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KEVIN V. RYAN (CSBN 118321)
United States Attorney

FILED
03 JUN 11 PM 4:17
JUDITH W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEALED
BY COURT ORDER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MITCHELL TRUONG,
TOM TSAN,
 aka, Hong Cam Luu
JOHN LOC TSAN,
JOHNNY SANG LY,
TONY TRUONG,
 aka, Nhi A. Truong
LUIS CHUNG,
MICHAEL CAU TSAN,
THAI TUAN HOA,
RAYMOND KHANG CHI LY,
THOMAS VU NGUYEN,
 aka, Coco Nguyen
JIM HUA NG,
 aka, See Hing,

Defendants.

No. CR00-0118-MHP

VIOLATIONS:

- 18 U.S.C. § 1962(c)
- RICO
- 18 U.S.C. § 1962(d)
- RICO Conspiracy
- 18 U.S.C. § 1951(a)
- Conspiracy to Interfere with
 Commerce
- 18 U.S.C. § 844(i)
- Arson
- 18 U.S.C. § 1955
- Conducting an Unlawful
 Gambling Business
- 18 U.S.C. § 894
- Collection of Debt
- 18 U.S.C. § 892
- Extension of Debt
- 18 U.S.C. § 2
- Aiding and Abetting

SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

1 COUNT ONE: (18 U.S.C. § 1962(c) – RICO)

2 The Grand Jury charges:

3 The Enterprise

4 1. At various times relevant to this Superseding Indictment, **Mitchell Truong,**
5 **John Tsan, Johnny Ly, Tony Truong, Luis Chung, Michael Tsan, Thai Tuan Hoa,**
6 **Raymond Ly, Thomas Nguyen, and Jim Ng,** and others known and unknown to the
7 Grand Jury, were members of an association-in-fact, a criminal organization whose
8 members and associates engaged in acts of violence, including attempted murder, arson,
9 and extortion, and which operated principally in the Chinatown section of San Francisco,
10 California.

11 2. The organization, including its leadership, membership, and associates,
12 constituted an “enterprise” as defined by Title 18, United States Code, Section 1961(4)
13 (hereinafter “the enterprise”), that is, a group of individuals associated in fact. The
14 enterprise constituted an ongoing organization whose members functioned as a continuing
15 unit for a common purpose of achieving the objectives of the enterprise. This enterprise
16 was engaged in, and its activities affected, interstate and foreign commerce.

17 Purposes of the Enterprise

18 3. The purpose of the enterprise included the following:

19 a. Enriching the members and associates of the enterprise through,
20 among other things, extortion, robbery, the operation of illegal gambling businesses, debt
21 collection, and the extension of unlawful debt.

22 b. Preserving and protecting the power, territory, and profits of the
23 enterprise through the use of intimidation, violence, threats of violence, and assaults.

24 c. Promoting and enhancing the enterprise and its members’ and
25 associates’ activities.

26 d. Keeping victims in fear of the enterprise and in fear of its members
27 and associates through threats of violence.

Roles of the Defendants

1
2 4. The defendants participated in the operation and management of the
3 enterprise.

4 a. The defendant **Mitchell Truong** was a leader of the enterprise who
5 directed other members of the enterprise in carrying out unlawful and other activities in
6 furtherance of the conduct of the enterprise's affairs. Specifically, Mitchell Truong
7 directed members of the enterprise in the collection of street fees from gambling dens and
8 coordinated the initiation ceremony of new members.

9 b. The defendant **John Tsan** was a leader of the enterprise who
10 directed other members of the enterprise in carrying out unlawful and other activities in
11 furtherance of the conduct of the enterprise's affairs. Specifically, John Tsan directed
12 underlings in the collection of debts and in his bookmaking operation.

13 c. The defendant **Johnny Ly** was a mid-level member of the enterprise
14 who participated in unlawful and other activities in furtherance of the conduct of the
15 enterprise's affairs. Specifically, under the leadership of Mitchell Truong, defendant
16 Johnny Ly coordinated debt collections and extortions.

