

1 EDMUND G. BROWN JR.
Attorney General of California
2 DANE R. GILLETTE
Chief Assistant Attorney General
3 RONALD D. SMETANA
Senior Assistant Attorney General
4 MICHAEL W. WHITAKER
Deputy Attorney General
5 State Bar No. 185971
300 South Spring Street, Suite 1702
6 Los Angeles, CA 90013
Telephone: (213) 576-1345
7 Fax: (213) 576-1300
E-mail: Mike.Whitaker@doj.ca.gov
8 *Attorneys for Plaintiff*

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER
12

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

Case No.

15 Plaintiff,

16 v.

FELONY COMPLAINT

17 **LAMBERT VANDER TUIG (7/23/58),**
18 **JONATHAN CARMAN (3/3/63),**
19 **MARK SOSTAK (6/15/58),**
20 **SCOTT YARD (3/19/61),**
SOREN SVENDSEN (2/7/65),
ROBERT WALDMAN (8/13/60)

21 Defendants.
22

23 THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA is informed and
24 believes that defendants LAMBERT VANDER TUIG, JONATHAN CARMAN, MARK
25 SOSTAK, SCOTT YARD, SOREN SVENDSEN and ROBERT WALDMAN have comitted the
26 following crimes:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 1

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about November 10, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Jeffrey Calentino, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 2

GRAND THEFT

On or about November 10, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Jeffrey Calentino, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 3

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about May 12, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Jeryl Rochelle, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 4

GRAND THEFT

On or about May 12, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Jeryl Rochelle, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 5

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about November 4, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Jon Levin, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 6

GRAND THEFT

On or about November 4, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Jon Levin, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 7

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 13, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Jon Levin, by means of a written or oral

1 communication which included an untrue statement of a material fact or omitted to state a
2 material fact necessary to make the statement made not misleading in light of the circumstances
3 under which it was made, in violation of Corporations Code section 25401, which is made a
4 felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 8**

6 **GRAND THEFT**

7 On or about January 13, 2006, in the County of Orange, defendants LAMBERT
8 VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to
9 wit: investment money into the Carolina Development Company, of a value in excess of Four
10 Hundred Dollars (\$400) from another, to wit, Jon Levin, in violation of Penal Code section 487,
11 subdivision (a), a felony.

12 **COUNT 9**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about May 16, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully
16 offer or sell a security to a person or persons to wit: Scott Machock and Heidi Machock, by
17 means of a written or oral communication which included an untrue statement of a material fact
18 or omitted to state a material fact necessary to make the statement made not misleading in light of
19 the circumstances under which it was made, in violation of Corporations Code section 25401,
20 which is made a felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 10**

22 **GRAND THEFT**

23 On or about May 16, 2005, in the County of Orange, defendants LAMBERT
24 VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to
25 wit: investment money into the Carolina Development Company, of a value in excess of Four
26 Hundred Dollars (\$400) from another, to wit, Scott Machock and Heidi Machock, in violation of
27 Penal Code section 487, subdivision (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 11

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about May 20, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Scott Machock and Heidi Machock, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 12

GRAND THEFT

On or about May 20, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Scott Machock and Heidi Machock, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 13

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about September 26, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Scott Machock and Heidi Machock, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 14

GRAND THEFT

On or about September 26, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Scott and Heidi Machock, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 15

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about October 27, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Scott and Heidi Machock, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 16

GRAND THEFT

On or about October 27, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Scott and Heidi Machock, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 17

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about November 1, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully offer or sell a security to a person or persons to wit: Scott and Heidi Machock, by means of a

1 written or oral communication which included an untrue statement of a material fact or omitted to
2 state a material fact necessary to make the statement made not misleading in light of the
3 circumstances under which it was made, in violation of Corporations Code section 25401, which
4 is made a felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 18**

6 **GRAND THEFT**

7 On or about November 1, 2005, in the County of Orange, defendants LAMBERT
8 VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to
9 wit: investment money into the Carolina Development Company, of a value in excess of Four
10 Hundred Dollars (\$400) from another, to wit, Scott and Heidi Machock, in violation of Penal
11 Code section 487, subdivision (a), a felony.

