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RICHARD W. WICKING
U.S. DISTRICT COURT
NO. DIST. OF CALIF., S.J.

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United States Attorney
2
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7 Attorneys for Plaintiff
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
12

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 LAY ENG TEO,)
17 Defendant.)
18

No. CR-00-20280 JW

BINDING PLEA AGREEMENT

19 I, LAY ENG TEO, and the United States Attorney's Office for the Northern District of
20 California (hereafter "the government") enter into this written plea agreement (the "Agreement")
21 pursuant to Rules 11(c)(1)(A) & 11(c)(1)(C) of the Federal Rules of Criminal Procedure:

22 The Defendant's Promises

23 1. I agree to plead guilty to Counts One and Six of the captioned indictment charging
24 me with Conspiracy to Traffic in Counterfeit Goods, in violation of 18 U.S.C. § 371, and
25 Conspiracy to Launder Proceeds of a Specified Unlawful Activity, in violation of 18 U.S.C. §
26 1956(h). I agree that the elements of Conspiracy to Traffic in Counterfeit Goods and the
27 maximum penalties are as follows:

28 ///

BINDING PLEA AGREEMENT
CR-00-20280 JW

1 Elements:

2 (1) an agreement existed between two or more persons to intentionally traffic
3 or attempt to traffic in goods or services, and knowingly use a counterfeit mark on or in
4 connection with such goods or services, in violation of 18 U.S.C. § 2320;

5 (2) the defendant became a member of the conspiracy knowing of at least one of
6 its objects and intending to help accomplish it; and

7 (3) one of the members of the conspiracy performed at least one overt act for the
8 purpose of carrying out the conspiracy.

9 Maximum Penalties:

- 10 a. Maximum prison sentence 5 years
11 b. Maximum fine \$250,000, or twice the gross gain or
12 gross loss, whichever is greater.
13 c. Maximum supervised release term 3 years
14 d. Mandatory special assessment \$100
15 e. Restitution To be determined by the Court.
16 f. Other possible consequences: Deportation

17 I further agree that the elements of Conspiracy to Launder Proceeds of a Specified Unlawful
18 Activity and the maximum penalties are as follows:

19 Elements:

20 (1) an agreement existed between two or more persons to transfer funds from a
21 place in the United States to a place outside the United States with the intent to promote
22 the carrying on of a specified unlawful activity in violation of 18 U.S.C. § 1956(a)(2)(A);

23 (2) the defendant became a member of the conspiracy knowing of at least one of
24 its objects and intending to help accomplish it.

25 Maximum Penalties:

- 26 a. Maximum prison sentence 20 years
27 b. Maximum fine \$500,000, or twice the value
28 of the funds involved in the
transfers, whichever is greater.

- c. Maximum supervised release term 3 years
- d. Mandatory special assessment \$100
- e. Restitution To be determined by the Court.
- f. Other possible consequences: Deportation

2. I agree that I am guilty of the offense to which I will plead guilty, and I agree that the following facts are true:

A. From on or about and between March 1, 1995 and September 5, 2000, both dates being approximate and inclusive, in the Northern District of California, and elsewhere conspire with other persons to traffic in goods and knowingly use a counterfeit mark in connection with those goods, by knowingly purchasing counterfeit computer software that contained a counterfeit mark outside the United States, importing that software into the United States, and selling it in the United States. Specifically, I obtained counterfeit Microsoft software, negotiated to sell it within the United States, then shipped it via express mail services from Singapore to the United States.

