

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
ERIC SHIBLEY,
Defendant.

NO. CR20-174JCC
JOINT PROPOSED
VERDICT FORM

WE, THE JURY, unanimously find the following:

Government's Proposed Verdict Form 1-10:

Count 1 (Wire Fraud): Electronic Transmission of A Team Holdings LLC loan note to Ready Capital on or about April 23, 2020

As to Count 1, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 2 (Wire Fraud): Electronic Transmission of Seattle's Finest Cannabis LLC PPP application to TCF Bank on or about April 25, 2020

As to Count 2, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 3 (Wire Fraud): Electronic Transmission of Dituri Construction LLC PPP application to Ready Capital on or about May 2, 2020

As to Count 3, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 4 (Wire Fraud): Electronic Transmission of Dituri Construction LLC PPP application to Celtic Bank on or about May 4, 2020

As to Count 4, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 5 (Wire Fraud): Electronic Transmission of SS1 LLC loan note to Harvest Small Business Finance on or about May 5, 2020

As to Count 5, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 6 (Wire Fraud): Electronic Transmission of Dituri Construction LLC EIDL application to SBA on or about June 7, 2020

As to Count 6, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 7 (Wire Fraud): Electronic Transmission of SS1 LLC EIDL application to SBA on or about June 7, 2020

As to Count 7, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 8 (Bank Fraud): Submission of Seattle's Finest Cannabis LLC PPP application to TCF Bank on or about April 25, 2020

As to Count 8, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 9 (Bank Fraud): Submission of A Team Holdings LLC loan note to Customers Bank on or about April 30, 2020

As to Count 9, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 10 (Bank Fraud): Submission of Dituri Construction LLC PPP application to Celtic Bank on or about May 4, 2020

As to Count 10, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

1 Defendant's Proposed Verdict Form 1-10:

2
3 **Count 1 (Wire Fraud): Electronic Transmission of A Team Holdings LLC loan note**
4 **with false certifications to Ready Capital on or about April 23, 2020**

5 As to Count 1, we find the Defendant ERIC SHIBLEY:

6
7 Guilty _____ Not Guilty _____

8
9 **Count 2 (Wire Fraud): Electronic Transmission of fraudulent PPP application in**
10 **the name of Seattle's Finest Cannabis LLC to TCF Bank on or about April 25, 2020**

11 As to Count 2, we find the Defendant ERIC SHIBLEY:

12
13 Guilty _____ Not Guilty _____

14 **Count 3 (Wire Fraud): Electronic Transmission of fraudulent PPP loan application**
15 **in the name of Dituri Construction LLC to Ready Capital on or about May 2, 2020**

16 As to Count 3, we find the Defendant ERIC SHIBLEY:

17
18 Guilty _____ Not Guilty _____

19
20
21 **Count 4 (Wire Fraud): Electronic Transmission of fraudulent PPP loan application**
22 **in the name of Dituri Construction LLC to Celtic Bank on or about May 4, 2020**

23 As to Count 4, we find the Defendant ERIC SHIBLEY:

24
25 Guilty _____ Not Guilty _____

Count 5 (Wire Fraud): Electronic Transmission of SS1 LLC loan note with false certifications to Harvest Small Business Finance on or about May 5, 2020

As to Count 5, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 6 (Wire Fraud): Electronic Transmission of fraudulent EIDL application in the name of Dituri Construction LLC to SBA on or about June 7, 2020

As to Count 6, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 7 (Wire Fraud): Electronic Transmission of fraudulent EIDL application in the name of SS1 LLC to SBA on or about June 7, 2020

As to Count 7, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

Count 8 (Bank Fraud): Submission of fraudulent PPP application in the name of Seattle's Finest Cannabis LLC to TCF Bank on or about April 25, 2020

As to Count 8, we find the Defendant ERIC SHIBLEY:

Guilty _____ Not Guilty _____

1 **Count 9 (Bank Fraud): Submission of A Team Holdings LLC loan note with false**
2 **certifications to Customers Bank on or about April 30, 2020**

3 As to Count 9, we find the Defendant ERIC SHIBLEY:

4
5 Guilty _____ Not Guilty _____
6
7

8 **Count 10 (Bank Fraud): Submission of fraudulent PPP loan application in the name**
9 **of Dituri Construction LLC to Celtic Bank on or about May 4, 2020**

10 As to Count 10, we find the Defendant ERIC SHIBLEY:

11
12 Guilty _____ Not Guilty _____
13
14

15 Government's Objection: The government believes that the verdict form should not list
16 terms like "fraudulent" or "false" because the wire communication need not be false or
17 fraudulent. Adding this language is not necessary and may cause confusion.

18
19 Defendant's Objection: Defendant believes that the verdict form should incorporate a
20 reference to the mental state.

1 **Count 11 (Money Laundering):** Transfer of \$960,000 from Wells Fargo account
2 ending in 9116 in the name of A Team Holdings LLC to Wells Fargo account ending
3 in 3536 in the name of A Team Holdings LLC on or about May 4, 2020

4 As to Count 11, we find the Defendant ERIC SHIBLEY:

5
6 Guilty _____ Not Guilty _____
7

8 **Count 12 (Money Laundering):** Transfer of \$563,500 from BECU account ending in
9 7277 in the name of Dituri Construction LLC to BECU account ending in 7219 in
10 the name of Dituri Construction LLC on or about May 6, 2020

11 As to Count 12, we find the Defendant ERIC SHIBLEY:

12
13 Guilty _____ Not Guilty _____
14

15 **Count 13 (Money Laundering):** Transfer of \$820,000 from BECU account ending in
16 9724 in the name of SS1 LLC to BECU account ending in 9683 in the name of SS1
17 LLC on or about May 19, 2020

18 As to Count 13, we find the Defendant ERIC SHIBLEY:

19
20 Guilty _____ Not Guilty _____
21

22 **Count 14 (Money Laundering):** Withdrawal of \$150,000 from Wells Fargo account
23 ending in 3536 in the name of A Team Holdings LLC on or about May 26, 2020

24 As to Count 14, we find the Defendant ERIC SHIBLEY:

25
26 Guilty _____ Not Guilty _____
27
28

Count 15 (Money Laundering): Deposit of \$20,000 cashier's check from Verity Credit Union into Navy Federal Credit Union account ending in 4507 in the name of ES1 LLC on or about June 22, 2020

As to Count 15, we find the Defendant ERIC SHIBLEY:

Guilty _____

Not Guilty _____

PRESIDING JUROR

DATE