved and have criminal liability for their roles, including the cooperator and BURCHELL. Based on my investigation, I know that Danny Simon ("Simon"), operating through his company Quantex Group, purchased the Woodman Avenue property in what appeared to be an approved short sale transaction from BofA, with a purchase price of approximately $275,000. However, according to other escrow documents I have reviewed related to this transaction, the short sale approval letter submitted to the title company involved in the transaction reflected a purchase price of $92,000. Thus, $92,000 was wired to BofA as the short sale purchase price for the property; the remainder of Simon's $250,000 was disbursed by BURCHELL as the escrow officer to various individuals and entities not affiliated with BofA, including ASGHARI. BofA subsequently rejected the wire, claiming it had no record of a short sale approval for $92,000; the short sale approval letter had been fabricated. As a result, Simon was left as the putative owner on title to the Woodman Avenue property, but BofA still maintains its liens against the property and thus is in a position to foreclose and cause Simon to lose all the money he

put into the transaction.

18. On August 4, 2011, Simon was interviewed by FBI agents. Based on my review of the interview report and my discussions with the interviewing agents, I am aware that Simon provided the following information, among other pieces of information:

a. Simon believed that he had purchased the Woodman Avenue property through a short sale process for $275,000. Simon wired that money to Point Break Escrow ("PBE") (where BURCHELL worked) and received title to the Woodman Avenue property. However, after receiving disbursement records for the transaction from BURCHELL at PBE, Simon noticed that an individual named Eric LOPEZ-SALAS ("LOPEZ-SALAS") received some of the $275,000 that Simon paid for the property. Simon stated that he knew LOPEZ-SALAS as a realtor, and after seeing his name on the escrow records, Simon called LOPEZ-SALAS to find out why he had received money from the transaction. LOPEZ-SALAS explained to Simon that ASGHARI instructed him to receive the money and to give it to ASGHARI. LOPEZ-SALAS told Simon that ASGHARI gave LOPEZ-SALAS the instructions on how the money was supposed to flow.

b. In reviewing PBE's records, Simon discovered that Armine "Amy" ASHTOYAN ("ASHTOYAN"), the owner of Avant Garde Realty, Inc., also received some of the ~~$250,000~~ $275,000 ES from escrow during the course of the Woodman Avenue property transaction. When Simon confronted ASHTOYAN, she admitted that she agreed to

cash money for an individual named "Kevin Smith" (an alias known to have been used in the past by the cooperator and by NABIZADA).

I. Based on separate information obtained during the course of the investigation, including from the cooperator and others, I know that ASGHARI and ASHTOYAN previously had a business as well as romantic relationship. Although not currently involved romantically or professionally, ASGHARI and ASHTOYAN still maintain contact due to lingering issues with previous transactions.

c. ASHTOYAN told Simon she would coordinate a telephone call between her, Simon, and ASGHARI. Simon stated that during that telephone call, which he described as very heated, ASGHARI threatened to physically harm Simon, and Simon likewise threatened to physically harm ASGHARI if he did not return the money he stole from Simon.

d. Following this telephone call, Simon and ASGHARI met in person, and ASGHARI admitted that he wronged Simon. ASGHARI told Simon that the cooperator was Kevin Smith. ASGHARI added that if the cooperator did not return Simon's money, ASGHARI would personally "kill" the cooperator.

e. Simon told agents that he did not know anything about approval of a short sale for the Woodman Avenue property by BofA for $92,000, whether fraudulent or otherwise. Simon stated that he believed the approval was for $275,000, which was what he

paid. He stated that he learned that the approval had been for $92,000 when he met with ASGHARI and ASGHARI told him about the difference. Simon did not receive a copy of the fraudulent short sale approval letter until he later obtained escrow documents from PBE.

19. I have reviewed the escrow documents which Simon obtained from PBE and which he subsequently provided to the FBI. Included therein is an apparent short sale approval letter from BofA dated April 4, 2011, authorizing the short sale of the Woodman Avenue property to the Quantex Group for $92,000.

20. On March 22, 2012, Thomas Dotson, Vice President/Senior Investigator with BofA, indicated by email to FBI investigators that the $92,000 short sale approval letter for the Woodman Avenue property was not authentic and BofA had no record of that letter in its files.

The Raymond Avenue Property

21. I have reviewed escrow files and public records for transactions involving the Raymond Avenue property, and have discussed the transactions with a number of individuals who were involved and have criminal liability for their roles. Based on my investigation, I know the following, among other facts:

a. In approximately March 2011, Asya Akopyan ("Akopyan"), the owner of the Raymond Avenue property, listed the Raymond Avenue property as a short sale. The BofA liens on the

Raymond Avenue property at the time were over $1 million.

b. The PBE escrow file (number 12876-JB) shows that the buyer of the Raymond Avenue property was to be Alfred VARTANYAN ("VARTANYAN"), and VARTANYAN was to deposit $139,000 prior to the close of escrow to buy the Raymond Avenue property for $116,000. The file included a purported short sale approval letter approving a sale at $116,000, less closing costs and commissions. On April 25, 2011, VARTANYAN obtained a $145,000 loan from Alla Petrushina ("Petrushina"), a hard-money lender. Of that $145,000, approximately $98,200 was wired by the title company to BofA for a payoff . The net proceeds were wired to PBE. PBE's check register for the closing date of April 28, 2011, reflected payments of $5,800 to the listing broker, Avant Garde Realty, owned by ASHTOYAN, among other payments. Other discrepancies were found in the escrow documents which have not been explained given that this transaction is still under investigation.