B. In furtherance of the conspiracy and to attain the objects thereof, I committed the following acts, among others, in the Northern District of California and elsewhere. On or about the dates set forth below, I caused the following shipments of counterfeit computer software to be sent from a place outside of the United States and received at a place inside the United States, with each shipment constituting a separate overt act:

<u>Date</u>	<u>Exporter</u>	<u>Importer</u>
3/16/95	Wright Tech Multimedia	Arka Tech
8/3/95	LI Trading	Taj Tech, Ltd.
8/30/95	LI Trading	Abel Magana
11/7/95	YCW Trading	Abel Magana
12/13/99	Inves Marketing International	Dor Computers America

	<u>Date</u>	<u>Exporter</u>	<u>Importer</u>
1			
2	2/24/00	Lynn TEO	Doron Weinstein
3	2/25/00	Jorjy Intl. Pte Ltd.	Dor Computers America
4	4/3/00	Lynn TEO	Interplus
5	5/8/00	Lynn TEO	Interplus
6	6/20/00	Jorjy Intl Pte Ltd.	Dor Computers
7	7/18/00	St. Advanced Pte. Ltd.	Lucky Bytes
8	8/17/00	Descos Marketing Intl.	Lucky Bytes
9	8/22/00	St. Advanced Pte. Ltd.	Lucky Bytes
10	9/2/00	St. Advanced Pte. Ltd.	Lucky Bytes
11	9/30/00	St. Advanced Pte. Ltd.	Lucky Bytes

12 C. During the above time period, I utilized my company, Wright-Tech
13 Multimedia, located in Singapore, to traffic the counterfeit Microsoft software.

14 D. During the above time period, I generally accepted payment for the
15 counterfeit software I had smuggled into the United States by way of wire transfer
16 from a bank within the United States to a bank outside the United States,
17 generally in Singapore. The wire transfers were intended to promote the carrying
18 on of a specified unlawful activity, that is, traffic in counterfeit Microsoft
19 software, and included the following, among others:

	<u>Date</u>	<u>Wire Amount</u>	<u>Recipient</u>
20			
21	12/10/99	\$7,285	Wright-Tech Multimedia
22	12/22/99	\$6,305	Wright-Tech Multimedia
23	2/18/00	\$15,000	Wright-Tech Multimedia
24	2/24/00	\$7,800	Lynn Teo
25	2/24/00	\$3,650	Lynn Teo
26	2/28/00	\$15,000	Wright-Tech Multimedia
27	3/27/00	\$20,000	Wright-Tech Multimedia
28	4/6/00	\$1,435	Lynn Teo

	<u>Date</u>	<u>Wire Amount</u>	<u>Recipient</u>
1			
2	4/7/00	\$13,300	Wright-Tech Multimedia
3	4/28/00	\$20,000	Wright-Tech Multimedia
4	5/3/00	\$13,500	Wright-Tech Multimedia
5	6/19/00	\$12,000	Wright-Tech Multimedia
6	7/14/00	\$15,000	Wright-Tech Multimedia
7	8/9/00	\$10,000	Wright-Tech Multimedia
8	8/30/00	\$8,000	Wright-Tech Multimedia
9	9/25/00	\$15,000	Lay Eng Teo
10	10/13/00	\$15,000	Lay Eng Teo

11 3. I agree to give up all rights that I would have if I chose to proceed to trial,
12 including the rights to a jury trial with the assistance of an attorney; to confront and cross-
13 examine government witnesses; to remain silent or testify; to move to suppress evidence or raise
14 any other Fourth or Fifth Amendment claims; to any further discovery from the government; and
15 to pursue any affirmative defenses and present evidence.
16

17 4. I agree to give up my right to appeal my convictions, the judgments, and orders of
18 the Court. I also agree to waive any right I may have to appeal my sentence.
19

20 5. I agree not to file any collateral attack on my convictions or sentence, including a
21 petition under 28 U.S.C. §2255, at any time in the future after I am sentenced, except for a claim
22 that my constitutional right to the effective assistance of counsel was violated
23

24 6. I agree not to ask the Court to withdraw my guilty pleas at any time after they are
25 entered, unless the Court declines to accept the sentence agreed to by the parties. I agree that the
26 government may withdraw from this agreement if the Court does not accept the agreed upon
27 sentence set out below.
28

1 7. I agree that the Sentencing Guidelines should be calculated as follows, using the
2 1998 Guidelines Manual, and that I will not ask for any other adjustment to or reduction in the
3 offense level or for a downward departure of any kind:
4

