

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

CASE NO. 22-20290-CR-BLOOM(s)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC DEAN SHEPPARD,

Defendant.

GOVERNMENT'S SECOND AMENDED EXHIBIT LIST

The United States of America, by and through the undersigned Assistant United States Attorney, respectfully submits the following list of exhibits to be introduced at trial in the above-styled action during the two-week period starting on November 27, 2023.

The United States requests leave to add exhibits as may become necessary during the trial in this matter.

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: s/ Aimee Jimenez
Aimee C. Jimenez
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EXHIBIT LIST

PRESIDING JUDGE Honorable Beth Bloom				GOVERNMENT'S ATTORNEYS AUSA Aimee Jimenez AUSA Ana M. Martinez	DEFENDANT'S ATTORNEY Jayne Claire Weintraub Jonathan Etra Chris Cavalo
TRIAL DATES November 27 – December 8, 2023				COURTROOM REPORTER Yvette Hernandez	COURTROOM DEPUTY Elizabeth Gariazzo
GOV. EX. NO.	DEF. NO.	DATE OFFERED	ADMITTED	DESCRIPTION OF EXHIBITS	
1				State of Florida, Division of Corporations record for HM Management and Development, LLC	
2				State of Florida, Division of Corporations record for HM-Up Development Alafaya Trails, LLC	
3-1				Certified deeds for HM-Up Development Alafaya Trails, LLC shopping center dated 04-27-2012	
3-2				Certified deed for HM-Up Development Alafaya Trails -TRU, LLC shopping center dated 02-18-16	
3-3				Certified deed for HM-Up Development Alafaya Trails, LLC shopping center dated 09-22-2022	
4-1				JPetal Photo from shopping center (Photo 1)	
4-2				Aspen Dental Photo from shopping center (Photo 2)	
4-3				ToysRUs Photo from shopping center (Photo 3)	
4-4				Dick's Sporting Goods storefront from shopping center (Photo 4)	
4-5				Dick's Sporting Goods storefront and parking Photo from shopping center (Photo 5)	
4-6				Mattress One close-up Photo from shopping center (Photo 6)	
4-7				Mattress One Photo from shopping center (Photo 7)	
4-8				Burlington Coat Factory Photo from shopping center (Photo 8)	
5				State of Florida, Division of Corporations record for HM Four, LLC	
6				Certified driver's license for Eric Sheppard	
7-1				Certified deeds for 180 Bal Cross Drive, Bal Harbour, FL dated 03-31-2008	
7-2				180 Bal Cross Drive, Bal Harbour, FL (Photo 1)	
7-3				180 Bal Cross Drive, Bal Harbour, FL (Photo 2)	

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7-4				180 Bal Cross Drive, Bal Harbour, FL (Photo 3)
8-1				Subscriber Information for eric.sheppard10@gmail.com
8-2				Subscriber information for eshmmanagementndev@gmail.com
8-3				Subscriber information for hmfourmanager@gmail.com
9-1				Subscriber Information for Es.hmudat2020@yahoo.com
9-2				Subscriber Information for Es.hmmd2020@yahoo.com
9-3				Subscriber Information for rs.hmudat2020@yahoo.com
10-1				DocuSign PayPal – 05-01-2020
10-2				DocuSign PayPal – 09-20-2020
10-3				DocuSign PayPal Forgiveness – 05-19-2021
10-4				DocuSign ACAP SME – 03-12-2021
10-5				DocuSign ACAP SME – 03-25-2021
10-6				DocuSign Cross River Bank – 03-25-2021
10-7				DocuSign HM Management and Development, LLC – EIDL 08-06-2020
10-8				DocuSign HM Management and Development, LLC – EIDL-MOD – 04-27-2021
10-9				DocuSign HM-UP Development Alafaya Trails, LLC – EIDL – 08-06-2020
10-10				DocuSign HM-UP Development Alafaya Trails, LLC – EIDL-MOD – 04-27-2021
10-11				DocuSign HM Four, LLC – EIDL - 11-18-2020
10-12				DocuSign HM Four, LLC – EIDL-MOD 05-04-2021
11				Breezeline records
11-1				Summary of Breezeline records
12-1				HM Management and Development, LLC 1065 tax return for 2019
12-2				HM Management and Development, LLC IRS Form 940 for 2018