12 **COUNT 19**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about December 7, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, did willfully and unlawfully
16 offer or sell a security to a person or persons to wit: Scott and Heidi Machock, by means of a
17 written or oral communication which included an untrue statement of a material fact or omitted to
18 state a material fact necessary to make the statement made not misleading in light of the
19 circumstances under which it was made, in violation of Corporations Code section 25401, which
20 is made a felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 20**

22 **GRAND THEFT**

23 On or about December 7, 2005, in the County of Orange, defendants LAMBERT
24 VANDER TUIG, JONATHAN CARMAN and MARK SOSTAK, unlawfully took property, to
25 wit: investment money into the Carolina Development Company, of a value in excess of Four
26 Hundred Dollars (\$400) from another, to wit, Scott and Heidi Machock, in violation of Penal
27 Code section 487, subdivision (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 21

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about August 3, 2004, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: Ben Rozansky, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 22

GRAND THEFT

On or about August 3, 2004, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Ben Rozansky, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 23

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about March 3, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: Ben Rozansky, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 24

GRAND THEFT

On or about March 3, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Ben Rozansky, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 25

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about June 23, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: Ben Rozansky, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 26

GRAND THEFT

On or about June 23, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Ben Rozansky, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 27

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about October 20, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: Ben Rozansky, by means of a written or oral

1 communication which included an untrue statement of a material fact or omitted to state a
2 material fact necessary to make the statement made not misleading in light of the circumstances
3 under which it was made, in violation of Corporations Code section 25401, which is made a
4 felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 28**

6 **GRAND THEFT**

7 On or about October 20, 2005, in the County of Orange, defendants LAMBERT
8 VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit:
9 investment money into the Carolina Development Company, of a value in excess of Four
10 Hundred Dollars (\$400) from another, to wit, Ben Rozansky, in violation of Penal Code section
11 487, subdivision (a), a felony.

12 **COUNT 29**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about April 5, 2004, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully
16 offer or sell a security to a person or persons to wit: Grant Smith and Kremelda Smith, by means
17 of a written or oral communication which included an untrue statement of a material fact or
18 omitted to state a material fact necessary to make the statement made not misleading in light of
19 the circumstances under which it was made, in violation of Corporations Code section 25401,
20 which is made a felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 30**

22 **GRAND THEFT**

23 On or about April 5, 2004, in the County of Orange, defendants LAMBERT
24 VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit:
25 investment money into the Carolina Development Company, of a value in excess of Four
26 Hundred Dollars (\$400) from another, to wit, Grant Smith and Kremelda Smith, in violation of
27 Penal Code section 487, subdivision (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 31

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about March 31, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: Grant Smith and Kremelda Smith, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 32

GRAND THEFT

On or about March 31, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Grant Smith and Kremelda Smith, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 33

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about December 3, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: Grant Smith and Kremelda Smith, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 34

GRAND THEFT

On or about December 3, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Grant Smith and Kremelda Smith, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 35

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about March 16, 2004, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: James Beckstrom, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 36

GRAND THEFT

On or about March 16, 2004, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, James Beckstrom, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 37

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about October 13, 2004, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully offer or sell a security to a person or persons to wit: James Beckstrom, by means of a written or

1 oral communication which included an untrue statement of a material fact or omitted to state a
2 material fact necessary to make the statement made not misleading in light of the circumstances
3 under which it was made, in violation of Corporations Code section 25401, which is made a
4 felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 38**

6 **GRAND THEFT**

7 On or about October 13, 2004, in the County of Orange, defendants LAMBERT
8 VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit:
9 investment money into the Carolina Development Company, of a value in excess of Four
10 Hundred Dollars (\$400) from another, to wit, James Beckstrom, in violation of Penal Code
11 section 487, subdivision (a), a felony.

