

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	No.
	)	
KENNETH STEWARD,	)	
JAMES WILSON,	)	
VANESSA MAYES,	)	Violations: Title 18, United States
WILLIAM BART RUSK,	)	Code, Sections 1341, 1343 and 1344
STEPHEN IWEREBON,	)	
EMMIT SUDDOTH and	)	
LENNELL WILLIS	)	

COUNT ONE

The SPECIAL JANUARY 2009 GRAND JURY charges:

1. At times material to this indictment:

a. Defendant KENNETH STEWARD was engaged in the business of buying and reselling residential real estate in the Chicago area, and recruited persons to act as purchasers of residential real estate. Defendant STEWARD also operated a company called Jireh Development (“Jireh”), which purported to be a property renovation company located at 1604 S. Vollbrecht Drive in South Holland, Illinois, among other locations.

b. Defendant JAMES WILSON created false documents which he sold to clients to facilitate their attempt to fraudulently obtain or allow others to fraudulently obtain loans from banks and lenders to purchase residential real estate and vehicles.

c. Defendant VANESSA MAYES was employed by Company A as an unlicensed loan officer and originator who transmitted loan applications and supporting documents to mortgage lenders on behalf of prospective purchasers of residential real estate. Defendant MAYES also ran a property management company called VNS Management, located at 1529 S.

State Street and elsewhere in Chicago, and she recruited persons to act as purchasers of residential real estate.

d. Defendant WILLIAM BART RUSK was employed by Company B and Company C as a licensed loan officer and originator who transmitted loan applications and supporting documents to mortgage lenders on behalf of prospective purchasers of residential real estate.

e. Defendant STEPHEN IWEREBON was the owner, corporate president and secretary of Company D, a real estate development company that purchased, renovated and re-sold residential real estate.

f. Defendant EMMIT SUDDOTH was engaged in the business of buying and reselling residential real estate in the Chicago area, and recruited persons to act as purchasers of residential real estate. Defendant SUDDOTH also operated companies VSES, Inc. and BF Realty, which purported to be property management companies.

g. Defendant LENNELL WILLIS was employed by Company E and Company F as a licensed loan officer and originator who transmitted loan applications and supporting documents to mortgage lenders on behalf of prospective purchasers of residential real estate. Defendant WILLIS also ran a real estate development company called Covenant Development Group, Inc. (“Covenant”), which operated from 1529 S. State Street in Chicago, Illinois, and 7926 Pineview Lane in Frankfort, Illinois, and he recruited persons to act as purchasers of residential real estate.

h. CIT Group, Argent Mortgage Company LLC, New Century Mortgage, First Franklin Financial Corp., America’s Wholesale Lender, BNC Mortgage, Inc., Chase Bank USA, NA, IndyMac Bank FSB and Equifirst were companies and financial institutions engaged in the

business of issuing loans for the purchase of residential real estate, and collecting mortgage payments to satisfy those loans. The originating lenders often re-sold the real estate loans to other entities after making the initial loan to purchasers.

i. Chase Bank USA, NA and IndyMac Bank FSB were financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation (FDIC).

j. BNC Mortgage was a wholly-owned subsidiary of Lehman Brothers Bank, which was a financial institution, the deposits of which were insured by the FDIC.

k. Entities in the business of making loans for the purchase of residential real estate required applicants for mortgage loans and loan originators to provide truthful information, including the applicant's employment, financial condition, contribution to the purchase price and intention to occupy the property purchased, as well as the sales price, value and condition of the property, each of which was material to the approval, terms and funding of the loan.

2. Beginning no later than in or about June 2004 and continuing through at least in or about May 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
VANESSA MAYES,  
WILLIAM BART RUSK,  
STEPHEN IWEREON,  
EMMIT SUDDOTH and  
LENNELL WILLIS,

defendants herein, together with others known and unknown to the grand jury, knowingly devised, attempted to devise, and participated in a scheme to defraud and to obtain money and property from banks and lenders, including CIT Group, Argent Mortgage Company LLC, New Century Mortgage, First Franklin Financial Corp., America's Wholesale Lender, BNC Mortgage, Inc., Chase Bank

USA, NA, IndyMac Bank FSB and Equifirst, some of which were financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, and by material omissions, which scheme affected a financial institution, as described below.