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12-3				HM Management and Development, LLC IRS Form 941s for 2018
12-4				Certifications of Non-existence of Record for HM Management and Development, LLC - 1065
12-5				Certifications of Non-existence of Record for HM Management and Development, LLC - 940
12-6				Certifications of Non-existence of Record for HM Management and Development, LLC - 941
13-1				HM-Up Development Alafaya Trails, LLC 1065 tax return for 2018
13-2				HM-Up Development Alafaya Trails, LLC 1065 tax return for 2019
13-3				Certification of Non-existence of Record for HM- Up Development Alafaya Trails, LLC - 1065
13-4				Certification of Lack of Record for HM-UP Development Alafaya Trails LLC - 940
13-5				Certification of Lack of Record for HM-UP Development Alafaya Trails LLC - 941
14				HM Four, LLC 1065 tax return for 2019
14-1				Certification of Non-existence of Record for HM Four, LLC - 1065
14-2				Certification of Lack of Record for HM Four LLC - 940
14-3				Certification of Lack of Record for HM Four LLC - 941
15				Eric Sheppard's 2019 1040 tax return
15-1				Eric Sheppard's 2020 tax return transcript - 1040
15-2				Certification of Lack of Record for Eric Sheppard - 1040
16-1				FL Dept of Revenue HM Management & Development, LLC records
16-2				FL Dept of Revenue no record for HM-UP Development Alafaya Trails, LLC
16-3				FL Dept of Revenue composite records for contractors
17				Composite Exhibit - PayPal Records for HM-UP Development Alafaya Trails, LLC (DISC)
17-1				Round 1 Portal Set Up Flow
17-2				Original Lead Information
17-3				PayPal Loan Calculator

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17-4				Application Data
17-5				SunTrust Bank records for CJUF III Flagler
17-6				BOA bank records for HM Management and Development, LLC
17-7				SunTrust bank records for HM Management and Development, LLC
17-8				Documents entitled "Payroll Report" and Payroll Wages Report"
17-9				Eric Sheppard DL
17-10				Emails w/PayPal
17-11				Application dated 5/1/2020, SBA Loan Note and DocuSign Certificate
17-12				SBA Note and Disbursement
18-1				Forgiveness Application dated 2/5/2021
18-2				SunTrust bank statements for HM Management and Development, LLC
18-3				"PPP Labor Report" and SunTrust bank records for HM-UP Development Alafaya Trails
18-4				Report of Utility Payments
18-5				Forgiveness Application dated 5/19/2021 and DocuSign Certificate
18-6				Forgiveness Approval Summary
19-1				PPP Round 2 – The Application
19-2				Original Lead Information and Application Data - submitted 1/19/21
19-3				Paycheck Protection Plan – Swift Force 1/19/21
19-4				Eric Sheppard DL
19-5				Document entitled "Labor Report"
19-6				Second Draw Application dated 1/24/2021
19-7				Document dated 1/23/2021 with Wells Fargo bank records for HM-UP Development Alafaya Trails, LLC

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19-8				2020 IRS Form 941s for HM-UP Development Alafaya Trails, LLC
19-9				2019 IRS 1065 income tax return for HM-UP Development Alafaya Trails, LLC
19-10				Typed list of Additional Information Provided, dated 2/15/2021
19-11				SunTrust and Wells Fargo bank statements for HM-UP Development Alafaya Trails, LLC
19-12				Second Draw Application dated 2/23/2021
19-13				2020 IRS 1065 tax return for HM-UP Development Alafaya Trails, LLC
19-14				Records submitted as "Missing payroll" 2/26/21
19-15				Typed lists of documents provided, dated 3/2/2021
19-16				Florida Department of Revenue forms
19-17				Typed document re Gross Receipts and Wells Fargo bank records
19-18				Note and Call History
19-19				Activity History – declination 3/6/21
19-20				Communication of 3/10/2021
19-21				PayPal Demonstrative Exhibit
20				Composite Exhibit - ACAP SME records (DISC)
20-1				Composite Exhibit -Northeast Bank records (DISC)
20-2				ACAP SME Portal/ Screenshot
20-3				Template/ Application excel
20-4				Backend Portal 3
20-5				Backend Portal 8
20-6				E Sheppard Driver's license
20-7				SunTrust bank statement for HM-UP Development Alafaya Trails, LLC