17 d. The defendant **Tony Truong** was a mid-level member of the
18 enterprise who, under the leadership of Mitchell Truong, coordinated debt collections and
19 extortions.

20 e. The defendant **Luis Chung** was a mid-level member of the
21 enterprise who coordinated debt collections, extortions, and arsons.

22 f. Under the leadership of Johnny Ly, the defendants **Thai Hoa** and
23 **Michael Tsan** participated in extortion activities.

24 g. Under the leadership of Luis Chung and others, the defendants
25 **Raymond Ly** and **Thomas Nguyen** participated in extortion activities.

26 h. Under the leadership of John Tsan and Tom Tsan, the defendant **Jim**
27 **Ng** participated in bookmaking and extortion activities.

1 Means and Methods of the Enterprise

2 5. Among the means and methods by which the defendants and their associates
3 conducted and participated in the conduct of the affairs of the enterprise were the
4 following:

5 a. Members of the enterprise and their associates committed, attempted
6 and threatened to commit acts of violence, including attempted murder, arson, and
7 extortion to protect and expand the enterprise's criminal operations.

8 b. Members of the enterprise and their associates promoted a climate of
9 fear through violence and threats of violence.

10 c. Members of the enterprise and their associates used and threatened to
11 use physical violence against various individuals.

12 The Racketeering Violation

13 6. From in or about 1990, through in or about January 2001, in the Northern
14 District of California and elsewhere, the defendants, **Mitchell Truong, John Tsan,**
15 **Johnny Ly, Tony Truong, Luis Chung, Michael Tsan, Thai Tuan Hoa, Raymond Ly,**
16 **Thomas Nguyen, and Jim Ng,** together with others known and unknown to the grand
17 jury, being persons employed by and associated with the enterprise described above,
18 which was an enterprise engaged in, and the activities of which affected, interstate and
19 foreign commerce, unlawfully and knowingly conducted and participated, directly and
20 indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering
21 activity, that is, through the commission of Racketeering Acts One through Eleven as set
22 forth in paragraph 7 below.

23 The Pattern of Racketeering Activity

24 7. The pattern of racketeering activity as defined in Title 18, United States Code,
25 Sections 1961(1) and 1961(5), through which the defendants, **Mitchell Truong, John**
26 **Tsan, Johnny Ly, Tony Truong, Luis Chung, Michael Tsan, Thai Tuan Hoa,**
27 **Raymond Ly, Thomas Nguyen, and Jim Ng,** conducted and participated, directly and
28 indirectly, in the conduct of the affairs of the enterprise, consisted of the following acts:

1 Racketeering Act One

2 The defendants **Luis Chung, Raymond Khang Chi Ly, and Thomas Nguyen**
3 committed the following acts, either one of which alone constitutes Racketeering Act
4 One:

5 a. As charged in Count Three of this Indictment, which is incorporated by
6 reference as if set forth in full herein, beginning at a time unknown but no later than
7 January 1998, and continuing through on or about January 17, 2001, in the Northern
8 District of California, and elsewhere, the defendants **Luis Chung, Raymond Khang Chi**
9 **Ly, and Thomas Nguyen** and others, known and unknown, did knowingly and
10 intentionally agree and conspire to obstruct, delay and affect commerce, and the
11 movement of United State currency and merchandise in commerce, by extortion, as
12 defined in Title 18, United States Code, Section 1951(b)(2), and by threatening physical
13 violence against another person, to wit: the operator of the Rookie karaoke bar in San
14 Francisco, California, which does business in interstate commerce, as defined in Title 18
15 United States Code Section 1951(b)(3), in violation of Title 18, United States Code,
16 Section 1951(a).

