UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-20326-KMM

UNITED STATES OF AMERICA

v.

ANDRE LORQUET,

Defendant.

DECLARATION OF JOSE HERNANDEZ
IN SUPPORT OF FORFEITURE

I, JOSE HERNANDEZ, under penalty of perjury, declare:

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), and have been since 2020. I am currently assigned to the Identity Document & Benefit Fraud Taskforce ("IDBFTF"). As a Special Agent and member of the IDBFTF, I have participated in and directed numerous investigations involving identity theft, wire fraud, bank fraud, and theft of government property. I have also had training in investigating various types of fraud committed using stolen identities, including fraud tactics, methods, and techniques.

2. The information contained in this declaration is based upon my personal knowledge and my review of documents and records gathered during the course of this investigation, as well as information obtained, directly or indirectly, from other sources and agents, including information provided to me by other agents who are involved in the investigation. I make this sworn declaration in support of the United States' Motion for Preliminary Order of Forfeiture.

Because this declaration is being submitted for a limited purpose, it does not include all of the facts that I have learned during the course of the investigation.

3. Law enforcement has reviewed financial records for Miami ENT, LLC (MEL) and the Defendant. Based on a review of those and other records, law enforcement determined that on or about August 18, 2021, an SVOG application for MEL was submitted online to the SBA. The SVOG application for MEL was fraudulent, containing a fraudulent IRS form for 2019 which listed MEL's gross revenue as $5,444,292. On November 12, 2021, a letter was sent to the 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. That form listed C.D. as the tax prepared and included her IRS E-FIN. The 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, that account had a balance of less than $800. On November 30, 2021, a supplemental SVOG award in the amount of $1,358,451.70 was deposited into Account 2431.

4. On December 1, 2021, the Defendant 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, the Defendant signed purchase documents for Lamborghini Urus VIN# ZPBUA1ZL1NLA16143. Five days later, on December 6, 2021, the Defendant transferred $158,653.33 of the SVOG grant from Account 2431 to Tesla Motors. The Defendant 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 gold chain with 70 carats of diamonds, and another gold chain.

5. On or about October 7, 2022, law enforcement placed a title hold on the Lamborghini with the Florida Department of Highway Safety and Motor Vehicles.

6. On or about November 15, 2022, the Defendant sold the Lamborghini for $240,000 in U.S. currency, in a transaction where title did not transfer. The buyer took possession of the Lamborghini.

7. Law enforcement learned from its investigation that the Defendant instructed the buyer to wire the funds to Bank of America account number 8981 0729 7999 in the name of The B Murray Group. On November 15, 2022, the buyer wired $240,000 to buy the Lamborghini to Account 7999 in the name of The B Murray Group. Account 7999 was nearly empty, with less than $500 on deposit, before it received the Lamborghini sales proceeds on November 15, 2022.

8. Within one week of receiving the proceeds from the sale of the Lamborghini, Account 7999 transferred $115,000, to Account 6905, which was also in the name of Bernard H Murray. This left approximately $125,000 in fraud proceeds in Account 7999, which were spent on check card and Zelle transactions until only $92,000 remained Account 7999, which represents proceeds from the sale of the Lamborghini.

9. As for the $115,000 in proceeds deposited in Account 6905, on November 16, 2022, $92,000 was withdrawn from that account, and various check card and Square transactions spent down the remainder.

10. In the course of the investigation law enforcement reviewed financial records, queried available databases, and conducted due diligence to locate forfeitable property traceable to the count of conviction in this case. After investigating the Defendant's assets, it is the conclusion of the declarant that due to the Defendant's acts or omissions, other directly forfeitable property either cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; or has been commingled so proceeds cannot be divided without difficulty.

Dated on February 21, 2023, in Miami, Florida

Jose Hernandez
Special Agent
Homeland Security Investigations