

4. NATIONAL TELEGRAPH maintained an account at Bank of America, with an account number ending in 0094 (“the 0094 Account”). TATAW was the sole signatory on the 0094 account.

The Paycheck Protection Program

5. The PPP was a COVID-19 pandemic relief program administered by the U.S. Small Business Administration (“SBA”) that provided forgivable loans to small businesses for job retention and certain other expenses. The PPP permitted participating third-party lenders to approve and disburse SBA-backed PPP loans to cover payroll, fixed debts, utilities, rent/mortgage, accounts payable and other bills incurred by qualifying businesses during, and resulting from, the COVID-19 pandemic. PPP loans were fully guaranteed by the SBA.

6. To obtain a PPP loan, a qualifying business had to submit a PPP loan application, which was signed by an authorized representative of the business. The PPP loan application required the business (through its authorized representative) to acknowledge the program rules and make certain affirmative certifications to be eligible to obtain that PPP loan, including that the business was in operation and either had employees for whom it paid salaries and payroll taxes or paid independent contractors. A business applying for a PPP loan was required to provide documentation showing its payroll expenses and substantiating that the borrowing business was in operation before or on February 15, 2020, such as filed federal income tax documents.

7. PPP loan applications were electronically submitted or caused to be submitted by the borrower and received through SBA servers located outside of the District of Maryland. Once approved, the business received the PPP loans proceeds via an electronic funds transfer

from the third-party lender to a financial account under the control of the business.

8. The proceeds of a PPP loan could be used for certain specified items, such as payroll costs, costs related to the continuation of group health care benefits, or mortgage interest payments. The proceeds of a PPP loan were not permitted to be used by the borrowers to purchase consumer goods, automobiles, personal residences, clothing, jewelry, to pay the borrower's personal federal income taxes, or to fund the borrower's ordinary day-to-day living expenses unrelated to the specified authorized expenses.

The Scheme to Defraud

9. Between in or about April 2020, and in or about May 2021, in the District of Maryland and elsewhere, the defendant,

ERIC TANO TATAW,

knowingly and willfully devised and intended to devise a scheme and artifice to defraud Bank of America to obtain money by means of materially false and fraudulent pretenses, representations and promises.



The Object of the Scheme to Defraud

10. It was the object of the scheme to defraud for TATAW to personally enrich himself by fraudulently obtaining and attempting to obtain PPP loan funds for his own personal use and benefit, and for the personal use and benefit of his associates.

Manner and Means of the Scheme to Defraud

It was part of the scheme to defraud that:

First Draw PPP Loan for NATIONAL TELEGRAPH

11. On or about April 13, 2020, **TATAW** submitted and caused to be submitted a false and misleading PPP loan application to Bank of America, in the name of NATIONAL TELEGRAPH, seeking approximately \$35,000.

12. In the application, **TATAW** made and caused to be made false statements, misrepresentations, and omissions related to NATIONAL TELEGRAPH including the number of NATIONAL TELEGRAPH employees, the wages paid to purported NATIONAL TELEGRAPH employees, and the intended use of the PPP loan proceeds.

13. In the application, **TATAW** falsely promised to spend PPP funds on allowable expenses such as payroll, business rent, and business utilities when he intended to spend the funds on unauthorized expenditures.

14. In the application, **TATAW** attested that the information presented in the application and all supporting documents and forms to obtain the loans were true and accurate.

15. In the application, **TATAW** falsely stated that NATIONAL TELEGRAPH had 3 employees and that NATIONAL TELEGRAPH had approximately \$14,000 in average monthly payroll.

16. In connection with the application, **TATAW** submitted fictitious earning statements for purported employees, which falsely indicated that NATIONAL TELEGRAPH had paid these purported employees approximately \$50,000 collectively between January 2020 and April 2020.

17. In connection with the application, **TATAW** submitted a fictitious 2020 IRS Form 941 for NATIONAL TELEGRAPH for the first quarter of 2020, which falsely indicated that NATIONAL TELEGRAPH had 3 employees and paid approximately \$32,640 in wages

between January 2020 and March 2020.

18. On or about May 7, 2020, in connection with the application, **TATAW** signed and submitted, and caused to be signed and submitted, a promissory note setting the conditions of a \$27,200 PPP loan from Bank of America. In that promissory note, **TATAW** attested and certified to Bank of America that he had “not provided false or misleading information or statements” in his application and that “the certifications, representations, warranties, and covenants” made to Bank of America relating to the PPP loan were “true, accurate, and correct.”

19. In connection with the application, **TATAW** provided a bank account number into which PPP loan proceeds were to be deposited, namely the 0094 Account at Bank of America.

