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FEDERAL BUREAU OF INVESTIGATION
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

FILED

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2008 Grand Jury

CR-08 1466

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MARTIN QUOC PHAM,)
JOE INTHISONE, and)
VIET NGUYEN,)
)
Defendants.)

CR No. 08-_____

I N D I C T M E N T

[18 U.S.C. § 1344(1): Bank
Fraud; 18 U.S.C. §
1029(a)(5): Access Device
Fraud; 18 U.S.C. § 1028A:
Aggravated Identity Theft;
18 U.S.C. § 1957: Engaging
in Monetary Transactions
in Criminally Derived
Property; 18 U.S.C. § 2:
Aiding and Abetting and
Causing an Act to be Done]

The Grand Jury charges:

COUNTS ONE THROUGH THIRTEEN

[18 U.S.C. §§ 1344(1); 2]

I. THE FRAUDULENT SCHEME

A. Beginning in or about October 2006, and continuing to

SLM/RLC:rlc
RLC

1 in or about January 2007, in Los Angeles and Orange Counties,
2 within the Central District of California, and elsewhere,
3 defendants MARTIN QUOC PHAM ("PHAM"), JOE INTHISONE
4 ("INTHISONE"), and VIET NGUYEN ("NGUYEN"), and others known and
5 unknown to the Grand Jury, aiding and abetting one another,
6 knowingly and with intent to defraud executed and attempted to
7 execute a scheme to defraud JPMorgan Chase Bank ("JPMorgan
8 Chase"), a federally-insured financial institution as to material
9 matters.

10 B. The fraudulent scheme operated in the following manner:
11 Defendants PHAM, INTHISONE, and NGUYEN obtained fraudulent and
12 unauthorized on-line access to home equity line of credit
13 accounts owned by customers at JPMorgan Chase in the names of
14 those customers. Defendants PHAM, INTHISONE, and NGUYEN then
15 transferred funds, knowing that these transfers were fraudulent
16 and without authorization, from those JPMorgan Chase accounts to
17 either defendant PHAM's or defendant INTHISONE's accounts at
18 Washington Mutual Bank ("Washington Mutual") or to accounts at
19 Washington Mutual that they had created in the names of others,
20 including Q. D. Thai and F. Whiting. Defendants PHAM, INTHISONE,
21 and NGUYEN then made withdrawals from these accounts or transfers
22 to other accounts that they owned or controlled.

23 III. THE EXECUTION OF THE FRAUDULENT SCHEME

24 On or about the following dates, within the Central District
25 of California and elsewhere, defendants PHAM, INTHISONE, and
26 NGUYEN, each aiding and abetting the others, committed and
27

1 willfully caused others to commit the following acts, each of
 2 which constituted an execution of the fraudulent scheme:

3 A. Acts Relating to JP Morgan Chase Home Equity Account
 4 #xxxx-xxxx-7366, Belonging to S. Chen

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
ONE	October 25, 2006	Three transfers totalling \$24,500 from JPMorgan Chase home equity account #xxxx-xxxx-7366, belonging to S. Chen, to Washington Mutual account # xxx-xxx968-8 in the name of Q.D. Thai, transfer numbers 34061989, 34061983, and 34062002
TWO	October 27, 2006	Deposit of \$3,700 check by JOE INTHISONE, drawn on Washington Mutual account #xxx-xxx968-8 in the name of Q.D. Thai, into Washington Mutual account #xxx-xxx-632-0 in the name of JOE INTHISONE, at bank branch located at 1107 S. Harbor Blvd., Fullerton, California
THREE	October 30, 2006	Transfer of \$10,000 from JPMorgan Chase home equity account #xxxx-xxxx-7366, belonging to S. Chen, to Washington Mutual account # xxx-xxx632-0 in the name of JOE INTHISONE, transfer number 34593595
FOUR	October 31, 2006	Two transfers totalling \$19,000 from JPMorgan Chase home equity account #xxxx-xxxx-7366, belonging to S. Chen, to Washington Mutual account # xxx-xxx968-8 in the name of Q.D. Thai, transfer numbers 34734100 and 34734247
FIVE	October 31, 2006	Deposit of check for \$10,500 by MARTIN PHAM, drawn on Washington Mutual account # xxx-xxx968-8 in the name of Q.D. Thai, into Washington Mutual account # xxx-xxx-787-7 in the name of MARTIN Q. PHAM, at bank branch located at 14011 Beach Blvd., Westminster, California

