UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO. 23-60019-CR-SINGHAL

UNITED STATES OF AMERICA

vs.

VLADIMIR SAINT-HILAIRE,

Defendant.
_____/

FACTUAL PROFFER

The United States of America (the "United States") and Defendant Vladimir Saint-Hilaire ("Defendant") agree that, were this case to proceed to trial, the United States would prove beyond a reasonable doubt the following facts, among others, which occurred in the Southern District of Florida and elsewhere:

1. From at least October 2019, and continuing through May 2021, Defendant conspired and agreed with Kervens Saint-Hilaire ("Kervens"), Patrick Ductant ("Ductant"), and others, to commit bank fraud and wire fraud. The purpose of the conspiracy was for Defendant and his co-conspirators to unlawfully enrich themselves by devising and executing a scheme and artifice to defraud financial institutions and the U.S. Small Business Administration ("SBA"). Defendant knew the unlawful purpose of the plan and willfully joined in it.

2. The bank fraud object of the conspiracy involved, among other things, Defendant and his co-conspirators unlawfully using the means of identification of other persons, and otherwise making materially false and fraudulent representations, to obtain money, funds, credits, and assets under the custody and control of financial institutions whose accounts were insured by the Federal Deposit Insurance Corporation, including, but not limited to, USAA Federal Savings

Bank (hereinafter, "USAA Bank"), Citibank, N.A. (hereinafter, "Citibank"), and TD Bank USA, N.A. (hereinafter, "TD Bank"). The wire fraud object of the conspiracy involved, among other things, Defendant and his co-conspirators unlawfully using the means of identification of other persons, and otherwise making materially false and fraudulent representations, to obtain loans through the SBA's Paycheck Protection Program ("PPP") and Economic Injury Disaster Loan ("EIDL") program. The PPP and EIDL program were designed to provide emergency financial assistance to the millions of Americans who were suffering from the economic effects caused by the COVID-19 pandemic.

3. To carry out the conspiracy and accomplish its purpose, Defendant and his co-conspirators unlawfully acquired personally identifiable information ("PII"), including social security numbers, dates of birth, and driver license numbers, of other persons (hereinafter, "Identity Theft Victims"). Some of the Identity Theft Victims were inmates then confined in federal and state prisons who played no role in the conspiracy and did not know that Defendant and his co-conspirator had acquired their PII. Co-defendant Terri Shana Davis, who during the conspiracy had access to PII through her employment at a company in Atlanta, Georgia, was one source of PII whom Defendant's co-conspirators paid for such PII. In exchange for payment, Davis provided the requested PII to Co-Conspirator 1, who in turn provided the PII that was possessed and used by Defendant and his co-conspirators.

4. In furtherance of the conspiracy, Defendant and his co-conspirators used Identity Theft Victims' PII, including counterfeit driver licenses obtained by Defendant and his co-conspirators bearing Identity Theft Victims' PII with other persons' photographs, to accomplish the following: (a) apply for and obtain fraudulent loans from financial institutions, including

personal loans from USAA Bank issued in the names of Identity Theft Victims; (b) apply for and obtain fraudulent loans from the SBA, including loans through the PPP and EIDL programs issued in the names of Identity Theft Victims; (c) open fraudulent bank accounts at financial institutions in the names of Identity Theft Victims and conduct fraudulent financial transactions within such accounts, including depositing and withdrawing the proceeds of fraudulent loans; (d) fraudulently obtain and use credit cards and debit cards issued by financial institutions in the names of Identity Theft Victims, including the purchase of money orders made payable to Defendant and his co-conspirators; and (e) otherwise divert fraud proceeds obtained in the names of Identity Theft Victims for the use and benefit of Defendant, his co-conspirators, and others, including, but not limited to, purchases of and/or payments toward homes, home improvements, luxury vehicles, and jewelry, and other expenses.

5. Defendant's particular role in the conspiracy included, among other things:

a. facilitating the receipt of fraud proceeds, unauthorized access devices, and other items unlawfully obtained using PII of Identity Theft Victims, which included tracking and receiving parcels containing such items addressed to Identity Theft Victims at addresses associated with co-conspirators;

b. possessing unauthorized access devices that were obtained and used in furtherance of the conspiracy, which included Identity Theft Victims' counterfeit driver licenses, debit and credit cards issued in Identity Theft Victims' names, and blank checks for bank accounts fraudulently opened in Identity Theft Victims' names, among other things; and

c. diverting fraud proceeds to himself by depositing into his TD Bank account Western Union Money Orders that were purchased with debit and credit cards issued in the names of Identity Theft Victims.