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20. On or about May 7, 2020, **TATAW** caused Bank of America to distribute approximately \$27,200 through an ACH transfer sent to the 0094 Account at Bank of America.

21. Beginning on or about May 7, 2020, and continuing until on or about July 3, 2020, **TATAW** caused PPP loan proceeds to be transferred and used for unauthorized expenses not permissible under the PPP.

Second Draw PPP Loan for NATIONAL TELEGRAPH

22. On or about April 2, 2021, **TATAW** submitted and caused to be submitted a false and misleading PPP loan application to Bank of America in the name of NATIONAL TELEGRAPH, seeking approximately \$144,625.

23. In the application, **TATAW** made and caused to be made false statements, misrepresentations and omissions related to NATIONAL TELEGRAPH, including the number of NATIONAL TELEGRAPH employees, the wages paid to NATIONAL TELEGRAPH

employees, and the intended use of the PPP loan proceeds.

24. In the application, **TATAW** falsely promised to spend PPP funds on allowable expenses such as payroll, business rent, and business utilities when he intended to spend the funds on personal expenses and other unauthorized expenditures.

25. In the application, **TATAW** attested that the information presented in the application and all supporting documents and forms to obtain the loans were true and accurate.

26. In the application, **TATAW** falsely stated that NATIONAL TELEGRAPH had 10 employees and that NATIONAL TELEGRAPH had approximately \$57,000 in average monthly payroll.

27. In connection with the application, **TATAW** submitted, among other forms, two fictitious IRS Forms 1099 Nonemployee Compensation for 2020, which falsely indicated that NATIONAL TELEGRAPH had paid these purported contractors approximately \$140,000 collectively in 2020.

28. In connection with the application, **TATAW** submitted, among other forms, a fictitious quarterly tax return for NATIONAL TELEGRAPH for the first quarter of 2020, which falsely indicated that NATIONAL TELEGRAPH had 3 employees and paid approximately \$32,640 in wages.

29. In connection with the application, **TATAW** submitted, among other forms, fictitious quarterly tax returns for NATIONAL TELEGRAPH for the second, third, and fourth quarters of 2020, which each falsely indicated that NATIONAL TELEGRAPH had 10 employees and paid \$173,550 in wages for each quarter.

30. On or about April 29, 2020, in connection with the application, **TATAW** signed

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and submitted, and caused to be signed and submitted, a promissory note setting the conditions of a \$136,102 PPP loan from Bank of America. In that promissory note, TATAW attested and certified to Bank of America that he had “not provided false or misleading information or statements” in his application and that “the certifications, representations, warranties, and covenants” made to Bank of America relating to the PPP loan were “true, accurate, and correct.”

31. In connection with the PPP loan application, TATAW provided a bank account number into which PPP loans were to be deposited, namely the 0094 Account at Bank of America.

32. On or about, April 30, 2021, TATAW caused Bank of America to distribute approximately \$136,102 through an ACH transfer sent to the 0094 Account at Bank of America.

33. Beginning on or about April 30, 2021, and continuing until on or about May 26, 2021, TATAW caused PPP loan proceeds to be transferred and used for personal and unauthorized expenses not permissible under the PPP.

34. Among other such transfers, on or about May 17, 2021, TATAW transferred and caused to be transferred approximately \$11,128 in PPP funds from the 0094 Account at Bank of America in connection with a payment for cryptocurrency purchased by TATAW.

EXECUTIONS OF THE SCHEME

35. On or about the dates set forth below, in the District of Maryland and elsewhere, the defendant,

ERIC TANO TATAW

committed and willfully caused others to commit the following acts, each of which constituted an execution of the fraudulent scheme to defraud Bank of America, which was a federally

insured financial institution, and to obtain money, funds and property under the custody of Bank of America by means of materially false and fraudulent representations and promises:

COUNT	DATE	DESCRIPTION
1	May 7, 2020	Submission of promissory note to Bank of America attesting to accuracy of application and supporting documents for a first draw PPP for NATIONAL TELEGRAPH.
2	April 29, 2021	Submission of promissory note to Bank of America attesting to accuracy of application and supporting documents for a second draw PPP for NATIONAL TELEGRAPH.

18 U.S.C. § 1344



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COUNT THREE
(Money Laundering)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs 1 through 8, and 10 through 34 of Counts One and Two are incorporated here.
2. On or about May 17, 2021, in the District of Maryland and elsewhere, the defendant,

ERIC TANO TATAW

did knowingly engage and attempt to engage in a monetary transaction, by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, that is, the payment of approximately \$11,128 for the purchase of Ether cryptocurrency using a Crypto.com account, such property being derived from a specified unlawful activity, that is, bank fraud as charged in Counts One and Two, in violation of 18 U.S.C. § 1344.