c. A second escrow file at PBE, number 13131-JB, shows that on May 20, 2011, VARTANYAN refinanced the loan and obtained a different loan in the amount of $230,000 from Petrushina, the same hard-money lender, which was also secured by the Raymond Avenue property with a deed of trust that was recorded on May 20, 2011. The funds were wired to Fidelity National Title Company. PBE's check register for the closing

date of the May 20, 2011 refinancing loan reflected a payment to LOPEZ-SALAS in the amount of $150,000 and a payment of $68,890.67 to Avant Garde Realty, Inc., from escrow. (As discussed below, LOPEZ-SALAS received funds from these transactions for ASGHARI, meaning that almost the entire amount of the loan was disbursed to parties associated with ASGHARI).

22. Based on a May 10, 2011 e-mail I have reviewed and which was sent by Ginelle Sebastian of Pacific Coast Title to BURCHELL, the wire to BofA meant to purchase the Raymond Avenue property was rejected by BofA because BofA had no open file on the property. Based on my training, experience, and knowledge of the facts of this investigation, I know this means that a fraudulent short sale approval letter was used during the course of this transaction.

23. During my September 9, 2011 interview of BURCHELL, BURCHELL was shown escrow files for the Raymond Avenue property. Based on the disbursements to Avant Garde Realty, BURCHELL identified this transaction as being associated with ASGHARI because, according to BURCHELL, ASGHARI had a relationship with Avant Garde. (Confirming information provided by others, as discussed above.) Although BURCHELL identified the Raymond Avenue property file as being associated with ASGHARI, BURCHELL recalled that the cooperator instructed her regarding what information should be including on the HUD-1 provided to the

lender. BURCHELL recalled that she falsified the HUD-1 in the Raymond Avenue property file so that the lender would pay out more money. (Based on my training and experience, I know that if a falsified HUD-1 shows a higher contract sales price for a property rather than a lower sales price reflected on a short sale approval letter, the lender will loan funds based on that higher price versus the lower sales price reflected in the short sale approval letter. ASGHARI and others often did not provide short sale approval letters to the lenders involved so as to hide the lower sales price from them.) BURCHELL explained that the fraudulent HUD-1 she prepared would not be found in her closed escrow files because she made sure to get rid of these documents when she finished a transaction as part of the effort to hide the fraud.

24. Also in the PBE escrow files regarding the Raymond Avenue property were e-mails between BURCHELL and ASGHARI and "Kevin Smith," the alias used in this case by the cooperator (NABIZADA has also been known to use this alias in the past while working with the cooperator). Among those e-mails were the following correspondence:

a. On May 15, 2011, Burchell sent an e-mail to ASGHARI asking where the proceeds of the refinance were to be sent.

b. On May 16, 2011, ASGHARI directed BURCHELL to

disburse $150,000 to "Kevin Smith" (the cooperator), and to wire the remainder to Avant Garde Realty.

c. On May 16, 2011, the cooperator, using the alias Kevin Smith, sent an e-mail to BURCHELL asking her to send the $150,000 to LOPEZ-SALAS.

d. On May 20, 2011, ASGHARI sent an e-mail to BURCHELL stating "the name is gonna be: Erick Lopezsalas" and directing BURCHELL to send the check via messenger to The Standard, 550 South Flower Street, Los Angeles, CA 90071.

25. Based on the foregoing, as well as my training, experience, and knowledge of the facts of the investigation, I believe that a fraudulent short sale letter was used to obtain title to the Raymond Avenue property. Having obtained that title, VARTANYAN, conspiring with ASGHARI, the cooperator, and others, then refinanced the Raymond Avenue property and disbursed the funds to the entities and individuals discussed above.

The Octagon Street Property

26. I have reviewed escrow files and public records for transactions involving the Octagon Street property, and have discussed the transactions with a number of individuals who were involved and have criminal liability for their roles, including the cooperator. Based on my investigation, I know the following, among other facts:

a. In May 2011, the Octagon Street property had a

fair market value of about $2,000,000, but was encumbered by loans from BofA and Wells Fargo, and a small judgement lien by an individual named Andrew Friedman.

b. On May 20, 2011, Tony SARADEREYAN ("SARADEREYAN") purchased the property through a short sale transaction, effected by BURCHELL at PBE, for $305,000. SARADEREYAN borrowed $385,000 from hard-money lender Leonid Polishuk ("Polishuk") to effect the purchase.

c. PBE's escrow files include a purported short sale approval letter from BofA in the amount of approximately $273,611, and a second purported short sale approval letter from Wells Fargo in the amount of $50,000. BofA employees have subsequently confirmed to investigators that the short sale approval letter was falsified and was not issued by BofA.

d. Following the May 20, 2011 closing on the purchase of the Octagon Street property, on May 24, 2011, SARADEREYAN took out a construction loan in the amount of $365,000 from Polishuk, secured by the Octagon Street property. A deed of trust was recorded on May 26, 2011.

e. On or about June 3, 2011, the title company involved in the May 20, 2011 purchase of the Octagon Street property informed BURCHELL that the wire to BofA, meant to effect the short sale payoff of the BofA loans and thereby effect the purchase, had been returned because the short sale price had not

been approved by BofA.

f. On June 6, 2011, SARADEREYAN exercised a quitclaim deed, transferring title to Avant Garde Realty, Inc. (ASHTOYAN's company), which was recorded on September 19, 2011.

