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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF SACRAMENTO**

13 **THE PEOPLE OF THE STATE OF**
14 **CALIFORNIA,**

15 Plaintiff,

16 v.

17 **LARRY DELA CRUZ**

18 Defendant.

Case No. 20FE018861

**SECOND AMENDED FELONY
COMPLAINT**

Date: May 21, 2021
Time: 08:30 AM
Dept: 61

19 The People of the State of California hereby allege that in the County of Sacramento, State
20 of California and elsewhere, within the State of California, before the making of this criminal
21 complaint, the above-named defendant, LARRY DELA CRUZ, committed the following criminal
22 offenses:

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1 Rely On Inc. dba Rely On Veterans Benefits with the address of 2975 Fulton Ave., Sacramento,
2 California, 95821. Dela Cruz and Rivera were the only signatories for this account, # 669672987,
3 hereinafter referred to as Rely On account 987.

4 **OVERT ACT #3:** On or about January 14, 2016, Rick Rivera signed checks on Rely On
5 Inc. account 987 with the memo "Leilani" to pay Christopher Jaromay \$2,000 and to pay Larry
6 Dela Cruz \$250. The payments to Jaromay and Dela Cruz were for their roles in obtaining Leilani
7 Bankhardt and Christine Hansen's investment. It was part of PSR's operation to pay a
8 "commission" to the individuals who were involved in obtaining investments in PSR.

9 **OVERT ACT #4:** On or about March 15, 2016, Larry Dela Cruz and Ricardo Rivera, as
10 managing members, filed Articles of Organization and registered Pagudpud Sands Resort LLC as
11 a Domestic Limited Liability Company in the State of Nevada. On March 15, 2016, the State of
12 Nevada issued a business license to Pagudpud Sands Resort, LLC. In the following years, there
13 were annual filings for Pagudpud Sands Resort, LLC filed effective March 10, 2017, January 30,
14 2018, January 03, 2019, January 28, 2020, and March 16, 2021. Nelson Manmano was also a co-
15 founder of PSR and worked to offer and sell PSR in Hawaii.

16 **OVERT ACT #5:** On or about, March 4, 2016 and April 4, 2016, Larry Dela Cruz,
17 Ricardo Rivera, Christopher Jaromay, Lou Maser, and Nelson Manmano offered and sold Denise
18 Tejada (DOB 11/18/1949) an investment in PSR. Denise Tejada invested \$95,000 in PSR on or
19 about April 14, 2016.

20 **OVERT ACT #6:** On or about, and between March 15, 2016, Larry Dela Cruz offered and
21 sold Ray Fujii (DOB 11/14/1937) an investment in PSR. On or about March 15, 2016, Fujii
22 invested \$230,000.

23 **OVERT ACT #7:** On or about April 4, 2016, Larry Dela Cruz, Rick Rivera, Chris
24 Jaromay, Lou Maser, and Nelson Manmano offered and sold Denise Tejada (DOB 11/18/1949)
25 an investment in PSR. On or about April 4, 2016, Denise Tejada invested \$95,000 in PSR.

26 **OVERT ACT #8:** On or about, and between May 4, 2016 and July 31, 2016, Larry Dela
27 Cruz, Rick Rivera, and Christopher Jaromay offered and sold Eldon Matal (DOB 10/28/1930) an
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1 investment in PSR. Eldon Matal invested \$110,000 on or about and between May 4, 2016 and
2 July 31, 2016.

3 **OVERT ACT #9:** On May 9, 2016, Rick Rivera signed a check on Rely On account 987
4 for \$500 to cash with a memo "For PSR. LLC".

5 **OVERT ACT #10:** On May 9, 2016, there was a \$500 deposit made at CitiBank to open
6 PSR account number 206566853 with an address of 2973 Fulton Avenue, Suite B, Sacramento,
7 CA 95821.

8 **OVERT ACT #11:** On or about, and from May 9, 2016, Larry Dela Cruz and Ricardo
9 Rivera established and began using at least two bank accounts, opened and maintained at Citibank
10 in Sacramento, California, in the name of Pagudpud Sands Resort, LLC, 2973 Fulton Avenue,
11 Suite B, Sacramento, California (later, 1010 Hurley Way, Sacramento California): Account
12 number 206564536 (hereinafter referred to as PSR account 536) and account number 206566853
13 (hereinafter referred to as PSR account 853).

14 **OVERT ACT #12:** On or about June 8, 2016, checks were issued by Citibank with the
15 remitter "Pagudpud Sands Resort, LLC" and the memo "Tejada" to Larry Dela Cruz for
16 \$1,391.42, to Rick Rivera for \$1,391.42, and to Nelson Manmano for \$2,782.84.

17 **OVERT ACT #13:** On July 1, 2016 Christopher Jaromay sent an email to Larry Dela Cruz,
18 Rick Rivera and Garry Gerardo with an attachment of a 25-page Power Point presentation entitled
19 "Pagudpud Sand [sic] Process For Submitting Qualified Funds to Entrust." Entrust is a Self-
20 Directed IRA management company. Defendants marketed and sold investments in PSR using the
21 concept of converting retirement funds into self- directed IRA's as a selling point with potential
22 investors.

23 **OVERT ACT #14:** On or about, and between June 28, 2016 and July 21, 2016, in Larry
24 Dela Cruz offered and sold Jack Hamon, an investment in PSR. Jack Hamon invested \$92,089.19
25 in PSR on July 21, 2016.

26 **OVERT ACT #15:** On or about and between July 11, 2016 and July 31, 2016, Larry Dela
27 Cruz, Ricardo Rivera, Nelson Manmano, and Lou Maser offered and sold Efren and Olivia
28 Guillermo, an investment in PSR. Efren Guillermo invested \$100,000 in PSR on July 11, 2016.

1 **OVERT ACT #16:** On or about July 19, 2016, Rick Rivera signed checks from PSR
2 account 853 with the memo "Guillermo" to pay Larry Dela Cruz \$1,700 and Rick Rivera \$1,700.

3 **OVERT ACT #17:** On or about July 19, 2016, Rick Rivera signed a check on PSR account
4 853 with the memo "Guillermo" to Nelson Manmano for \$2,550.

5 **OVERT ACT #18:** On or about July 19, 2016, Rick Rivera signed a check on PSR account
6 853 with the memo "Guillermo/Catalans" to Lou Maser for \$2,850.

7 **OVERT ACT #19:** On or about July 19, 2016, Rick Rivera signed a check on PSR account
8 853 with the memo "Balignasay" to pay Lou Maser \$2,000.

9 **OVERT ACT #20:** On or about July 19, 2016, Larry Dela Cruz, Rick Rivera, Lou Maser,
10 and Nelson Manmano offered and sold Virginia Benicta (DOB 12/17/1951) an investment in
11 PSR. On or about July 19, 2016, Benicta invested \$65,000 in PSR.

12 **OVERT ACT #21:** On or about July 21, 2016, Rick Rivera signed checks on PSR account
13 853 with the memo "Benicta" to pay Larry Dela Cruz \$900, Rick Rivera \$900, Lou Maser \$600
14 and Nelson Manmano \$600. Dela Cruz endorsed his check. Rivera endorsed his check. Manmano
15 endorsed his check.

16 **OVERT ACT #22:** On or about July 28, 2016, Ricardo Rivera signed checks on PSR
17 account 853 with the memo "MATAL" to pay Christopher Jaromay \$6,000 and Lou Maser
18 \$6,000.

19 **OVERT ACT #23:** On or about July 31, 2016, Larry Dela Cruz as President/CEO and
20 Ricard Rivera as Secretary/Treasurer signed and issued Pagudpud Sands Resort, LLC
21 Membership Certificates to Efren Guillermo, IRA, Jack Hamon, Denise Tejada, Leilani
22 Bankhardt [sic], and Ray Fuji [sic]

23 **OVERT ACT #24:** On or about, and before August 22, 2016, Larry Dela Cruz, Lou Maser,
24 Merito Jaromay, and Marina Jaromay offered and sold Ligaya Balignasay (DOB 7/8/1945) an
25 investment in PSR. Balignasay invested \$105,000 in PSR on or about August 22, 2016.

26 **OVERT ACT #25:** On or about September 9, 2016, Rick Rivera signed a check on PSR
27 account 853 with the memo "Balignasay" to pay Merito Jaromay \$6,000.

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1 **OVERT ACT #26:** On or about September 23, 2016, Larry Dela Cruz, Rick Rivera, and
2 Nelson Manmano offered and sold an investment in PSR to David Salvatera (DOB 12/08/1956).
3 On or about September 23, 2016, Salvatera invested \$110,000 in PSR.

4 **OVERT ACT #27:** On or about September 29, 2016, Rick Rivera signed checks on PSR
5 account 853 with the memo "D. Salvatera" to pay Ricardo Rivera \$1,000 and Nelson Manmano
6 \$1,000. Rivera and Manmano each endorsed his or her individual check.

7 **OVERT ACT #28:** On or about October 18, 2016, Garry Gerardo, Bernard Campilan,
8 Christela Balubar, Larry Dela Cruz, Rick Rivera and Lou Maser offered and sold Norma
9 Villarente (DOB 6/6/1936) an investment in PSR. On or about October 18, 2016, Villarente
10 invested \$500,000 in PSR.

11 **OVERT ACT #29:** On or about October 19, 2016, Garry Gerardo, Bernard Campilan,
12 Christela Balubar offered and sold an investment in PSR to Mary Hasselwander (12/18/1952).
13 Hasselwander invested \$50,000 in PSR on or about October 19, 2016.

14 **OVERT ACT #30:** On or about October 20, 2016, Larry Dela Cruz, Rick Rivera, Lou
15 Maser, Christopher Jaromay and Marina Jaromay offered and sold Editha Barba (DOB
16 1/10/1944) an investment in PSR. Editha Barba invested \$100,000 on or about October 20, 2016.
17 Marina Jaromay took Barba to the PSR office in Sacramento and Larry Dela Cruz and Rick
18 Rivera presented PSR as an investment opportunity and provided her with a brochure about PSR.