5 Conspiracy to Traffic in Counterfeit Goods, in violation of 18 U.S.C. § 371:

- | | | | |
|----|----|--|-----|
| 6 | a. | Base Offense Level, U.S.S.G. §2B5.3(a): | 8 |
| 7 | b. | Loss (\$2.5M to \$5M) U.S.S.G. §2B5.3(b)(1) &
8 2F1.1(b)(1)(N): | +13 |
| 9 | c. | Importation of items U.S.S.G. §2B5.3(b)(2): | +2 |
| 10 | d. | Acceptance of responsibility:
11 (If I meet the requirements of
12 U.S.S.G. § 3E1.1) | -3 |
| 13 | e. | Adjusted offense level | 20 |

14 Conspiracy to Launder Proceeds of a Specified Unlawful Activity, in violation of 18 U.S.C. §
15 1956(h):

- | | | | |
|----|----|--|----|
| 16 | a. | Base Offense Level, U.S.S.G. §2S1.1(a)(2): | 20 |
| 17 | b. | Value of funds (\$100,000-\$200,000) | +1 |
| 18 | c. | Acceptance of responsibility:
19 (If I meet the requirements of
20 U.S.S.G. § 3E1.1) | -3 |
| 21 | d. | Adjusted offense level | 18 |

22 I agree that the offenses above do not group and that, pursuant to U.S.S.G. § 3D1.4(a), each
23 offense is assigned one unit, for a total of two (2) units. This results in an increase to the highest
24 offense level (here, 20) of two (2) levels, resulting in a Combined Offense Level of 22.

25 I agree that, regardless of any other provision in this agreement, the government may and will
26 provide to the Court and the Probation Office all information relevant to the charged offenses or
27
28

1 the sentencing decision.

2 8. I agree that an appropriate disposition of this case is as follows: 46 months
3 imprisonment, 3 years of supervised release (with conditions to be fixed by the Court), a possible
4 fine within the Court's discretion within the ranges stated in paragraph 1 above, and a \$100
5 special assessment per count. In return for the government's promises set out below, I agree to
6 pay restitution for all the losses caused by all the schemes or offenses with which I was charged
7 in this case, and I agree that the amount of restitution will not be limited to the loss attributable to
8 the count(s) to which I am pleading guilty, pursuant to 18 U.S.C. § 3663(a)(3). I agree that I will
9 make a good faith effort to pay any fine, forfeiture or restitution I am ordered to pay. Before or
10 after sentencing, I will, upon request of the Court, the government, or the U.S. Probation Office,
11 provide accurate and complete financial information, submit sworn statements and give
12 depositions under oath concerning my assets and my ability to pay, surrender assets I obtained as
13 a result of my crimes, and release funds and property under my control in order to pay any fine,
14 forfeiture, or restitution. I agree to pay the special assessment at the time of sentencing.

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18 9. I agree not to commit or attempt to commit any crimes before sentence is imposed
19 or before I surrender to serve my sentence. I also agree not to violate the terms of my pretrial
20 release (if any); intentionally provide false information to the Court, the Probation Office,
21 Pretrial Services, or the government; or fail to comply with any of the other promises I have
22 made in this Agreement. I agree that, if I fail to comply with any promises I have made in this
23 Agreement, then the government will be released from all of its promises in this agreement,
24 including those set forth in paragraphs 12 through 14 below, but I will not be released from my
25 guilty pleas.
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1 10. I agree that this Agreement contains all of the promises and agreements between
2 the government and me, and I will not claim otherwise in the future.

3 11. I agree that this Agreement binds the U.S. Attorney's Office for the Northern
4 District of California only, and does not bind any other federal, state, or local agency.

5
6 The Government's Promises

7 12. The government agrees to move to dismiss any open charges pending against the
8 defendant in the captioned indictment at the time of sentencing.

9 13. The government agrees not to file or seek any additional charges against the
10 defendant that could be filed as a result of the investigation that led to the captioned indictment.