12 **COUNT 39**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about January 9, 2006, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, did willfully and unlawfully
16 offer or sell a security to a person or persons to wit: James Beckstrom, by means of a written or
17 oral communication which included an untrue statement of a material fact or omitted to state a
18 material fact necessary to make the statement made not misleading in light of the circumstances
19 under which it was made, in violation of Corporations Code section 25401, which is made a
20 felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 40**

22 **GRAND THEFT**

23 On or about January 9, 2006, in the County of Orange, defendants LAMBERT
24 VANDER TUIG, JONATHAN CARMAN and SCOTT YARD, unlawfully took property, to wit:
25 investment money into the Carolina Development Company, of a value in excess of Four
26 Hundred Dollars (\$400) from another, to wit, James Beckstrom, in violation of Penal Code
27 section 487, subdivision (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 41

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about August 26, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Tom Thompson, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 42

GRAND THEFT

On or about August 26, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Tom Thompson, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 43

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about October 21, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Tom Thompson, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 44

GRAND THEFT

On or about October 21, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Tom Thompson, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 45

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about November 15, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Alan Perin, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 46

GRAND THEFT

On or about November 15, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Alan Perin, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 47

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 20, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Alan Perin, by means of a written

1 or oral communication which included an untrue statement of a material fact or omitted to state a
2 material fact necessary to make the statement made not misleading in light of the circumstances
3 under which it was made, in violation of Corporations Code section 25401, which is made a
4 felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 48**

6 **GRAND THEFT**

7 On or about January 20, 2006, in the County of Orange, defendants LAMBERT
8 VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, unlawfully took property,
9 to wit: investment money into the Carolina Development Company, of a value in excess of Four
10 Hundred Dollars (\$400) from another, to wit, Alan Perin, in violation of Penal Code section 487,
11 subdivision (a), a felony.

12 **COUNT 49**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about December 26, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, did willfully and
16 unlawfully offer or sell a security to a person or persons to wit: Brian Davies, by means of a
17 written or oral communication which included an untrue statement of a material fact or omitted to
18 state a material fact necessary to make the statement made not misleading in light of the
19 circumstances under which it was made, in violation of Corporations Code section 25401, which
20 is made a felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 50**

22 **GRAND THEFT**

23 On or about December 26, 2005, in the County of Orange, defendants LAMBERT
24 VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, unlawfully took property,
25 to wit: investment money into the Carolina Development Company, of a value in excess of Four
26 Hundred Dollars (\$400) from another, to wit, Brian Davies, in violation of Penal Code section
27 487, subdivision (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 51

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 27, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Shar Pourdanesh, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 52

GRAND THEFT

On or about January 27, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and SOREN SVENDSEN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Shar Pourdanesh, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 53

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 25, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Delbert Reedy, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 54

GRAND THEFT

On or about January 25, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Delbert Reedy, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 55

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about May 20, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Delbert Reedy, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 56

GRAND THEFT

On or about May 20, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Delbert Reedy, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 57

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 20, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Delbert Reedy, by means of a

1 written or oral communication which included an untrue statement of a material fact or omitted to
2 state a material fact necessary to make the statement made not misleading in light of the
3 circumstances under which it was made, in violation of Corporations Code section 25401, which
4 is made a felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 58**

6 **GRAND THEFT**

7 On or about January 20, 2006, in the County of Orange, defendants LAMBERT
8 VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, unlawfully took
9 property, to wit: investment money into the Carolina Development Company, of a value in excess
10 of Four Hundred Dollars (\$400) from another, to wit, Delbert Reedy, in violation of Penal Code
11 section 487, subdivision (a), a felony.