18 U.S.C. § 1957



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COUNT FOUR
(Wire Fraud)

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The Grand Jury for the District of Maryland further charges that:

1. Paragraphs 1 through 8, and 10 through 34 of Counts One and Two are incorporated here.

At times relevant to this Indictment:

2. Individual 1 was a resident of Maryland and a professional business consultant.
3. Individual 2 was a foreign national of Cameroon and a resident of Maryland.

COVID-19 Economic Injury Disaster Loans

4. Section 7 of the Small Business Act, as amended, authorized the Small Business Administration's ("SBA") Economic Injury Disaster Loan ("EIDL") program. Under the EIDL program, small businesses and certain other entities that suffered substantial economic injury as a result of a declared disaster could receive up to \$2 million in financial assistance. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act – a federal law enacted in or around March 2020 designed to provide emergency financial assistance to the millions of Americans suffering from the economic effects caused by the COVID-19 pandemic – expanded the EIDL program to provide loans for small businesses experiencing a temporary loss of revenue due to the pandemic. EIDL funds were issued directly from the United States Treasury.

5. To qualify for an EIDL loan authorized by the CARES Act, applicants had to be: (1) a business, cooperative, or agricultural enterprise with 500 or fewer employees, a faith-based organization, a private non-profit, a sole proprietorship or independent contractor; (2) physically located in the United States or a designated territory; and (3) have suffered working capital losses due to the COVID-19 pandemic.

6. During the relevant period, EIDL loan amounts were based on a rough calculation of the applicant's net revenues prior to January 31, 2020. The rough calculation took the difference between the previous annual gross revenues and the previous annual cost of goods sold. That number was divided by two to determine the approved loan amount.

7. EIDL proceeds were required to be used by the business on certain permissible expenses: fixed debts, payroll, accounts payable, and other business-related bills that could have been paid had the COVID-19 pandemic not occurred; however, such loan proceeds were not intended to replace lost sales or profits, or for the expansion of a business.

8. To obtain an EIDL, a small business submitted an electronic EIDL application directly to the SBA through its website. The EIDL application process collected information concerning the business and the business owner, including information about the gross revenues and cost of goods sold for the business prior to January 31, 2020. Applicants electronically certified that the information provided was true and accurate and were warned that any false statement or misrepresentation to the SBA, or any misapplication of loan proceeds may result in sanctions, including criminal penalties.

9. Beginning July 11, 2020, all EIDL applications were received in and processed through servers located in Des Moines, Iowa.

The Scheme to Defraud

10. Between on or about August 1, 2020, and continuing through on or about November 1, 2020, in the District of Maryland and elsewhere, the defendant,

ERIC TANO TATAW,

knowingly and willfully devised, intended to devise, and participated in a scheme and artifice to

defraud the SBA to obtain money by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing and attempting to execute the scheme to defraud, did knowingly and willfully transmit and cause to be transmitted by means of wire communications, in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, in violation of 18 U.S.C. § 1343 (the “scheme to defraud”).

The Object of the Scheme to Defraud

11. It was the object of the scheme to defraud for TATAW to personally enrich himself by fraudulently obtaining and attempting to obtain EIDL loan funds for his own personal use and benefit, and for the personal use and benefit of his associates.

Manner and Means of the Scheme to Defraud

It was part of the scheme to defraud that:

12. On or about October 7, 2020, TATAW electronically submitted and caused to be submitted a false and misleading application for an EIDL loan to the SBA, seeking approximately \$180,000 in funds.

13. In the application, TATAW made and caused to be made false statements, misrepresentations, and omissions related to NATIONAL TELEGRAPH including the number of NATIONAL TELEGRAPH employees, its gross revenues, its costs of goods sold, and its ownership. www.kontripipo.com/erictatawfraud

14. On or about October 7, 2020, TATAW directed Individual 1 to prepare an EIDL application for NATIONAL TELEGRAPH in the name of Individual 2.

15. On or about October 7, 2020, TATAW, in connection with the EIDL application, sent Individual 1 the information TATAW wanted included in the EIDL application for

NATIONAL TELEGRAPH.

16. On or about October 7, 2020, **TATAW**, in connection with the EIDL application, sent Individual 2's name, social security number, and pictures of Individual 2's driver's license to Individual 1.