27. During the September 9, 2011 interview, BURCHELL stated that ASGHARI oversaw the sale of the Octagon Street property and used Avant Garde Realty to further the transaction. BURCHELL recalled that the HUD-1 she prepared needed to be falsified. BURCHELL also recalled that Andrew Friedman, who held a lien against the Octagon Street property, presented a different hurdle in this transaction. ASGHARI delivered an "Acknowledgment of Satisfaction" and "Demand for Payment" for Friedman's lien against the property to BURCHELL. Based on those documents BURCHELL disbursed a payment check to Andrew Friedman who then came forward and asked why he received the check, and advised that his signature on the demand for payment paperwork had been forged.

28. In a subsequent recorded conversation between ASGHARI, LOPEZ-SALAS, and the cooperator, which I have reviewed, ASGHARI admitted paying off Andrew Friedman's lien. Each of the three individuals also implicitly acknowledged their own roles in what they knew was a fraudulent transaction.

29. On April 24, 2012, I interviewed the cooperator. During this interview the cooperator explained that he/she had

previously spoken to ASGHARI regarding the pay-off demand. During that conversation, ASGHARI told the cooperator that he paid Andrew Friedman $800 on top of the actual lien amount and then forged the payoff demand letter and had LOPEZ-SALAS notarize it.

30. On December 7, 2011, SARADEREYAN was interviewed by FBI agents. I have reviewed the report of the investigation and know that SARADEREYAN admitted to making a large cash payment to obtain a below-market short sale approval letter. He indicated that ASGHARI arranged the transactions.

31. Based on my training, experience, and knowledge of the facts of the investigation, I believe that ASGHARI, LOPEZ-SALAS, and SARADEREYAN, and others, conspired to obtain title to the Octagon Property through the fraudulent short sale approval letter, and then refinanced the property and split the proceeds between them.

OTHER PROPERTIES

32. Based on a review of documents including PBE escrow files, documents provided by buyers and buyers' attorneys, bank records and public records including documents filed with county recorders' offices, as well as information I have received from several interviews, including of the cooperator, I am aware that ASGHARI, and others were involved in several fraudulent short sale transactions similar to the transactions described above.

Although my investigation is not yet complete, based on the information I have been provided and I have reviewed, I believe that the same type of scheme was used by ASGHARI and his co-conspirators to fraudulently obtain title to the Branton Place property and the Stradella Road property. This is in part because, based on an FBI Forensic Accountant's review of relevant escrow files, bank statements, and public records for these properties, I know that LOPEZ-SALAS received the following disbursements from escrow related to these two properties: $150,000 for the Branton Place property and $141,000 for the Stradella Road property. This is similar to the disbursements LOPEZ-SALAS received from the Woodman Avenue property ($138,000) and the Raymond Avenue property ($150,000).

33. On December 2 and 6, 2011, the cooperator was interviewed by agents. Based upon my review of the interview report and my discussions with the interviewing agents, I am aware that the cooperator indicated that LOPEZ-SALAS acted as ASGHARI's notary, and would somehow cash checks received from PBE escrow and used to pay off individuals involved in the fraudulent BofA short sale scheme. According to the cooperator, ASGHARI arranged to have the money from escrow go to LOPEZ-SALAS via check (in the manner described above, which I and the forensic accountant independently observed in the escrow files). The cooperator said that LOPEZ-SALAS would cash the checks at a check

cashing business located near the Los Angeles International Airport, and would then give the money to ASGHARI, who paid off the rest of the individuals involved.

34. On May 14, 2012, ASGHARI, LOPEZ-SALAS, and the cooperator met at El Pollo Loco, 17660 Ventura Boulevard, Encino, California. This meeting was recorded with equipment capable of capturing audio and video and I have reviewed the recording. Based on my review, I know that LOPEZ-SALAS wanted to meet with the cooperator to discuss recently being served with a lawsuit involving a previous BofA short sale transaction. During the course of their conversation, LOPEZ-SALAS described a conversation he had with BURCHELL regarding the Octagon Street property and about the documents on which Andrew Friedman's signature had been forged. According to LOPEZ-SALAS, BURCHELL indicated that Andrew Friedman was going to make a complaint and LOPEZ-SALAS should be prepared. Based on the conversation, it appears to me that LOPEZ-SALAS and ASGHARI acknowledged that they knew that the signatures had been forged. Further, LOPEZ-SALAS, ASGHARI, and the cooperator discussed the checks that LOPEZ-SALAS had obtained from PBE as part of the various transactions which he had cashed for ASGHARI. LOPEZ-SALAS motioned to ASGHARI and stated that "he is the one who asked me" to cash the checks. LOPEZ-SALAS suggested that they create a fictional story about another person asking LOPEZ-SALAS to cash the checks, and

ASGHARI, LOPEZ-SALAS, and the cooperator discussed whether they knew of anyone who had died recently whose name they could use for that purpose.

