UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 21-20231-MIDDLEBROOKS

UNITED STATES OF AMERICA

vs.

CARLOS VAZQUEZ,

Defendant.
_______________________________________/

FACTUAL BASIS IN SUPPORT OF PLEA

Defendant, CARLOS VAZQUEZ ("Defendant"), his counsel, and the United States agree that, had this case proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt:

At all materials times, Defendant is and was the CEO and 100% owner of Big League L.L.C ("Big League"). On or about June 30, 2020, Defendant, with the assistance of Individual #1, submitted an application for a Paycheck Protection Program ("PPP") loan in the amount of $921,875.00 on behalf of Big League to a Georgia-based internet loan processor and PPP lender, Lender #1. The note in the amount of $921,875 was executed on the same day and contained Defendant's Docusign signature. This application was transmitted in interstate commerce by Defendant and Individual #1 from Miami, Florida to Georgia. This application contains a number of materially false statements that Defendant and Individual #1 knew to be untrue at the time they submitted. Specifically:

- The application certifies that the applicant, Big League, "was in operation on February 15, 2020 and had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC;
- The application states that Big League's Average Monthly Payroll is $368,750.00;

- The application states that Big League has 64 employees;
- A purported IRS Form W-3 for the 2019 tax year was submitted in support of the application which claims Big League paid wages in the amount of $4,425,000.

As of February 15, 2020, Big League was not in operation and did not have employees or payroll. Big League has never registered to file taxes in Florida with the Florida Department of Revenue. Thus, the representations Defendant and Individual #1 made to Lender #1 were false. And Defendant and Individual #1 intended to defraud Lender #1.

A few days after reinstating Big League, on June 29, 2020, Defendant opened a Chase business account for Big League. Defendant was the sole signatory on the account. Chase Bank's business records show that on June 30, 2020 someone logged into Defendant's Chase business account for Big League from the same IP address, 172.58.11.67, that was used to apply for the PPP loan that day. A week later, on July 6, 2020, $921,875 in PPP loan funds were deposited into this Chase Bank Account in Miami Florida, from outside the State of Florida by Lender #1.

From September 21, 2020 until the end of the year, Defendant issued hundreds of checks almost all in the approximate amount of $1,494.00 from Big League's account. These checks purport to be payroll checks and have lines and amounts for FICA, SS and Medicare.

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The above-described facts only serve as a summary of the evidence in this case and is not intended to be an exhaustive account of all the information available to the Government and the Defendant concerning the offenses charged in the Indictment.

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

Date: 9/13/21 By: Hayden O'Byrne
HAYDEN P. O'BYRNE
ASSISTANT UNITED STATES ATTORNEY

Date: 9-13-21
ALBERT Z. LEVIN
ATTORNEY FOR DEFENDANT

Date: 9-13-21
CARLOS VAZQUEZ
DEFENDANT