B. Acts Relating to JP Morgan Chase Home Equity Account #xxxx-xxxx-1453, Belonging to M. Scott

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
SIX	December 6, 2006	Three transfers totalling \$25,000 from JPMorgan Chase home equity account #xxxx-xxxx-1453, belonging to M. Scott, to Washington Mutual account # xxx-xxx787-7 in the name of MARTIN Q. PHAM, transfer numbers 42546303, 42546416, and 42546349
SEVEN	December 7, 2006	Withdrawal of \$5,000 by MARTIN PHAM from Washington Mutual account # xxx-xxx787-7 in the name of MARTIN Q. PHAM, at bank branch located at 12851 Harbor Blvd., Garden Grove, California
EIGHT	December 7, 2006	Three transfers totalling \$25,000 from JPMorgan Chase home equity account #xxxx-xxxx-1453, belonging to M. Scott, to Washington Mutual account # xxx-xxx787-7 in the name of MARTIN Q. PHAM, transfer numbers 42795227, 42795165, and 42795288

C. Acts Relating to JP Morgan Chase Home Equity Account #xxxx-xxxx-9385, Belonging to F. Whiting

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
NINE	January 9, 2007	Transfer of \$9,000 from JPMorgan Chase home equity account #xxxx-xxxx-9385, belonging to F. Whiting, to Washington Mutual account # xxx-xxx915-5 in the name of MARTIN Q. PHAM, transfer number 46903147
TEN	January 10, 2007	Two transfers totalling \$19,300 from JPMorgan Chase home equity account #xxxx-xxxx-9385, belonging to F. Whiting, to Washington Mutual account # xxx-xxx915-5 in the name of MARTIN Q. PHAM, transfer numbers 46965523 and 46965463

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
ELEVEN	January 10, 2007	Transfer of \$19,000 from Washington Mutual account #xxxx-xxxx-915-5, belonging to MARTIN Q. PHAM, to Washington Mutual account # xxx-xxx934-4 in the name of MARTIN Q. PHAM
TWELVE	January 10, 2007	Withdrawal of \$4,300 by MARTIN PHAM, drawn on Washington Mutual account # xxx-xxx-934-4 in the name of MARTIN Q. PHAM, at bank branch located at 12851 Harbor Blvd., Garden Grove, California
THIRTEEN	January 10, 2007	Cashing of check for \$4,100 by VIET NGUYEN, drawn on Washington Mutual account # xxx-xxx-934-4 in the name of MARTIN Q. PHAM, at bank branch located at 910 S. Brookhurst, Anaheim, California

COUNT FOURTEEN

[18 U.S.C. §§ 1029(a)(5); 2]

Beginning in or about October 2006, and continuing to in or about January 2007, in Los Angeles and Orange Counties, within the Central District of California, and elsewhere, defendants MARTIN QUOC PHAM, JOE INTHISONE, and VIET NGUYEN, and others known and unknown to the Grand Jury, aiding and abetting one another, in transactions affecting interstate commerce, knowingly and with intent to defraud effected transactions with one or more access devices issued to another person or persons, that is, the following JP Morgan Chase Bank home equity account numbers: (1) account #xxxx-xxxx-7366, belonging to S. Chen; (2) account #xxxx-xxxx-1453, belonging to M. Scott, and (3) account #xxxx-xxxx-9385, belonging to F. Whiting, to receive payment and any other thing of value during this period the aggregate value of which is equal to and greater than \$1,000, including those amounts alleged in Counts One through Thirteen.