12 **COUNT 59**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about April 5, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN, did willfully and
16 unlawfully offer or sell a security to a person or persons to wit: Bruce Dinsmore, by means of a
17 written or oral communication which included an untrue statement of a material fact or omitted to
18 state a material fact necessary to make the statement made not misleading in light of the
19 circumstances under which it was made, in violation of Corporations Code section 25401, which
20 is made a felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 60**

22 **GRAND THEFT**

23 On or about April 5, 2005, in the County of Orange, defendants LAMBERT
24 VANDER TUIG, JONATHAN CARMAN and ROBERT WALDMAN , unlawfully took
25 property, to wit: investment money into the Carolina Development Company, of a value in excess
26 of Four Hundred Dollars (\$400) from another, to wit, Bruce Dinsmore, in violation of Penal Code
27 section 487, subdivision (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 61

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about August 13, 2001, in the County of Orange, defendants LAMBERT VANDER TUIG, did willfully and unlawfully offer or sell a security to a person or persons to wit: Arthur Spagnol, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 62

GRAND THEFT

On or about August 13, 2001, in the County of Orange, defendants LAMBERT VANDER TUIG, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Arthur Spagnol, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 63

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 9, 2003, in the County of Orange, defendants LAMBERT VANDER TUIG, did willfully and unlawfully offer or sell a security to a person or persons to wit: Arthur Spagnol, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 64

GRAND THEFT

On or about January 9, 2003, in the County of Orange, defendants LAMBERT VANDER TUIG, unlawfully took property, to wit: investment money into the Carolina

1 Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to
2 wit, Arthur Spagnol, in violation of Penal Code section 487, subdivision (a), a felony.

3 **COUNT 65**

4 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

5 On or about February 11, 2005, in the County of Orange, defendants LAMBERT
6 VANDER TUIG, and JONATHAN CARMAN, did willfully and unlawfully offer or sell a
7 security to a person or persons to wit: George Hartman and Sherry Hartman, by means of a
8 written or oral communication which included an untrue statement of a material fact or omitted to
9 state a material fact necessary to make the statement made not misleading in light of the
10 circumstances under which it was made, in violation of Corporations Code section 25401, which
11 is made a felony by Corporations Code section 25540, subdivision (b).

12 **COUNT 66**

13 **GRAND THEFT**

14 On or about February 11, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG, and JONATHAN CARMAN, unlawfully took property, to wit: investment
16 money into the Carolina Development Company, of a value in excess of Four Hundred Dollars
17 (\$400) from another, to wit, George and Sherry Hartman, in violation of Penal Code section 487,
18 subdivision (a), a felony.

19 **COUNT 67**

20 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

21 On or about May 27, 2005, in the County of Orange, defendants LAMBERT
22 VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a
23 security to a person or persons to wit: Mary Lee, by means of a written or oral communication
24 which included an untrue statement of a material fact or omitted to state a material fact necessary
25 to make the statement made not misleading in light of the circumstances under which it was
26 made, in violation of Corporations Code section 25401, which is made a felony by Corporations
27 Code section 25540, subdivision (b).

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 68

GRAND THEFT

On or about May 27, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Mary Lee, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 69

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about June 24, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Mary Lee, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 70

GRAND THEFT

On or about June 24, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Mary Lee, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 71

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about July 10, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Mary Lee, by means of a written or oral communication

1 which included an untrue statement of a material fact or omitted to state a material fact necessary
2 to make the statement made not misleading in light of the circumstances under which it was
3 made, in violation of Corporations Code section 25401, which is made a felony by Corporations
4 Code section 25540, subdivision (b).

5 **COUNT 72**

6 **GRAND THEFT**

7 On or about July 10, 2005, in the County of Orange, defendants LAMBERT
8 VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment
9 money into the Carolina Development Company, of a value in excess of Four Hundred Dollars
10 (\$400) from another, to wit, Mary Lee, in violation of Penal Code section 487, subdivision (a), a
11 felony.

12 **COUNT 73**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about September 21, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a
16 security to a person or persons to wit: Mike Bollinger, by means of a written or oral
17 communication which included an untrue statement of a material fact or omitted to state a
18 material fact necessary to make the statement made not misleading in light of the circumstances
19 under which it was made, in violation of Corporations Code section 25401, which is made a
20 felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 74**

22 **GRAND THEFT**

23 On or about September 21, 2005, in the County of Orange, defendants LAMBERT
24 VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment
25 money into the Carolina Development Company, of a value in excess of Four Hundred Dollars
26 (\$400) from another, to wit, Mike Bollinger, in violation of Penal Code section 487, subdivision
27 (a), a felony.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 75