17 b. As charged in Count Four of this Indictment, which is incorporated by
18 reference as if set forth in full herein, on or about January 17, 2001, in the City and
19 County of San Francisco, within the Northern District of California, the defendants **Luis**
20 **Chung, Raymond Khang Chi Ly, and Thomas Nguyen** did knowingly attempt to
21 obstruct, delay and affect commerce, and the movement of United States currency and
22 merchandise in commerce, by extortion, as defined in Title 18, United States Code,
23 Section 1951(b)(2), and by threatening physical violence against another person, to wit:
24 the operator of the Rookie karaoke bar in San Francisco, California, which does business
25 in interstate commerce, as defined in Title 18, United States Code, Section 1951(b)(3),
26 and did aid and abet in the same.

27 The grand jury further alleges that this offense was committed during and in
28 furtherance of the conspiracy charged in Racketeering Act One (a).

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All in violation of Title 18, United States Code, Sections 2 and 1951(a).

Racketeering Act Two:

As charged in Count Five of this Indictment, which is incorporated by reference as if set forth in full herein, on or about January 24, 2001, the defendants **Luis Chung** and **Raymond Khang Chi Ly**, in the Northern District of California, maliciously damaged and destroyed and attempted to damage and destroy, by means of fire, a building used in and which affected interstate and foreign commerce, namely, the Mayflower Restaurant located at 6253 Geary Blvd., San Francisco, California, in violation of Title 18, United States Code, Sections 2 and 844(i).

Racketeering Act Three:

As charged in Count Six of this Indictment, which is incorporated by reference as if set forth in full herein, in or about and between September, 1999 and January, 2000, in the Northern District of California, the defendants **John Tsan, Luis Chung, and Jim Ng** and others, did unlawfully, wilfully and knowingly conduct, finance, manage, supervise, direct and own all or part of an illegal gambling business, said illegal gambling business involving sports bookmaking in violation of the laws of the State of California (California Penal Code Section 337a), in which said business was conducted; which illegal gambling business involved, during the period aforesaid, five or more persons who conducted, financed, managed, supervised, directed, and owned all or a part thereof; and which gambling business remained in substantially continuous operation for a period in excess of thirty days and had a gross revenue of \$2,000 in any single day, all in violation of Title 18, United States Code Sections 2 and 1955.

1 Racketeering Act Four:

2 As charged in Count Seven of this Indictment, which is incorporated by reference
3 as if set forth in full herein, on or about and between April 19, 1999 through April 25,
4 1999, in the Northern District of California, the defendants **Johnny Ly and Michael**
5 **Tsan**, and others known and unknown to the grand jury, did knowingly and intentionally
6 conspire and agree to use extortionate means, as defined in 18 U.S.C. § 891(7), to collect
7 and attempt to collect an extension of credit, as defined in 18 U.S.C. § 891.

8 In furtherance of this conspiracy and to effect and accomplish the objects of it, one
9 or more of the conspirators committed, among others, the following overt acts:

10 (a) On April 21, 1999 at 7:04 p.m., during a telephone conversation,
11 Michael Tsan and Johnny Ly discussed the collection of a debt from an unidentified
12 female. Michael Tsan described the debtor as "cocky." Johnny Ly told Michael Tsan to
13 set up a time for her to come out and beat her up. Johnny Ly further instructed Michael
14 Tsan to find a couple of people and beat up her husband too.

15 (b) On April 21, 1999 at 7:33 p.m., during a telephone conversation, Johnny
16 Ly discussed the debt with Thai Tuan Hoa. Thai Tuan Hoa said to "intimidate her a little,
17 then the old woman will be scared." Johnny Ly said, "after she comes out and gets beat
18 up, then she won't be cocky any more."

19 (c) On April 22, 1999 at 6:47 p.m., during a telephone conversation,
20 Michael Tsan told Johnny Ly that he was going down to look for the woman. Johnny Ly
21 told Michael Tsan that "if she's cocky, beat her up."