17. On or about October 7, 2020, **TATAW** falsely represented and caused to be falsely represented in the EIDL application that NATIONAL TELEGRAPH had 15 employees, gross revenues of \$750,000 as of January 31, 2020, and cost of goods sold of \$390,000 as of January 31, 2020.

18. On or about October 7, 2020, **TATAW** falsely represented and caused to be falsely represented in the EIDL application that Individual 2 was a 45-percent owner of NATIONAL TELEGRAPH and that Individual 2 was the owner applying for an EIDL loan on behalf of NATIONAL TELEGRAPH. In fact, Individual 2 was not an owner of NATIONAL TELEGRAPH and did not prepare or submit this EIDL application for NATIONAL TELEGRAPH.

19. On or about October 7, 2020, **TATAW** listed and caused to be listed Individual 2's social security number on the EIDL application that **TATAW** submitted and caused to be submitted for NATIONAL TELEGRAPH.

20. On or about October 7, 2020, **TATAW** directed Individual 1 to submit an EIDL application for NATIONAL TELEGRAPH in the name of Individual 2.

21. On or about October 7, 2020, **TATAW** caused interstate wire communications from Maryland to Iowa, the location of SBA's server, when applying for the EIDL loan for NATIONAL TELEGRAPH.

THE CHARGE

22. On or about October 7, 2020, in the District of Maryland and elsewhere,

ERIC TANO TATAW,

the defendant, for the purpose of executing and attempting to execute the scheme and artifice to defraud described above, did knowingly transmit and cause to be transmitted in interstate commerce by means of a wire communication, certain signals, signs and sounds, as set forth below:

COUNT	DATE	DESCRIPTION	INTERSTATE WIRE COMMUNICATION DETAILS
4	October 7, 2020	Submitted and caused to be submitted an EIDL application to SBA for NATIONAL TELEGRAPH using Individual 2's name and social security number	From Maryland to a location outside of Maryland

18 U.S.C. § 1343



COUNT FIVE
(Aggravated Identity Theft)

The Grand Jury for the District of Maryland further charges that:

1. Paragraphs 1 through 3, 9, and 11 through 22 of Count Four incorporated here.
2. On or about October 7, 2020, in the District of Maryland, the defendant,

ERIC TANO TATAW

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, the name, social security number, and other personal identifying information of Individual 2, during and in relation to a violation of 18 U.S.C. § 1343, to wit, wire fraud, as charged in Count Four of this Indictment and incorporated here.

18 U.S.C. § 1028A(a)(1)

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COUNT SIX
(Obstruction of Justice)

The Grand Jury for the District of Maryland further charges that:

1. On or about August 20, 2023, in the District of Maryland and elsewhere,

ERIC TANO TATAW

the defendant, did corruptly influence, obstruct and impede and endeavor to influence, obstruct and impede the due administration of justice in a federal judicial proceeding in the District of Maryland by soliciting Witness 1 to provide false testimony and false documents to a federal grand jury in the District of Maryland.

18 U.S.C. § 1503



COUNT SEVEN
(Obstruction of Justice)

The Grand Jury for the District of Maryland further charges that:

1. On or about August 25, 2023, in the District of Maryland,

ERIC TANO TATAW

the defendant, did corruptly influence, obstruct and impede and endeavor to influence, obstruct and impede the due administration of justice in a federal judicial proceeding in the District of Maryland by soliciting Witness 2 to provide false testimony and false documents to a federal grand jury in the District of Maryland.

18 U.S.C. § 1503

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FORFEITURE ALLEGATION

The Grand Jury for the District of Maryland further charges that:

1. Pursuant to Fed. R. Crim. P.32.2, notice is hereby given to the defendant that, in the event of the defendant's conviction on Counts One through Five of this Indictment, the United States will seek forfeiture as a part of any sentence in accordance with 18 U.S.C. §§ 982(a)(1), (a)(2)(A), (b)(1) and 21 U.S.C. § 853(p).

Bank Fraud and Wire Fraud Forfeiture

2. Upon conviction of the offense alleged in Counts One, Two, Four and Five of the Indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(A), any property constituting or derived from proceeds obtained directly or indirectly, as the result of such offense.

Money Laundering Forfeiture

3. Upon conviction of the offense alleged in Count Three of the Indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offenses, or any property traceable to such property.

Substitute Assets

4. If, as a result of any act or omission of the defendant, any of the property and proceeds described above as being subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or



- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant.

18 U.S.C. § 981(a)(2)(A)
21 U.S.C. § 853(p)
28 U.S.C. § 2461(c)



Erek L. Barron / KOB
Erek L. Barron
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED
Foreperson

10/3/23
Date