ATTACHMENT A

STIPULATION OF FACTS

The undersigned parties stipulate and agree that the following facts are true and accurate and if this case had proceeded to trial, this Office would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter proceeded to trial.

Defendant Andra S. Thompson (Thompson), born in 1977, is a resident of Silver Spring, Maryland. Beginning no later than November 2019 and continuing through the present, in the District of Maryland, and elsewhere, Defendant, Co-Conspirator #1, and others conspired together and engaged in various schemes to defraud. One such scheme targeted the United States Small Business Administration (SBA) and SBA approved lenders, including Celtic Bank and Main Street Bank, to obtain fraudulent Paycheck Protection Program (PPP) loans and Economic Injury Disaster Loans (EIDLs). Another adjacent scheme targeted commercial equipment financing companies, including, among others, Navitas Credit Corporation, TCF National Bank, Technology Finance Company, and Hamni Bank to obtain equipment financing loans by falsely representing the sale of computer servers and related equipment through the use of false and fraudulent invoices.

To execute and attempt to execute both schemes to defraud, Defendant and his co-conspirators knowingly and willfully transmitted and caused to be transmitted by means of wire communications, in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, in violation of 18 U.S.C. §§ 371, 1343.

At the direction of Co-Conspirator #1 and with the assistance of Co-Conspirator #1 and other members of the conspiracy, Defendant prepared numerous false and fraudulent EIDL and PPP loan applications for purported businesses that did not exist in any legitimate capacity and that included false information concerning, among other things, the number of employees, monthly payroll costs, and revenue. The PPP applications included false and fraudulent Internal Revenue Service (IRS) tax forms and fraudulent payroll documents that Co-Conspirator #1 and other members of the conspiracy provided to Defendant . Defendant and his co-conspirators submitted these forms with the PPP applications to substantiate the false representations made therein.

To further the goals of both schemes, Defendant and Co-Conspirator #1 used the alias "Rico Serras." Defendant also used numerous email addresses as part of both schemes. These included, but were not limited to, rico@pacificwest.com, and alphabravotango@email.com, senergyconsultinggroup@email.com.

Defendant misused the fraudulently obtained EIDL loan proceeds to pay for cars, including a 2014 Lamborghini Aventador and a GMC Denali, and to pay for improvements to a family residence in Rowland, North Carolina.

In total, Defendant stipulates that, as part of the conspiracy, he fraudulently applied for 1 PPP loan and 3 EIDL loans totaling at least $716,575, and successfully obtained at least $300,000 in EIDL benefits.

Defendant, Co-Conspirator #1, and their co-conspirators simultaneously engaged in a conspiracy to defraud equipment financing companies by submitting false and fraudulent invoices evidencing the sale of computer servers and related equipment. The Defendant and his co-conspirators submitted invoices to the financing companies reflecting substantial sales of computer equipment to customers. Furthermore, the customers entered into financing agreements promising to make monthly payments in satisfaction of their obligations, and frequently asserted that they received the equipment and were satisfied with it. Upon approval of the financing agreement, the financing company typically remitted the sales price reflected on the invoice to the purported vendor. Unbeknownst to the financing company, the purported sales never occurred. After receiving the loan proceeds, Defendant, Co-Conspirator #1, and others would split the proceeds and provide approximately 75% to the customer. Defendant, Co-Conspirator #1, and members of the conspiracy would routinely keep up to 25% for themselves and/or share a portion of the remaining proceeds with brokers who referred the customer to them. Defendant, Co-Conspirator #1, and their co-conspirators performed this service for many customers located across the United States, including several located in the District of Maryland.

Defendant performed various roles and functions to further this conspiracy. For example, the conspiracy used false invoices, purportedly from one of Defendant's companies, to induce equipment financing companies to fund loans. Defendant posed as a customer seeking to finance the purchase of computer equipment from a company controlled by Co-Conspirator #1. Defendant transferred funds obtained through this scheme to accounts controlled by Co-Conspirator #1. Defendant also acted as a broker to identify and recruit potential customers and entice them to engage in the scheme to defraud commercial equipment financing companies described above. More than 20 equipment financing companies were victims of this scheme.

Defendant personally participated in at least three executions of the false invoice conspiracy's scheme. As part of those three wire fraud executions, Defendant stipulates that he and his co-conspirators applied for and successfully obtained approximately $813,360.

In total, as a result of his participation in both fraud conspiracies, Defendant stipulates that he and his co-conspirators conspired to defraud PPP lenders, equipment financing companies, and the United States of at least approximately $1,529,930. Defendant further stipulates that total victim loss from the schemes to defraud was at least approximately $1,113,360, of which he personally obtained approximately $847,280. Defendant's crimes are discussed in further detail below.

