

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

INDICTMENT FOR WIRE FRAUD AND MAIL FRAUD

FELONY

UNITED STATES OF AMERICA

* CRIMINAL NO.:

v.

* SECTION:

KEVIN JOHNSON

* VIOLATION: 18 USC § 1341
18 USC § 1343

* * *

The Grand Jury charges that:

COUNT 1 - WIRE FRAUD

A. AT ALL TIMES MATERIAL HEREIN:

1. The General Electric Company (GE) was a business engaged in interstate and foreign commerce, which included the manufacture and sale of household appliances, such as refrigerators, dishwashers, and stoves.
2. The defendant, **KEVIN JOHNSON**, represented himself as being president of Belford Restoration of Louisiana, a contracting firm.
3. Belford Restoration of Louisiana was not registered with the State of Louisiana as a corporation or as a licensed contractor. Further, Belford Restoration of Louisiana had no established credit history with Dun & Bradstreet, a financial rating company.

4. J.P. Morgan Chase Bank (Chase Bank) accounts no. 699459328 and no. 699449310 were closed.
5. The defendant, **KEVIN JOHNSON**, rented several storage units at The Storage Center, 490 Wall Boulevard, Gretna, Louisiana, a self-storage locker facility, which was located in the Eastern District of Louisiana.

B. THE SCHEME AND ARTIFICE TO DEFRAUD:

1. From during or about February, 2007, and continuing through on or about June 24, 2007, in the Eastern District of Louisiana and elsewhere, the defendant, **KEVIN JOHNSON**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud GE, and to obtain goods and property from GE by means of false pretenses, promises and representations as set forth more fully below, well knowing such pretenses, representations and promises were false and fraudulent when made.
2. It was part of the scheme and artifice to defraud that the defendant, **KEVIN JOHNSON**, purporting to represent Belford Restoration of Louisiana, met during February 2007 with a GE sales representative to discuss the purchase of appliances.
3. It was further part of the scheme and artifice to defraud that on or about March 1, 2007, at 2:54 p.m., the defendant, **KEVIN JOHNSON**, transmitted by facsimile wire communication from the Eastern District of Louisiana to the GE Telesales Department at GE's Corporate Office in Louisville, Kentucky, two documents, to wit, respectively, a Project/Construction Info Sheet and Contract Credit Application, which were then forwarded to GE Customer Financial Services for review and approval.
4. It was further part of the scheme and artifice to defraud that, based on the false and

fraudulent Contract Credit Application and Project/Construction Info Sheet, GE established an account and line of credit for the defendant, **KEVIN JOHNSON**, doing business as Belford Restoration of Louisiana. The line of credit provided by GE to the defendant was based partially on the false and fraudulent material representations; to wit:

- (a) The defendant, **KEVIN JOHNSON**, transmitted by facsimile wire transmission, a false and fraudulent Contract Credit Application to the GE Telesales Department containing false information including but not limited to a "bank reference" Chase Bank account no. 699459328, when the defendant well knew said account was closed, and the defendant falsely stated a "trade reference" of Prudential Investments, with an address of 1010 Common Street, New Orleans, Louisiana, when he well knew that Prudential Investments had no offices at that address.
- (b) The defendant, **KEVIN JOHNSON**, transmitted by facsimile wire transmission to the GE Telesales Department, a false Project/Construction Info Sheet, falsely stating Prudential Investments was financing his project, when in truth and fact, as the defendant knew, Prudential Investments did not finance any project for defendant.

5. It was further part of the scheme and artifice to defraud, that on or about June 12, 2007, a GE sales representative met with the defendant, **KEVIN JOHNSON**, at 700 Rue Marcel, Gretna, Louisiana, in order to collect money because no payments had been received by GE. The GE representative received a check from the defendant in the amount of \$275,000, payable to GE, drawn on Chase Bank account no. 699449310, causing the GE representative to mail said check

using Federal Express, a commercial interstate carrier, to GE Customer Financial Services in Louisville, Kentucky. Several days later, on about June 15, 2007, the defendant mailed a second check, again using Federal Express, a commercial interstate carrier, in the amount of \$180,000.00, payable to GE, drawn on Chase Bank account no. 699449310. Both checks were returned to GE by Chase Bank marked "account closed."

