

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA           §  
                                                  §  
v.                                         § No. 6:15-CR-65  
                                                  § Judge Schneider/Love  
ROBERT HAHN                         §

**INFORMATION**

THE UNITED STATES ATTORNEY CHARGES:

**INTRODUCTION**

THE SCHEME

Beginning on or about January 1, 2007, to on or about February 4, 2015, in the Eastern District of Texas, **Robert Hahn**, defendant, did devise a scheme and artifice to defraud and for obtaining money or property by means of false or fraudulent pretenses, representations, or promises.

OBJECT OF THE SCHEME

1. The primary objective of the scheme was to obtain funds from individuals under false pretenses and maintain those funds for personal use.
2. It was part of the scheme that **Robert Hahn**, defendant, would and did:
  - a. falsely represent to individuals, hereinafter referred to as “investors,” that he represented a group of doctors, in Tyler, Texas, who were raising capital for debt retirement, construction of, or improvements to, health care facilities, and/or medical equipment purchases;

- b. falsely represent to said investors that this group doctors would pay an annual interest rate of 20% on said loans or investments;
- c. collect funds from said investors, in the form of checks, for the aforementioned loans or investments, and then deposit said checks into his insurance business and/or personal checking accounts;
- d. make “interest” payments, in cash, to said investors, representing a 20% return said loans or investments, utilizing funds derived from other investors;
- e. upon request, return principle loan or investment funds to said investors in the form of a check made payable to said investors, drawn on his insurance or personal checking accounts, utilizing funds derived from other investors.

**Count One**

Violation: 18 U.S.C. § 1343  
(Wire Fraud)

On or about February 11, 2014 in the Tyler Division of the Eastern District of Texas, **Robert Hahn**, defendant, having devised the aforesaid scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses, representations, and promises, caused to be transmitted by means of wire, in interstate commerce, writings, signs, and signals, for the purpose of executing the aforesaid scheme and artifice, to-wit: a personal check bearing number 2591, drawn on an account at Citizens State Bank, in Chandler, Texas, in the amount of \$7,000.00 made payable to the

defendant, and deposited into the defendant's business account at Southside Bank in Tyler Texas, in violation of Title 18 U.S.C. § 1343.

**Count Two**

Violation: 18 U.S.C. § 1957  
(Transaction with Criminally Derived  
Property)

On or about June 25, 2013 in Smith County, Texas, in the Eastern District of Texas, **Robert Hahn**, defendant herein, did knowingly engage and attempt to engage in a monetary transaction through a financial institution, affecting interstate commerce in criminally derived property of a value greater than \$10,000, that is, a transfer of funds in the amount of \$11,304.85 from the account of **Robert Hahn**, account number 800002065, at Austin Bank, N.A., to a personal loan of **Robert Hahn**, account number 80025246, at Austin Bank, N.A., via check, # 1032, made payable to Austin Bank, such property having been derived from a specified unlawful activity, that is, Wire Fraud, in violation of Title 18 U.S.C. § 1343, all in violation of 18 U.S.C. § 1957.

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

Pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), and 28 U.S.C. § 2461

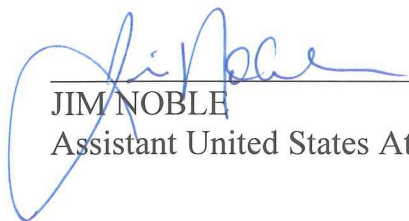
As a result of committing the offenses as alleged in this indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), and 28 U.S.C. § 2461, any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation(s).

If any property subject to forfeiture, as a result of any act or omission by the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

the defendant shall forfeit to the United States any other property of the defendant up to the value of the forfeitable property.

JOHN M. BALES  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
JIM NOBLE  
Assistant United States Attorney

11/19/2015  
\_\_\_\_\_  
Date

IN THE UNITED STATES DISTRICT COURT  
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TYLER DIVISION

UNITED STATES OF AMERICA           §  
                                                  §  
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                                                  § Judge Schneider/Love  
ROBERT HAHN                           §

**NOTICE OF PENALTY**

**Count One**

Violation:                           18 U.S.C. § 1343

Penalty:                            Imprisonment for not more than twenty (20) years; a fine of not more than \$250,000; a term of supervised release of not more than five (5) years.

Special Assessment:               \$100.00

**Count Two**

Violation:                           18 U.S.C. § 1957

Penalty:                            Imprisonment for not more than ten (10) years; a fine of not more than \$250,000; a term of supervised release of not more than three (3) years.