11 14. The government agrees that the appropriate sentence in this case should be as set
12 forth in paragraph 8 above, unless the defendant violates the agreement as set forth in paragraph
13 9 above. Should the court find at the time of sentencing that the defendant is financially unable
14 to pay a fine, the government agrees not to recommend the imposition of any fine.

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17 The Defendant's Affirmations

18 15. I confirm that I have had adequate time to discuss this case, the evidence, and this
19 Agreement with my attorney, and that he has provided me with all the legal advice that I
20 requested.

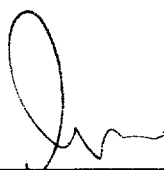
21 16. I confirm that while I considered signing this Agreement, and at the time I signed
22 it, I was not under the influence of any alcohol, drug, or medicine.

23 17. I confirm that my decision to enter a guilty plea is made knowing the charges that
24 have been brought against me, any possible defenses, and the benefits and possible detriments of
25 proceeding to trial. I also confirm that my decision to plead guilty is made voluntarily, and no
26
27
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1 one coerced or threatened me to enter into this agreement.

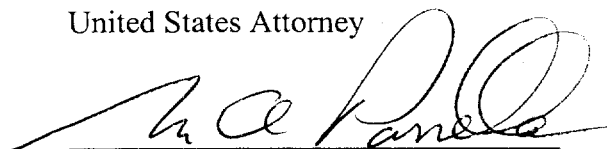
2 18. I confirm that I read this entire plea agreement with the assistance of an
3 interpreter and in the presence of my attorney.

4
5
6 Dated: 1/05/04


x _____
LAY ENG TEO
Defendant

7
8
9 KEVIN V. RYAN
10 United States Attorney


11 Dated: 1/5/04



MATTHEW A. PARRELLA
Assistant United States Attorney

12
13
14 I have fully explained to my client all the rights that a criminal defendant has and all the
15 terms of this Agreement. In my opinion, my client understands all the terms of this Agreement
16 and all the rights she is giving up by pleading guilty, and, based on the information now known
17 to me, her decision to plead guilty is knowing and voluntary.

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19
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21 Dated: 1/05/04



LUPE MARTINEZ
Attorney for Defendant

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United States District Court

FILED

NORTHERN DISTRICT OF CALIFORNIA JAN - 6 2004

UNITED STATES OF AMERICA
V.

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

CRIMINAL COMPLAINT

CHRISTINE MELE FELISE
449 Hale Avenue
Oakland, CA 94603

4-04-0007 WDB
CASE NUMBER:

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 2003 and January 6, 2004 in Alameda county, in the Northern District of California

CHRISTINE MELE FELISE,

defendant did, knowingly and falsely assumed and pretended to be an officer and employee of the United States acting under the authority of the Internal Revenue Service, and did knowingly act as such by advising a certain taxpayer that she was an auditor with the IRS and could assist this taxpayer with an IRS audit and in such pretended character knowingly obtained approximately \$9,300.00 from the taxpayer,

in violation of Title 18 United States Code, Section(s) 912.

I further state that I am a(n) Special Agent, TIGTA and that this complaint is based on the following facts:
Official Title

SEE ATTACHED AFFIDAVIT PREPARED BY JULIE M. PARODI, which is incorporated by reference herein.

PENALTIES: Maximum Penalties: Three (3) years imprisonment and a \$250,000 fine, and three (3) year term of supervised release, Restitution, and Special Assessment of not less than \$100.

PROCESS: ISSUE ARREST WARRANT (NO BAIL)

APPROVED AS TO FORM: Charles B. Bue 1/6/04
ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: Yes No

Julie M. Parodi
Signature of Complainant

Sworn to before me and subscribed in my presence,

1/6/04
Date

at Oakland, California
City and State

Wayne D. Brazil, Magistrate Judge
Name & Title of Judicial Officer

Wayne D. Brazil
Signature of Judicial Officer

ATTACHMENT A
AFFIDAVIT OF SPECIAL AGENT JULIE M. PARODI
TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

I, Julie M. Parodi, being duly sworn, upon my oath state as follows:

1. I am a Special Agent with the Treasury Inspector General for Tax Administration (TIGTA), and that I have been a Criminal Investigator since 1988. In that capacity, I have personally investigated or assisted in hundreds of investigations of various types of crimes including impersonation of government employees and bank fraud.