COUNT FIFTEEN

[18 U.S.C. § 1028A(a)(1)]

Beginning in or about October 2006 and continuing to in or about January 2007, in Los Angeles and Orange Counties, within the Central District of California, defendants MARTIN QUOC PHAM and JOE INTHISONE knowingly possessed and used, without lawful authority, a means of identification of another person, that is: 1) names; 2) dates of birth; 3) social security numbers; and 4) home equity loan account numbers, during and in relation to felony violations of 18 U.S.C. § 1344(1), bank fraud, as charged in Counts One through Thirteen, and 18 U.S.C. § 1029(a)(5), fraudulent activity in connection with access device, as charged in Count Fourteen, which counts are incorporated herein by this reference.

COUNTS SIXTEEN THROUGH TWENTY-ONE

[18 U.S.C. §§ 1957; 2]

On or about the dates listed below, in Los Angeles and Orange Counties, within the Central District of California, and elsewhere, defendants MARTIN QUOC PHAM, JOE INTHISONE, and VIET NGUYEN, and others known and unknown to the Grand Jury, knowingly aided, abetted, counseled, commanded, induced, procured, caused, engaged, and attempted to engage in monetary transactions as described below, affecting interstate commerce, in criminally derived property that was of a value greater than \$10,000, such property having been derived from specified unlawful activity, that is, access device fraud and bank fraud, in violation of Title 18, United States Code, Sections 1029(a)(5) and 1344(1):

A. Transactions Relating to JP Morgan Chase Bank ("JPMorgan Chase") Home Equity Account #xxxx-xxxx-7366, Belonging to S.C.

COUNT	DATE	ACT
SIXTEEN	October 31, 2006	Two transfers totalling \$19,000 from JPMorgan Chase home equity account #xxxx-xxxx-7366, belonging to S. Chen, to Washington Mutual account # xxx-xxx968-8 in the name of Q.D. Thai, transfer numbers 34734100 and 34734247
SEVENTEEN	October 31, 2006	Deposit of check for \$10,500 by MARTIN PHAM, drawn on Washington Mutual account # xxx-xxx968-8 in the name of Q.D. Thai, into Washington Mutual account # xxx-xxx-787-7 in the name of MARTIN Q. PHAM, at bank branch located at 14011 Beach Blvd., Westminster, California

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B. Transactions Relating to JP Morgan Chase Home Equity Account #xxxx-xxxx-1453, Belonging to M. Scott

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
EIGHTEEN	December 6, 2006	Three transfers totalling \$25,000 from JPMorgan Chase home equity account #xxxx-xxxx-1453, belonging to M. Scott, to Washington Mutual account # xxx-xxx787-7 in the name of MARTIN Q. PHAM, transfer numbers 42546303, 42546416, and 42546349
NINETEEN	December 7, 2006	Three transfers totalling \$25,000 from JPMorgan Chase home equity account #xxxx-xxxx-1453, belonging to M. Scott, to Washington Mutual account # xxx-xxx787-7 in the name of MARTIN Q. PHAM, transfer numbers 42795227, 42795165, and 42795288

C. Transactions Relating to JP Morgan Chase Home Equity Account #xxxx-xxxx-9385, Belonging to F. Whiting

<u>COUNT</u>	<u>DATE</u>	<u>ACT</u>
TWENTY	January 10, 2007	Two transfers totalling \$19,300 from JPMorgan Chase home equity account #xxxx-xxxx-9385, belonging to F. Whiting, to Washington Mutual account # xxx-xxx915-5 in the name of MARTIN Q. PHAM, transfer numbers 46965523 and 46965463

COUNT	DATE	ACT
TWENTY-ONE	January 10, 2007	Transfer of \$19,000 from Washington Mutual account #xxxx-xxxx-915-5, belonging to MARTIN Q. PHAM, to Washington Mutual account # xxx-xxx934-4 in the name of MARTIN Q. PHAM

A TRUE BILL

"/s/ "

Foreperson

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