19 **OVERT ACT #31:** On or about October 20, 2016, Christopher Jaromay sent an email to
20 Larry Dela Cruz, Rick Rivera, Lou Maser and Garry Gerardo referring to investments of
21 \$500,000 by Norma Villarente and \$50,000 by Mary Hasselwander in PSR.

22 **OVERT ACT #32:** On or about October 20, 2016, Lorenzo M. DelaCruz [sic] as
23 President/CEO and Ricardo D. Rivera as Secretary/Treasurer of PSR signed, approved and
24 accepted Mary Hasselwander's Subscription Agreement and investment in PSR."

25 **OVERT ACT #33:** On or about October 20, 2016 Rick Rivera signed a check on PSR
26 account 853 with the memo "Norm V. \$500K x 3% = \$15K Advance" to pay Sharp Care Services
27 \$15,000. Sharp Care Services is a company established by Garry Gerardo, Bernard Campilan, and
28 Christela Balubar. The check was endorsed by Christela Balubar.

1 **OVERT ACT #34:** On or about October 21, 2016, Rick Rivera signed a check to PSR
2 account 536 with the memo “Wander 50K” to pay Sharp Care Services \$3,000. The check is
3 endorsed by Christela Balubar.

4 **OVERT ACT #35:** On or about October 21, 2016, Rick Rivera signed a check on PSR
5 account 536 with the memo “Barba 100K” to pay Larry Dela Cruz \$1,000. The check was
6 endorsed by Larry Dela Cruz.

7 **OVERT ACT #36:** On or about October 21, 2016, Rick Rivera signed a check on PSR
8 account 536 with the memo “Barba 100K” to pay Merito Jaromay \$6,000. The check is endorsed
9 by Merito Jaromay.

10 **OVERT ACT #37:** On or about October 21, 2016, Rick Rivera signed a check on PSR
11 account 536 with the memo “Barba 100K” to pay Ricardo Rivera \$1,000. The check is endorsed
12 by Rick Rivera.

13 **OVERT ACT #38:** On or about October 21, 2016, Rick Rivera signed a check on PSR
14 account 536 with the memo “Barba 50K” to pay Lou Maser \$2,000.

15 **OVERT ACT #39:** On or about October 21, 2016, Rick Rivera signed a check on PSR
16 account 536 with the memo “Wander 50K” to pay Larry Dela Cruz \$500. The check is endorsed
17 by Larry Dela Cruz.

18 **OVERT ACT #40:** On or about October 21, 2016, Rick Rivera signed a check on PSR
19 account 536 with the memo “Wander 50K” to pay Ricardo Rivera \$500. The check is endorsed
20 by Rick Rivera.

21 **OVERT ACT #41:** On or about October 21, 2016, Rick Rivera signed a check on PSR
22 account 536 with the memo “Wander 50K” to pay Lou Maser \$1,000.

23 **OVERT ACT #42:** On or about October 27, 2016, Rick Rivera signed a check on PSR
24 account 853 with the memo “Norma V. \$500K x 3% = \$15K Final Commission Pay” to pay
25 Sharp Care Services \$15,000. Sharp Care Services is owned by Garry Gerardo, Bernard,
26 Campilan, and Christela Balubar.

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1 **OVERT ACT #43:** On or about October 27, 2016 Rick Rivera signed checks on PSR
2 account 853 with the memo "Villarente 500K" to pay Ricardo Rivera \$5,000, Larry Dela Cruz
3 \$5,000, and Lou Maser \$10,000.

4 **OVERT ACT #44:** On or about November 3, 2016 Editha Barba wrote a check for
5 \$50,000 to Pagudpud Sands Resort with a memo "Addl. PSR Initial Deposit". The check was
6 deposited in PSR account 536 on November 3, 2016.

7 **OVERT ACT #45:** On or about November 7, 2016, Rick Rivera signed a check on PSR
8 account 536 with the memo "E. B. BARBA NQ" to pay Marina Jaromay \$3,000. The check was
9 endorsed by Marina Jaromay.

10 **OVERT ACT #46:** On or about and between December 1, 2016 and March 3, 2017, Rick
11 Rivera, Larry Dela Cruz, and Lou Maser offered and sold Alexander Barba (DOB 7/30/1966)
12 investment in PSR. Between December 1, of 2016 and March 3, 2017, Alexander Barba invested
13 \$50,000 in PSR.

14 **OVERT ACT #47:** On or about December 3, 2016, PSR officers, employees and affiliates,
15 including Larry Dela Cruz, Rick Rivera, Lou Maser, Christopher Jaromay, Garry Gerardo,
16 Bernard Campilan, Nelson Manmano and others, gathered at a celebration at which investments
17 in PSR were discussed and offered to potential and existing customers.

18 **OVERT ACT #48:** On or about January 6, 2017, Rick Rivera wrote a check on PSR
19 account 536 with the memo "Lou Maser- PPM 2nd round" to pay Lou Maser \$2,000. Units in PSR
20 were sold to some investors with documentation that included the use a Private Placement
21 Memorandum (PPM).

22 **OVERT ACT #49:** On or about January 26, 2017, Larry Dela Cruz, Rick Rivera, Nelson
23 Manmano, Christopher Jaromay, and Lou Maser, offered and sold Jasmin Alejandro (DOB
24 4/15/1952) an investment in PSR. On or about January 26, 2017, Alejandro invested \$150,000 in
25 PSR.

26 **OVERT ACT #50:** On or about January 26, 2017, in the Larry Dela Cruz, Rick Rivera,
27 Marina Jaromay, Merito Jaromay, Christopher Jaromay and Lou Maser offered and sold Filipina
28 Vasquez (DOB 2/14/1947) an investment in PSR. Prior to January 26, 2017, Vasquez attended

1 meetings focused on PSR run by Larry Dela Cruz and Rick Rivera. On or about January 26, 2017,
2 Vasquez invested \$50,000 in PSR.

3 **OVERT ACT #51:** On or about February 3, 2017, Rick Rivera signed checks on PSR
4 account 853 with the memo "Alejandro" to pay Ricardo Rivera \$3,000, Nelson Manmano \$3,000,
5 and Christopher Jaromay \$250.

6 **OVERT ACT #52:** On or about February 3, 2017, Rick Rivera signed checks on PSR
7 account 853 with the memo "F. Vasquez" to pay Lou Maser \$1,000, Marina Jaromay \$13,000,
8 and Christopher Jaromay \$250.

9 **OVERT ACT #53:** On or about February 3, 2017, Larry Dela Cruz, Rick Rivera, Marina
10 Jaromay, Merito Jaromay, Lou Maser, Christopher Jaromay, Matt Rose offered and sold Lorenza
11 Pascua (DOB 7/9/1950) an investment in PSR. On February 3, 2017, Pascua invested \$195,000 in
12 PSR.

13 **OVERT ACT #54:** On or about February 15, 2017, Rick Rivera sent an email to Matt Rose
14 and Larry Dela Cruz discussing how to design and use the PSR website to obtain potential PSR
15 customers.

16 **OVERT ACT #55:** On or about February 17, 2016, Rick Rivera signed checks on PSR
17 account 853 with the memo "L. Pascua" to pay Lou Maser \$3,900 and Christopher Jaromay,
18 \$250.

19 **OVERT ACT #56:** On or about February 17, 2016, Rick Rivera signed a check on PSR
20 account 853 with the memo "F. Vasquez Bonus & L. Pascua" to pay Marina Jaromay \$14,150.

21 **OVERT ACT #57:** On or about February 28, 2017, Larry Dela Cruz, as President/CEO
22 and Ricardo Rivera as Secretary/Treasurer signed and issued Pagudpud Sands Resort, LLC
23 Membership Certificates to Filipina M. Vasquez, IRA, Editha Figuerres Barba, IRA, Lorenza B.
24 Pascua, IRA, Alex Barba, IRA, and Jasmin [sic] C. Alejandro, IRA.

25 **OVERT ACT #58:** On or about and shortly before April 14, 2017, Gregory Pritchard
26 offered and sold an investment in PSR to Pamela Ryan (DOB 2/15/1959). Ryan believed she was
27 allowing Pritchard to move \$65,000 of her retirement funds to help qualify for Veteran's benefits.
28 The money was invested in PSR.

1 **OVERT ACT #59:** On or about April 17, 2017, Lou Maser sent an email to Rick Rivera
2 and Larry Dela Cruz with attached documents related to the sale of investments in PSR. One of
3 the attached documents lists Larry Dela Cruz as President/CEO, Ricardo D. Rivera as
4 Secretary/Treasurer, Lou Maser as Chief Financial Consultant, and Garry Gerardo and Nelson
5 Manmano as members of the Board of Advisors. An attached document also states subscribers
6 can wire direct deposits to CitiBank, Account No. 206566853. An attached document states that
7 PSR's company headquarters are located at 2973 Fulton Ave., Suite B, Sacramento, California.
8 An attached document includes an organization chart showing Rely On, Inc., owned by Rick
9 Rivera and Larry Dela Cruz, as a parent company to PSR. This chart also shows: Rick Rivera as
10 President/CEO and Chairman of the Board; Larry Dela Cruz as Vice President and Board of
11 Director [sic]; and Nelson Manmano as VP Marketing Sales (Hawaii).

12 **OVERT ACT #60:** On or about April 18, 2017, Rick Rivera wrote a check on PSR account
13 853 with the memo "Pamela R." to pay Greg Pritchard \$3,900.

14 **OVERT ACT #61:** On or about April 18, 2017, Rick Rivera signed a check on PSR
15 account 853 with a memo "Pascua L. entrust 150K" to pay Lou Maser \$5,000:

16 **OVERT ACT #62:** On or about and between, March 15, 2017 and September 8, 2017,
17 Larry Dela Cruz, Rick Rivera, Marina Jaromay, Lou Maser, and Christopher Jaromay, offered
18 and sold Maria Macasaet (DOB 01/7/1964) investments in PSR. Between July 14, 2017 and
19 September 11, 2017, Maria Macasaet invested \$100,000 and \$165,000, for a total of \$265,000, on
20 behalf of herself and her husband Ricardo Macasaet (DOB 7/21/1960). Ricardo Macasaet, Larry
21 Dela Cruz and Rick Rivera each signed Subscription Agreements for the Macasaet's investment
22 in PSR on July 14, 2017 for \$100,000 and September 7, 2017 for \$165,000.

