

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

United States of America
v.
TRISHA PATEL

Case No.
6:23-mj-2360

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 18, 2021 - present in the county of Orange in the
Middle District of Florida, the defendant(s) violated:

Code Section 18 U.S.C. § 1349 Offense Description Conspiracy to commit wire fraud.

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Alexander N. Duda (Signature)

Complainant's signature

Alexander N. Duda, Special Agent

Printed name and title

Sworn to before me over the telephone or other reliable electronic means and signed by me pursuant to Fed. R. Crim. P. 4.1 and 4(d).

Date: 12/6/2023

City and state: Orlando, Florida

Daniel C. Irick (Signature)

DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE

**STATE OF FLORIDA**

**CASE NO. 6:23-mj- 2360**

**COUNTY OF ORANGE**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Alexander N. Duda, being duly sworn, state as follows:

1. I am a Special Agent with the FBI and have been employed as such since August 2002. I am currently assigned to the FBI's Tampa Division at the Orlando Resident Agency in Orlando, Florida, and I am responsible for investigating white collar crimes. I am familiar with, and have employed, various investigative techniques during these investigations, such as the use of cooperating witnesses, confidential human sources, analysis of telephone records, search warrants, consensual recordings, interviews, surveillance, and grand jury investigations. As a Special Agent with the FBI, I am authorized to seek and execute arrest, search, and seizure warrants. Over the course of my law enforcement career, I have participated in numerous arrest and search warrants.

2. This affidavit is made in support of a criminal complaint charging TRISHA PATEL with conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349.

3. The statements of this affidavit are based on my personal knowledge and on information I have received from other law enforcement

personnel, persons with knowledge regarding relevant facts, and subpoena responses. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging TRISHA PATEL with conspiracy to commit wire fraud, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

#### **PROBABLE CAUSE**

4. In December 2019, a federal Grand Jury in this District indicted Nikesh Ajay Patel for conspiracy, wire fraud, and money laundering for a conspiracy and scheme that he committed in the Middle District of Florida to defraud the United States Department of Agriculture (USDA) and the Federal Agricultural Mortgage Corporation (Farmer Mac) out of over \$19 million (*See*, 6:19-cr-259-PGB-GJK). Patel committed these offenses while he was on federal supervised release for a similar scheme in the United States District Court for the Northern District of Illinois (*See, U.S. v. Nikesh Patel*, Case No. 1:14-cr-546). On March 6, 2018, Patel was sentenced to 25 years in federal prison for the case in the Northern District of Illinois.

5. On February 28, 2023, Nikesh Patel pleaded guilty before U.S. Magistrate Judge Hoffman-Price to all charges in the 13-count indictment

pending in this District. His plea was accepted by U.S. District Judge Paul G. Byron on March 15, 2023, and sentencing is currently scheduled for December 11, 2023.

6. While this case has been pending, I have learned that Nikesh Patel, conspiring with and aided and abetted by his wife, TRISHA PATEL, has perpetrated a new scheme involving millions of dollars. This fraud was not previously known by law enforcement and was not part of the guilty pleas in either of the aforementioned cases against Nikesh Patel.

7. This new scheme commenced while Nikesh Patel was a federal prisoner in the custody of the Bureau of Prisons for his conviction from the Northern District of Illinois for a \$179 million fraud scheme, and also while Nikesh Patel was under Indictment for the over \$19 million fraud scheme in the Middle District of Florida. In both of his prior cases, Nikesh Patel created fictitious loans and used the guise of USDA guarantees to sell the guaranteed portions of the loans. This new scheme has continued and is currently being operated by Nikesh Patel from within the Seminole County Jail, with the aid and assistance of his wife TRISHA PATEL (referred to herein as “Patels”). TRISHA PATEL has resided in the Middle District of Florida throughout the events described in this affidavit.