2. This affidavit is in support of a criminal complaint and arrest warrant charging Christine Mele FELISE, Social Security Number 565-35-7620, Date of Birth December 30, 1958, with impersonation of an Internal Revenue Service (IRS) employee, in violation of Title 18 United States Code, Section 912, Impersonation of a government official. The following information is based upon my investigation as well as information received from other IRS and law enforcement officials.

3. On or about December 29, 2003, I received a telephone call from Jennifer MITCHELL who told me that on or about July 4, 2003, Christine Mele FELISE told her that FELISE was an Internal Revenue Service (IRS) employee and was assisting MITCHELL with her IRS audit for tax year 2000.

4. MITCHELL told me that on or about March of 2003, she received an audit notice from the IRS. The notice stated that MITCHELL would be audited for her 2000 Form 1040, Individual Income Tax Return. According to the notice, MITCHELL was to appear at the Stockton, California IRS office for her audit on April 22, 2003. MITCHELL did not show for her audit appointment on the scheduled date. Subsequent to that date, MITCHELL contacted the Stockton, California, IRS office and was told that they would not accept her records as the audit was closed. MITCHELL told me that on or about July 4, 2003, during a family gathering, she was introduced to FELISE by SHEILA MORGAN, MITCHELL's fiancé's brother's wife. During the conversation, MITCHELL mentioned her IRS problem to FELISE and FELISE told her that she was an IRS employee and could assist her with her audit. According to MITCHELL, she provided FELISE with copies of her receipts and paperwork for the audit. MITCHELL told me that FELISE had MITCHELL's audit reassigned to her. FELISE advised her that MITCHELL's tax case was in tax court in Fresno, California and that the IRS had assessed MITCHELL \$16,762.00 in income tax to cover both the Federal and State of California tax liabilities.

5. MITCHELL told me that on or about September 20, 2003, FELISE asked her for \$9,000 for payment towards the tax liability. On September 20, 2003, MITCHELL withdrew \$5,000.00 in cash from her bank account at World Savings Bank and gave the cash to FELISE, as payment towards the tax liability. MITCHELL told me that she wrote FELISE check number 2268, dated

September 24, 2003, in the amount of \$4,000.00, from her World Savings Bank account, as payment for the remainder of her IRS tax liability.

6. I personally reviewed a copy of MITCHELL's World Savings Bank statement, dated October 19, 2003, which showed a cash withdrawal from MITCHELL's account on September 20, 2003, in the amount of \$5,000.00. I also reviewed the original cancelled check, #2268, drawn from the account of MITCHELL at World Savings Bank. The check was made payable to "Christine Felise," in the amount of \$4,000.00 and the memo section of the check stated "Taxes." The reverse side of the check had the name "Christine Felise" handwritten and "CAID: N661883 xp:12/30/07" printed underneath the signature.
7. I personally reviewed California Department of Motor Vehicle (CDMV) computerized records and identified California Driver License number N6661883 as belonging to CHRISTINE MELE FELISE.
8. MITCHELL told me that on or about November 3, 2003, FELISE contacted her again to ask for more money as payment towards MITCHELL's tax liability. Based on that request, MITCHELL paid FELISE an additional \$300 in cash.
9. On December 29, 2003, Special Agent Matthew LAMPO and I were at MITCHELL's place of business, located at 16384 East 14th Street, San Leandro, California, for the purpose of conducting a consensual electronically recorded and monitored telephone call to FELISE from MITCHELL, to obtain evidence of

FELISE's alleged impersonation of an IRS employee. Prior to the call being placed, FELISE arrived at the business and had a conversation with MITCHELL. Special Agent LAMPO and I were in a position to overhear their conversation. We personally heard FELISE ask MITCHELL for an additional \$4,200.00 as payment for FELISE's tax liability. We also overheard FELISE tell MITCHELL that she was an IRS employee and that she had been employed by the IRS for the past eighteen years. I personally heard FELISE tell MITCHELL that MITCHELL's State and Federal audits were combined and that MITCHELL owed a total of \$16,762.00 in combined tax liabilities. I heard FELISE confirm that she had already received \$9,300.00 from MITCHELL as payment for the tax liability. I also heard FELISE tell MITCHELL that she would provide MITCHELL with a receipt showing her that the \$9,300.00 previously paid by her was for MITCHELL's IRS tax liability.