23 **OVERT ACT #63:** On or about May 19, 2017, Rick Rivera signed a check on PSR
24 account 853 with the memo "Balance/Pascua" to pay Merito Jaromay \$12,950.

25 **OVERT ACT #64:** On July 31, 2017, Ricardo D. Rivera as Secretary/Treasurer and
26 Lorenzo DelaCruz [sic], President/CEO issued Pagudpud Sands Resort, LLC Membership
27 Certificates to Ricardo M. Macasaet, IRA.

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1 **OVERT ACT #65:** On or about September 22, 2017, Rick Rivera signed checks on PSR
2 account 853 with the memo "Macasaet 165K" to pay Marina Jaromay \$11,550, Lou Maser
3 \$3,300, and Christopher Jaromay \$250.

4 **OVERT ACT #66:** On or about December 04, 2017, Larry Dela Cruz, Rick Rivera, Lou
5 Maser, Chris Jaromay and Marina Jaromay offered and sold PSR to Anita Alonzo (DOB
6 10/17/1947). On or about December 08, 2017, Alonzo invested \$165,000 in PSR.

7 **OVERT ACT #67:** On or about December 8, 2017, Ricardo Rivera signed a check on PSR
8 account 853 with the memo "Anita A." to pay Lou Maser \$3,300.

9 **OVERT ACT #68:** On or about December 9, 2017, Ricardo Rivera signed a check on PSR
10 account 853, with the memo "2017 Bonus & Anita A Processing" to pay Christopher Jaromay
11 \$1,500.

12 **OVERT ACT #69:** On or about and between December 8, 2017 to December 19, 2017
13 PSR paid approximately \$12,000 for a celebration for PSR personnel and investors.

14 **OVERT ACT #70:** On or about December 19, 2017, PSR officers, employees, staff and
15 investors attended a "Gala" at which Larry Dela Cruz, Rick Rivera, Lou Maser, and Christopher
16 Jaromay offered and solicited investment in PSR. Also attending were Nelson Manmano, Garry
17 Gerardo, Bernard Campilan, and other co-conspirators and investors.

18 **OVERT ACT #71:** On or about January 2, 2018, Ricardo Rivera signed a check on PSR
19 account 853 with the memo "Anita Alonzo" to pay Larry Dela Cruz \$8,250.

20 **OVERT ACT #72:** On or about January 24, 2018, Ricardo Rivera signed a check on PSR
21 account 853 with the memo "Pascua", to pay Larry Dela Cruz \$4,250.

22 **OVERT ACT #73:** On or about April 06, 2018, Rick Rivera, Juan Murillo, Thu Dang,
23 Kristel Villar and Christopher Jaromay offered and sold Fred Kosenko (DOB 5/5/1972) an
24 investment in PSR. On April 06, 2018, Kosenko invested \$30,000 in PSR.

25 **OVERT ACT #74:** On or about April 11, 2018, Ricardo Rivera signed a check on PSR
26 account 853 with the memo "Fred K. Qualified" to pay Juan Murillo \$1,500.

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1 **OVERT ACT #75:** On or about April 17, 2018, Ricardo Rivera checks on PSR account
2 853 with the memo “Kosenko, F” to pay Kristel Villar \$150, and Christopher Jaromay \$100 and
3 Thu Dang \$100.

4 **OVERT ACT #76:** On or about April 17, 2018, and April 19, 2018 Larry Dela Cruz, Rick
5 Rivera, Christopher Jaromay, Thu Dang, and Kristel Villar offered and sold Kenneth Jueneman
6 (DOB 10/18/1937) an investment in PSR. On or about April 17, 2018 Jueneman invested \$50,000
7 in PSR and on or about April 19, 2018 Jueneman invested \$100,000 in PSR

8 **OVERT ACT #77:** On or about April 27, 2018, Larry Dela Cruz, Rick Rivera, Christopher
9 Jaromay, Lou Maser, and Marina Jaromay offered and sold Alexander Barba (DOB 7/30/1966) an
10 investment in PSR. On April 27, 2018, A. Barba invested \$50,000 in PSR.

11 **OVERT ACT #78:** On or about April 30, 2018, Larry Dela Cruz offered and sold Ray
12 Fujii (DOB 11/14/1937) an investment in PSR. On or about 4/30/2018, Fujii invested \$20,000 in
13 PSR.

14 **OVERT ACT #79:** On or about May 1, 2018, Ricardo Rivera signed a check on PSR
15 account 853 with the memo “K Jueneman/May 2018” to pay Larry Dela Cruz \$11,500.

16 **OVERT ACT #80:** On or about May 1, 2018, Ricardo Rivera signed check 1376 on PSR
17 account 853 with the memo “K Jueneman / May 2018” to pay Ricardo Rivera \$11,500.

18 **OVERT ACT #81:** On or about May 1, 2018, Ricardo Rivera signed a check on PSR
19 account 853 with the memo “Jueneman/ A Barba” to pay Christopher Jaromay \$4,850.

20 **OVERT ACT #82:** On or about May 1, 2018, Ricardo Rivera signed a check on PSR
21 account 853 with the memo “May 2018 & Jueneman” to pay Kristel Villar \$1,050.

22 **OVERT ACT #83:** On or about May 1, 2018 Ricardo Rivera signed check 1378 on PSR
23 account 853 with the memo “April 2018/Jueneman” to pay Thu Dang \$1,100.

24 **OVERT ACT #84:** On or about May 8, 2018, Larry Dela Cruz, Rick Rivera, Christopher
25 Jaromay, Lou Maser, Marina Jaromay, Merito Jaromay and Matt Rose offered and sold Lorenza
26 Pascua (DOB 8/9/1950) an investment in PSR. On or about May 8, L. Pascua invested \$100,000
27 in PSR.

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1 **OVERT ACT #85:** On or about May 22, 2018, Kenneth Jueneman a check with the memo
2 “Additional Investment” to Pagudpud Sands Resort for \$20,000.

3 **OVERT ACT #86:** On or about May 22, 2018, Larry Dela Cruz, Rick Rivera, Juan
4 Murillo, Lou Maser, Christopher Jaromay, Thu Dang, and Kristel Villar offered and sold Glen
5 Ramos (DOB 4/19/1970) an investment in PSR. On or about May 22, 2018, Ramos invested
6 \$100,000 in PSR.

7 **OVERT ACT #87:** On or about June 5, 2018, Ricardo Rivera signed a check on PSR
8 account 853 with the memo “Glenn R” to pay Juan Murillo \$5,000.

9 **OVERT ACT #88:** On or about June 20, 2018, Larry Dela Cruz, Rick Rivera, Lou Maser,
10 and Christopher Jaromay offered and sold Christine Hansen (DOB 7/16/1951) an investment in
11 PSR. On or about June 20, 2018, Hansen invested \$60,000 in PSR.

12 **OVERT ACT #89:** On or about July 13, 2018, Ricardo Rivera signed checks on PSR
13 account 853 with the memo “Glen Ramos” to pay Christopher Jaromay \$100, Thu Dang \$100,
14 and Kristel Villar \$50.

15 **OVERT ACT #90:** On or about July 16, 2018, Larry Dela Cruz, Rick Rivera, and Chris
16 Jaromay offered and sold Jerry Hudson (DOB 2/1/1940) an investment in PSR. On or about July
17 16, 2018, Hudson invested \$43,000 in PSR.

18 **OVERT ACT #91:** On or about July 23, 2018, Ricardo Rivera signed a check on PSR
19 account 853 with the memo “G Ramos” to pay Lou Maser \$2,000.

20 **OVERT ACT #92:** On or about August 6, 2018, Ricardo Rivera signed a check on PSR
21 account 853 with the memo “J Hudson & C. Hanson [sic]” to pay Ricardo Rivera \$1,750.

22 **OVERT ACT #93:** On or about August 6, 2018, Ricardo Rivera signed a check on PSR
23 account 853 with the memo “J Hudosl [sic] & C. Hansen [sic]” to pay Larry Dela Cruz \$1,750.

24 **OVERT ACT #94:** On or about August 6, 2018, Ricardo Rivera signed a check on PSR
25 account 853 with the memo “C. Hanson [sic]” to pay Christopher Jaromay \$1,750.

26 **OVERT ACT #95:** On or about August 6, 2018, Ricardo Rivera signed a check on PSR
27 account 853 with the memo “C. Hanson [sic]” to pay Lou Maser \$1,200.

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1 **OVERT ACT #96:** On or about September 11, 2018, Larry Dela Cruz, Rick Rivera, Lou
2 Maser, Nelson Manmano, and Christopher Jaromay offered and sold Denise Tejada an investment
3 PSR. On or about September 11, 2018 Tejada invested \$200,000 in PSR.

4 **OVERT ACT #97:** On or about November 01, 2018, Justin McManus, an attorney
5 representing Rodney Hamon, the heir to the estate of Jack Hamon, met with Larry Deal Cruz,
6 Rick Rivera, and Lou Maser to discuss a refund of Jack Hamon’s investment in PSR. During this
7 meeting, Dela Cruz, Rivera, and Maser made a sales pitch and attempted to convince McManus
8 to keep Hamon’s investment in PSR and to personally invest in PSR.

9 **OVERT ACT #98:** On or about November 20, 2018, Larry Dela Cruz, Rick Rivera, Lou
10 Maser, Marina Jaromay, and Chris Jaromay, offered and sold Editha Barba (DOB 01/10/1944) an
11 investment in PSR. On or about November 20, 2018, Editha Barba invested \$50,000 in PSR.

12 **OVERT ACT #99:** On or about December 21, 2018, Larry Dela Cruz and Rick Rivera
13 offered to create a Limited Liability Company for Ritchell Tejada (DOB 09/01/1981). On or
14 about December 21, 2018, R. Tejada provided Dela Cruz and Rivera \$35,000. The \$35,000 was
15 invested in PSR.

16 **OVERT ACT #100:** On or about February 19, 2019, Larry Dela Cruz, Rick Rivera, Lou
17 Maser, Marina Jaromay and Merito Jaromay offered and sold Ligaya Balignasay an investment in
18 PSR. On or about February 19, 2019, Balignasay invested \$50,000 in PSR.