3. It was part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWERE BON, EMMIT SUDDOTH and LENNELL WILLIS, and others, provided to banks and lenders on behalf of prospective purchasers of residential real estate loan applications and supporting documents containing materially false and fraudulent pretenses, representations, and promises, and material omissions, despite knowing the prospective purchasers could not, or did not intend to, fully repay the loans.

4. It was further part of the scheme that defendants KENNETH STEWARD, EMMIT SUDDOTH and others referred and recruited individuals to buy residential real estate by promising potential purchasers, among other things, that: (a) they would not have to use any of their own money for down payments or earnest money deposits; (b) they would be paid money to act as purchasers and attend the closings; (c) in some instances, they would not have to make any payments on the mortgages executed in connection with the sale of the properties; and, (d) the properties were ready for occupancy or would be renovated and ready for occupancy.

5. It was further part of the scheme that at times, defendants VANESSA MAYES, EMMIT SUDDOTH and LENNELL WILLIS, and Loan Officer A, were prospective purchasers of real estate.

6. It was further part of the scheme that defendants KENNETH STEWARD and EMMIT SUDDOTH, and others, referred the prospective real estate purchasers to defendants VANESSA MAYES, WILLIAM BART RUSK, LENNELL WILLIS and to other loan officers,

including Loan Officer A, so false and fraudulent mortgage loan applications could be prepared on behalf of the prospective purchasers.

7. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, EMMIT SUDDOTH and LENNELL WILLIS, and others, provided and caused to be provided to defendants WILLIAM BART RUSK, MAYES and WILLIS, and other loan officers and originators, including Loan Officer A, false and fraudulent information and documents about the potential purchasers' income and employment, so those prospective purchasers could obtain loans they were otherwise not qualified to receive.

8. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWEREBON, EMMIT SUDDOTH and LENNELL WILLIS, and others, prepared, and caused others to prepare, false and fraudulent mortgage loan application packages on behalf of prospective purchasers of residential real estate which contained a variety of false statements material to the lenders' decision to issue mortgage loans, including false statements regarding the prospective purchasers' employment, income, assets and liabilities and intention to occupy the premises.

9. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWEREBON, EMMIT SUDDOTH and LENNELL WILLIS and others created, and caused others to create, different types of false documents, including false W-2 Wage and Tax Statements ("W-2s"), false earnings statements, false verifications of employment ("VOEs"), false verifications of rent ("VORs"), false bank statements, false cancelled checks, false leases, false construction contracts and invoices, false real estate contracts, false HUD-1 settlement statements and false accountant letters to support the

false statements in the loan applications, knowing these false statements and documents would be submitted to the lenders in support of fraudulent loan applications on behalf of prospective purchasers, including defendants MAYES, SUDDOTH and WILLIS, and Loan Officer A.

10. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWEREON, EMMIT SUDDOTH and LENNELL WILLIS and others submitted, and caused others to submit, loan application packages to lenders containing, among other things, false statements and false supporting documents as described above, knowing the false statements in these documents were material to the lenders' decisions to issue mortgage loans to prospective purchasers, including to defendants MAYES, SUDDOTH and WILLIS, and to Loan Officer A.

11. It was further part of the scheme that defendants KENNETH STEWARD, STEPHEN IWEREON, EMMIT SUDDOTH and LENNELL WILLIS, Loan Officer A and others purchased and ordered, and caused others to purchase and order, false documents from defendant JAMES WILSON, including at least the W-2s, earnings statements, cashier's checks, bank statements and cancelled checks described above, for the purpose of submitting such false documents in support of materially false loan application packages.

12. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWEREON, EMMIT SUDDOTH and LENNELL WILLIS, and others, falsely represented, and caused others to falsely represent, to banks and lenders that prospective purchasers were employed by VSES, Cultureville, Cultureville Enterprises, SNS Corporation, SNS Builders, S&S Builders, Jireh and All Seasons Towing, among other entities, when defendants well knew the prospective purchasers were not so

employed and had arranged for persons to falsely verify the prospective purchasers' employment at these entities.

13. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, EMMIT SUDDOTH and LENNELL WILLIS, and others, falsely represented, and caused others to falsely represent, to banks and lenders that the prospective purchasers had paid rent for properties managed by property management companies VNS Property Management, VNS Management, BF Realty, Global World Rentals, Global World Management, Emmanuel Always, and Company G, when in fact those companies did not manage the properties at issue, and the prospective purchasers did not rent property through them.

14. It was further part of the scheme that defendants KENNETH STEWARD and WILLIAM BART RUSK, and others, submitted and caused to be submitted to lenders some fraudulent mortgage loan packages which misrepresented that the prospective purchasers had paid rent for properties managed by a property management company called Emmanuel Always, when in fact that company did not manage the properties at issue, and the purchasers did not rent property through it.

15. It was further part of the scheme that defendants KENNETH STEWARD, STEPHEN IWEREON and EMMIT SUDDOTH, Loan Officer A and others purchased, and caused others to purchase from defendant JAMES WILSON false documents which reflected that down payments and earnest money had been provided, namely, false checks identifying the prospective purchasers as remitters, when in fact the prospective purchasers were not remitters and had not contributed any money toward a down payment or earnest money.

16. It was further part of the scheme that defendants KENNETH STEWARD, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWERE BON, EMMIT SUDDOTH and LENNELL WILLIS caused false down payment and earnest money checks to be presented at or before closings to deceive lenders by creating the false impression that the prospective purchasers had made down payments and had paid earnest money.

17. It was further part of the scheme that defendants KENNETH STEWARD and STEPHEN IWERE BON, Loan Officer A and others submitted and caused to be submitted to banks and lenders false correspondence from attorneys which claimed receipt of earnest money when in fact the prospective purchasers had not contributed any money toward a down payment or earnest money, to deceive lenders by creating the false impression that the prospective purchasers had made down payments and had paid earnest money.

18. It was further part of the scheme that defendants KENNETH STEWARD, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWERE BON, EMMIT SUDDOTH and LENNELL WILLIS and others received the proceeds of mortgage loans that lenders issued to purchasers on or near the dates of the closings and used these loan proceeds to enrich themselves or to continue the scheme by using such proceeds to buy and sell more residential real estate.

19. It was further part of the scheme that defendant STEPHEN IWERE BON made undisclosed post-closing payments to defendant KENNETH STEWARD and his company, Jireh, and to defendant LENNELL WILLIS and his company, Covenant, which falsely purported to be compensation for work performed on the properties for sale as part of the scheme, but were, in fact, kickbacks for their participation in the scheme.

20. It was further part of the scheme that defendants KENNETH STEWARD, JAMES

WILSON, STEPHEN IWEREBON and LENNELL WILLIS submitted and caused to be submitted to CIT Group a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 6004 S. Aberdeen, Chicago, Illinois.

21. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, WILLIAM BART RUSK and STEPHEN IWEREBON submitted and caused to be submitted to Argent Mortgage Company, LLC a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 7355 S. Morgan, Chicago, Illinois.

22. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES and EMMIT SUDDOTH submitted and caused to be submitted to CIT Group a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 7036 S. Wentworth, Chicago, Illinois.

23. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, STEPHEN IWEREBON and LENNELL WILLIS submitted and caused to be submitted to CIT Group a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 319 W. 60th Place, Chicago, Illinois.

24. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, WILLIAM BART RUSK and STEPHEN IWEREBON submitted and caused to be submitted to New Century Mortgage a loan application and supporting documents that contained

materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 213 E. Kensington Ave., Chicago, Illinois.

25. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON and LENNELL WILLIS submitted and caused to be submitted to CIT Group a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 7155 S. Union Ave., Chicago, Illinois.

26. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK and EMMIT SUDDOTH submitted and caused to be submitted to Argent Mortgage a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 203-205 E. 50th Street, Chicago, Illinois.

27. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK and EMMIT SUDDOTH submitted and caused to be submitted to Argent Mortgage Company, LLC a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 6511 S. Oakley Ave., Chicago, Illinois.

28. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, WILLIAM BART RUSK and EMMIT SUDDOTH submitted and caused to be submitted to Argent Mortgage Company LLC a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 7946 S. Normal Ave., Chicago, Illinois.

29. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES and EMMIT SUDDOTH submitted and caused to be submitted to CIT Group a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 5432 S. Aberdeen Street, Chicago, Illinois.

30. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, and LENNELL WILLIS submitted and caused to be submitted to First Franklin Financial Corp. a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 7926 Pineview Lane, Frankfort, Illinois.

31. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES and EMMIT SUDDOTH submitted and caused to be submitted to America's Wholesale Lender a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 5855 S. Princeton Avenue, Chicago, Illinois.

32. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, and WILLIAM BART RUSK submitted and caused to be submitted to BNC Mortgage, Inc. a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 5822 S. Wabash Ave., Chicago, Illinois.

33. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, and WILLIAM BART RUSK submitted and caused to be submitted to Chase Bank USA,

NA a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 9535 S. Forest, Chicago, Illinois.

34. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, and WILLIAM BART RUSK submitted and caused to be submitted to Chase Bank USA, NA a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 8136 S. Phillips Ave., Chicago, Illinois.

35. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, and STEPHEN IWEREON submitted and caused to be submitted to Chase Bank USA, NA a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 9030 S. Burley, Chicago, Illinois.

36. It was further part of the scheme that defendants LENNELL WILLIS and STEPHEN IWEREON submitted and caused to be submitted to IndyMac Bank, FSB a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 7716 S. Emerald, Chicago, Illinois.

37. It was further part of the scheme that defendants LENNELL WILLIS and STEPHEN IWEREON submitted and caused to be submitted to Equifirst Corporation a loan application and supporting documents that contained materially false and fraudulent statements, misrepresentations and omissions in support of a requested loan for the purchase of 8109 S. Muskegon, Chicago, Illinois.

38. The fraudulent acts of defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWERE BON, EMMIT SUDDOTH and LENNELL WILLIS, and others, resulted in at least approximately 122 transactions and caused lenders and financial institutions to issue mortgage loans to prospective purchasers in an amount totaling at least approximately \$35 million, and for the lenders and financial institutions or successor entities to incur losses on the mortgage loans in an amount totaling at least approximately \$16 million because they were not repaid by the borrowers or fully recovered through subsequent sale or foreclosure.

39. It was further part of the scheme that defendants KENNETH STEWARD, JAMES WILSON, VANESSA MAYES, WILLIAM BART RUSK, STEPHEN IWERE BON, EMMIT SUDDOTH and LENNELL WILLIS concealed, misrepresented, and hid, and caused to be concealed, misrepresented, and hidden, the existence of the scheme, the purposes of the scheme, and the acts done in furtherance of the scheme.

40. On or about September 14, 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
STEPHEN IWEREBON and  
LENNELL WILLIS,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$198,162 from JP Morgan Chase Bank in New York, New York, to LaSalle Bank, FSB in Chicago, Illinois, for credit to the account of Citywide Title Corp., which funds transfer represented the proceeds of a mortgage loan issued to Buyer A for the purchase of a residence located at 6004 S. Aberdeen, Chicago, Illinois;

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

COUNT TWO

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about September 30, 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
WILLIAM BART RUSK and  
STEPHEN IWEREON,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$185,173 from Deutsche Bank in New York, New York, to Bank One in Chicago, Illinois, for credit to the account of Attorney's Title Guarantee Fund, Inc., which funds transfer represented the proceeds of a mortgage loan issued to Buyer B for the purchase of a residence located at 7355 S. Morgan Street, Chicago, Illinois;

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

COUNT THREE

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about October 19, 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
VANESSA MAYES and  
EMMIT SUDDOTH,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be sent and delivered by Federal Express, an interstate commercial carrier, according to the directions thereon, an envelope, containing a check in the amount of \$167,850, addressed to Mr. Al Wirth, ZDE Corporation, 2915 N. Southport, Chicago, Illinois, 60657, for payment relating to Buyer C's purchase of 7036 S. Wentworth Avenue, Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT FOUR

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.