B. RECENT ATTEMPT TO EXECUTE THE SAME SCHEME

35. I have reviewed the recordings the cooperator made of ASGHARI and know that ASGHARI continues to attempt to execute his fraudulent scheme, albeit with slight variations. These recent efforts are the subject of the pending indictment charging ASGHARI with attempted bank fraud and aggravated identity theft, as discussed above. The following information is based on a review of those recordings, as well as information provided to me and other agents by BofA employees.

36. During a recorded conversation on January 3, 2012, ASGHARI confirmed his involvement in the prior deals and indicated that he now had an insider at BofA who was willing to issue short sale approvals for losses of up to $499,000 in exchange for bribes of between $25,000 and $30,000. On January 23, 2012, ASGHARI indicated that he also had insiders at Chase, Wells Fargo, and Citibank, and that based on those connections, he was able to purchase properties through the short sales process at 65-70% of fair market value. He also explained that the bribes are paid through escrow, to a holding company from which the insider receives their fee. During a February 23, 2012 recorded telephone conversation, ASGHARI indicated that if the

cooperator could bring investors to a deal, a property in default located at 88 Stagecoach Road, Bell Canyon, CA (the "Stagecoach Property") might work for this scheme. ASGHARI indicated the Stagecoach Property was worth between $850,000 and $900,000, and that he could get the approval for the short sale for between $550,000 and $575,000. At the time (and to this day), BofA held two liens against the Stagecoach Property, with a first mortgage in the amount of $999,274 and the second mortgage in the amount of $301,777, and the borrower was delinquent.

37. During a recorded March 12, 2012 in-person meeting at the Stagecoach Property, ASGHARI said that although the short sale approval would be in the range of $550,000, the owner of the property was demanding a $75,000 bribe and the bribe to the insider at BofA would be significant. So that ASGHARI and others could make a significant profit, ASGHARI suggested telling the investors that the price would be approximately $825,000. ASGHARI explained that everyone would get paid out of escrow, with fraudulent entries on the HUD-1 related to the payoffs to the seller and insiders.

38. On March 16, 2012, using the name and identity of real estate agent Charles White Adams, ASGHARI or a co-conspirator uploaded various documents to the BofA short sale approval system (known as "Equator"), including a signed purchase agreement with a purchase price of $400,000, HUD-1, MLS printout, and photo for

the Stagecoach Property.

39. On March 19, 2012, during a recorded telephone conversation, ASGHARI requested bank statements from the cooperator, who indicated that he did not have sufficient funds in his accounts to support the short sale offer. ASGHARI told him to send ASGHARI the bank statements and ASGHARI would "make them correct."

40. On March 20, 2012, again under the name of Charles White Adams, ASGHARI or a co-conspirator uploaded a fraudulent proof of funds letter to Equator. The proof of funds letter is purportedly signed by J.K., Assistant Vice President / Operation Officer at First General Bank in Rowland Heights, California, and represents that the cooperator "and his related entities at First General Bank" have total deposits at the bank that exceed $1,130,324. J.K. has told me that the signature and letterhead are correct, but that she never prepared this letter and that the cooperator does not have any accounts with First General Bank. The cooperator confirms he/she has no such assets -- or any accounts -- at First General Bank. During a March 22, 2012 in-person meeting at SUBJECT PREMISES 1 -- ASGHARI's office -- ASGHARI handed the cooperator a copy of the proof of funds letter, indicated (obliquely) that he had created it, and confirmed that First General Bank is a "real bank." During a May 22, 2012 recorded telephone conversation, ASGHARI confirmed that

he had either uploaded the fraudulent proof of funds letter directly into Equator or provided it to someone else to upload into Equator.

41. On March 22, 2012, the short sale offer was rejected by BofA because the buyer's name in Equator did not match the buyer's name on the purchase contract uploaded to Equator. ASGHARI made a subsequent offer to BofA with corrected documents, which is still pending. During a recorded telephone conversation on April 5, 2012, ASGHARI asked the cooperator for a real proof of funds. The cooperator indicated he could not provide one and ASGHARI said he would create a document demonstrating that the funds were available. At this time, the offer is still pending and no action has yet been taken by BofA.

C. THREATS

42. As discussed above, on August 4, 2011, Simon was interviewed. During that interview, Simon described a heated telephone call he had with ASGHARI where ASGHARI threatened to physically harm Simon. Following this telephone call, Simon and ASGHARI met in person, and ASGHARI admitted that he wronged Simon. ASGHARI told Simon that the cooperator is Kevin Smith. ASGHARI added that if the cooperator did not return Simon's money, he would personally "kill" the cooperator.

43. On March 19, 2012, the cooperator placed a telephone call to ASGHARI which was recorded. During the call, ASGHARI

said the cooperator was lucky ASGHARI hadn't "fucked [him] up." ASGHARI told the cooperator that if the current transaction they are working on goes bad, ASGHARI will "be coming" for the person who "fucked him."