19 **OVERT ACT #101:** On or about February 25, 2019, Larry Dela Cruz, Rick Rivera, Lou
20 Maser, Marina Jaromay, and Christopher Jaromay, offered and sold an investment in PSR to
21 Filipina Vasquez (DOB 2/14/1947). On or about February 25, 2019, Vasquez invested \$25,000 in
22 PSR.

23 **OVERT ACT #102:** On or about February 26, 2019, Larry Dela Cruz and Rick Rivera
24 offered and sold Christopher Klimek (DOB 1/21/1955) an investment in PSR. On or about
25 February 26, 2019, Klimek invested \$200,000 in PSR.

26 **OVERT ACT #103:** On or about March 14, 2019, Rick Rivera signed a check on PSR
27 account 853 with the memo “Klimek” to pay Ricardo Rivera \$6,000. Rivera endorsed the check.

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1 **OVERT ACT #104:** On or about March 14, 2019, Rick Rivera signed a check on PSR
2 account 853 with the memo “Klimek” to pay Larry Dela Cruz \$6,000.

3 **OVERT ACT #105:** On or about March 17, 2019, Larry Dela Cruz, Rick Rivera, and
4 Nelson Manmano offered and sold Darren Oki (DOB 12/13/1965) an investment in PSR. On or
5 about May 27, 2019, Oki invested \$650,000 in PSR.

6 **OVERT ACT #106:** On or about March 26, 2019, Larry Dela Cruz, Rick Rivera, Lou
7 Maser, Marina Jaromay and Christopher Jaromay offered and sold Anita Alonzo (DOB
8 10/17/1947) an investment in PSR. On or about March 26, 2019, Anita Alonzo invested \$25,000
9 in PSR.

10 **OVERT ACT #107:** On May 6, 2019, Rick Rivera signed a check on PSR account 853
11 with the memo “Oki, Manmano & Yamura – travel & alex” to pay Nelson Manmano \$6,504.68.

12 **OVERT ACT #108:** On or about June 3, 2019, Larry Dela Cruz, Rick Rivera, offered and
13 sold Maria and Ricardo Macasaet an investment in PSR. On or about June 3, 2019, Maria
14 Macasaet invested \$60,000 in PSR.

15 **OVERT ACT #109:** On or about June 14, 2019, Rick Rivera signed a check on PSR
16 account 853 with a memo “Macasaet” to pay Larry Dela Cruz \$3,000.

17 **OVERT ACT #110:** On or about August 10, 2019, Larry Dela Cruz, Rick Rivera, Matt
18 Rose, and Nelson Manmano offered and sold PSR to Derrick Naone (DOB 10/29/1967). On or
19 about August 10, 2019, Naone invested \$300,000 in PSR.

20 **OVERT ACT #111:** On or about August 27, 2019, Rick Rivera signed a check on PSR
21 account 853 with the memo “Derrick N.” to pay Matt Rose \$3,000. The check is endorsed by
22 Matt Rose.

23 **OVERT ACT #112:** On or about August 27, 2019, Rick Rivera signed a check on PSR
24 account 853 with the memo “Derrick N. Less Vangie Airfare” to pay Nelson Manmano \$2,500.

25 **OVERT ACT #113:** On or about September 9, 2019, Rick Rivera, Larry Dela Cruz,
26 Christopher Jaromay, and Thu Dang had a group text to discuss sales of PSR.

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1 good and services taken and obtained having a value exceeding \$950, and knew and reasonably
2 should have known that said person, Kenneth Jueneman, was an elder and dependent adult.

3 **COUNT 4**
4 **CORPORATIONS CODE SECTION 25110-25540(a) – FELONY**
5 **16mos/2yr/3yr (PC 1170(h))**

6 On or about and between the dates of April 17, 2018 and May 22, 2018, in the County of
7 Sacramento, State of California, the crime of SALE OF UNQUALIFIED SECURITY, in
8 violation CORPORATIONS CODE SECTION 25110-25540(a), a Felony, was committed by
9 LARRY DELA CRUZ, who did knowingly and willingly offer to sell a security in an issuer
10 transaction, to wit: an investment contract, to Kenneth Jueneman, without having first qualified
11 the offer and sale with the Department of Corporations for the State of California.

12 **COUNT 5**
13 **CORPORATIONS CODE SECTION 25401-25540(a)--FELONY**
14 **16mos/2yr/3yr (PC 1170(h))**

15 On or about and between the dates of April 17, 2018 and May 22, 2018, in the County of
16 Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE
17 STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS
18 CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did
19 sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION
20 25109, to wit: an investment contract, to another: Kenneth Jueneman, by means of
21 communications which include an untrue statement of material fact and omitted to state a material
22 fact necessary in order to make the statements made, in light of the circumstances under which
23 they were made, not misleading.

24 **COUNT 6**
25 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
26 **2yr/3yr/5yr (PC 1170(h))**

27 On or about and between the dates of April 17, 2018 and May 22, 2018, in the County of
28 Sacramento, State of California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO
DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A SECURITY in violation of
Corporate Code SECTION 25541(a) was committed by LARRY DELA CRUZ, who did sell and
offer to sell a security in this state as defined in CORPORATIONS CODE SECTION 25109, to

1 wit: an investment contract, to another, Kenneth Jueneman, by means of a device, scheme, or
2 artifice to defraud in the offer, purchase or sale of said security.

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4 **COUNT 7**
PENAL CODE SECTION 487 – FELONY
16mos/2yr/3yr (PC 1170(h))

5 On or about, and between the dates of June 28, 2016 and August 4, 2016, in the County of
6 Sacramento, State of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF
7 A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code
8 Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully take
9 personal property, \$100,000, of a value exceeding nine hundred and fifty dollars (\$950), the
10 property of Jack Hamon.

11
12 **COUNT 8**
PENAL CODE SECTION 368(d)—FELONY
2yr/3yr/4yr (PC 1170(h))

13 On or about and between the dates of June 28, 2016 and August 4, 2016, in the county of
14 Sacramento, State of California, the crime of THEFT FROM AN ELDER, in violation of PENAL
15 CODE Section 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully
16 carry out theft, embezzlement, forgery, fraud and identity theft with respect to the property and
17 personal identifying information of an elder and dependent adult, said property, moneys, labor,
18 good and services taken and obtained having a value exceeding \$950, and knew and reasonably
19 should have known that said person, Jack Hamon, was an elder and dependent adult.

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21 **COUNT 9**
CORPORATIONS CODE SECTION 25110-25540(a)--FELONY
16mos/2yr/3yr (PC 1170(h))

22 On or about and between the dates of June 28, 2016 and August 4, 2016, in the County of
23 Sacramento, State of California, the crime of SALE OF UNQUALIFIED SECURITY, in
24 violation CORPORATIONS CODE SECTION 25110-25540(a), a Felony, was committed by
25 LARRY DELA CRUZ, who did knowingly and willingly offer to sell a security in an issuer
26 transaction, to wit: an investment contract, to Jack Hamon, without having first qualified the offer
27 and sale with the Department of Corporations for the State of California.

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COUNT 10
CORPORATIONS CODE SECTION 25401-25540(b)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about and between the dates of June 28, 2016 and August 4, 2016, in the County of Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another: Jack Hamon, by means of communications which include an untrue statement of material fact and omitted to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

COUNT 11
CORPORATIONS CODE SECTION 25541(a)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about and between June 28, 2016 and August 4, 2016, in the County of Sacramento, State of California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Jack Hamon, by means of a device, scheme, or artifice to defraud in the offer, purchase or sale of said security.

COUNT 12
PENAL CODE SECTION 487 – FELONY
16mos/2yr/3yr (PC 1170(h))

On or about, and between the dates of March 15, 2016 and October 7, 2019, in the County of Sacramento, State of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$300,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Ray Fujii.

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COUNT 13
PENAL CODE SECTION 368(d)—FELONY
2yr/3yr/4yr (PC 1170(h))

On or about and between the dates of March 15, 2016 and October 7, 2019, in the county of Sacramento, State of California, the crime of THEFT FROM AN ELDER, in violation of PENAL CODE Section 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully carry out theft, embezzlement, forgery, fraud and identity theft with respect to the property and personal identifying information of an elder and dependent adult, said property, moneys, labor, good and services taken and obtained having a value exceeding \$950, and knew and reasonably should have known that said person, Ray Fujii, was an elder and dependent adult.

COUNT 14
CORPORATIONS CODE SECTION 25401-25540(b)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about and between the dates of March 15, 2016 and October 7, 2019, in the County of Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another: Ray Fujii, by means of communications which include an untrue statement of material fact and omitted to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

COUNT 15
CORPORATIONS CODE SECTION 25541(a)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about and between March 15, 2016 and October 7, 2019, in the County of Sacramento, State of California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in CORPORATIONS CODE SECTION 25109, to

1 wit: an investment contract, to another, Ray Fujii, by means of a device, scheme, or artifice to
2 defraud in the offer, purchase or sale of said security.

3 **COUNT 16**
4 **PENAL CODE SECTION 459/460(a) – FELONY**
5 **2yr/4yr/6yr (PC 1170(h))**

6 On or about, and before July 16, 2018, in the County of Sacramento, State of California,
7 LARRY DELA CRUZ, did enter an inhabited dwelling house and inhabited portion of a building
8 occupied by Jerry Hudson (DOB 2/1/1940), with the intent to commit larceny and any felony.

9 It is further alleged that the above offense is a violation of Penal Code Section 462(a).

10 It is further alleged that the above offense is a violent felony within the meaning of Penal
11 Code 667.5(c) in that another person, other than an accomplice, was present in the residence
12 during the commission of the above offense.

13 It is further alleged that the above offense is a serious felony within the meaning of Penal
14 Code section 1192.7(c)(18).

15 **COUNT 17**
16 **PENAL CODE SECTION 487 – FELONY**
17 **16mos/2yr/3yr (PC 1170(h))**

18 On or about, July 16, 2018, in the County of Sacramento, State of California, the crime of
19 GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
20 FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by
21 LARRY DELA CRUZ, who did unlawfully take personal property, \$43,000, of a value exceeding
22 nine hundred and fifty dollars (\$950), the property of Jerry Hudson.