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20-8				2020 IRS Form 940
20-9				2020 IRS Form 941
20-10				FL Department of Revenue form
20-11				2020 IRS 1065 tax return for HM-UP Development Alafaya Trails, LLC
20-12				Loan Application/ Form 2483, dated 3/12/2021
20-13				Lender's Application/ Form 2484
20-14				SBA Note, Loan Application, and DocuSign Certificate (3/25/2021)
20-15				Voided checks
20-16				ACAP SME document log
20-17				Email of 3/30/2021
20-18				Loan Tab Details (Northeast Bank)
20-19				Form 940, Form 941, Dept of Revenue form (NE Bank production)
20-20				2020 IRS 1065 Tax Return for HM-UP Development Alafaya Trails, LLC
20-21				Loan Application/ Form 2483/ dated 3/12/2021 (NE Bank)
20-22				Loan Application and Note, 3/25/2021
20-23				DocuSign Certificate
20-24				Voided Check
21				Cross River Bank records for HM Management and Development, LLC (DISC)
21-1				2019 IRS Form 940
21-2				Loan Application information - esigned
21-3				Email Communication
22-1				Loan Application information - esigned

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22-2				Eric Sheppard's driver's license
22-3				2020 IRS 1065 tax return for HM Management and Development, LLC
22-4				2020 IRS Form 940 for HM Management and Development, LLC
22-5				Voided check
22-6				Closing Docs, Loan Application & Resolution to Borrow – DocuSigned
22-7				Loan Funded record
23-1				Sheppard Companies exhibit with percentages
23-2				Sheppard Company owners' chart
24				Mercedes Benz records
25				Mattress 1 One Lease agreement
26				Dick's Sporting Goods Lease Agreement
27				Burlington Coat Factory Lease Agreement
28				Composite Exhibit - Neil Cupersmith tax records (DISC)
29-1				HM Management and Development, LLC 1065 tax return for 2018
29-2				HM Management and Development, LLC 1065 tax return for 2019
29-3				HM Management and Development, LLC 1065 tax return for 2020
29-4				HM Management and Development, LLC Payroll for 2019
29-5				Emails from October 2020
29-6				Emails from December 15, 2021
29-7				Emails from December 21, 2021
29-8				Emails from December 22, 2021
29-9				HM Management and Development, LLC Profit and Loss for 2019
29-10				HM Management and Development, LLC Profit and Loss for 2020

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29-11				HM Management and Development, LLC Trial Balance for 2019
29-12				HM Management and Development, LLC Trial Balance for 2020
30-1				HM-UP Development Alafaya Trails, LLC 1065 tax return for 2018
30-2				HM-UP Development Alafaya Trails, LLC 1065 tax return for 2019
30-3				HM-UP Development Alafaya Trails, LLC 1065 tax return for 2020
30-4				Emails from October 2020
30-5				Emails from September 2021
30-6				HM-UP Development Alafaya Trails, LLC - Profit and Loss and Trial Balance for 2019
30-7				HM-UP Development Alafaya Trails, LLC - Profit and Loss and Trial Balance for 2020
31				HM Four, LLC 1065 tax return for 2019
32				HM Four, LLC 1065 tax return for 2020
33				HM Six 1065 tax return for 2019
34				Eric Sheppard 1040 tax return for 2019
35				Eric Sheppard 1040 tax return for 2020
36				Emails from Sept-Oct 2021
37				Tax Return Routing Docs
38				Emails from July 2022
39				Composite Exhibit- Truist/ SunTrust Bank (DISC)
39-1				HM Management and Development, LLC - Account x7571 signature cards
39-2				HM Management and Development, LLC - Account x7571, Bank Statement with 5/1/2020 deposit of \$146,457
39-3				HM Management and Development, LLC - Account x7571, Bank Statement with 8/1/2020 deposit of \$149,900