44. On March 24, 2012, ASGHARI left a voicemail message for Ali Esmaili ("Esmaili"), who saved it and emailed it to the cooperator. ASGHARI is currently the subject of a restraining order which directs him to stay away from Esmaili based on a previous incident where ASGHARI assaulted Esmaili. On the recorded voicemail message, which I have reviewed, ASGHARI can be heard discussing an instance where he picked up a person and threw him into a moving car. ASGHARI also describes brandishing a machete and chasing some people.

VI. THE SUBJECT PREMISES

45. Based on my review of records and recorded statements, I am aware that ASGHARI often uses mobile devices, including multiple cellular telephones, to send and receive emails and text messages with other parties and/or co-conspirators relating to real-estate transactions. I am also aware that he regularly uses computers for these purposes. I am also aware that he regularly transports these items to and from meetings, and likely between SUBJECT PREMISES 1 and 2, in a vehicle which he or another person drives.

46. Based upon my training, experience, knowledge of the

facts of this investigation, information provided to me by agents and others involved in the investigation of real-estate fraud schemes, information provided by the cooperator and BURCHELL, and information provided by other cooperating targets both in this case and in other investigations, I know that individuals involved in schemes such as that conducted by ASGHARI receive and send large amounts of paperwork and records related to their real-estate transactions as part of conducting these transactions. I also know that such individuals maintain these documents -- both in electronic format and in hard-copy format -- at their office and home locations so that they can be readily accessible. During previous search warrants of residences and office spaces used by individuals involved in schemes like those described herein, including at both home offices like SUBJECT PREMISES 2 and rented office spaces like SUBJECT PREMISES 1, I and other agents have regularly recovered documents and electronic records documenting subjects' involvement in the relevant fraudulent schemes. This is especially true in the case of an individual like ASGHARI, who is not known to be involved in any legitimate business transactions. In this case, a previous search warrant executed at the cooperator's residence in fact yielded significant evidence of his/her involvement in the schemes.

a. I and my fellow agents have been investigating

ASGHARI and his business transactions since mid-2011. To date, we have not found him to be involved in any legitimate real estate transactions or other types of business. Based on our investigation, it appears that ASGHARI's entire income is derived from fraudulent business transactions of one sort or another.

47. Further, I know that real-estate transactions often require preparation and planning to ensure funding and/or other contingencies are in place. Therefore, records relating to a transaction may be created well in advance of that transaction occurring and must be maintained in order to be available at the necessary time. Real-estate agents and others involved in real-estate transactions, whether fraudulent or legitimate, often work irregular schedules, meaning that they rarely work Monday through Friday, 9-5 schedules. Instead, those involved in the real estate business often work on their deals in the evening and on the weekends. They often carry documents with them or store documents on portable electronic devices such as mobile telephones, iPads and other tablet devices, and laptop computers, so that they can access the documents at any time in order to work on their transactions. Income from such transactions, again whether fraudulent or legitimate, is often based on an individual's ability to "close a deal" at a moment's notice. Accordingly, quick access to records related to previous and pending deals is necessary. I also know that for these same

reasons, individuals involved in real-estate transactions often have home offices consisting of desktop and laptop computers, as well as filing systems, in addition to their professional workspace. I also know that, in the Los Angeles area, the items described herein which are necessary for the execution of the schemes are often, if not always, transported between meetings and between offices in private vehicles, and sometimes are left in the vehicles overnight whether purposefully or not.

48. Further, I know that individuals involved in these types of transactions, again whether legitimate or fraudulent, do not normally delete or destroy the records of their transactions. It is not unusual that civil litigation may ensue as a result of a real estate transaction. Based on the investigation to date, I know that ASGHARI and his co-conspirators continue to engage in discussions and communications about the fraudulent activity described herein. Much of the fraudulent activity has resulted in lawsuits, and the co-conspirators appear to be blaming each other for their resulting legal problems and seeking reimbursement or payment for monetary losses they have or expect to experience. Thus, although some of the transactions described herein occurred several months ago, I believe that records of these transactions will still be maintained at the two SUBJECT PREMISES, whether in electronic or hard copy format.

49. I also know that much of the fraudulent activity in

which ASGHARI has engaged involves the use of certain "form" documents, such as fraudulent short sale approval letters, purchase contracts, etc. I know that individuals tend to keep such documents as "samples" to be updated and used in future real estate transactions. In my previous investigations, I have found that individuals involved in real estate fraud and bank fraud tend to keep such records so that they do not have to "reinvent the wheel" each time they engage in another fraudulent transaction.

50. As discussed above, the cooperator met with ASGHARI at SUBJECT PREMISES 1 on March 22, 2012. At that time, ASGHARI provided the cooperator with a copy of the fraudulent proof of funds letter, which ASGHARI picked up from either his desk or fax machine (the video is unclear as to that point). ASGHARI also discussed other pending, fraudulent deals with the cooperator, and spoke to another, unidentified person who was sitting at a desk in the office space about those deals.

51. Based on my review of that recording, as well as the foregoing general knowledge of this case and similar investigation, there is probable cause to believe that ASGHARI is using SUBJECT PREMISES 1 to effect and further his fraudulent schemes, which he is continuing to try to carry out.