22 All in violation of Title 18, United States Code, Section 894.

23
24 Racketeering Act Five:

25 As charged in Count Eight of this Indictment, which is incorporated by reference
26 as if set forth in full herein, from on or about January 1994, through December 1999, in
27 the Northern District of California, the defendants **Mitchell Truong, Michael Tsan,**
28 **Tony Truong, and Jim Ng**, participated in the use of extortionate means within the

1 meaning of 18 U.S.C. § 891(7), to collect and attempt to collect an extension of credit, as
2 defined in 18 U.S.C. § 891, from a person known to the grand jury as Victim #1, and to
3 punish him for the nonrepayment of an extension of credit, and did aid and abet in the
4 same, all in violation of Title 18, United States Code, Sections 894 and 2.

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6 Racketeering Act Six:

7 As charged in Count Nine of this Indictment, which is incorporated by reference as
8 if set forth in full herein, from in or about September, 1998 through October, 1999, in the
9 Northern District of California, defendants **Johnny Ly, Thai Tuan Hoa, Tony Truong,**
10 and others, known and unknown, did knowingly and intentionally agree and conspire to
11 obstruct, delay and affect commerce, and the movement of United State currency and
12 merchandise in commerce, by extortion, as defined in Title 18, United States Code,
13 Section 1951(b)(2), to wit, the obtaining of property from another, with his consent,
14 induced by wrongful use of actual and threatened force, violence, and fear, from
15 operators of the Tin Yin gambling den located at 38 Wentworth Street, San Francisco,
16 California, which does business in interstate commerce, as defined in Title 18 United
17 States Code Section 1951(b)(3), in violation of Title 18, United States Code, Section
18 1951(a).

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20 Racketeering Act Seven:

21 From on or about April 23, 1999 through September 1, 1999, in the Northern
22 District of California, defendants **Mitchell Truong, Johnny Ly, Thai Tuan Hoa, Tony**
23 **Truong,** and others, known and unknown, knowingly conspired to commit the crime of
24 extortion in violation of California Penal Code Sections 518 and 520, to wit, intentionally
25 obtaining property from the operators of the Lee Wah gambling den located at 22 Ross
26 Alley, San Francisco, California, with their consent, induced by the wrongful use of fear,
27 as that term is defined in California Penal Code Section 519, force, and any threat.

28 In furtherance of this conspiracy and to effect and accomplish the objects of it, one

1 or more of the conspirators committed, among others, the following overt acts:

2 (a) On April 23, 1999 at 3:39 p.m., Johnny Ly telephoned the Lee Wah den
3 and told Lung Yeh that he would look for him later.

4 (b) On April 23, 1999 at 5:07 p.m., Johnny Ly telephoned the Lee Wah den
5 and told Lung Yeh to "come out in a minute."

6 (c) On April 23, 1999 at approximately 5:08 p.m. to 5:12 p.m., an individual
7 gave Johnny Ly cash or what appeared to be cash outside the Lee Wah den in Ross Alley.
8 Johnny Ly then got into a vehicle driven by Thai Tuan Hoa.

9 (d) On April 30, 1999 at 1:53 p.m., in a telephone conversation, Mitchell
10 Truong told Johnny Ly to contact Ah Lung and then call him back.

11 (e) On April 30, 1999 at 2:33 p.m., Johnny Ly telephoned the Lee Wah den
12 and told Lung Yeh that he was "outside right now, come out."

13 (f) On May 7, 1999 at 3:05 p.m. and again at 3:07 p.m., in telephone
14 conversations, Johnny Ly and Tony Truong to "wait until they have done some business
15 first. They don't have business now." Tong Truong told Johnny Ly that "getting one gor
16 is better than nothing."

17 (g) On May 7, 1999 at 4:13 p.m., Johnny Ly telephoned the Lee Wah den
18 and asked an unidentified male if he "can come down now?" The unidentified male told
19 Johnny Ly that he would "bring it outside the door" for him.

20 (h) On May 7, 1999 at approximately 4:25 p.m., Johnny Ly stopped his
21 vehicle in front of the Lee Wah den on Ross Alley. An unidentified male approached
22 Johnny Ly and gave him cash or what appeared to be cash.