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about October 12, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Mike Bollinger, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 76

GRAND THEFT

On or about October 12, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Mike Bollinger, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 77

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 21, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Mike Bollinger, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 78

GRAND THEFT

On or about January 21, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Mike Bollinger, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 79

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about February 6, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Jason Buchanan, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 80

GRAND THEFT

On or about February 6, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Jason Buchanan, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 81

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about October 6, 2005, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Ron Campbell, by means of a written or oral

1 communication which included an untrue statement of a material fact or omitted to state a
2 material fact necessary to make the statement made not misleading in light of the circumstances
3 under which it was made, in violation of Corporations Code section 25401, which is made a
4 felony by Corporations Code section 25540, subdivision (b).

5 **COUNT 82**

6 **GRAND THEFT**

7 On or about October 6, 2005, in the County of Orange, defendants LAMBERT
8 VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment
9 money into the Carolina Development Company, of a value in excess of Four Hundred Dollars
10 (\$400) from another, to wit, Ron Campbell, in violation of Penal Code section 487, subdivision
11 (a), a felony.

12 **COUNT 83**

13 **FRAUD IN THE OFFER OR SALE OF A SECURITY**

14 On or about October 5, 2005, in the County of Orange, defendants LAMBERT
15 VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a
16 security to a person or persons to wit: David Kreske, by means of a written or oral
17 communication which included an untrue statement of a material fact or omitted to state a
18 material fact necessary to make the statement made not misleading in light of the circumstances
19 under which it was made, in violation of Corporations Code section 25401, which is made a
20 felony by Corporations Code section 25540, subdivision (b).

21 **COUNT 84**

22 **GRAND THEFT**

23 On or about October 5, 2005, in the County of Orange, defendants LAMBERT
24 VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment
25 money into the Carolina Development Company, of a value in excess of Four Hundred Dollars
26 (\$400) from another, to wit, David Kreske, in violation of Penal Code section 487, subdivision
27 (a), a felony.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 85

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 24, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: David Kreske, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

COUNT 86

GRAND THEFT

On or about January 24, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, David Kreske, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 87

FRAUD IN THE OFFER OR SALE OF A SECURITY

On or about January 20, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, did willfully and unlawfully offer or sell a security to a person or persons to wit: Rodney Mascis, by means of a written or oral communication which included an untrue statement of a material fact or omitted to state a material fact necessary to make the statement made not misleading in light of the circumstances under which it was made, in violation of Corporations Code section 25401, which is made a felony by Corporations Code section 25540, subdivision (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 88

GRAND THEFT

On or about January 20, 2006, in the County of Orange, defendants LAMBERT VANDER TUIG and JONATHAN CARMAN, unlawfully took property, to wit: investment money into the Carolina Development Company, of a value in excess of Four Hundred Dollars (\$400) from another, to wit, Rodney Mascis, in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 89

FRAUDULENT SECURITIES SCHEME

On and between August 13, 2001 and February 16, 2006, in the County of Los Angeles, defendants LAMBERT VANDER TAG, JONATHAN CARMAN, MARK SOSTAK, SCOTT YARD, SOREN SVENDSEN, and ROBERT WALDMAN, did willfully and unlawfully engage in acts, practices and a course of business which operated as a fraud and deceit upon a person or persons in connection with the offer of a security to a person or persons, to wit: all investors in the Carolina Development Company, including, but not limited to, Mike Bollinger, Jason Buchanon, Ron Campbell, David Kreske, Rodney Mascis, Jeffrey Calentino, Jeryl Rochelle, Jon Levin, Scott and Heidi Machock, Mary Lee, Tad Duke, Ben Rozansky, Grant and Kremelda Smith, James Beckstrom, Tom Thompson, Alan Perin, Brian Davies, Shar Pourdanesh, Delbert Reedy, Bruce Dinsmore, Arthur Spagnol, Rosie Davis, George and Sherry Hartman, in violation of Corporations Code section 25541, a felony.