52. On April 17, 2012, during a surreptitiously recorded telephone call, ASGHARI indicated that he lived in a condo on

Cedros Avenue and Dickens Street (the location of SUBJECT PREMISES 2). On April 27, 2012, during a surreptitiously recorded telephone call, ASGHARI said that he was at home. At the time of the call, other investigators and I were conducting surveillance at SUBJECT PREMISES 2. Two hours after the call, I observed ASGHARI drive a vehicle he has previously been seen driving, exit the parking garage of the building which contains SUBJECT PREMISES 2. On June 1, 2012, SA Patrick Baldree interviewed Marie Last Name Unknown ("LNU"), who is a resident of the condominium complex located at 14572 Dickens Street, Sherman Oaks, CA (where SUBJECT PREMISES 2 is located). SA Baldree provided me a summary of what was discussed in this interview, including that Marie LNU has lived in the Dickens building for several years; Marie LNU recognized a copy of ASGHARI's DMV photograph as an individual who lives in the Dickens building and who she has seen several times walking in and around the Dickens building. On June 2, 2012, at approximately 9:00 a.m., the cooperator called ASGHARI at the direction of law enforcement to discuss fraudulent transactions while investigators conducted surveillance of SUBJECT PREMISES 2; during the call it appeared to the cooperator, who knows ASGHARI well, that ASGHARI was just waking up and getting out of bed. While that conversation was taking place, SA Richard Ryan observed ASGHARI come out of the interior of SUBJECT PREMISES 2 onto its balcony while talking on

the telephone. SA Ryan observed that ASGHARI appeared to have just woken up based on his actions and demeanor. Based on the foregoing, I believe that ASGHARI resides at SUBJECT PREMISES 2.

53. Based on the foregoing, including the fact that he recently discussed fraudulent transactions while at SUBJECT PREMISES 2 and my more generalized knowledge of this case and similar investigations, there is probable cause to believe that ASGHARI is using SUBJECT PREMISES 2 to effect and further his fraudulent schemes, which he is continuing to try to carry out.

54. In this case, as described herein, ASGHARI continues to engage in fraudulent activity similar to the schemes described herein. As discussed herein, in my previous experience executing search warrants in cases like the instant investigation, and in the experience with other agents with whom I have discussed the matter, we have found that individuals involved in on-going real estate fraud schemes maintain records related to their activities both at their home offices and at any rented office space they may be using. Based on the investigation, and a review of records related to transactions mentioned in the affidavit, I am aware that the initial fraudulent real-estate transactions relating to this case, and specifically this search warrant, as early as approximately late March 2011. Given that the duration of real-estate transactions can in some instances last for several months, and that it is not uncommon for documents related

to a real-estate transaction to be prepared weeks and sometimes months in advance to the transaction closing, it is likely that ASGHARI continues to maintain documents dated back to approximately the beginning of January 2011. Therefore, as discussed herein, he likely maintains files and records of such activity at SUBJECT PREMISES 1 & 2 in order to effect and facilitate the pending fraudulent transactions.

55. Based on my training and experience, I know that it is very common for individuals involved in real-estate fraud and other types of white-collar crime to deal in cash as a way to prevent being associated by a "money trail." Therefore, it is very common for individuals involved in crimes, similar to those described above, to keep and retain large amounts of cash on their persons, and in their homes. Additionally, based on my training and experience, as well as information provided to me by other law enforcement officers, I am aware that individuals who are involved in the types of crimes above will often use the proceeds of the crimes to purchase high-end items such as luxury vehicles, gold and/or other valuable metals, jewelry and luxury clothing. I am specifically aware, based on information from the cooperator and the FBI's financial investigators, that ASGHARI generally takes and maintains his fraudulent proceeds in the form of cash and luxury goods which he purchases with cash.

56. On June 6, 2012, the cooperator told me that a mutual

acquaintance of ASGHARI and the cooperator, who had previously worked at ASGHARI's office -- SUBJECT PREMISES 1 -- told the cooperator that ASGHARI was involved in identity theft and was using the stolen or fraudulent identities to commit crimes.

VII. TRAINING AND EXPERIENCE ON DIGITAL DEVICES

57. As used below, the term "digital device" includes any electronic system or device capable of storing and/or processing data in digital form, including: central processing units; laptop or notebook computers; personal digital assistants; wireless communication devices such as telephone paging devices, beepers, and mobile telephones; peripheral input/output devices such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices such as modems, cables, and connections; storage media such as hard disk drives, floppy disks, compact disks, magnetic tapes used to store digital data (excluding analog tapes such as VHS), and memory chips; and security devices. Based on my knowledge, training, and experience, as well as information related to me by agents and others involved in the forensic examination of digital devices, I know that data in digital form can be stored on a variety of digital devices and that during the search of the premises it is not always possible to search digital devices for digital data for a number of reasons, including the following:

a. Searching digital devices can be a highly

technical process that requires specific expertise and specialized equipment. There are so many types of digital devices and software in use today that it is impossible to bring to the search site all of the necessary technical manuals and specialized equipment necessary to conduct a thorough search. In addition, it may also be necessary to consult with specially trained personnel who have specific expertise in the type of digital device, software application or operating system that is being searched.

b. Digital data is particularly vulnerable to inadvertent or intentional modification or destruction. Searching digital devices can require the use of precise, scientific procedures that are designed to maintain the integrity of digital data and to recover "hidden," erased, compressed, encrypted or password-protected data. As a result, a controlled environment, such as a law enforcement laboratory or similar facility, is essential to conducting a complete and accurate analysis of data stored on digital devices.