6. It was further part of the scheme and artifice to defraud that, between February, 2007, and June 24, 2007, the defendant, **KEVIN JOHNSON**, caused GE to ship 1,141 household appliances, with a total value of \$790,277.00, to the defendant at the Storage Center, 490 Wall Boulevard, Gretna, Louisiana, in the Eastern District of Louisiana, as a result of his false and fraudulent statements, wire communications and mailings.

C. THE OFFENSE:

On or about March 1, 2007, in the Eastern District of Louisiana and elsewhere, the defendant, **KEVIN JOHNSON**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, and for obtaining goods and property by means of false and fraudulent pretenses and representations, as set forth above, did knowingly and willfully cause to be transmitted in interstate commerce certain writings, signals, signs and sounds by means of a wire communication, to wit, a facsimile wire transmission of a Project/Construction Info Sheet and a Contract Credit Application from the Eastern District of Louisiana to GE Customer Financial Services in Louisville, Kentucky, well knowing that said documents contained false and fraudulent information; all in violation of Title 18, United States Code, Section 1343.

COUNT 2 - MAIL FRAUD

D. The allegations contained in Paragraphs A and B of Count One of this Indictment, as set

forth above, are realleged and incorporated by reference as though set forth in their entirety herein.

E. THE OFFENSE

On or about June 12, 2007, in the Eastern District of Louisiana and elsewhere, the defendant, **KEVIN JOHNSON**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, and for obtaining goods and property by means of false and fraudulent pretenses and representations, as set forth above, did knowingly and willfully cause to be delivered by Federal Express, a commercial interstate carrier, a check in the amount of \$275,000.00, payable to GE, drawn on the closed JP Morgan Chase bank account no. 699449310, from the Eastern District of Louisiana to GE Customer Financial Services in Louisville, Kentucky, when the defendant well knew said check was drawn on a closed account; all in violation of Title 18, United States Code, Section 1341.

COUNT 3 - MAIL FRAUD

F. The allegations contained in Paragraphs A and B of Count One of this Indictment, as set forth above, are realleged and incorporated by reference as though set forth in their entirety herein.

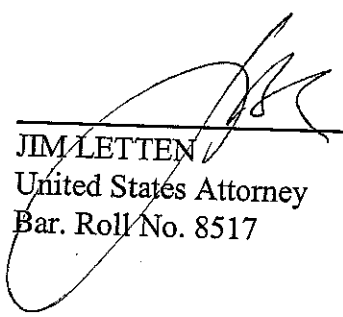
G. THE OFFENSE

On or about June 15, 2007, in the Eastern District of Louisiana and elsewhere, the defendant, **KEVIN JOHNSON**, for the purpose of executing and attempting to execute the scheme and artifice to defraud, and for obtaining goods and property by means of false and fraudulent pretenses and representations, as set forth above, did knowingly and willfully cause to be delivered by Federal Express, a commercial interstate carrier, a check in the amount of \$180,000.00, payable to GE, drawn on the closed JP Morgan Chase bank account no. 699449310, from the Eastern District of Louisiana to GE Customer Financial Services in Louisville, Kentucky, when the defendant well

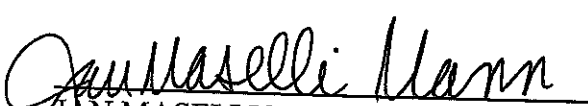
knew said check was drawn on a closed account; all in violation of Title 18, United States Code,
Section 1341.

A TRUE BILL:

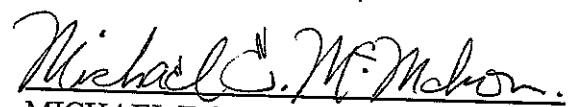
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New Orleans, Louisiana
June 5, 2008