FIRST SPECIAL ALLEGATION

[AGGRAVATED WHITE-COLLAR CRIME IN EXCESS OF \$500,000]

It is further alleged in relation to counts 1 through 89, that defendant LAMBERT VANDER TAG committed two or more related felonies, a material element of which is fraud, involving a pattern of related felony conduct and the taking of more than Five- Hundred- Thousand Dollars (\$500,000) within the meaning of Penal Code section 186.11, subdivision (a) subsection (2).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SECOND SPECIAL ALLEGATION

[AGGRAVATED WHITE-COLLAR CRIME IN EXCESS OF \$500,000]

It is further alleged in relation to counts 1 through 60, and 65 through 89, that defendant JONATHAN CARMAN committed two or more related felonies, a material element of which is fraud, involving a pattern of related felony conduct and the taking of more than Five-Hundred-Thousand Dollars (\$500,000) within the meaning of Penal Code section 186.11, subdivision (a) subsection (2).

THIRD SPECIAL ALLEGATION

[AGGRAVATED WHITE-COLLAR CRIME IN EXCESS OF \$500,000]

It is further alleged in relation to counts 1 through 20, and 89, that defendant MARK SOSTAK committed two or more related felonies, a material element of which is fraud, involving a pattern of related felony conduct and the taking of more than Five- Hundred-Thousand Dollars (\$500,000) within the meaning of Penal Code section 186.11, subdivision (a) subsection (2).

FOURTH SPECIAL ALLEGATION

[AGGRAVATED WHITE-COLLAR CRIME IN EXCESS OF \$500,000]

It is further alleged in relation to counts 21 through 40, and 89, that defendant SCOTT YARD committed two or more related felonies, a material element of which is fraud, involving a pattern of related felony conduct and the taking of more than Five- Hundred-Thousand Dollars (\$500,000) within the meaning of Penal Code section 186.11, subdivision (a) subsection (2).

FIFTH SPECIAL ALLEGATION

[AGGRAVATED WHITE-COLLAR CRIME IN EXCESS OF \$500,000]

It is further alleged in relation to counts 41 through 52, and 89, that defendant SOREN SVENDSEN committed two or more related felonies, a material element of which is fraud, involving a pattern of related felony conduct and the taking of more than Five- Hundred-Thousand Dollars (\$500,000) within the meaning of Penal Code section 186.11, subdivision (a) subsection (2).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SIXTH SPECIAL ALLEGATION

[AGGRAVATED WHITE-COLLAR CRIME IN EXCESS OF \$500,000]

It is further alleged in relation to counts 53 through 60, and 89, that defendant ROBERT WALDMAN committed two or more related felonies, a material element of which is fraud, involving a pattern of related felony conduct and the taking of more than Five- Hundred- Thousand Dollars (\$500,000) within the meaning of Penal Code section 186.11, subdivision (a) subsection (2).

SEVENTH SPECIAL ALLEGATION

[TAKING IN EXCESS OF \$3,200,000]

It is further alleged in relation to counts 1 through 89, that defendants LAMBERT VANDER TAG took property in an amount exceeding \$3,200,000 in the commission of a felony, with the intent to cause the taking within the meaning of Penal Code section 12022.6, subdivisions (a) subsection (4), and (b).

EIGHTH SPECIAL ALLEGATION

[TAKING IN EXCESS OF \$3,200,000]

It is further alleged in relation to counts 1 through 60, and 65 through 89, that defendants JONATHAN CARMAN took property in an amount exceeding \$3,200,000 in the commission of a felony, with the intent to cause the taking within the meaning of Penal Code section 12022.6, subdivisions (a) subsection (4), and (b).

NINTH SPECIAL ALLEGATION

[TAKING IN EXCESS OF \$3,200,000]

It is further alleged in relation to counts 1 through 20, and 89, that defendant MARK SOSTAK took property in an amount exceeding \$3,200,000 in the commission of a felony, with the intent to cause the taking within the meaning of Penal Code section 12022.6, subdivisions (a) subsection (4), and (b).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TENTH SPECIAL ALLEGATION

[TAKING IN EXCESS OF \$3,200,000]

It is further alleged in relation to counts 21 through 40, and 89, that defendant SCOTT YARD took property in an amount exceeding \$3,200,000 in the commission of a felony, with the intent to cause the taking within the meaning of Penal Code section 12022.6, subdivisions (a) subsection (4), and (b).