c. The volume of data stored on many digital devices will typically be so large that it will be highly impractical to search for data during the execution of the physical search of the premises. A single megabyte of storage space is the equivalent of 500 double-spaced pages of text. A single gigabyte of storage space, or 1,000 megabytes, is the equivalent of

500,000 double-spaced pages of text. Storage devices capable of storing 500 gigabytes (GB) of data are now commonplace in desktop computers. Consequently, each non-networked, desktop computer found during a search can easily contain the equivalent of 240 million pages of data, that, if printed out, would completely fill three 35' x 35' x 10' rooms to the ceiling. Further, a 500 GB drive could contain as many as approximately 450 full run movies or 450,000 songs.

d. Electronic files or remnants of such files can be recovered months or even years after they have been downloaded onto a hard drive, deleted or viewed via the Internet. Electronic files saved to a hard drive can be stored for years with little or no cost. Even when such files have been deleted, they can be recovered months or years later using readily-available forensics tools. Normally, when a person deletes a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the hard drive until it is overwritten by new data. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space, i.e., space on the hard drive that is not allocated to an active file or that is unused after a file has been allocated to a set block of storage space for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a swap

or recovery file. Similarly, files that have been viewed via the Internet are automatically downloaded into a temporary Internet directory or cache. The browser typically maintains a fixed amount of hard drive space devoted to these files, and the files are only overwritten as they are replaced with more recently viewed Internet pages. Thus, the ability to retrieve residue of an electronic file from a hard drive depends less on when the file was downloaded or viewed than on a particular user's operating system, storage capacity, and computer habits. Recovery of residue of electronic files from a hard drive requires specialized tools and a controlled laboratory environment.

e. Although some of the records called for by this warrant might be found in the form of user-generated documents (such as word processor, picture, and movie files), digital devices can contain other forms of electronic evidence as well. In particular, records of how a digital device has been used, what it has been used for, who has used it, and who has been responsible for creating or maintaining records, documents, programs, applications and materials contained on the digital devices are, as described further in the attachments, called for by this warrant. Those records will not always be found in digital data that is neatly segregable from the hard drive image as a whole. Digital data on the hard drive not currently

associated with any file can provide evidence of a file that was once on the hard drive but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave digital data on the hard drive that show what tasks and processes on the computer were recently used. Web browsers, e-mail programs, and chat programs store configuration data on the hard drive that can reveal information such as online nicknames and passwords. Operating systems can record additional data, such as the attachment of peripherals, the attachment of USB flash storage devices, and the times the computer was in use. Computer file systems can record data about the dates files were created and the sequence in which they were created. This data can be evidence of a crime, indicate the identity of the user of the digital device, or point toward the existence of evidence in other locations. Recovery of this data requires specialized tools and a controlled laboratory environment.

f. Further, evidence of how a digital device has been used, what it has been used for, and who has used it, may be the absence of particular data on a digital device. For example, to rebut a claim that the owner of a digital device was not responsible for a particular use because the device was being controlled remotely by malicious software, it may be necessary to show that malicious software that allows someone else to control

the digital device remotely is not present on the digital device. Evidence of the absence of particular data on a digital device is not segregable from the digital device. Analysis of the digital device as a whole to demonstrate the absence of particular data requires specialized tools and a controlled laboratory environment.

g. The United States has not attempted to obtain this data by other means.

VIII. ITEMS TO BE SEIZED

58. Based on the foregoing, there is probable cause to believe that the following items, which constitute evidence, fruits, and/or instrumentalities of violations of 18 U.S.C. §§ 1343 (Wire Fraud), 1344 (Bank Fraud), and 1349 (Conspiracy to Commit Wire and/or Bank Fraud) will be found at SUBJECT PREMISES 1 & 2 and I request permission to seize these items:

a. Any and all records dating from January 2011 to the present relating to the following properties including, but not limited to: grant deeds, deeds of trust, mortgages and notes, loan applications, purchase offers, purchase contracts/agreements, short sale applications, short sale approval letters; escrow documents to include buyer/seller instructions, escrow receipt of funds, and escrow disbursements/schedules; title insurance company records including preliminary title reports and title policies;

appraisal/broker price opinion documents/documents containing opinions on price or value, and MLS records, including listings:

1. 5436 Woodman Avenue, Sherman Oaks, California
2. 1344 Raymond Avenue, Glendale, California
3. 12233 Octagon Street, Los Angeles, California
4. 13939 Branton Place, Sherman Oaks, California
5. 1952 Stradella Road, Los Angeles, California
6. 88 Stagecoach Road, Bell Canyon, California

b. Any and all documents relating to the ownership of corporate entities which may be involved in real estate transactions including but not limited to: articles of incorporation, articles of organization, certificates and statements of corporate signers and other corporate documents indicating the owners and/or authorized signers of the corporation.

c. Records, documents, programs and applications pertaining to personal and company finances, to include financial statements, balance sheets, accounting ledgers, financial receipts and banking records, to include bank statements, credit cards and checks;

d. Communications, or records of communications, to include email correspondence and attachments, with individuals or other entities concerning real estate transactions, including records or applications on cellular telephones containing or

evidencing text messages, email messages, telephone numbers or address records, and records of calls or communications transmitted or received;

e. Any of the following valuable items, if valued at over $1,000:

1) Cash

2) Gold and/or other valuable metals

3) Jewelry

4) Luxury clothing

5) Electronic devices

f. Any computer or cellular telephone used to facilitate the above-listed violations and forensic copies thereof.

g. Identification documents which contain name(s) or other mean(s) of identification which are different than the true legal names or means of identification of individuals located at the SUBJECT PREMISES 1 and 2.

h. With respect to any digital devices falling within the scope of the foregoing search categories, or any digital devices containing evidence falling within the scope of the foregoing search categories, records, documents, programs, applications or materials, or evidence of the absence of same, sufficient to show the actual user(s) of the digital device during the time period between January 2011 and the present.

59. As used above and below, the terms records, documents, programs, applications or materials include records, documents, programs, applications or materials created, modified or stored in any form, including in digital form on any digital device and any forensic copies thereof. As used both above and below, the term "digital device" includes any electronic system or device capable of storing and/or processing data in digital form, including: central processing units; laptop or notebook computers; personal digital assistants; wireless communication devices such as telephone paging devices, beepers, and mobile telephones; peripheral input/output devices such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices such as modems, cables, and connections; storage media such as hard disk drives, floppy disks, compact disks, magnetic tapes used to store digital data (excluding analog tapes such as VHS), and memory chips; and security devices.

60. In searching for digital devices and in searching digital data stored on digital devices, law enforcement personnel executing this search warrant will employ the following procedure:

a. Law enforcement personnel or other individuals assisting law enforcement personnel will, in their discretion, either search the digital device(s) on-site or seize and

transport the device(s) to an appropriate law enforcement laboratory or similar facility to be searched at that location. The team of law enforcement personnel, which may include the investigating agent(s), and/or individuals assisting law enforcement personnel searching the digital device(s) shall complete the search as soon as is practicable but not to exceed 60 days from the date of execution of this warrant. If additional time is needed, the government may seek an extension of this time period from the Court within the original 60 day period from the date of execution of the warrant.

b. The team searching the digital devices will do so only by using search protocols specifically chosen to identify only the specific items to be seized under this warrant.

I. The team may subject all of the data contained in the digital device capable of containing items to be seized as specified in this warrant to the protocols to determine whether the digital device and any data falls within the items to be seized as set forth herein. The team searching the digital device may also search for and attempt to recover "deleted," "hidden" or encrypted data to determine, pursuant to the protocols, whether the data falls within the list of items to be seized as set forth herein.

ii. The team searching the digital device also may use tools to exclude normal operating system files and

standard third-party software that do not need to be searched.

c. When searching a digital device pursuant to the specific protocols selected, the team searching the digital device shall make and retain notes regarding how the search was conducted pursuant to the selected protocols.

d. If the team searching a digital device pursuant to the selected protocols encounters immediately apparent contraband or other evidence of a crime outside the scope of the items to be seized, the team shall immediately discontinue its search of that digital device pending further order of Court and shall make and retain notes detailing how the contraband or other evidence of a crime was encountered, including how it was immediately apparent contraband or evidence of a crime.

e. At the conclusion of the search of the digital devices as set forth in subparagraph (a) above, any digital device determined to be itself an instrumentality of the offense(s) and all the data thereon shall be retained by the government until further order of court or one year after the conclusion of the criminal case/investigation.

f. Notwithstanding the above, after the completion of the search of the digital devices as set forth in subparagraph (a) above, the government shall not access digital data falling outside the scope of the items to be seized in this warrant on any retained digital devices or digital data absent further order

of court.

g. If the search team determines that a digital device is not an instrumentality of any offense under investigation and does not contain any data falling within the list of items to be seized pursuant to this warrant, the government will as soon as practicable return the digital device and delete or destroy all the forensic copies thereof.

h. If the search determines that the digital device or the forensic copy does contain data falling within the list of the items to be seized pursuant to this warrant, the government may retain the digital device and the forensic copy without further order of the court.

61. In order to search for data that is capable of being read or interpreted by a digital device, law enforcement personnel are authorized to seize the following items, subject to the procedures set forth above:

a. Any digital device capable of being used to commit, further or store evidence of the offense listed above;

b. Any equipment used to facilitate the transmission, creation, display, encoding or storage of digital data, including word processing equipment, modems, docking stations, monitors, printers, plotters, encryption devices and optical scanners;

c. Any magnetic, electronic or optical storage device capable of storing data, such as floppy disks, hard disks, tapes,

IX. CONCLUSION

63. Based on the foregoing, there is probable cause to believe that evidence, fruits, and/or instrumentalities of violations of 18 U.S.C. §§ 1343 (Wire Fraud), 1344 (Bank Fraud), and 1349 (Conspiracy to Commit Bank and/or Wire Fraud) will be found at SUBJECT PREMISES 1 and 2.

/s/

RYAN BELL
Special Agent
Federal Bureau of Investigations

Subscribed and Sworn to before me
on this 13 day of June, 2012

ANDREW J. WISTRICH

UNITED STATES MAGISTRATE JUDGE
CENTRAL DISTRICT OF CALIFORNIA