23 **COUNT 18**
24 **PENAL CODE SECTION 368(d)—FELONY**
25 **2yr/3yr/4yr (PC 1170(h))**

26 On or about July 16, 2018, in the county of Sacramento, State of California, the crime of
27 THEFT FROM AN ELDER, in violation of PENAL CODE Section 368(d), a Felony, was
28 committed by LARRY DELA CRUZ, who did unlawfully carry out theft, embezzlement, forgery,
fraud and identity theft with respect to the property and personal identifying information of an
elder and dependent adult, said property, moneys, labor, good and services taken and obtained

1 having a value exceeding \$950, and knew and reasonably should have known that said person,
2 Jerry Hudson, was an elder and dependent adult.

3 **COUNT 19**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about July 16, 2018, in the County of Sacramento, State of California, the crime of
7 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Jerry Hudson, by means of communications which include an untrue statement of
12 material fact and omitted to state a material fact necessary in order to make the statements made,
13 in light of the circumstances under which they were made, not misleading.

14 **COUNT 20**
15 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about July 16, 2018, in the County of Sacramento, State of California, the crime of
18 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
19 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
20 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
21 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Jerry
22 Hudson, by means of a device, scheme, or artifice to defraud in the offer, purchase or sale of said
23 security.

24 **COUNT 21**
25 **PENAL CODE SECTION 487 – FELONY**
26 **16mos/2yr/3yr (PC 1170(h))**

27 On or about, October 18, 2016, in the County of Sacramento, State of California, the crime
28 of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED
AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was
committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$500,000, of a

1 value exceeding nine hundred and fifty dollars (\$950), the property of Norma Villarente (DOB
2 6/6/1936).

3 **COUNT 22**
4 **PENAL CODE SECTION 368(d)—FELONY**
5 **2yr/3yr/4yr (PC 1170(h))**

6 On or about October 18, 2016, in the county of Sacramento, State of California, the crime
7 of THEFT FROM AN ELDER, in violation of PENAL CODE Section 368(d), a Felony, was
8 committed by LARRY DELA CRUZ, who did unlawfully carry out theft, embezzlement, forgery,
9 fraud and identity theft with respect to the property and personal identifying information of an
10 elder and dependent adult, said property, moneys, labor, good and services taken and obtained
11 having a value exceeding \$950, and knew and reasonably should have known that said person,
12 Norma Villarente (DOB 6/6/1936), was an elder and dependent adult.

13 **COUNT 23**
14 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
15 **2yr/3yr/5yr (PC 1170(h))**

16 On or about October 18, 2016, in the County of Sacramento, State of California, the crime
17 of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
18 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
19 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
20 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
21 another: Norma Villarente (DOB 6/6/1936), by means of communications which include an
22 untrue statement of material fact and omitted to state a material fact necessary in order to make
23 the statements made, in light of the circumstances under which they were made, not misleading.

24 **COUNT 24**
25 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
26 **2yr/3yr/5yr (PC 1170(h))**

27 On or about October 18, 2016, in the County of Sacramento, State of California, the crime
28 of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER,
PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a)
was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as
defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to

1 another, Norma Villarente (DOB 6/6/1936), by means of a device, scheme, or artifice to defraud
2 in the offer, purchase or sale of said security.

3 **COUNT 25**
4 **PENAL CODE SECTION 487 – FELONY**
5 **16mos/2yr/3yr (PC 1170(h))**

6 On or about, October 19, 2016, in the County of Sacramento, State of California, the crime
7 of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED
8 AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was
9 committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$43,000, of a
10 value exceeding nine hundred and fifty dollars (\$950), the property of Mary Hasselwander (DOB
11 12/18/1952).

12 **COUNT 26**
13 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
14 **2yr/3yr/5yr (PC 1170(h))**

15 On or about October 19, 2016, in the County of Sacramento, State of California, the crime
16 of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
17 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
18 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
19 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
20 another: Mary Hasselwander (DOB 12/18/1952), by means of communications which include an
21 untrue statement of material fact and omitted to state a material fact necessary in order to make
22 the statements made, in light of the circumstances under which they were made, not misleading.

23 **COUNT 27**
24 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
25 **2yr/3yr/5yr (PC 1170(h))**

26 On or about October 19, 2016, in the County of Sacramento, State of California, the crime
27 of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER,
28 PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a)
was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as
defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to

1 another, Mary Hasselwander (DOB 12/18/1952), by means of a device, scheme, or artifice to
2 defraud in the offer, purchase or sale of said security.

3 **COUNT 28**
4 **PENAL CODE SECTION 487 – FELONY**
5 **16mos/2yr/3yr (PC 1170(h))**

6 On or about, July 19, 2016, in the County of Sacramento, State of California, the crime of
7 GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
8 FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by
9 LARRY DELA CRUZ, who did unlawfully take personal property, \$65,000, of a value exceeding
10 nine hundred and fifty dollars (\$950), the property of Virginia Benicta (DOB 12/17/1951).

11 **COUNT 29**
12 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
13 **2yr/3yr/5yr (PC 1170(h))**

14 On or about July 19, 2016, in the County of Sacramento, State of California, the crime of
15 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
16 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
17 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
18 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
19 another: Virginia Benicta (DOB 12/17/1951), by means of communications which include an
20 untrue statement of material fact and omitted to state a material fact necessary in order to make
21 the statements made, in light of the circumstances under which they were made, not misleading.

22 **COUNT 30**
23 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
24 **2yr/3yr/5yr (PC 1170(h))**

25 On or about July 19, 2016, in the County of Sacramento, State of California, the crime of
26 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
27 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
28 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Virginia
Benicta (DOB 12/17/1951), by means of a device, scheme, or artifice to defraud in the offer,
purchase or sale of said security.

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COUNT 31
PENAL CODE SECTION 487 – FELONY
16mos/2yr/3yr (PC 1170(h))

On or about, January 12, 2016 and June 20, 2018, in the County of Sacramento, State of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$85,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Christine Hansen (DOB 7/16/1951) and Leilani Bankhardt (DOB 10/19/1942).

COUNT 32
PENAL CODE SECTION 368(d)—FELONY
2yr/3yr/4yr (PC 1170(h))

On or about January 12, 2016 and June 20, 2018, in the county of Sacramento, State of California, the crime of THEFT FROM AN ELDER, in violation of PENAL CODE Section 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully carry out theft, embezzlement, forgery, fraud and identity theft with respect to the property and personal identifying information of an elder and dependent adult, said property, moneys, labor, good and services taken and obtained having a value exceeding \$950, and knew and reasonably should have known that said person, Christine Hansen (DOB 7/16/1951) and Leilani Bankhardt (DOB 10/19/1942), was an elder and dependent adult.

COUNT 33
CORPORATIONS CODE SECTION 25401-25540(b)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about January 12, 2016 and June 20, 2018, in the County of Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another: Christine Hansen (DOB 7/16/1951) and Leilani Bankhardt (DOB 10/19/1942), by means of communications which include an untrue statement of material fact and

1 omitted to state a material fact necessary in order to make the statements made, in light of the
2 circumstances under which they were made, not misleading.

3 **COUNT 34**
4 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about January 12, 2016 and June 20, 2018, in the County of Sacramento, State of
7 California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE
8 OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION
9 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in
10 this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment
11 contract, to another, Christine Hansen (DOB 7/16/1951) and Leilani Bankhardt (DOB
12 10/19/1942) Christine Hansen (DOB 7/16/1951) and Leilani Bankhardt (DOB 10/19/1942), by
13 means of a device, scheme, or artifice to defraud in the offer, purchase or sale of said security.

14 **COUNT 35**
15 **PENAL CODE SECTION 487 – FELONY**
16 **16mos/2yr/3yr (PC 1170(h))**

17 On or about, May 4, 2016, in the County of Sacramento, State of California, the crime of
18 GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
19 FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by
20 LARRY DELA CRUZ, who did unlawfully take personal property, \$110,000, of a value
21 exceeding nine hundred and fifty dollars (\$950), the property of Eldon Matal (DOB 10/28/1930).

22 **COUNT 36**
23 **PENAL CODE SECTION 368(d)—FELONY**
24 **2yr/3yr/4yr (PC 1170(h))**

25 On or about May 4, 2016, in the county of Sacramento, State of California, the crime of
26 THEFT FROM AN ELDER, in violation of PENAL CODE Section 368(d), a Felony, was
27 committed by LARRY DELA CRUZ, who did unlawfully carry out theft, embezzlement, forgery,
28 fraud and identity theft with respect to the property and personal identifying information of an
elder and dependent adult, said property, moneys, labor, good and services taken and obtained
having a value exceeding \$950, and knew and reasonably should have known that said person,
Eldon Matal (DOB 10/28/1930), was an elder and dependent adult.

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COUNT 37
CORPORATIONS CODE SECTION 25401-25540(b)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about May 4, 2016, in the County of Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another: Eldon Matal (DOB 10/28/1930), by means of communications which include an untrue statement of material fact and omitted to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

COUNT 38
CORPORATIONS CODE SECTION 25541(a)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about May 4, 2016, in the County of Sacramento, State of California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Eldon Matal (DOB 10/28/1930), by means of a device, scheme, or artifice to defraud in the offer, purchase or sale of said security.

COUNT 39
PENAL CODE SECTION 487 – FELONY
16mos/2yr/3yr (PC 1170(h))

On or about, April 4, 2016, September 11, 2018, and October 18, 2019, in the County of Sacramento, State of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$395,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Denise Tejada (DOB 11/18/1949).

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COUNT 40
PENAL CODE SECTION 368(d)—FELONY
2yr/3yr/4yr (PC 1170(h))

On or about April 4, 2016, September 11, 2018, and October 18, 2019, in the county of Sacramento, State of California, the crime of THEFT FROM AN ELDER, in violation of PENAL CODE Section 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully carry out theft, embezzlement, forgery, fraud and identity theft with respect to the property and personal identifying information of an elder and dependent adult, said property, moneys, labor, good and services taken and obtained having a value exceeding \$950, and knew and reasonably should have known that said person, Denise Tejada (DOB 11/18/1949), was an elder and dependent adult.