Special Assessment:               \$100.00

IN THE UNITED STATES DISTRICT COURT  
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UNITED STATES OF AMERICA           §  
                                                          §  
v.                                               §     Criminal No. 6:15CR 65  
                                                          §  
ROBERT HAHN                               §     (Judge Schneider/LOVE )

**FACTUAL STATEMENT**

Investigation by the Internal Revenue Service, Criminal Investigations Division, and the FBI, Tyler Field Office disclosed the following facts that establish that I, the Defendant, **Robert Hahn**, violated Title 18, United States Code, Sections 1343 and 1957.

I accept the following factual basis as true and correct:

Beginning on or about January 1, 2007, and continuing until February 4, 2015, in the Eastern District of Texas, I, the defendant, Robert Hahn, devised a scheme to defraud and obtain money from many different individuals, by using false and fraudulent pretenses and representations. The object of this scheme was for me to obtain and maintain funds for my personal use. To promote and give effect to this scheme, during said time period, I did the following:

1. I falsely represented to many different individuals that I represented a group of doctors, in Tyler, Texas, who were raising capital for debt retirement, construction of, or improvements to, health care facilities, and/or medical equipment purchases;

2. I falsely represented to these individuals that this group doctors would pay an annual interest rate of 20% on said loans or investments;
3. I collected funds from these individuals in the form of checks, for these fictitious loans or investments, and then deposited said checks into my insurance business and/or personal checking accounts;
4. I made “interest” payments, in cash, to said individuals, representing a 20% return said fictitious loans or investments, utilizing funds I derived from other individuals;
5. Upon request, returned principle loan or investment funds to said individuals in the form of a check made payable to said individuals, drawn on my insurance or personal checking accounts, utilizing funds I derived from other individuals.
6. In truth and in fact, there was no group of doctors raising capital for debt retirement, construction of, or improvements to, health care facilities, and/or medical equipment purchases. I simply made up this story in order to obtain and maintain funds for my personal use.

On one specific instance, on February 11, 2014 in Tyler, Texas, in furtherance of the herein described fraud scheme, I knowingly accepted and took possession of a personal check from one of the aforementioned individuals, made payable to me, bearing number 2591, drawn on an account at Citizens State Bank, in Chandler, Texas, in the amount of \$7,000.00 and I deposited said check into my business account at Southside Bank in Tyler Texas. This transaction caused writings, signs, and signals to be transmitted, by means of wire, in interstate commerce.

On another specific instance, on June 25, 2013 in Tyler, Texas, I caused the transfer of \$11,304.85 that was derived from proceeds from the herein described fraud scheme. I withdrew said funds from my personal checking account at Austin Bank, N.A., #8000002065, via check # 1032, and made the check payable to Austin Bank. I then tendered the check to Austin Bank which accepted the check and, accordingly, transferred said funds from my personal checking account into an Austin Bank account. I caused this monetary transaction in order to pay off the balance of a car loan I had received from the same financial institution.

Overall, as a result of herein described scheme, during the relevant time period, I collected approximately \$5,479,600.00 from approximately ninety-four (94) individuals. In furtherance of the scheme, during the relevant time period, I returned or distributed approximately \$4,072,470.00, collectively, in proceeds from the fraud scheme to some of the individuals in the form of returned "principle" and/or "interest" or "earnings". Thirty-one (31) of these individuals experienced a, combined total, net gain of


\$1,407,130.00; while sixty-six (66) of them experienced a, combined total, net loss of \$1,757,280.00.

3. **Robert Hahn** acknowledges that these acts constitute violations of Title 18, United States Code, Section 1343 (Wire Fraud) and 1957 (Money Laundering). The defendant, **Robert Hahn**, hereby stipulates that the facts described above are true and correct and accepts them as the uncontroverted facts of this case.

**SIGNATURE AND ACKNOWLEDGMENT BY DEFENDANT**  
**ROBERT HAHN**

I have read this Factual Statement and have discussed it with my attorney. I fully understand the contents of this Factual Statement and agree without reservation that it accurately describes my acts.

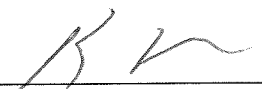
Dated: 10/30/15

  
\_\_\_\_\_  
ROBERT HAHN  
Defendant

**SIGNATURE AND ACKNOWLEDGMENT BY ATTORNEY FOR DEFENDANT**

I have read this Factual Resume and the Plea Agreement in this matter and have reviewed them with my client, **Robert Hahn**. Based upon my discussions with my client, I am satisfied that he understands the terms and effects of the Factual Resume and the Plea Agreement and that he is signing this Factual Resume voluntarily.