23 All in violation of California Penal Code Section 182.
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1 Racketeering Act Eight:

2 From on or about May 6, 1999 through September 15, 1999, in the Northern
3 District of California, defendant **Mitchell Truong** knowingly and intentionally obtained
4 property from the operator of the gambling den located at 17 Jason Court, San Francisco,
5 California, with his consent, induced by the wrongful use of fear, as that term is defined
6 in California Penal Code Section 519, force, and any threat, all in violation of California
7 Penal Code Sections 518 and 520.

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9 Racketeering Act Nine:

10 On or about October 4, 1995, in the Northern District of California, the defendant,
11 **Luis Chung**, willfully, deliberately and with premeditation, unlawfully attempted to
12 murder Aiken Hall, a human being, with malice aforethought, by means of discharging a
13 firearm from a motor vehicle, in violation of California Penal Code Sections 664 and 187.

14
15 Racketeering Act Ten:

16 On or about and between February 1, 1994 and November 13, 1994, in the
17 Northern District of California, the defendants, **Tony Truong and Thomas Nguyen**,
18 knowingly and intentionally obtained property from the operator of the Ya-Kwang
19 nightclub located at 869 Ellis Street, San Francisco, California, with his consent, induced
20 by the wrongful use of fear, as that term is defined in California Penal Code Section 519,
21 force, and any threat, and did aid and abet in the same, all in violation of California Penal
22 Code Sections 518 and 520.

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24 Racketeering Act Eleven:

25 On or about June 19, 1995, in the Northern District of California, the defendants,
26 **Mitchell Truong and John Tsan**, did knowingly intimidate, use physical force against,
27 and threaten, and did attempt to intimidate, use physical force against, and threaten
28 Victim #2 and Victim #3 with the intent to influence, prevent, or delay the testimony of

1 Victim #2 and Victim #3 in criminal proceedings in the Municipal and Superior Courts of
2 the City and County of San Francisco, in violation of Title 18, United States Code,
3 Section 1512(b)(2)(A).

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5 All in violation of Title 18, United States Code, Section 1962(c).

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1 COUNT TWO: (18 U.S.C. § 1962(d) – RICO Conspiracy)

2 The Grand Jury charges:

3 1. The allegations contained in paragraphs 1 through 7 of Count One of this
4 Indictment are realleged in this Count and are incorporated by reference as if fully set
5 forth herein.

6 2. From in or about 1990 until at least January 2001, both dates being approximate
7 and inclusive, within the Northern District of California, the defendants **Mitchell**
8 **Truong, Tom Tsan, John Tsan, Johnny Ly, Tony Truong, Luis Chung, Michael**
9 **Tsan, Thai Tuan Hoa, Raymond Ly, Thomas Nguyen, and Jim Ng**, together with
10 other persons known and unknown to the Grand Jury, being persons employed by and
11 associated with the enterprise described in paragraphs 1 and 2 of Count One, which was
12 engaged in, and its activities affected, interstate and foreign commerce, knowingly,
13 willfully, and intentionally conspired to violate 18 U.S.C. § 1962(c), that is to conduct
14 and participate, directly and indirectly, in the conduct of the affairs of that enterprise
15 through a pattern of racketeering activity, as defined by Title 18, United States Code,
16 Sections 1961(1) and 1961(5). The pattern of racketeering activity through which the
17 defendants agreed to conduct the affairs of the enterprise consisted of the acts set forth in
18 paragraph 7 of Count One of this Superseding Indictment, which are incorporated as if
19 fully set forth herein.

20 3. It was part of the conspiracy that each defendant agreed that a conspirator
21 would commit at least two acts of racketeering in the conduct of the affairs of the
22 enterprise.