COUNT 41
CORPORATIONS CODE SECTION 25401-25540(b)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about April 4, 2016, September 11, 2018, and October 18, 2019, in the County of Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another: Denise Tejada (DOB 11/18/1949), by means of communications which include an untrue statement of material fact and omitted to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

COUNT 42
CORPORATIONS CODE SECTION 25541(a)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about April 4, 2016, September 11, 2018, and October 18, 2019, in the County of Sacramento, State of California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in CORPORATIONS CODE SECTION 25109, to

1 wit: an investment contract, to another, Denise Tejada (DOB 11/18/1949), by means of a device,
2 scheme, or artifice to defraud in the offer, purchase or sale of said security.

3 **COUNT 43**
4 **PENAL CODE SECTION 487 – FELONY**
5 **16mos/2yr/3yr (PC 1170(h))**

6 On or about, February 3, 2017, April 18, 2017, and May 8, 2018 in the County of
7 Sacramento, State of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF
8 A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code
9 Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully take
10 personal property, \$445,000, of a value exceeding nine hundred and fifty dollars (\$950), the
11 property of Lori Pascua DOB (8/9/1950).

12 **COUNT 44**
13 **PENAL CODE SECTION 368(d)—FELONY**
14 **2yr/3yr/4yr (PC 1170(h))**

15 On or about February 3, 2017, April 18, 2017, and May 8, 2018, in the county of
16 Sacramento, State of California, the crime of THEFT FROM AN ELDER, in violation of PENAL
17 CODE Section 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully
18 carry out theft, embezzlement, forgery, fraud and identity theft with respect to the property and
19 personal identifying information of an elder and dependent adult, said property, moneys, labor,
20 good and services taken and obtained having a value exceeding \$950, and knew and reasonably
21 should have known that said person, Lori Pascua DOB (8/9/1950), was an elder and dependent
22 adult.

23 **COUNT 45**
24 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
25 **2yr/3yr/5yr (PC 1170(h))**

26 On or about February 3, 2017, April 18, 2017, and May 8, 2018, in the County of
27 Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE
28 STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS
CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did
sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION
25109, to wit: an investment contract, to another: Lori Pascua DOB (8/9/1950), by means of

1 communications which include an untrue statement of material fact and omitted to state a material
2 fact necessary in order to make the statements made, in light of the circumstances under which
3 they were made, not misleading.

4 **COUNT 46**
5 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
6 **2yr/3yr/5yr (PC 1170(h))**

7 On or about February 3, 2017, April 18, 2017, and May 8, 2018, in the County of
8 Sacramento, State of California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO
9 DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A SECURITY in violation of
10 Corporate Code SECTION 25541(a) was committed by LARRY DELA CRUZ, who did sell and
11 offer to sell a security in this state as defined in CORPORATIONS CODE SECTION 25109, to
12 wit: an investment contract, to another, Lori Pascua DOB (8/9/1950), by means of a device,
13 scheme, or artifice to defraud in the offer, purchase or sale of said security.

14 **COUNT 47**
15 **PENAL CODE SECTION 487 – FELONY**
16 **16mos/2yr/3yr (PC 1170(h))**

17 On or about, January 26, 2017 and February 25, 2019, in the County of Sacramento, State
18 of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER
19 NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a
20 Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property,
21 \$75,000 of a value exceeding nine hundred and fifty dollars (\$950), the property of Filipina
22 Vasquez (DOB 2/17/1947).

23 **COUNT 48**
24 **PENAL CODE SECTION 368(d)—FELONY**
25 **2yr/3yr/4yr (PC 1170(h))**

26 On or about January 26, 2017 and February 25, 2019, in the county of Sacramento, State of
27 California, the crime of THEFT FROM AN ELDER, in violation of PENAL CODE Section
28 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully carry out theft,
embezzlement, forgery, fraud and identity theft with respect to the property and personal
identifying information of an elder and dependent adult, said property, moneys, labor, good and
services taken and obtained having a value exceeding \$950, and knew and reasonably should

1 have known that said person, Filipina Vasquez (DOB 2/17/1947), was an elder and dependent
2 adult.

3 **COUNT 49**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about January 26, 2017 and February 25, 2019, in the County of Sacramento, State of
7 California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND
8 OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION
9 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to
10 sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an
11 investment contract, to another: Filipina Vasquez (DOB 2/17/1947), by means of communications
12 which include an untrue statement of material fact and omitted to state a material fact necessary
13 in order to make the statements made, in light of the circumstances under which they were made,
14 not misleading.

15 **COUNT 50**
16 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
17 **2yr/3yr/5yr (PC 1170(h))**

18 On or about January 26, 2017 and February 25, 2019, in the County of Sacramento, State of
19 California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE
20 OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION
21 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in
22 this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment
23 contract, to another, Filipina Vasquez (DOB 2/17/1947), by means of a device, scheme, or artifice
24 to defraud in the offer, purchase or sale of said security.

25 **COUNT 51**
26 **PENAL CODE SECTION 487 – FELONY**
27 **16mos/2yr/3yr (PC 1170(h))**

28 On or about, October 20, 2016, November 3, 2016, March 16, 2017, and November 20,
2018, in the County of Sacramento, State of California, the crime of GRAND THEFT OF
PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in
violation of Penal Code Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ,

1 who did unlawfully take personal property, \$250,000, of a value exceeding nine hundred and fifty
2 dollars (\$950), the property of Editha Barba (DOB 1/10/1944).

3 **COUNT 52**
4 **PENAL CODE SECTION 368(d)—FELONY**
5 **2yr/3yr/4yr (PC 1170(h))**

6 On or about October 20, 2016, November 3, 2016, March 16, 2017, and November 20,
7 2018, in the county of Sacramento, State of California, the crime of THEFT FROM AN ELDER,
8 in violation of PENAL CODE Section 368(d), a Felony, was committed by LARRY DELA
9 CRUZ, who did unlawfully carry out theft, embezzlement, forgery, fraud and identity theft with
10 respect to the property and personal identifying information of an elder and dependent adult, said
11 property, moneys, labor, good and services taken and obtained having a value exceeding \$950,
12 and knew and reasonably should have known that said person, Editha Barba (DOB 1/10/1944),
13 was an elder and dependent adult.

14 **COUNT 53**
15 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about October 20, 2016, November 3, 2016, March 16, 2017, and November 20,
18 2018, in the County of Sacramento, State of California, the crime of COMMUNICATIONS
19 CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF MATERIAL FACTS in
20 violation of CORPORATIONS CODE SECTION 25401-25540(b), a Felony, was committed by
21 LARRY DELA CRUZ, who did sell and offer to sell a security in this state, as defined in
22 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another: Editha
23 Barba (DOB 1/10/1944), by means of communications which include an untrue statement of
24 material fact and omitted to state a material fact necessary in order to make the statements made,
25 in light of the circumstances under which they were made, not misleading.

26 **COUNT 54**
27 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
28 **2yr/3yr/5yr (PC 1170(h))**

On or about October 20, 2016, November 3, 2016, March 16, 2017, and November 20,
2018, in the County of Sacramento, State of California, the crime of USE OF A DEVISE,
SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE, OR SALE OF A

1 SECURITY in violation of Corporate Code SECTION 25541(a) was committed by LARRY
2 DELA CRUZ, who did sell and offer to sell a security in this state as defined in
3 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Editha
4 Barba (DOB 1/10/1944), by means of a device, scheme, or artifice to defraud in the offer,
5 purchase or sale of said security.

6 **COUNT 55**
7 **PENAL CODE SECTION 487 – FELONY**
8 **16mos/2yr/3yr (PC 1170(h))**

9 On or about, December 4, 2017 and March 26, 2019, in the County of Sacramento, State of
10 California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER
11 NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a
12 Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property,
13 \$190,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Anita
14 Alonzo (DOB 10/17/1947).

15 **COUNT 56**
16 **PENAL CODE SECTION 368(d)—FELONY**
17 **2yr/3yr/4yr (PC 1170(h))**

18 On or about December 4, 2017 and March 26, 2019, in the county of Sacramento, State of
19 California, the crime of THEFT FROM AN ELDER, in violation of PENAL CODE Section
20 368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully carry out theft,
21 embezzlement, forgery, fraud and identity theft with respect to the property and personal
22 identifying information of an elder and dependent adult, said property, moneys, labor, good and
23 services taken and obtained having a value exceeding \$950, and knew and reasonably should
24 have known that said person, Anita Alonzo (DOB 10/17/1947), was an elder and dependent adult.

25 **COUNT 57**
26 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
27 **2yr/3yr/5yr (PC 1170(h))**

28 On or about December 4, 2017 and March 26, 2019, in the County of Sacramento, State of
California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND
OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION
25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to

1 sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an
2 investment contract, to another: Anita Alonzo (DOB 10/17/1947), by means of communications
3 which include an untrue statement of material fact and omitted to state a material fact necessary
4 in order to make the statements made, in light of the circumstances under which they were made,
5 not misleading.

6 **COUNT 58**
7 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
8 **2yr/3yr/5yr (PC 1170(h))**

9 On or about December 4, 2017 and March 26, 2019, in the County of Sacramento, State of
10 California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE
11 OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION
12 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in
13 this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment
14 contract, to another, Anita Alonzo (DOB 10/17/1947), by means of a device, scheme, or artifice
15 to defraud in the offer, purchase or sale of said security.

16 **COUNT 59**
17 **PENAL CODE SECTION 487 – FELONY**
18 **16mos/2yr/3yr (PC 1170(h))**

19 On or about, August 22, 2016 and February 2, 2019, in the County of Sacramento, State of
20 California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER
21 NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a
22 Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property,
23 \$50,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Ligaya
24 Balignasay (DOB 7/8/1945).