<u>Defendant, Co-Conspirator #1, and Defendant's Companies</u>

Defendant met Co-Conspirator #1 at some point in 2019 after responding to an internet advertisement. Defendant communicated with Co-Conspirator #1 through email, over the telephone, and in video calls. Co-Conspirator #1 connected Defendant with other individuals who participated in these schemes to defraud. At the time he met Co-Conspirator #1 and his associates, Defendant owned two companies. The first was Alpha Bravo Tango, LLC. (ABT), an automotive and logistics company based in Montgomery County, Maryland. The second was Novus Ordo Seclorum, LLC (NOS), a business services company based in the District of Columbia. Co-Conspirator #1 and his associates encouraged Defendant to acquire Senergy Consulting Group, Inc. (Senergy), an aged shelf-company based in Colorado. Defendant acquired Senergy on January 3, 2020, and registered it in Maryland as a foreign corporation authorized to conduct business. According to records that the Defendant filed with the Maryland Secretary of State, Senergy was information technology and equipment sales company. Defendant did not have employees, payroll, or substantial legitimate income at any of his three companies. Additionally, Senergy did not actually sell computer servers and related equipment or provide consulting services.

Fraudulent Applications For EIDL and PPP Loans

Beginning in April 2020, Defendant applied for EIDL loans on behalf of ABT, Senergy, and NOS. Defendant also applied for and caused an application to be submitted for PPP loans on behalf of ABT. In each instance, Defendant was directed to apply for the loans by Co-Conspirator #1 and was aided in submitting the applications by individuals working at Co-Conspirator #1's direction.

EIDL Loans

Defendant personally applied for three EIDL loans at the direction of Co-Conspirator #1 and with the assistance of individuals working with and for Co-Conspirator #1. In each instance he caused an interstate wire to be transmitted from Maryland to the SBA's servers in Iowa. The EIDL applications associated with each of the below loans contained multiple material misrepresentations concerning each businesses' gross revenues and employees. Two of the three applications resulted in the disbursement of funds to bank accounts controlled by Defendant. The third was approved but could not be funded based on discrepancies in the banking information Defendant provided the SBA.

Entity	Application Date	Requested Loan Amount	Funded Date
Alpha Bravo Tango	4/1/20	$150,000	5/26/2020
Senergy Consulting Group	6/19/20	$150,000	6/26/2020
Novus Ordo Seclorum	6/20/20	$150,000	N/A

Defendant proceeded to misuse the EIDL funds upon receipt. Specifically, Defendant used at least $48,286 from the ABT EIDL to pay for improvements to a family home in Rowland, North Carolina. Additionally, beginning in July 2020, Defendant used portions of the Senergy EIDL to make monthly payments on two vehicles: a 2014 Lamborghini Aventador ($1,430 per month) and a 2020 GMC Sierra ($1,472.75 per month).

PPP Loans

In addition to the EIDLs noted above, Defendant applied for and caused the submission of applications for PPP loans on behalf of ABT. Again, Defendant applied for these loans at Co-Conspirator #1's direction and with assistance from other members of the conspiracy, including Co-Conspirator #1.

On April 6, 2020, at or near Silver Spring, Maryland, Defendant electronically submitted an application to Main Street Bank for a $282,500 PPP loan on behalf of ABT. In it, Defendant falsely claimed that ABT had 13 employees and an average monthly payroll of $113,000. Defendant consulted with members of the conspiracy that he met through Co-Conspirator #1 in preparing and submitting this application. Defendant knew the application contained material misrepresentations because he knew ABT did not have employees or monthly payroll expenses as he indicated in the application. Main Street Bank did not approve Defendant's application.

On May 4, 2020, Defendant used email address rico@pacificwest.com to send an email to Co-Conspirator #1 that contained a list of ABT's purported employees and ABT's incorporation documents. On May 10, 2020, Co-Conspirator #1 forwarded those documents to another unindicted co-conspirator. On May 11, 2020, this unindicted co-conspirator sent Co-Conspirator #1 false payroll records and IRS payroll tax forms that reflected the information Defendant sent Co-Conspirator #1 on May 4, 2020.

On May 13, 2020, an additional unindicted co-conspirator electronically submitted an application to Celtic Bank for a $416,575 PPP loan on behalf of ABT. The application claimed ABT had 23 employees and $166,630 of monthly payroll expenses. The application also included the IRS payroll tax forms and payroll documents Co-Conspirator #1 received from an unindicted co-conspirator on May 11, 2020, which were created using information provided by Defendant to Co-Conspirator #1.

On May 18, 2020, Celtic Bank approved the ABT PPP loan application. On May 21, 2020, Celtic Bank deposited $416,575 into a Main Street Bank checking account ending in 1285 ("the 1285 account"), which Defendant opened in the name of ABT and which Defendant controlled. On May 28, 2020, Defendant transferred $416,600 from the 1285 account to a Main Street Bank checking account ending in 1951 account ("the 1951 account"), which Defendant opened in the name of ABT and which Defendant controlled.

Fearing that this fraud would be detected by Main Street Bank and law enforcement, on June 1, 2020, Defendant transferred $416,575 from the 1951 account back to the 1285 account. Then on June 8, 2020, Defendant contacted Celtic Bank by phone and email, using email address alphabravotango@email.com, to falsely report that the $416,575 had been obtained without Defendant's knowledge. On June 9, 2020, Celtic Bank recovered $416,575 from the 1285 account.