23 All in violation of Title 18, United States Code, Section 1962(d).
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1 COUNT THREE: (18 U.S.C. § 1951(a) – Conspiracy to Affect Interstate Commerce by
2 Extortion)

3 The Grand Jury charges:

4 Beginning at a time unknown but no later than January 1998, and continuing
5 through on or about January 17, 2001, in the Northern District of California, and
6 elsewhere, the defendants **Luis Chung, Raymond Khang Chi Ly, and Thomas Nguyen**
7 and others, known and unknown, did knowingly and intentionally agree and conspire to
8 obstruct, delay and affect commerce, and the movement of United State currency and
9 merchandise in commerce, by extortion, as defined in Title 18, United States Code,
10 Section 1951(b)(2), and by threatening physical violence against another person, to wit:
11 the operator of the Rookie karaoke bar in San Francisco, California, which does business
12 in interstate commerce, as defined in Title 18 United States Code Section 1951(b)(3).

13 All in violation of Title 18, United States Code, Section 1951(a).

1 COUNT FOUR: (18 U.S.C. §§ 2 and 1951(a) – Attempted Extortion Affecting Interstate
2 Commerce, and Aiding and Abetting)

3 The Grand Jury charges:

4 On or about January 17, 2001, in the City and County of San Francisco, within the
5 Northern District of California, the defendants **Luis Chung, Raymond Khang Chi Ly,**
6 **and Thomas Nguyen** did knowingly attempt to obstruct, delay and affect commerce, and
7 the movement of United States currency and merchandise in commerce, by extortion, as
8 defined in Title 18, United States Code, Section 1951(b)(2), and by threatening physical
9 violence against another person, to wit: the operator of the Rookie karaoke bar in San
10 Francisco, California, which does business in interstate commerce, as defined in Title 18,
11 United States Code, Section 1951(b)(3), and did aid and abet in the same.

12 The grand jury further alleges that this offense was committed during and in
13 furtherance of the conspiracy charged in Count Three.

14 All in violation of Title 18, United States Code, Sections 2 and 1951(a).

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1 COUNT FIVE: (18 U.S.C. §§ 2 and 844(i) – Arson)

2 The Grand Jury charges:

3 On or about January 24, 2001, the defendants **Luis Chung and Raymond Khang**
4 **Chi Ly**, in the Northern District of California, maliciously damaged and destroyed and
5 attempted to damage and destroy, by means of fire, a building used in and which affected
6 interstate and foreign commerce, namely, the Mayflower Restaurant located at 6253
7 Geary Blvd., San Francisco, California, and did aid and abet in the same.

8 All in violation of Title 18, United States Code, Sections 2 and 844(i).

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1 **COUNT SIX:** (18 U.S.C. §§ 2 and 1955 – Conducting an Unlawful Gambling Business)

2 The Grand Jury charges:

3 In or about and between September, 1999 and January, 2000, in the Northern
4 District of California, the defendants **John Tsan, Luis Chung, and Jim Ng** and others,
5 did unlawfully, wilfully and knowingly conduct, finance, manage, supervise, direct and
6 own all or part of an illegal gambling business, said illegal gambling business involving
7 sports bookmaking in violation of the laws of the State of California (California Penal
8 Code Section 337a), in which said business was conducted; which illegal gambling
9 business involved, during the period aforesaid, five or more persons who conducted,
10 financed, managed, supervised, directed, and owned all or a part thereof; and which
11 gambling business remained in substantially continuous operation for a period in excess
12 of thirty days and had a gross revenue of \$2,000 in any single day, and did aid and abet in
13 the same.

14 All in violation of Title 18, United States Code Sections 2 and 1955.

1 COUNT SEVEN: (18 U.S.C. § 894 – Conspiracy to Use Extortionate Means to
2 Collect an Extension of Credit)

3 The Grand Jury charges:

4 1. On or about and between April 19, 1999 through April 25, 1999, in the
5 Northern District of California, the defendants **Johnny Ly** and **Michael Tsan**, and others
6 known and unknown to the grand jury, did knowingly and intentionally conspire and
7 agree to use extortionate means, as defined in 18 U.S.C. § 891(7), to collect and attempt
8 to collect an extension of credit, as defined in 18 U.S.C. § 891.