25 **COUNT 60**
26 **PENAL CODE SECTION 368(d)—FELONY**
27 **2yr/3yr/4yr (PC 1170(h))**

28 On or about August 22, 2016 and February 2, 2019, in the county of Sacramento, State of
California, the crime of THEFT FROM AN ELDER, in violation of PENAL CODE Section
368(d), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully carry out theft,
embezzlement, forgery, fraud and identity theft with respect to the property and personal

1 identifying information of an elder and dependent adult, said property, moneys, labor, good and
2 services taken and obtained having a value exceeding \$950, and knew and reasonably should
3 have known that said person, Ligaya Balignasay (DOB 7/8/1945), was an elder and dependent
4 adult.

5 **COUNT 61**
6 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
7 **2yr/3yr/5yr (PC 1170(h))**

8 On or about August 22, 2016 and February 2, 2019, in the County of Sacramento, State of
9 California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND
10 OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION
11 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to
12 sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an
13 investment contract, to another: Ligaya Balignasay (DOB 7/8/1945), by means of
14 communications which include an untrue statement of material fact and omitted to state a material
15 fact necessary in order to make the statements made, in light of the circumstances under which
16 they were made, not misleading.

17 **COUNT 62**
18 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
19 **2yr/3yr/5yr (PC 1170(h))**

20 On or about August 22, 2016 and February 2, 2019, in the County of Sacramento, State of
21 California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE
22 OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION
23 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in
24 this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment
25 contract, to another, Ligaya Balignasay (DOB 7/8/1945), by means of a device, scheme, or
26 artifice to defraud in the offer, purchase or sale of said security.

27 **COUNT 63**
28 **PENAL CODE SECTION 487 – FELONY**
16mos/2yr/3yr (PC 1170(h))

On or about, January 26, 2017, in the County of Sacramento, State of California, the crime
of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED

1 AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was
2 committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$150,000, of a
3 value exceeding nine hundred and fifty dollars (\$950), the property of Jasmin Alejandro (DOB
4 4/15/1952).

5 **COUNT 64**
6 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
7 **2yr/3yr/5yr (PC 1170(h))**

8 On or about January 26, 2017, in the County of Sacramento, State of California, the crime
9 of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
10 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
11 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
12 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
13 another: Jasmin Alejandro (DOB 4/15/1952), by means of communications which include an
14 untrue statement of material fact and omitted to state a material fact necessary in order to make
15 the statements made, in light of the circumstances under which they were made, not misleading.

16 **COUNT 65**
17 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
18 **2yr/3yr/5yr (PC 1170(h))**

19 On or about January 26, 2017, in the County of Sacramento, State of California, the crime
20 of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER,
21 PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a)
22 was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as
23 defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
24 another, Jasmin Alejandro (DOB 4/15/1952), by means of a device, scheme, or artifice to defraud
25 in the offer, purchase or sale of said security.

26 **COUNT 66**
27 **PENAL CODE SECTION 487 – FELONY**
28 **16mos/2yr/3yr (PC 1170(h))**

On or about, September 23, 2016, in the County of Sacramento, State of California, the
crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE
HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony,

1 was committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$110,000,
2 of a value exceeding nine hundred and fifty dollars (\$950), the property of David Salvatera (DOB
3 12/8/1956).

4 **COUNT 67**
5 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
6 **2yr/3yr/5yr (PC 1170(h))**

7 On or about July 16, 2018, in the County of Sacramento, State of California, the crime of
8 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
9 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
10 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
11 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
12 another: David Salvatera (DOB 12/8/1956), by means of communications which include an
13 untrue statement of material fact and omitted to state a material fact necessary in order to make
14 the statements made, in light of the circumstances under which they were made, not misleading.

15 **COUNT 68**
16 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
17 **2yr/3yr/5yr (PC 1170(h))**

18 On or about July 16, 2018, in the County of Sacramento, State of California, the crime of
19 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
20 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
21 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
22 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, David
23 Salvatera (DOB 12/8/1956), by means of a device, scheme, or artifice to defraud in the offer,
24 purchase or sale of said security.

25 **COUNT 69**
26 **PENAL CODE SECTION 487 – FELONY**
27 **16mos/2yr/3yr (PC 1170(h))**

28 On or about, May 22, 2018, in the County of Sacramento, State of California, the crime of
GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by

1 LARRY DELA CRUZ, who did unlawfully take personal property, \$100,000, of a value
2 exceeding nine hundred and fifty dollars (\$950), the property of Glen Ramos (DOB 4/19/1970).

3 **COUNT 70**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about May 22, 2018, in the County of Sacramento, State of California, the crime of
7 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Glen Ramos (DOB 4/19/1970), by means of communications which include an untrue
12 statement of material fact and omitted to state a material fact necessary in order to make the
13 statements made, in light of the circumstances under which they were made, not misleading.

14 **COUNT 71**
15 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about May 22, 2018, in the County of Sacramento, State of California, the crime of
18 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
19 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
20 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
21 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Glen
22 Ramos (DOB 4/19/1970), by means of a device, scheme, or artifice to defraud in the offer,
23 purchase or sale of said security.

24 **COUNT 72**
25 **PENAL CODE SECTION 487 – FELONY**
26 **16mos/2yr/3yr (PC 1170(h))**

27 On or about, July 14, 2017, September 8, 2017, and June 3, 2019, in the County of
28 Sacramento, State of California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF
A VALUE OVER NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code
Section 484-487(a), a Felony, was committed by LARRY DELA CRUZ, who did unlawfully take

1 personal property, \$325,000, of a value exceeding nine hundred and fifty dollars (\$950), the
2 property of Ricardo Macasaet (DOB 7/21/1960) and Maria Macasaet (DOB 1/7/1964).

3 **COUNT 73**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about July 14, 2017, September 8, 2017, and June 3, 2019, in the County of
7 Sacramento, State of California, the crime of COMMUNICATIONS CONTAINING UNTRUE
8 STATEMENTS AND OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS
9 CODE SECTION 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did
10 sell and offer to sell a security in this state, as defined in CORPORATIONS CODE SECTION
11 25109, to wit: an investment contract, to another: Ricardo Macasaet (DOB 7/21/1960) and Maria
12 Macasaet (DOB 1/7/1964), by means of communications which include an untrue statement of
13 material fact and omitted to state a material fact necessary in order to make the statements made,
14 in light of the circumstances under which they were made, not misleading.

15 **COUNT 74**
16 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
17 **2yr/3yr/5yr (PC 1170(h))**

18 On or about July 14, 2017, September 8, 2017, and June 3, 2019, State of California, the
19 crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER,
20 PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a)
21 was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as
22 defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
23 another, Ricardo Macasaet (DOB 7/21/1960) and Maria Macasaet (DOB 1/7/1964), by means of a
24 device, scheme, or artifice to defraud in the offer, purchase or sale of said security.

25 **COUNT 75**
26 **PENAL CODE SECTION 487 – FELONY**
27 **16mos/2yr/3yr (PC 1170(h))**

28 On or about, April 14, 2017, in the County of Sacramento, State of California, the crime of
GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by

1 LARRY DELA CRUZ, who did unlawfully take personal property, \$65,000, of a value exceeding
2 nine hundred and fifty dollars (\$950), the property of Pamela Ryan (DOB 2/15/1959).

3 **COUNT 76**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about April 14, 2017, in the County of Sacramento, State of California, the crime of
7 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Pamela Ryan (DOB 2/15/1959), by means of communications which include an untrue
12 statement of material fact and omitted to state a material fact necessary in order to make the
13 statements made, in light of the circumstances under which they were made, not misleading.

14 **COUNT 77**
15 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about December 21, 2018, in the County of Sacramento, State of California, the
18 crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER,
19 PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a)
20 was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as
21 defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
22 another, Pamela Ryan (DOB 2/15/1959), by means of a device, scheme, or artifice to defraud in
23 the offer, purchase or sale of said security.

24 **COUNT 78**
25 **PENAL CODE SECTION 487 – FELONY**
26 **16mos/2yr/3yr (PC 1170(h))**

27 On or about, December 21, 2018, in the County of Sacramento, State of California, and
28 elsewhere, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER
NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a
Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property,

1 \$35,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Ritchell
2 Tejada (DOB 9/1/1989).

3 **COUNT 79**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about December 21, 2018, in the County of Sacramento, State of California, and
7 elsewhere, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND
8 OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION
9 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to
10 sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an
11 investment contract, to another: Ritchell Tejada (DOB 9/1/1989), by means of communications
12 which include an untrue statement of material fact and omitted to state a material fact necessary
13 in order to make the statements made, in light of the circumstances under which they were made,
14 not misleading.

15 **COUNT 80**
16 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
17 **2yr/3yr/5yr (PC 1170(h))**

18 On or about December 21, 2018, in the County of Sacramento, State of California, and
19 elsewhere, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE
20 OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION
21 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in
22 this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment
23 contract, to another, Ritchell Tejada (DOB 9/1/1989), by means of a device, scheme, or artifice to
24 defraud in the offer, purchase or sale of said security.

25 **COUNT 81**
26 **PENAL CODE SECTION 487 – FELONY**
27 **16mos/2yr/3yr (PC 1170(h))**

28 On or about, February 26, 2019, in the County of Sacramento, State of California, the crime
of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED
AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was
committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$200,000, of a

1 value exceeding nine hundred and fifty dollars (\$950), the property of Christopher Klimek (DOB
2 1/21/1955).

3 **COUNT 82**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about February 26, 2019, in the County of Sacramento, State of California, the crime
7 of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Christopher Klimek (DOB 1/21/1955), by means of communications which include an
12 untrue statement of material fact and omitted to state a material fact necessary in order to make
13 the statements made, in light of the circumstances under which they were made, not misleading.

14 **COUNT 83**
15 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about February 26, 2019, in the County of Sacramento, State of California, the crime
18 of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER,
19 PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a)
20 was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as
21 defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
22 another, Christopher Klimek (DOB 1/21/1955), by means of a device, scheme, or artifice to
23 defraud in the offer, purchase or sale of said security.

24 **COUNT 84**
25 **PENAL CODE SECTION 487 – FELONY**
26 **16mos/2yr/3yr (PC 1170(h))**

27 On or about, March 17, 2019, in the County of Sacramento, State of California, the crime of
28 GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by
LARRY DELA CRUZ, who did unlawfully take personal property, \$650,000, of a value
exceeding nine hundred and fifty dollars (\$950), the property of Darren Oki (DOB 12/13/1965).

