

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

99 - 0032 CR - GOLD

UNITED STATES OF AMERICA,)

CASE NO:

18 USC 1345 **MAGISTRATE JUDGE**
BANDSTRA

v.)

INFORMATION

GGL d/b/a Classic Motor Carriages,)

Defendant.)

FILED
99 JAN 13 PM 2:55
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI

The United States Attorney charges that:

1. From at least as early as August 1, 1985, and continuing until approximately June 1996, the exact dates being unknown, at Miami, in Dade County, in the Southern District of Florida and elsewhere, the defendant,

GGL d/b/a Classic Motor Carriages,

did knowingly, unlawfully and willfully devise and intend to devise a scheme and artifice to defraud and to obtain money and property from persons throughout the United States by means of false and fraudulent pretenses, representations and promises, well knowing at the time that said pretenses, representations and promises would be and were false and fraudulent when made.

BACKGROUND

At all times material to this Information:

1. The defendant, GGL d/b/a Classic Motor Carriages ("CMC") was a Florida corporation doing business in the state of Florida. Defendant CMC was in the business of selling build-it-yourself vintage kit car replicas. Defendant CMC conducted kit car sales from 16650 NW 27th Avenue, Miami, Florida.

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2. Defendant CMC was in the business of inducing persons throughout the United States to send money in various forms, including checks and credit card charges, for vintage kit car replicas sold by defendant CMC.

THE OBJECT OF THE SCHEME AND ARTIFICE

3. It was the purpose and object of the scheme and artifice for defendant CMC to obtain money from customers throughout the United States for the purchase of vintage kit car replicas by causing employees under its supervision to knowingly and willfully make false and misleading statements, representations and promises and by causing such employees to knowingly and willfully conceal and omit material facts as to the quality of the kit car purchased, the delivery time to the customer and the required assembly time.

MANNER AND MEANS OF THE SCHEME AND ARTIFICE

4. It was part of the scheme and artifice to defraud that defendant CMC advertised vintage kit car replicas in car and driver magazines throughout the United States.

5. It was further part of the scheme and artifice to defraud that defendant CMC caused its employees to conduct telephone sales in which false and fraudulent representations were made in order to obtain a deposit ranging from approximately one thousand dollars (\$1000.00) to five thousand dollars (\$5000.00) from the prospective customer.

6. It was further part of the scheme and artifice to defraud that defendant CMC caused its employees to make certain pretenses, representations and promises which were false and fraudulent and used exclusively to induce prospective customers to mail or otherwise deliver to defendant CMC, monetary deposits for the purchase of a vintage kit car replica.

7. It was further part of the scheme and artifice to defraud that defendant CMC caused its employees to induce the customer to pay for the vintage kit car replica in full and then failed to provide the automotive parts necessary for complete assembly. Defendant CMC caused its employees to advise the customer that the relevant automotive parts were on a back-ordered status, when in fact, as defendant CMC well knew, the relevant automotive parts were not on a back-ordered status.

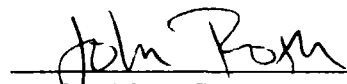
USE OF WIRE COMMUNICATION

8. In or about May 1993, for the purpose of executing the above scheme and artifice to defraud, the defendant,

GGL d/b/a Classic Motor Carriages,

caused to be transmitted in interstate commerce between North Grafton, Massachusetts, and Miami, in Dade County, in the Southern District of Florida, a wire communication, that is a telephone conversation between defendant CMC and a customer, in which defendant CMC represented that the shipment of vintage kit cars occurred only when the kit was complete, that is, when it contained all the requisite parts for assembly.

All in violation of Title 18, United States Code, Section 1343.


THOMAS E. SCOTT
UNITED STATES ATTORNEY


MARVELLE McINTYRE-HALL
ASSISTANT UNITED STATES ATTORNEY

0032 CR - GOLD

CERTIFICATE OF TRIAL ATTORNEY*

MAGISTRATE JUDGE

SUPERSEDING Yes No X
 New Defendant(s) Yes X No
 Number of New Defendants 1
 Total number of counts 1

BANDSTRA

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) No
List language and/or dialect _____

4. This case will take 2 weeks for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
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I	0 to 5 days	<u> </u>	Petty	<u> </u>
II	6 to 10 days	<u> X </u>	Minor	<u> </u>
III	11 to 20 days	<u> </u>	Misdem.	<u> </u>
IV	21 to 60 days	<u> </u>	Felony	<u> X </u>
V	61 days and over	<u> </u>		

6. Has this case been previously filed in this District Court? (Yes or No) NO
If yes:

Judge: _____ Case No. _____
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) NO
If yes:

Magistrate Case No. _____
 Related Miscellaneous numbers: _____
 Defendant(s) in federal custody as of _____
 Defendant(s) in state custody as of _____
 Rule 20 from the _____ District of _____

7. This case originated in the U.S. Attorney's office prior to August 16, 1985
(Yes or No) No

MARVELLE MCINTYRE-HALL
ASSISTANT UNITED STATES ATTORNEY
Florida Court # A5500124

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SCHEDULE

99-0032 CR - GOLD

Defendant's Name: GGL d/b/a Classic Motor Carriages

No. MAGISTRATE JUDGE

Count #: 1

~~BANDS~~ ~~TRA~~

Title 18 USC 1343; Wire Fraud

*Max. Penalty: 5 years' imprisonment; 3 years supervised release; \$250,000 fine and \$400.00
Special assessment.

Count #

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

*Max. Penalty:

Count #:

*Max. Penalty:

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**