

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-20326-CR-KMM

UNITED STATES OF AMERICA

vs.

ANDRE LORQUET,

Defendant.

FACTUAL PROFFER

The United States of America and Defendant Andre Lorquet (LORQUET) agree that had this case proceeded to trial, the United States would prove beyond a reasonable doubt the following facts, among others, which occurred in the Southern District of Florida.

On June 3, 2020, a first draw PPP application for Miami Ent, LLC ("MEL") was submitted online to BlueVine. MEL was registered in the State of Florida on March 25, 2019 by LORQUET. BlueVine is a loan processor in California with servers located outside the State of Florida. The name and phone number on MEL's application were LORQUET's and the email address was miamientllc@gmail.com, which, is registered to LORQUET. In the PPP application, LORQUET represented that MEL had 10 employees and an average monthly payroll of \$86,258. The borrower application form requested 2.5 times that, or \$215,645, in PPP funds. This was the maximum amount LORQUET could request.

As proof of payroll, LORQUET included an IRS Form 940 for tax year 2019, which reports a taxpayer's annual employment taxes. MEL's Form 940 reported that MEL paid \$1,035,091 to its 10 employees in TY 2019. It is signed by LORQUET and dated January 20, 2020. This Form 940 was fraudulent. Among other things, MEL has never paid taxes to the Internal

Revenue Service, nor has MEL ever reported having employees or wages to the Florida Department of Revenue.

On June 5, 2020, \$215,645.000 in PPP funds were deposited into Account 2431 in the name of MEL at TD Bank. MEL and LORQUET held six accounts at TD Bank. According to the account opening documents, the TD Bank accounts were opened in person, at local bank branches, by LORQUET, with his Florida driver's license. On June 10, 2020, LORQUET transferred \$93,439.83 from Account 2431 to Tesla Motors.

On June 20, 2020, an EIDL application for MEL was submitted online to the SBA. The EIDL application for MEL represented that MEL's gross revenue from January 31, 2019 until January 31, 2020 was \$525,675, that the cost of goods sold was \$275,950, and that in January 2020 MEL had 10 employees. On June 22, 2020, a \$10,000 EIDL advance was deposited into Account 2431. The same day, LORQUET wired \$30,000 from Account 2431 to Countyline Auto Center with memo line: "From Miami Ent LLC For Porsche Panamera Deposit." A day after that, on June 23, 2020, an EIDL loan for \$114,800 was deposited into Account 2431. Two days later, on June 24, 2020, LORQUET wired another \$29,000 from MEL 2431 to Countyline Auto with the memo line "For Porsche Panamera."

On March 18, 2021, a second draw PPP application for MEL was submitted online to American Lending Centre. American Lending Centre is a participating lender in California with computer servers outside the State of Florida. The PPP application to ALC included the same fraudulent Form 940 that was attached to MEL's first draw application. The loan was approved, and on June 1, 2021, \$215,643.95 in PPP funds were deposited into Account 2431.

On August 18, 2021, an SVOG application for MEL was submitted online to the SBA. The SVOG application for MEL included a fraudulent IRS Form 1120-S for tax year 2019 which

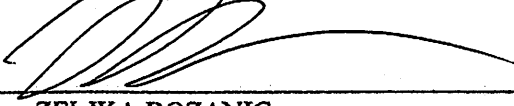
listed MEL's gross revenue as \$5,444,292. On November 12, 2021, a letter was sent to SBA appearing to be from C.D., a tax preparer, confirming that MEL had filed its taxes in 2019. The letter attached a fraudulent tax transcript and a copy of the Form 1120-S. The Form 1120-S listed C.D. as the tax preparer and included her IRS Electronic Filing Identification Number ("E-FIN"). SBA awarded MEL the SVOG grant and, on November 22, 2021, \$2,501,259.34 was deposited by the SBA into Account 2431. Before those funds were deposited, on November 19, 2021, Account 2431 had a balance of less than \$800 dollars. On November 30, 2021, a supplemental award in the amount of \$1,358,451.70 was deposited into Account 2431.

On December 1, 2021, LORQUET transferred \$400,000 of the SVOG grant from Account 2431 to Account 3570, and from there wired \$329,195 to Elite Motor Cars of Miami LLC with reference "2022 URUS." Also on December 1, 2021, LORQUET signed purchase documents for Lamborghini Urus VIN# ZPBUA1ZL1NLA16143. Five days later, on December 6, 2021, LORQUET transferred \$158,653.33 of the SVOG grant from Account 2431 to Tesla Motors. LORQUET also spent \$30,900 of the SVOG grant on a diamond Audemars Piguet watch, a rose gold and diamond pendant with MEL's logo, a half-kilogram gold chain with 70 carats of diamonds, and a 1 kilogram gold chain.

The information contained in this proffer is not a complete recitation of all the facts and circumstances of this case, but the parties admit that it is sufficient to prove beyond a reasonable doubt a violation of Title 18, United States Code, Section 1957, that is, money laundering, and Title 18, United States Code, Section 1028A, that is, aggravated identity theft, as charged in the Indictment.

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UNITED STATES ATTORNEY

Date: 1/24/23 By: 
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ASSISTANT UNITED STATES ATTORNEY

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ANDRE LORQUET
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