10. On December 29, 2003, subsequent to the conversation between FELISE and MITCHELL, at MITCHELL's place of business, MITCHELL made a consensual electronically recorded and monitored telephone call to FELISE. During the call, FELISE indicated that she was an IRS Auditor, that the IRS pays her salary, and that the \$9,300.00 that MITCHELL paid to her went towards MITCHELL's IRS tax liability. During the telephone call FELISE told MITCHELL that FELISE borrowed \$4,200.00 to pay the remaining tax liability on MITCHELL's behalf. Although FELISE indicated that the remaining liability was more than \$4,200.00, she only wanted MITCHELL to pay her \$4,200.00 and the remainder was her "Merry Christmas."

11. I personally reviewed IRS W-2 records located on the IRS Integrated Data Retrieval System (IDRS) computer database and the Treasury Integrated Management Information System (TIMIS) database for former and current IRS employee listings for Christine Mele, ^{FELISE} which showed no information to indicate that a Christine Mele FELISE is or has ever been employed by the IRS.
12. I personally reviewed the IRS administrative audit file for Jennifer MITCHELL for tax year 2000. The file revealed that MITCHELL was sent an audit notice in March of 2003. MITCHELL did not show up for a scheduled audit appointment and the audit was closed. A tax assessment of \$14,592.00 is pending for that tax year, however the liability has not yet posted to her tax account. A review of MITCHELL's tax accounts at the IRS did not identify any payments made to any of her tax accounts during the year 2003.
13. On December 30, 2003, I received a telephone call from SHEILA MORGAN who told me that she was referred to me by MITCHELL. MORGAN also told me that FELISE told her that she was an IRS employee and that FELISE could get MORGAN a job at the IRS doing data entry.
14. On December 30, 2003, I personally met with MORGAN and showed her a copy of a California Department of Motor Vehicle photograph of FELISE and she identified the photograph as the person that she knows as Christine "Tina" FELISE.

15. MORGAN told me that on or about June of 2003, FELISE told her that she worked in the downtown Oakland, California, IRS office along with another IRS employee who FELISE identified as ROBIN WILLIAMS. According to MORGAN, FELISE offered MORGAN a part-time job working for WILLIAMS doing data entry from MORGAN's home and that FELISE would pay her at a rate of \$18.00 in cash until a full time job opened at the IRS office in September of 2003. According to MORGAN, FELISE told her that the IRS would provide her with a computer and desk at her home to do the IRS work.
16. MORGAN told me that she never met WILLIAMS, but spoke to a woman who identified herself as WILLIAMS on the telephone on at least two occasions in July of 2003. During one of those telephone calls, WILLIAMS told MORGAN that she also worked at the IRS with FELISE and that MORGAN would be paid \$18.00 per hour for her IRS job.
17. MORGAN told me that FELISE produced an employment contract to her in July of 2003, as proof that MORGAN was employed with the IRS. MORGAN also told me that FELISE filled out the employment contract in her presence.
18. I personally reviewed the employment contract provided to me by MORGAN. The employment application stated that ROBIN WILLIAMS of "Internal Revenue" was hiring MORGAN for the position of "data entry at Oakland."