8. My investigation reveals that the Patels made misrepresentations that led the USDA to guarantee \$6,832,000 of a \$8,540,000 fictitious loan (80% of the loan amount) on October 18, 2021. Upon obtaining the USDA guarantee, the Patels sold the loan to Hanover Securities for \$7,446,880 on November 10, 2021. Hanover Securities is a registered broker-dealer located in Memphis, Tennessee.

9. The Patels conducted this scheme by creating a company named Community 1<sup>st</sup> Mortgage LLC (1<sup>st</sup>) and represented to the USDA that 1<sup>st</sup> was a lender. In the Northern District of Illinois case, Nikesh Patel sold fictitious loans under the false representation that the loans were guaranteed by the USDA. In the case currently pending sentencing in this district, Nikesh Patel used the fictitious loans to obtain actual guarantees from the USDA and used a fake identity representing a banker with a legitimate bank to further the scheme. Now, in the scheme currently under investigation, the Patels created a fictitious lender (1<sup>st</sup>) and further created a fictitious individual named “Maya Greer” to act as an officer of 1<sup>st</sup>. As stated further herein, TRISHA PATEL fraudulently portrayed the “Maya Greer” individual and committed multiple overt acts in order to facilitate the wire fraud conspiracy with her husband, Nikesh Patel.

10. 1<sup>st</sup> was registered in Delaware on February 10, 2021, and subsequently registered in Florida on December 27, 2021. The principal address for 1<sup>st</sup> is a virtual office in New York City. The registered agent is an Orlando, Florida attorney (Attorney 1). Attorney 1 is further identified as a business attorney for Nikesh Patel. TRISHA PATEL opened several bank accounts under 1<sup>st</sup>, including an account with Fidelity Investments, account number ending 4904 (“Fidelity 4904”). Fidelity 4904 was opened by TRISHA PATEL on October 11, 2021, and the first transaction on the account was the receipt of the fraudulent loan proceeds. The Patels used 1<sup>st</sup> to submit a fictitious loan package to the USDA in order to obtain a guarantee.

11. The fictitious loan represented that a company named Precision Powered Products, Inc. (“PPP”), based in Houston, Texas, will borrow \$8,540,000 from 1<sup>st</sup> in order to expand their operations to Puerto Rico. PPP is an actual business involved in the manufacturing of commercial pumps. The represented use of the funds included the lease of a facility in Puerto Rico and the purchase of machinery and equipment. “Maya Greer” is the signer on all the loan documentation for 1<sup>st</sup>.

12. “Robert Engelmeyer” is the signer on the loan documentation on behalf of PPP. Like Greer, Engelmeyer is believed to be a fictitious identity used by the Patels in furtherance of this scheme. The phone number associated

with Engelmeyer within the loan package is 832-639-2692. TRISHA PATEL obtained this number using an app named “Burner” on February 18, 2021. The Burner app allows a user to choose a phone number to use as an additional phone number on their existing cellular phone. Based on records received from subpoenas, I have learned that TRISHA PATEL is the owner, user, and financially liable party for the AT&T cellular phone number used to create the Engelmeyer phone number. The loan package also attributes email address Robertengelmeyer@yahoo.com to Engelmeyer. The registration date of this email address is February 18, 2021, the same date phone number 832-639-2692 was obtained. The recovery phone number for this email address is TRISHA PATEL’s cellular phone. The registration Internet Protocol address for the email creation resolves to Orlando, Florida.

13. It appears as though the Patels have acquired ownership of PPP during this scheme based upon the fact that Nikesh Patel has been directing the operations of PPP from the Seminole County Jail for over a year. I learned that Nikesh Patel has been directing operations at PPP based upon recorded phone calls and emails generated by Nikesh Patel, all of which are preserved by the Seminole County Jail. Additionally, a new PPP bank account was opened at First Guaranty Bank on July 7, 2022, and TRISHA PATEL is a signatory on that account.

