

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

FILED '09 JUN 24 16:21 USDC-ORP

**UNITED STATES OF AMERICA**

**Case No. CR 09-**

246-90

v.

**INDICTMENT**

**MICHAEL DUC HAN,**

**18 U.S.C. § 1344**

**Defendant.**

**THE GRAND JURY CHARGES:**

**COUNT 1**

On or about February 16, 2007, in the District of Oregon, defendant Michael Duc Han devised a material scheme and artifice to defraud and to obtain money from First Franklin Financial Corporation, a financial institution, by materially false and fraudulent pretenses and representations.

It was part of the scheme and artifice that:

1. Defendant Michael Duc Han, acting as a residential mortgage loan broker, prepared a uniform residential loan application on behalf of Joshua T. Kollar ("the borrower").
2. Defendant Michael Duc Han knowingly falsified the borrower's financial qualifications on the uniform residential loan application.
3. Defendant Michael Duc Han knowingly created false supporting documentation, including bank statements, to corroborate the borrower's false financial qualifications on the uniform residential loan application.
4. Defendant Michael Duc Han submitted the borrower's false uniform residential mortgage application to First Franklin Financial Corporation, a financial institution, with the

intent that the financial institution would approve the mortgage loan based upon the false financial qualifications provided in the uniform residential loan application.

5. Defendant Michael Duc Han allowed the borrower to close on the approved loan without advising the financial institution of the false financial qualifications provided in the uniform residential loan application.

On or about February 16, 2007, in the District of Oregon, defendant executed the material scheme to defraud First Franklin Financial Corporation and to obtain money owned by them and under their control by material and false pretenses, representation and promises as set forth above, in that defendant Michael Duc Han caused First Franklin Financial Corporation to fund a mortgage loan to Joshua T. Kollar in the approximate amount of \$259,950.

All in violation of 18 United States Code, Section 1344.

Dated this 24 day of June, 2009.

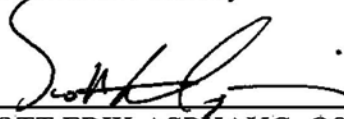
A TRUE BILL

~~OFF~~



Presented by:

KARIN J. IMMERGUT  
United States Attorney

  
\_\_\_\_\_  
SCOTT ERIK ASPHAUG, OSB# 83367  
Assistant United States Attorney