2. On or about December 13, 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
STEPHEN IWEREBON and  
LENNELL WILLIS,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be sent and delivered by United Parcel Service, an interstate commercial carrier, according to the directions thereon, an envelope, containing a check in the amount of \$86,537, addressed to Payoff Dept., 972-889-7323 103, Umth Lending Co, LP, Ste #100, 1702 North Collins Blvd., Richardson, TX 75080-3662, for payment relating to Buyer D's purchase of 319 W. 60th Place, Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT FIVE

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about March 1, 2006, at Oak Brook, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
WILLIAM BART RUSK and  
STEPHEN IWEREON,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$218,091 from Deutsche Bank in New York City, New York to MB Financial Bank in Chicago, Illinois, for credit to the account of TriStar Title LLC, which funds transfer represented the proceeds of a mortgage loan Buyer E's purchase of a residence located at 213 E. Kensington Ave., Chicago, Illinois;

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

COUNT SIX

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about March 30, 2006, at Lombard, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON and  
LENNELL WILLIS,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$255,085 from JP Morgan Chase Bank in New York, New York, to MB Financial Bank in Chicago, Illinois, for credit to the account of TriStar Title LLC, which funds transfer represented the proceeds of a mortgage loan issued to Buyer F for the purchase of a residence located at 7155 S. Union Ave., Chicago, Illinois;

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

COUNT SEVEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about April 28, 2006, at Lombard, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
VANESSA MAYES,  
WILLIAM BART RUSK and  
EMMIT SUDDOTH,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$478,872 from Deutsche Bank in New York, New York, to MB Financial Bank in Chicago, Illinois, for credit to the account of Tristar Title, LLC, which funds transfer represented the proceeds of a mortgage loan issued to Buyer G for the purchase of a residence located at 203-205 E. 50th Street, Chicago, Illinois;

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

COUNT EIGHT

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about May 18, 2006, at Lombard, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
VANESSA MAYES,  
WILLIAM BART RUSK and  
EMMIT SUDDOTH,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$95,968 from Deutsche Bank in New York, New York, to MB Financial Bank in Chicago, Illinois, for credit to the account of Tristar Title, LLC, which funds transfer represented the proceeds of a mortgage loan issued to Buyer G for the purchase of a residence located at 6511 S. Oakley Ave., Chicago, Illinois;

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

COUNT NINE

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about July 7, 2006, at Lombard, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
WILLIAM BART RUSK and  
EMMIT SUDDOTH,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$187,878 from Deutsche Bank in New York, New York, to MB Financial Bank in Chicago, Illinois, for credit to the account of Tristar Title, LLC, which funds transfer represented the proceeds of a mortgage loan issued to Buyer H for the purchase of a residence located at 7946 S. Normal Avenue, Chicago, Illinois;

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

COUNT TEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about July 18, 2006, at Lombard, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
VANESSA MAYES and  
EMMIT SUDDOTH,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be sent and delivered by United Parcel Service, an interstate commercial carrier, according to the directions thereon, an envelope, containing a check in the amount of \$183,784, addressed to Cashiering, New Century Mortgage, Ste B, 1610 E. St. Andrew Place, Santa Ana, CA, 92705, REF 1: Montgomery Payoff, for payment relating to for Buyer H's purchase of a residence located at 5432 S. Aberdeen Street, Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT ELEVEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.

2. On or about January 25, 2007, at Orland Park, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON and  
LENNELL WILLIS,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$494,671 from National City Bank in Indianapolis, Indiana, to Bank of America in Chicago, Illinois, for credit to the account of Chicago Title and Trust Company, which funds transfer represented the proceeds of a mortgage loan issued to defendant LENNELL WILLIS for the purchase of a residence located at 7926 Pineview Lane, Frankfort, Illinois;

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

COUNT TWELVE

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about January 25, 2007, at Oakbrook Terrace, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON,  
VANESSA MAYES and  
EMMIT SUDDOTH,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$286,057 from Bank of New York, New York, New York, to Harris Bank in Westchester, Illinois, for credit to the account of Title Professionals of America, Inc., which funds transfer represented the proceeds of a mortgage loan issued to Buyer I for the purchase of a residence located at 5855 S. Princeton Avenue, Chicago, Illinois;

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

COUNT THIRTEEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraph 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about June 11, 2007, at Schaumburg, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON and  
WILLIAM BART RUSK,

defendants herein, knowingly executed and attempted to execute the above-described scheme to defraud BNC Mortgage, a wholly-owned subsidiary of Lehman Brothers Bank, by submitting and causing to be submitted a loan application package containing material false information which caused BNC Mortgage to issue a loan to Buyer J in the amount of \$272,000 for Buyer J's purchase of a residence located at 5822 S. Wabash Ave., Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT FOURTEEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.