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39-4				HM Management and Development, LLC - Account x 7571, Bank Statement with 3/29/2021 deposit of \$148,591
39-5				HM Management and Development, LLC check dated 5/1/2020
39-6				HM-UP Development Alafaya Trails, LLC Account x5973, signature cards
39-7				HM-UP Development Alafaya Trails, LLC Account x5973, Bank Statement with 9/28/2020 deposit of \$149,900
39-8				HM-UP Development Alafaya Trails, LLC Account x5973, Bank Statement with 3/31/2021 deposit of \$148,397
39-9				Composite Exhibit - Account #5973 checks and withdrawal slips
39-10				HM-UP Development Alafaya Trails, LLC sample deposits from Mattress 1 One
39-11				HM Four Account x5817, signature cards
39-12				HM Four Account x5817, Bank Statement with 10/22/2020 deposit of \$149,900
40				SunTrust Account x5452
41-1				Summary of Bank Accounts and PPP- EIDL Loans
41-2				Summary of HM Management and Development SunTrust Account #7571 - Sources and Use of Funds
41-3				Summary of HM-UP Development Alafaya SunTrust Account#5973 - Sources and Use of Funds
41-4				Summary of HM Four SunTrust Account #5817 - Sources and Use of Funds
41-5				Summary of SunTrust Accounts #7571 #5973 #5817 - Sources and Use of Funds
41-6				Summary of Mortgage Payments from SunTrust Accounts# 7571-5973-5817
41-7				Summary of Mortgage Payments from HM Management and Development - Suntrust Account #7571
41-8				Summary of Mortgage Payments from HM-UP Development Alafaya - Suntrust Account#5973
41-9				Summary of Mortgage Payments from HM Four - Suntrust #5817
41-10				Summary of Credit Cards, Charges and Payments

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41-11				Summary of Payments to Individuals & Entities from SunTrust Accounts #7571 #5973 #5817
41-12				Summary of Payments to individuals and Entities from HM-UP Development Alafaya-SunTrust #5973
41-13				Summary of Payments to Individuals and Entities from HM Management-SunTrust #7571
41-14				Summary of Payments to Baluarte, J. Gonzalez and V. Gonzalez from BOA #5189 and SunTrust #7571 #5973 #5817
41-15				Summary of HM-UP Development Alafaya WellsFargo Acct #5874
42				Discover Card records
43				Intuition College Savings Solutions records
44				First Horizon records
45				Composite Exhibit – Bank of America records (DISC)
45-1				Signature card
46				Composite Exhibit - AmerAsia records (DISC)
46-1				Signature card
47				Composite Exhibit - One Florida Bank records (DISC)
47-1				Signature Card
47-2				Loan documents
48				Wells Fargo Bank records (DISC)
49				American Express records (DISC)
50-1				Law firm engagement letter with J.G. signature
50-2				DHS Form G-28 Notice of Appearance with J.G. signature
50-3				Letter to US Embassy in Mexico with J.G. signature
50-4				Email chain forwarding documents to J.G.
50-5				E Sheppard letter to law firm

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50-6				Email to remove J.G. from companies
50-7				Emails between J.G. and E. Sheppard re SBA loan application (3/23/20-3/30/20)
50-8				Forms 4506-T
50-9				SBA documents
50-10				HM Four, LLC 2018 Tax Return
50-11				HM-UP Development Alafaya Trails, LLC 2018 Tax Return
50-12				Attachments to email of 3/30/2020 (DISC)
51				SBA EIDL records for HM Management and Development, LLC (DISC)
52				SBA EIDL MOD records for HM Management and Development, LLC (DISC)
53				SBA EIDL records for HM-UP Development Alafaya Trails, LLC (DISC)
54				SBA EIDL MOD records for HM-UP Development, LLC (DISC)
55				SBA EIDL records for Sheppard Flagler Holdings, LLC (DISC)
56				SBA EIDL records for HM-UP Development Alafaya Trails – TRU, LLC (DISC)
57				SBA EIDL records for HM Six, LLC (Sept 2020) (DISC)
58				SBA EIDL records for HM Four, LLC (DISC)
58-1				Mattress One Lease document submitted with HM Four, LLC EIDL Application
59				SBA EIDL MOD records for HM Four, LLC (DISC)
60				SBA EIDL records for HM Six, LLC (Sept 2021) (DISC)
61				Nationwide Lending Direct engagement letter with E. Sheppard
62				Nationwide records for HM Management & Development, LLC (DISC)
63				Nationwide records for HM-UP Development Alafaya Trails, LLC (DISC)
64				Nationwide records for Sheppard Flagler Holdings, LLC (DISC)

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65				Nationwide records for HM Six, LLC (DISC)
66				Nationwide records for HM-UP Development Alafaya Trails -TRU, LLC (DISC)
67				Nationwide email communications with E. Sheppard
68				Nationwide text messages with E. Sheppard
69				AT&T records
70				GMC records
71				IP Address Summary
72				Loan Summary

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 24, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Aimee Jimenez
Aimee C. Jimenez
Assistant United States Attorney