9 2. In furtherance of this conspiracy and to effect and accomplish the objects of it,
10 one or more of the conspirators committed, among others, the following overt acts:

11 (a) On April 21, 1999 at 7:04 p.m., during a telephone conversation,
12 Michael Tsan and Johnny Ly discussed the collection of a debt from an unidentified
13 female. Michael Tsan described the debtor as “cocky.” Johnny Ly told Michael Tsan to
14 set up a time for her to come out and beat her up. Johnny Ly further instructed Michael
15 Tsan to find a couple of people and beat up her husband too.

16 (b) On April 21, 1999 at 7:33 p.m., during a telephone conversation, Johnny
17 Ly discussed the debt with Thai Tuan Hoa. Thai Tuan Hoa said to “intimidate her a little,
18 then the old woman will be scared.” Johnny Ly said, “after she comes out and gets beat
19 up, then she won’t be cocky any more.”

20 (c) On April 22, 1999 at 6:47 p.m., during a telephone conversation,
21 Michael Tsan told Johnny Ly that he was going down to look for the woman. Johnny Ly
22 told Michael Tsan that “if she’s cocky, beat her up.”

23 All in violation of Title 18, United States Code, Section 894.
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1 COUNT EIGHT: (18 U.S.C. §§ 2 and 894 – Use of Extortionate Means to Collect an
2 Extension of Credit)

3 The Grand Jury charges:

4 From on or about January 1994, through December 1999, in the Northern District
5 of California, the defendants **Mitchell Truong, Michael Tsan, Tony Truong, and Jim**
6 **Ng**, participated in the use of extortionate means within the meaning of 18 U.S.C. §
7 891(7), to collect and attempt to collect an extension of credit, as defined in 18 U.S.C. §
8 891, from a person known to the grand jury as Victim #1, and to punish him for the
9 nonrepayment of an extension of credit, and did aid and abet in the same.

10 All in violation of Title 18, United States Code, Sections 2 and 894.

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1 COUNT NINE: (18 U.S.C. § 1951(a) – Conspiracy to Affect Interstate Commerce by
2 Extortion)

3 The Grand Jury charges:

4 From in or about September, 1998 through October, 1999, in the Northern District
5 of California, defendants **Johnny Ly, Thai Tuan Hoa, Tony Truong**, and others, known
6 and unknown, did knowingly and intentionally agree and conspire to obstruct, delay and
7 affect commerce, and the movement of United State currency and merchandise in
8 commerce, by extortion, as defined in Title 18, United States Code, Section 1951(b)(2), to
9 wit, the obtaining of property from another, with his consent, induced by wrongful use of
10 actual and threatened force, violence, and fear, from operators of the Tin Yin gambling
11 den located at 38 Wentworth Street, San Francisco, California, which does business in
12 interstate commerce, as defined in Title 18 United States Code Section 1951(b)(3).

13 All in violation of Title 18, United States Code, Section 1951(a).

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1 COUNT TEN: (18 U.S.C. § 892 – Extortionate Extension of Credit)

2 The Grand Jury charges:

3 In or about and between March 1999 and March 2000, in the Northern District of
4 California and elsewhere, the defendant **Tom Tsan**, made extortionate extensions of
5 credit, as that term is defined in 18 U.S.C. § 891(6), to persons identified in records
6 recovered from the defendant's person, with respect to which extensions of credit it was
7 the understanding of said defendant-creditor and of said debtor that delay in making
8 repayment or failure to make repayment could result in the use of violence or other
9 criminal means to harm the person, reputation, or property of said debtor and others.

10 All in violation of Title 18, United States Code, Section 892.

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DATED:

A TRUE BILL.

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FOREPERSON

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KEVIN V. RYAN
United States Attorney

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CHARLES B. BURCH
Chief, Criminal Division

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(Approved as to form: 

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