2. On or about July 19, 2007, at Schaumburg, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON and  
WILLIAM BART RUSK,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be sent and delivered by the United States Postal Service, an interstate commercial carrier, according to the directions thereon, an envelope, containing a check in the amount of \$218,690, addressed to Countrywide Home Loans, Attn: Payoff, MS FWTX346, 5401 N. Beach St., Ft. Worth, TX, 76137-2733, for payment relating to Buyer K's purchase of a residence located at 9535 S. Forest, Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT FIFTEEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about September 5, 2007, at Schaumburg, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON and  
WILLIAM BART RUSK,

defendant herein, knowingly executed and attempted to execute the above-described scheme to defraud Chase Bank USA, NA by submitting and causing to be submitted a loan application package containing material false information which caused Chase Bank USA, NA to issue a loan to Buyer L in the amount of \$216,000 for Buyer L's purchase of a residence located at 8136 S. Phillips Ave., Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SIXTEEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.

2. On or about September 25, 2007, at Palatine, in the Northern District of Illinois, Eastern Division, and elsewhere,

KENNETH STEWARD,  
JAMES WILSON and  
STEPHEN IWEREBOB,

defendant herein, knowingly executed and attempted to execute the above-described scheme to defraud Chase Bank USA, NA by submitting and causing to be submitted a loan application package containing material false information which caused Chase Bank USA, NA to issue a loan to Buyer M in the amount of \$275,500 for Buyer M's purchase of a residence located at 9030 S. Burley, Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT SEVENTEEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about February 4, 2008, at Palatine, in the Northern District of Illinois, Eastern Division, and elsewhere,

STEPHEN IWEREBON and  
LENNELL WILLIS,

defendant herein, knowingly executed and attempted to execute the above-described scheme to defraud IndyMac Bank FSB by submitting and causing to be submitted a loan application package containing material false information which caused IndyMac Bank FSB to issue a loan to Buyer N in the amount of \$286,300.05 for Buyer N's purchase of a residence located at 7716 S. Emerald, Chicago, Illinois;

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT EIGHTEEN

The SPECIAL JANUARY 2009 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 39 of Count One of this indictment are hereby realleged and incorporated herein by reference.
2. On or about February 6, 2008, at Palatine, in the Northern District of Illinois, Eastern Division, and elsewhere,

STEPHEN IWEREBON and  
LENNELL WILLIS,

defendants herein, together with persons known and unknown to the grand jury, for the purpose of executing the above-described scheme to defraud knowingly caused to be transmitted by means of wire communication in interstate commerce, certain wirings, signs, and signals, namely, a funds transfer in the amount of approximately \$286,017 from Wachovia Bank, Charlotte, North Carolina, to American Chartered Bank in Schaumburg, Illinois, for credit to the account of Law Title Insurance Agency, which funds transfer represented the proceeds of a mortgage loan issued to Buyer N for the purchase of a residence located at 8109 S. Muskegon, Chicago, Illinois;

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

FORFEITURE ALLEGATION

The SPECIAL JANUARY 2009 GRAND JURY further alleges:

1. The allegations in Counts One through Eighteen of this indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2).

2. As a result of their violations of Title 18, United States Code, Sections 1341, 1343 and 1344, as alleged in Counts One through Eighteen,

KENNETH STEWARD,  
JAMES WILSON,  
STEPHEN IWEREBON and  
EMMIT SUDDOTH,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), any and all right, title, and interest they may have in any property constituting, and derived from, proceeds they obtained directly or indirectly as the result of such violations.

3. The interests of defendants subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(2), include the sum of at least approximately \$35,000,000.

4. If any of the forfeitable property described above, as a result of any act or omission by defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1);

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

---

FOREPERSON

---

UNITED STATES ATTORNEY