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COUNT 85
CORPORATIONS CODE SECTION 25401-25540(b)--FELONY
2yr/3yr/5yr (PC 1170(h))

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5 On or about March 17, 2019, in the County of Sacramento, State of California, the crime of
6 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
7 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
8 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
9 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract,
10 to another: Darren Oki (DOB 12/13/1965), by means of communications which include an untrue
11 statement of material fact and omitted to state a material fact necessary in order to make the
12 statements made, in light of the circumstances under which they were made, not misleading.

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COUNT 86
CORPORATIONS CODE SECTION 25541(a)--FELONY
2yr/3yr/5yr (PC 1170(h))

On or about March 17, 2019, in the County of Sacramento, State of California, the crime of
USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Darren
Oki (DOB 12/13/1965), by means of a device, scheme, or artifice to defraud in the offer, purchase
or sale of said security.

COUNT 87
PENAL CODE SECTION 487 – FELONY
16mos/2yr/3yr (PC 1170(h))

On or about, August 10, 2019, in the County of Sacramento, State of California, the crime
of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED
AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was
committed by LARRY DELA CRUZ, who did unlawfully take personal property, \$300,000, of a

1 value exceeding nine hundred and fifty dollars (\$950), the property of Derrick Naone (DOB
2 10/29/1967).

3 **COUNT 88**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about August 10, 2019, in the County of Sacramento, State of California, the crime of
7 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Derrick Naone (DOB 10/29/1967), by means of communications which include an
12 untrue statement of material fact and omitted to state a material fact necessary in order to make
13 the statements made, in light of the circumstances under which they were made, not misleading.

14 **COUNT 89**
15 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about August 10, 2019, in the County of Sacramento, State of California, the crime of
18 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
19 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
20 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
21 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Derrick
22 Naone (DOB 10/29/1967), by means of a device, scheme, or artifice to defraud in the offer,
23 purchase or sale of said security.

24 **COUNT 90**
25 **PENAL CODE SECTION 487 – FELONY**
26 **16mos/2yr/3yr (PC 1170(h))**

27 On or about, July 11, 2016, in the County of Sacramento, State of California, the crime of
28 GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by
LARRY DELA CRUZ, who did unlawfully take personal property, \$100,000, of a value

1 exceeding nine hundred and fifty dollars (\$950), the property of Efen Guillermo (DOB
2 2/13/1961) and Olivia Guillermo (3/5/1962).

3 **COUNT 91**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about July 11, 2016, in the County of Sacramento, State of California, the crime of
7 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Efen Guillermo (DOB 2/13/1961) and Olivia Guillermo (3/5/1962), by means of
12 communications which include an untrue statement of material fact and omitted to state a material
13 fact necessary in order to make the statements made, in light of the circumstances under which
14 they were made, not misleading.

15 **COUNT 92**
16 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
17 **2yr/3yr/5yr (PC 1170(h))**

18 On or about July 11, 2016, in the County of Sacramento, State of California, the crime of
19 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
20 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
21 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
22 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Efen
23 Guillermo (DOB 2/13/1961) and Olivia Guillermo (3/5/1962), by means of a device, scheme, or
24 artifice to defraud in the offer, purchase or sale of said security.

25 **COUNT 93**
26 **PENAL CODE SECTION 487 – FELONY**
27 **16mos/2yr/3yr (PC 1170(h))**

28 On or about, April 6, 2018, in the County of Sacramento, State of California, the crime of
GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER NINE HUNDRED AND
FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a Felony, was committed by

1 LARRY DELA CRUZ, who did unlawfully take personal property, \$30,000, of a value exceeding
2 nine hundred and fifty dollars (\$950), the property of Fred Kosenko (DOB 5/5/1972).

3 **COUNT 94**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about, April 6, 2018, in the County of Sacramento, State of California, the crime of
7 COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND OMISSIONS OF
8 MATERIAL FACTS in violation of CORPORATIONS CODE SECTION 25401-25540(b), a
9 Felony, was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in this
10 state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to
11 another: Fred Kosenko (DOB 5/5/1972), by means of communications which include an untrue
12 statement of material fact and omitted to state a material fact necessary in order to make the
13 statements made, in light of the circumstances under which they were made, not misleading.

14 **COUNT 95**
15 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
16 **2yr/3yr/5yr (PC 1170(h))**

17 On or about, April 6, 2018, in the County of Sacramento, State of California, the crime of
18 USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE OFFER, PURCHASE,
19 OR SALE OF A SECURITY in violation of Corporate Code SECTION 25541(a) was committed
20 by LARRY DELA CRUZ, who did sell and offer to sell a security in this state as defined in
21 CORPORATIONS CODE SECTION 25109, to wit: an investment contract, to another, Fred
22 Kosenko (DOB 5/5/1972), by means of a device, scheme, or artifice to defraud in the offer,
23 purchase or sale of said security.

24 **COUNT 96**
25 **PENAL CODE SECTION 487 – FELONY**
26 **16mos/2yr/3yr (PC 1170(h))**

27 On or about, March 3, 2017 and April 27, 2018, in the County of Sacramento, State of
28 California, the crime of GRAND THEFT OF PERSONAL PROPERTY OF A VALUE OVER
NINE HUNDRED AND FIFTY DOLLARS, in violation of Penal Code Section 484-487(a), a
Felony, was committed by LARRY DELA CRUZ, who did unlawfully take personal property,

1 \$100,000, of a value exceeding nine hundred and fifty dollars (\$950), the property of Alexander
2 Barba (DOB 7/30/1966).

3 **COUNT 97**
4 **CORPORATIONS CODE SECTION 25401-25540(b)--FELONY**
5 **2yr/3yr/5yr (PC 1170(h))**

6 On or about March 3, 2017, and April 27, 2018, in the County of Sacramento, State of
7 California, the crime of COMMUNICATIONS CONTAINING UNTRUE STATEMENTS AND
8 OMISSIONS OF MATERIAL FACTS in violation of CORPORATIONS CODE SECTION
9 25401-25540(b), a Felony, was committed by LARRY DELA CRUZ, who did sell and offer to
10 sell a security in this state, as defined in CORPORATIONS CODE SECTION 25109, to wit: an
11 investment contract, to another: Alexander Barba (DOB 7/30/1966), by means of communications
12 which include an untrue statement of material fact and omitted to state a material fact necessary
13 in order to make the statements made, in light of the circumstances under which they were made,
14 not misleading.

15 **COUNT 98**
16 **CORPORATIONS CODE SECTION 25541(a)--FELONY**
17 **2yr/3yr/5yr (PC 1170(h))**

18 On or about March 3, 2017, and April 27, 2018, in the County of Sacramento, State of
19 California, the crime of USE OF A DEVISE, SCHEME, OR ARTIFICE TO DEFRAUD IN THE
20 OFFER, PURCHASE, OR SALE OF A SECURITY in violation of Corporate Code SECTION
21 25541(a) was committed by LARRY DELA CRUZ, who did sell and offer to sell a security in
22 this state as defined in CORPORATIONS CODE SECTION 25109, to wit: an investment
23 contract, to another, Alexander Barba (DOB 7/30/1966), by means of a device, scheme, or artifice
24 to defraud in the offer, purchase or sale of said security.

25 **SPECIAL ALLEGATIONS**
26 **Extended Statute of Limitations – Penal Code Sections 801.5/803(c)**

27 It is further alleged pursuant to Penal Code section 803(c) (Statute of Limitations Tolted)
28 that the offenses charged in Counts 1 through and including 101 above are felonies, and no
victims of the offenses and no law enforcement agencies chargeable with the investigation and
prosecution of the offenses had actual or constructive knowledge of the offenses prior to the date

1 of July 29, 2019, when representatives of the California Department of Justice, Division of Medi-
2 Cal Fraud and Elder Abuse were informed of the existence and identity of the conspiracy to
3 illegally and fraudulently sell and offer investments in Pagudpud Sands Resort. These offenses
4 were not discovered earlier because the defendants and others made false statements to the buyers
5 and investors in the securities, as to the true nature of the transactions and their legality under the
6 laws of the State of California.

7 **PROBATION LIMITATION**

8 It is further alleged that the offenses set forth in Counts 1 through and including 101 are
9 thefts of over \$100,000 within the meaning of Penal Code section 1203.045(a).

10 **AGGRAVATED WHITE COLLAR CRIME –LOSS GREATER THAN \$100,000**

11 It is further alleged, pursuant to Penal Code section 186.11(a) that the offenses set forth in
12 Counts 1 through 101 are related felonies, a material element of which is fraud and
13 embezzlement, which involve a pattern of related felony conduct, and the pattern of related felony
14 conduct involves the taking of an aggregate amount of more than One Hundred Thousand Dollars
15 (\$100,000).

16 **PENAL CODE SECTION 12022.6**
17 **TO JANUARY 1, 2018**

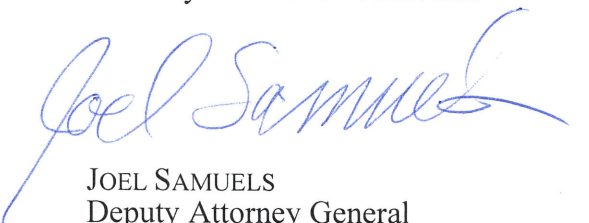
18 It is further alleged, pursuant to Penal Code section 12022.6 and *People v. Medeiros* (2021)
19 46 Cal.App 5th 1142, that the offenses in counts 7, 8, 9, 10, 11, 12, 13, 14, 15, 21, 22, 23, 24, 25,
20 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51,
21 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 72, 73, 74, 75, 76, 77, 90, 91, 92,
22 96, 97, 98, took place prior to January 1, 2018 and are subject to the enhanced penalties of this
23 section for a taking in an amount greater than \$3,200,000.

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I declare under penalty of perjury, on information and belief, pursuant to the laws of the State of California, that the foregoing is true and correct.

Dated: May 20, 2021

Respectfully Submitted,
ROB BONTA
Attorney General of California



JOEL SAMUELS
Deputy Attorney General
Attorneys for the People of the State of California