6. Specific instances of the way in which Defendant participated in the conspiracy included, but were not limited to, the following:

a. "S.W." was an Identity Theft Victim who, at all relevant times, was an inmate in the custody of the Federal Bureau of Prisons. During the conspiracy, Defendant and his co-conspirators unlawfully acquired and used S.W.'s PII without S.W.'s knowledge or authority to, among other things: open bank accounts in S.W.'s name at USAA Bank, Citibank, TD Bank, and other banks; obtain a $50,000 personal loan in S.W.'s name from USAA Bank; obtain credit and debit cards in S.W.'s name; and use credit and debit cards in S.W.'s name to purchase Western Union Money Orders. On or about April 27, 2020, Defendant tracked and picked up a FedEx package addressed to S.W. at an address in Fort Lauderdale, Florida. On February 4, 2021, during and in relation to the conspiracy, Defendant possessed in his bedroom and bedroom closet, among other things: a counterfeit Florida driver license bearing S.W.'s name and date of birth with another person's photograph; account documents for bank accounts in S.W.'s name at USAA bank, TD Bank, and other banks; blank checks for a TD Bank account in S.W.'s name; USAA credit cards statements for an account in S.W.'s name; 38 Western Union Money Orders, many of which were purchased with a T-Mobile Master Card ending 7715 in S.W.'s name, which was also Defendant's bedroom.

b. "M.W." was an Identity Theft Victim who, at all relevant times, was an

inmate in the custody of the Florida Department of Corrections. During and in furtherance of the conspiracy, Defendant and his co-conspirators unlawfully acquired and used M.W.'s PII without M.W.'s knowledge or authority to, among other things: open checking accounts at USAA Bank in M.W.'s name ending in '2861 (the "USAA 2861 Account") and '6369 (the "USAA 6369 Account"), and acquire USAA Visa debit cards in M.W.'s name ending in '5053 (the "USAA 5053 Visa") and '5737 (the "USAA 5734 Visa). The USAA 5053 Visa was linked to the USAA 2861 Account and the USAA 5734 Visa was linked to the USAA 6369 Account. On August 30, 2020, the USAA 2861 Account received via Automated Clearing House (ACH) transfer, which caused the transmission of a wire communication in interstate commerce, the proceeds of a $150,000 EDIL program loan that Defendant and his co-conspirators had fraudulently applied for using the PII of another Identity Theft Victim, "W.S." (hereinafter, the "W.S. EIDL"). Defendant and his co-conspirators transferred and withdrew the proceeds of the W.S. EIDL by, among other methods, using the USAA 5053 Visa and the USAA 5734 Visa to purchase Western Union Money Orders, many of which were deposited into Defendant's bank account at TD Bank ending in 4528. On February 4, 2021, during and in relation to the conspiracy, Defendant had possession in his bedroom closet the USAA 5053 Visa and the USAA 5734 Visa. Defendant also had in his possession account documents for the USAA 2861 Account in M.W.'s name.

7. As a result of Defendant's participation in the conspiracy, Defendant and his co-conspirators are responsible for causing an actual loss of $3,097,825, of which $1,045,325 in loss was incurred by USAA Bank and $2,052,500 in loss was incurred by the SBA. Defendant and his

co-conspirators used the fraudulently obtained proceeds to enrich themselves and others through approximately May 2021.

8. The United States and Defendant agree that these facts, which do not include all facts known to the United States and Defendant, are sufficient to prove beyond a reasonable doubt the elements of conspiracy to commit bank fraud and wire fraud, in violation of Title 18, United States Code, Section 1349, and aggravated identity theft, in violation of Title 18, United States Code, Section 1028A(a)(1), and that Defendant is in fact guilty of those offenses as charged in Count 1 and Count 23, respectively, of the Indictment.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

Date: 1/29/2024 By: _____
DAVID A. SNIDER
ASSISTANT UNITED STATES ATTORNEY

Date: 1/29/24 _____
JENNY WILSON
ASSISTANT FEDERAL PUBLIC DEFENDER
ATTORNEY FOR DEFENDANT

Date: 1/29/24 _____
VLADIMIR SAINT-HILAIRE
DEFENDANT