14. According to the fictitious loan documentation, the facility leased by PPP for a 15-year term is located at Lot 1 Carretera PR, 100 km 6.2 Miradero Wd., Cabo Rojo, Puerto Rico 00623. The loan package submitted to the USDA included a site plan dated September, 2002 and depicting a furniture store at the location and a commercial lease agreement with a commencement date of October 18, 2021. The landlord is identified as Rojo Realty Trust in Miami, Florida and the tenant is PPP. On October 4, 2023, an FBI Special Agent visited the lease address in Cabo Rojo, Puerto Rico and provided photos depicting the building. The building is not, as portrayed in the loan package, a PPP facility. The building has no connection with the production of commercial pumps whatsoever. Instead, the building is named “Agma Village Center” and is under extensive renovation. A sign in front of the building states that commercial spaces are available for rent ranging from 590 to 1,800 square feet in size. The building is owned by Agma Group LLC. Public records indicate that Agma Group LLC purchased the building for \$970,000 on May 13, 2022. A Florida Division of Corporations search for Rojo Realty Trust was negative. Therefore, the loan package to the USDA contained fraudulent misrepresentations in order to secure the guarantee for the loan.



15. I have obtained and reviewed many jail email communications for Nikesh Patel during the period of 2021 to present. These emails contain evidence of Nikesh Patel and TRISHA PATEL conspiring to commit the fraudulent scheme and evidence that TRISHA PATEL is posing as the fictitious person “Maya Greer.” On November 10, 2021, the date that Hanover Securities purchased the loan for \$7,446,880, TRISHA PATEL emailed Nikesh Patel, stating in part “It’s here!!!! Finally.” Nikesh Patel responded “Amazing news! I will call after count, after 5pm. Make sure its showing credited and available.”

16. On October 2, 2023, a banker located in Minnesota emailed Maya Greer at email address [maya@community1stmortgagetrust.com](mailto:maya@community1stmortgagetrust.com) (Maya Greer email account) asking Greer to call him. The banker received a reply from Greer stating, in part “I’ve been asked to keep our communication limited to writing/email until we have a better understanding of your concerns and intentions. I apologize for this inconvenience and sincerely hope that we can gain an understanding of and immediately resolve any of your concerns, after which time I’d be more than happy to talk by telephone or Zoom call. I would appreciate an email response from you outlining any questions, concerns, or documents you would like to review so then I can consult with my management and respond to you.” A review of Nikesh Patel’s jail emails

on the same date indicate that TRISHA PATEL sent Nikesh Patel the text of the original email from the banker. Ten minutes later, Nikesh Patel replied to TRISHA PATEL, writing “Can say (reply to all)...”, followed by the exact text that was sent to the banker from the Maya Greer email account. Nikesh Patel dictated several additional messages for TRISHA PATEL, which were then sent to the banker from the Maya Greer email, following the initial email described above.

17. Additional evidence that Maya Greer is not a real person, but rather an alias for TRISHA PATEL, has been found in Nikesh Patel’s jail emails. For instance, on November 24, 2021, Nikesh Patel emailed TRISHA PATEL various instructions related to 1<sup>st</sup>. The email contained, in part, the following: “Contact ADP Total Source.....Tell them your interested in their services for payroll and medical/dental/vision benefits. Get a quote for Comm 1<sup>st</sup>. Right now it will just be you on payroll and you will need to take a minimum payroll like 5k a month, and get the best possible medical/dental/vision plan that they offer, which will come out of the \$5k payroll and the rest will be direct deposited into your account. They will give some options for plans, but we need to set this up since once we have an employee, the employee will be added to the ADP Total source payroll service.” This email indicates that 1<sup>st</sup> had no employees other than TRISHA PATEL during the

time period of the fictitious loan and the sale of the loan to Hanover Securities.

18. In the same email, Nikesh Patel also directed TRISHA PATEL to purchase a personal laptop or computer, writing “Need to get a Microsoft Surface, make sure its loaded up with all the Microsoft Office suite and Adobe Acrobat. Password the computer at home so the girls can’t get access onto it....”.