Dated: 10/30/15

  
\_\_\_\_\_  
R. KELLY PACE  
Attorney for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**UNITED STATES OF AMERICA** §  
**v.** § **CRIMINAL NO. 6:15cr65**  
**ROBERT HAHN** §

**REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE**

This Report and Recommendation is submitted to the Court pursuant to 28 U.S.C. § 636(b)(3). This case has been referred by the Honorable Michael Schneider to the undersigned Magistrate Judge for the taking of a felony guilty plea. The parties have consented to appear before a Magistrate Judge.

The defendant and counsel appeared before the undersigned United States Magistrate Judge who addressed the defendant personally in open Court and informed the defendant of, and determined that the defendant understood, the admonishments under Rule 11 of the Federal Rules of Criminal Procedure.

Pursuant to a plea bargain agreement with the Government, Defendant pled guilty to Counts One and Two of the Information.

The undersigned Magistrate Judge finds the following:

- 1) The defendant, with the advice of his attorney, has consented orally and in writing to enter this guilty plea before a Magistrate Judge subject to final approval and sentencing by the presiding District Judge;
- 2) The defendant fully understands the nature of the charges and penalties;
- 3) The defendant fully understands the terms of the plea agreement;
- 4) The defendant understands his constitutional and statutory rights and wishes to waive these rights, including the right to a trial by jury and the right to appear before a United States District Judge;

- 5) The defendant's plea is made freely and voluntarily;
- 6) The defendant is competent to enter this plea of guilty;
- 7) There is a factual basis for this plea; and
- 8) The ends of justice will be served by acceptance of the defendant's plea of guilty.

**Recommendation**

Accordingly, it is hereby RECOMMENDED that the District Judge accept the plea of guilty and enter a final judgment of guilty against the defendant. It is further RECOMMENDED that the plea agreement be approved conditioned upon a review of the presentence report.

The parties have waived their right to object to the finding of the Magistrate Judge in this matter so this Report and Recommendation will be presented to District Judge Michael Schneider for adoption immediately upon issuance.

**So ORDERED and SIGNED this 20th day of November, 2015.**

  
\_\_\_\_\_  
JOHN D. LOVE  
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT  
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	§	Judge Schneider/Love
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**ELEMENTS OF THE OFFENSES**

**Count One**

The defendant is charged in Count One of the information with Wire Fraud, in violation of 18 U.S.C. § 1343.

The essential elements which must be proven to establish a violation of this offense are:

- 1 That the defendant devised a scheme or artifice to defraud by means of false and fraudulent pretenses, representations, or promises,
- 2 That the defendant acted with the intent to defraud, and
- 3 That in advancing, furthering, or carrying out the scheme, the defendant transmitted a writing, signal, or sound by means of a wire, radio, or television communication in interstate commerce or caused the transmission of a writing, signal, or sound of some kind by means of a wire, radio or television communication in interstate commerce for the purpose of executing said scheme or artifice to defraud by means of false and fraudulent pretenses.

**Count Two**

The defendant is charged in Count Two of the information with conducting a Transaction with Criminally Derived Property, in violation of 18 U.S.C. § 1957.

The essential elements which must be proven to establish a violation of this offense are:

- 1 That the defendant engaged in a monetary transaction,
- 2 That the monetary transaction was conducted through a financial institution,
- 3 That the monetary transaction affected interstate commerce,
- 4 That the monetary transaction involved criminally derived property, and
- 5 That the criminally derived property was obtained by means of a specified unlawful activity.

JOHN M. BALES  
UNITED STATES ATTORNEY

/s/ Jim Noble  
Jim Noble  
Assistant United States Attorney  
110 North College, Suite 700  
Tyler, Texas 75702  
903/ 590-1400, ext. 272  
SBN 15050100

IN THE UNITED STATES DISTRICT COURT  
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TYLER DIVISION

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V.  
Robert Hahn

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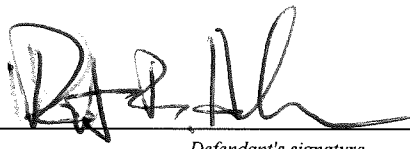
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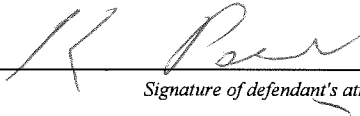
WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waived my right to prosecution by indictment and consent to prosecution by information.

Date: 11/19/15

  
Defendant's signature

  
Signature of defendant's attorney

K. PACT  
Printed name of defendant's attorney

  
Judge's signature

John D. Love, U.S. Magistrate Judge  
Judge's printed name and title