

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

18 U.S.C. 1349 -- wire fraud conspiracy

- Petty
- Minor
- Misdemeanor
- Felony

**E-filing**

PENALTY: 30 years imprisonment; \$1,000,000 fine or twice gain/loss; 5 years supervised release; criminal forfeiture; \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

▶ MICHAEL CHOU

DISTRICT COURT NUMBER

**CR09**

**0977**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form JOSEPH P. RUSSONIELLO

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Jeffrey Rabkin

**DEFENDANT**

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1)  If not detained give date any prior summons was served on above charges

2)  Is a Fugitive

3)  Is on Bail or Release from (show District)

NDCA

**IS IN CUSTODY**

4)  On this charge

5)  On another conviction

Federal  State

6)  Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

FILED  
09 OCT -7 AM 2:19  
RICHARD W. KING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

E-filing

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MMC

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL CHOU,

Defendant.

No.:

0977

Violation: 18 U.S.C. § 1349 — Wire Fraud  
Conspiracy; 18 U.S.C. § 981(a)(1)(C) and 28  
U.S.C. § 2461 — Forfeiture of Fraud Proceeds

SAN FRANCISCO VENUE

INFORMATION

The United States Attorney charges:

1. In or about and between June 2003 and April 31, 2009, both dates being approximate and inclusive, within the Northern District of California and elsewhere, the defendant,

MICHAEL CHOU,

and others, did knowingly and intentionally conspire to and did devise a material scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, namely false and fraudulent information in support of mortgage loan applications to financial institutions, and for the purpose of executing such

INFORMATION

1 scheme and artifice to defraud, did knowingly and intentionally transmit and cause to be  
2 transmitted, by means of wire in interstate commerce, writings, signs, signals, pictures, and  
3 sounds, in violation of Title 18, United States Code, Section 1343.

4 All in violation of Title 18, United States Code, Section 1349.

5 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461)

6 2. The allegations contained in paragraph 1 of this Information are realleged and by  
7 this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the  
8 provisions of 18 U.S.C. § 981(a)(1)(C).

9 3. Upon a conviction for the offense alleged above, the defendant,  
10 MICHAEL CHOU,  
11 shall forfeit to the United States any property, real or personal, which constitutes or is derived  
12 from proceeds traceable to said offense, including but not limited to a sum of money equal to the  
13 total proceeds from the commission of said offense.

14 4. If, as a result of any act or omission of the defendant, any of said property  
15 a. cannot be located upon the exercise of due diligence;  
16 b. has been transferred or sold to or deposited with, a third person;  
17 c. has been placed beyond the jurisdiction of the Court;  
18 d. has been substantially diminished in value; or  
19 e. has been commingled with other property which cannot be divided without  
20 difficulty;

21 any and all interest defendants have in any other property up to the value of the property  
22 described in paragraph 3 above, shall be forfeited to the United States pursuant to Title 18,  
23 United States Code, Section 18 U.S.C. § 981(a)(1)(C), as incorporated by 28 U.S.C. § 2461.

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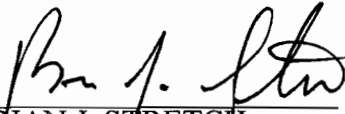
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1 All in violation of Title 18, United States Code, Sections 981(a)(1)(C), 1343, 1349; Title  
2 28, United States Code, Section 2461; and Rule 32.2 of the Federal Rules of Criminal Procedure.

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5 Dated: October 7, 2009

JOSEPH P. RUSSONIELLO  
United States Attorney

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8 BRIAN J. STRETCH  
9 Chief, Criminal Division

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11 (Approved as to form: )  
12 AUSA RABKIN  
13 Assistant United States Attorney  
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