19. The Patels also discussed the preparation of the fictitious loan documents using jail emails. The loan package included an equipment invoice purportedly from GE Electric representing a \$9,775,000 fee to provide various equipment to PPP in Cabo Rojo, Puerto Rico. An equipment depreciation estimate, signed by a licensed appraiser, was also included. The GE Electric address on the invoice resolves to a residential home in McKinney, Texas. The Patels discussed obtaining the depreciation estimate over jail emails. On May 6, 2021, Nikesh Patel emailed TRISHA PATEL instructions, stating in part “Just copy and paste the list into a word document (without any reference to GE), and send the below email: “...Attached is a list of the equipment. It is all being purchased brand new. Please take a look at the list and let me know if you can get this done by the end of this weekend. Our goal is to have it by Monday so it’s the last missing item due to the lender. Also please let me

know a ballpark for the estimated time you will spend on this, so I know the approximate cost. All of the equipment is brand new, however the manufacturer is overseas so they don't understand the concept of useful life, etc. So it would require you to review the list and make a determination.....”.

Nikesh Patel directed TRISHA PATEL to send the email to an accountant.

The email also indicates that the Patels wanted to deceive the accountant and identify the equipment as coming from an overseas manufacturer as opposed to GE Electric.

20. Hanover Securities was initially contacted by the Maya Greer email account on March 2, 2021. The Internet Protocol address for this email resolves to Orlando, Florida. As noted above, Hanover Securities is located in Memphis, Tennessee. Therefore, TRISHA PATEL transmitted or caused to be transmitted by wire, some communication in interstate commerce to help carry out the scheme to defraud. TRISHA PATEL, acting as “Greer,” offered Hanover Securities the opportunity to place a bid to purchase the loan and described the loan terms, including that the loan would be 80% guaranteed by the USDA. Hanover agreed to purchase the loan from 1<sup>st</sup> and on November 10, 2021, wired the agreed amount of \$7,446,880 from a BMO Harris bank account to the Fidelity 4904 account.

21. A financial analysis has been performed on the funds received from Hanover Securities. TRISHA PATEL transferred approximately \$3.7 million of the proceeds to four other bank accounts of which she is the signatory. She also transferred \$2,125,000 to Attorney 1. From these secondary accounts, expenditures by TRISHA PATEL included \$500,000 in cryptocurrency, approximately \$200,000 in transfers to the private schools attended by her four children, \$81,000 towards the purchase of a new BMW and \$91,000 for rent. Approximately \$1.18 million was used to pay various attorneys, lobbyists, and consultants on behalf of Nikesh Patel. The majority of the remaining funds went to another business entity associated with the Patels. There is no evidence that 1<sup>st</sup> is a legitimate lender and no evidence that 1<sup>st</sup> loaned PPP \$8,540,000. Additionally, there were no payments, as payroll or otherwise, to anyone named Maya Greer.

22. On September 20, 2023, officials at the Seminole County Jail conducted a cell search of Nikesh Patel's cell. The officials observed a large quantity of documents, estimated to consist of approximately 3,000 pages, in six neat stacks under Patel's mattress. The officials characterized the amount of documents located in Patel's cell as "substantial" and "extraordinary." Several overhead photos were taken of the stacks of documents. The documents were tabbed with handwritten post it notes, including a tab labelled

“Maya.” Handwritten notes on a page at the top of one stack of documents appear to consist of interest calculations for the fraudulent loan.

**CONCLUSION**

23. Based on the above information, I respectfully submit that there is probable cause to believe that TRISHA PATEL conspired with Nikesh Patel and others to engage in a scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and caused interstate wire communications to be sent in furtherance of such scheme, in violation of 18 U.S.C. § 1349.



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Alexander N. Duda  
Special Agent  
Federal Bureau of Investigation

Affidavit submitted by email and attested to me as true and accurate by telephone consistent with Fed. R. Crim. P. 41(d)(3) before me on December 6, 2023.



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DANIEL C. IRICK  
UNITED STATES MAGISTRATE JUDGE