19. MORGAN told me that she received approximately \$100-200.00 per week in cash on two or three occasions from FELISE as payment for MORGAN's IRS job.
20. MORGAN told me that on or about August 18, 2003, FELISE presented her with a letter that she purported was from the IRS which she claimed was proof to MORGAN that the IRS would pay "one million five hundred of whatever houses you have chosen under \$501,000.00" for relocation expenses for MORGAN and FELISE to relocate their IRS jobs to the State of Nevada. I reviewed the letter, dated August 18, 2003, and found that the letter contained a signature "BOB COLDWATER (Pres.)"
21. I personally reviewed the Treasury Integrated Management Information System (TIMIS) database for former and current IRS employee listings for IRS employment records, which showed no information to indicate that a SHEILA MORGAN, ROBIN WILLIAMS, or BOB COLDWATER is or has ever been employed by the IRS.
22. MORGAN told me that on or about June 23, 2003, FELISE asked to borrow \$4,000.00 from her as a personal loan with the understanding that FELISE would pay her back \$5,000.00, which included interest, by August 15, 2003.
23. MORGAN told me that she loaned FELISE the money by providing FELISE the following checks, from her personal account at Washington Mutual Bank: check number 4007, dated June 23, 2003, in the amount of \$1,000.00; check number

4030, dated July 10, 2003, in the amount of \$300.00; check number 4040, dated July 15, 2003, in the amount of \$2000.00; and check number 4041, dated July 21, 2003, in the amount of \$450.

24. I personally reviewed the original cancelled checks numbered 4007, 4030, 4040, and 4041 provided by MORGAN from her Washington Mutual Bank account which showed that the above four checks, totaling \$3,700.00 were made payable to "Christine Felise" and cashed at Washington Mutual Bank in Oakland, CA.
25. MORGAN told me that on August 15, 2003, FELISE wrote out check # 0165 drawn on a Washington Mutual Bank account # 387-398740, dated August 14, 2003, in the amount of \$5,000.00, in her presence as repayment for the personal loan that MORGAN made to FELISE. According to MORGAN, FELISE asked her to hold the check until August 19, 2003, before depositing the check, as the funds would not be available until that time.
26. MORGAN told me that on August 19, 2003, she deposited check #0165 into her own account at Washington Mutual Bank and wrote personal checks against that check. Subsequently, MORGAN received a notice from her bank that the check that FELISE had given to her was returned by the bank and stamped "no account/unable to locate."
27. MORGAN told me that on or about August 28, 2003, she confronted FELISE about the bad check and FELISE gave her check #381 drawn on Union Bank of

California, account #1391073002, dated August 28, 2003, in the amount of \$2,500.00 as partial payment for the personal loan. MORGAN told me that she deposited the check into her account at Washington Mutual Bank. MORGAN also told me that that this check was returned and the check was stamped "account closed/unable to locate."

28. MORGAN told me that on August 29, 2003, FELISE provided her with yet another check, #383, drawn on Union Bank of California account #1391073002 dated August 29, 2003, in the amount of \$5,000.00 as payment for the personal loan. MORGAN told me that she deposited the check into her account at Washington Mutual Bank. MORGAN told me that this check was returned and this check was stamped "account closed/unable to locate."
29. MORGAN told me that because the three checks that FELISE gave to her were returned from her bank as "account closed/unable to locate," Washington Mutual Bank closed MORGAN's bank account. MORGAN also told me that the bad checks resulted in Washington Mutual Bank sustaining ^{ing} a \$1,027.65 loss. She is required to pay that loss back to Washington Mutual Bank.
30. I personally reviewed an automated record check conducted through the National Law Enforcement Telecommunications System and the California Law Enforcement Telecommunications System (CLETS) identified an outstanding warrant for arrest for FELISE dated March 16, 2000, out of Reno, Nevada Police Department for Fraud-Insufficient Funds.

31. Based on the forgoing, there is probable cause to believe that the subject, Christine Mele FELISE impersonated an IRS Auditor, in violation of Title 18 United States Code, Section 912, Impersonation of a government official.



Julie M. Parodi
Special Agent
Treasury Inspector General
For Tax Administration

Sworn to before me and subscribed in my presence,

Jan. 6, 2004 at Oakland, California.
Date 2/1



United States Magistrate Judge