False Invoice Scheme to Defraud Commercial Equipment Financing Companies

Beginning no later than November 2019, Defendant joined Co-Conspirator #1's conspiracy with others to defraud equipment financing companies. Defendant participated in at least three executions of the conspiracy's scheme, as detailed below.

Navitas Loan - $89,261.80 In Actual Loss

On April 1, 2020, Co-Conspirator #1 used email address senergyconsultinggroup@gmail.com to send a false invoice to a representative of Navitas Credit Corporation (Navitas) showing the sale of $89,261.80 of computer equipment to a customer-business (Customer-1) by Senergy.

On April 6, 2020, Navitas entered into an equipment financing agreement with Customer-1 for $89,305. On April 7, 2020, Navitas deposited $89,261.80 into a Main Street Bank checking account ending in 0107 (the 0107 account), which Defendant opened in the name of Senergy and which Defendant controlled. On April 8, 2020, Defendant wired $84,261 from the 0107 account to a Truist checking account ending in 3134 controlled by Co-Conspirator #1 and in the name of Co-Conspirator #1's company (Company-1). Defendant wired the money to Co-Conspirator #1 to further their conspiracy to defraud equipment financing companies.

Between April 16-21, 2020, Co-Conspirator #1 mailed Customer-1 three checks to provide Customer-1 the money he sought to obtain by participating in this scheme. The checks were written from a Security Service Federal Credit Union Account ending in 8071 (the 8071 account) in the name of Company-1 and over which Co-Conspirator #1 had control.

Date of the Check	**Amount**	**Date Cashed**
4/16/20	$23,097.20	4/20/2020
4/17/20	$23,816.44	4/21/2020
4/18/20	$23.289.44	4/21/2020
Total:	**$70,203.08**	

TCF National Bank Loan - $499,923.66 In Actual Loss

On March 22, 2021, Co-Conspirator #1 provided TCF National Bank (TCF) an invoice that falsely showed the sale of $485,362.78 of computer equipment from Company-1 to Senergy. Also on March 22, 2021, at or near Silver Spring, Maryland, Defendant digitally signed an installment purchase agreement with TCF on behalf of Senergy to finance the purchase of the equipment indicated in the invoice. Defendant knew at the time he signed the agreement that the invoice was false and that he was not engaged in a legitimate purchase. Defendant also digitally signed the agreement to further his conspiracy with Co-Conspirator #1 and others to defraud equipment financing companies, such as TCF.

On March 23, 2021, TCF deposited $499,923.66 into the 8071 account. Between April 21, and June 8, 2021, Co-Conspirator #1 executed 12 wire transfers of funds from accounts Co-

Conspirator #1 controlled into the 1285 account, which Defendant controlled. These wires totaled $468,106.73. Co-Conspirator #1 provided this money to Defendant in connection with Defendant's involvement in this conspiracy.

Technology Finance Company/Hamni Bank Loan - $224,177.28 In Actual Loss

On July 29, 2021, Co-Conspirator #1 and another unindicted co-conspirator submitted a false invoice to Technology Finance Company (Tech Finance) showing the sale of $224,177.28 of computer equipment from Senergy to Company-1. That same day, Co-Conspirator #1 and another unindicted co-conspirator executed an installment payment agreement with Tech Finance to finance the purchase of the equipment indicated on the invoice. Also on July 29, 2021, Co-Conspirator #1 and the unindicted co-conspirator executed a written acknowledgement that their installment payment agreement with Tech Finance would be assigned to Hanmi Bank ("Hanmi") and that all payments due under the agreement were to be made to Hanmi.

On August 4, 2021, Hanmi deposited $224,177.28 into the 0107 account. That same day, at or near Silver Spring, Maryland, Defendant executed the following financial transactions:

1. Defendant transferred $150,000 from the 0107 account to the 1285 account;
2. Defendant transferred $150,000 from the 1285 account to the 1951 account;
3. Defendant wired $150,000 from the 1951 account to Security Service Federal Credit Union checking account ending in 4000 that belonged to and was controlled by Co-Conspirator #1.

Defendant executed each of these financial transactions knowing the money involved had been obtained through material misrepresentations made and caused by Co-Conspirator #1. Defendant also executed each of these financial transactions in furtherance of the conspiracy's objective to obtain money by defrauding equipment financing companies such as Tech Finance and Hanmi.

Company-1 and Co-Conspirator #1 failed to make any payments under the agreement to Hanmi. As such and in accordance with the assignment agreement, Tech Finance re-purchased the installment payment agreement from Hanmi on December 8, 2021, for $238,333.82.

SO STIPULATED:

David A. Peters
Trial Attorney, Fraud Section
Joseph Wenner
Assistant United States Attorney

Andra S. Thompson
Defendant

Christopher Macchiaroli, Esq.
Counsel to Defendant