ELEVENTH SPECIAL ALLEGATION

[TAKING IN EXCESS OF \$1,300,000]

It is further alleged in relation to counts 41 through 52, and 89, that defendant SOREN SVENDSEN took property in an amount exceeding \$1,300,000 in the commission of a felony, with the intent to cause the taking within the meaning of Penal Code section 12022.6, subdivisions (a) subsection (3), and (b).

TWELFTH SPECIAL ALLEGATION

[TAKING IN EXCESS OF \$200,000]

It is further alleged in relation to counts 53 through 58, and 89, that defendant ROBERT WALDMAN took property in an amount exceeding \$200,000 in the commission of a felony, with the intent to cause the taking within the meaning of Penal Code section 12022.6, subdivisions (a) subsection (2), and (b).

THIRTEENTH SPECIAL ALLEGATION

[DENIAL OF PROBATION]

It is further alleged that defendants LAMBERT VANDER TAG, JONATHAN CARMAN, MARK SOSTAK, SCOTT YARD, SOREN SVENDSEN, and ROBERT WALDMAN, with the intent to do so, took funds of a value exceeding \$100,000, within the meaning of Penal Code section 1203.045, subdivision (a).

FOURTEENTH SPECIAL ALLEGATION

STATUTE OF LIMITATIONS - DISCOVERY WITHIN FOUR YEARS

(Pen. Code, §§ 801.5, 803(c))

1 As detailed below, the victims alleged in this Complaint, as well as law enforcement
2 officials “discovered” the crimes alleged above within four years of the commencement of this
3 case. (Pen. Code, § 803(c).)

4 1) Background Facts

5 From as early as 2001 through February 16, 2006, principals Lamber Vander Tuig,
6 Jonathan Carman, and salesmen Scott Yard, Mark Sostak, Soren Svendsen, and Robert Waldman,
7 with over 50 other unlicensed salespeople, sold at least \$50 million worth of unqualified shares of
8 common stock and promissory notes in the Carolina Development Company (hereinafter
9 “CDC”). CDC was purportedly a successful real estate development company that specialized in
10 building luxury resorts and upscale residential world champion golf course communities on land
11 they owned surrounding golf courses designed by Arnold Palmer, Jack Nicklaus and Greg "The
12 Shark" Norman.

13 In order to induce the victims to invest in CDC, the defendants made false
14 representations including: CDC was in partnership with Arnold Palmer; CDC would pay
15 dividends from property sales revenue; overstating the amount of real estate owned outright by
16 the company; understating the amount of CDC stock that was outstanding; that CDC was going
17 public any day; sales commissions paid to CDC’s sales force would not exceed 15%; and that
18 investments over \$100,000 would be secured with a first trust deed on parcels of land with a
19 value equal or superior to the investment. Additionally, the defendants failed to inform investors
20 that the president of the company had been disciplined by the Securities and Exchange
21 Commission (hereinafter “SEC”) for the sale of unregistered securities and fraud regarding stock
22 manipulation; that CDC’s stock was available for purchase at a lower price through any broker;
23 and that CDC’s stock was oversold by \$40 million which diluted its value. In November of 2005,
24 instead of going public as promised for over four years, CDC began a new fraudulent private
25 offering to raise \$100 million.

26 ///

27 ///

28 ///

1 2) Count Victims

2 With the exception of counts 21 and 22, 29 and 30, 35 through 38, and 61 through 64, the
3 sales of stock that form the basis of the charged offenses all occurred within four years of the
4 filing of this complaint.

5 As to counts 21 and 22, Ben Rozansky received a call from Scott Yard and salesman
6 Kirk Porter in Spring of 2004. They sent Rozansky sales materials regarding CDC. Rozansky
7 had experience in developing golf courses and found the Private Placement Memorandum to be
8 persuasive. On August 3, 2004, he invested \$10,000. On February 8, 2005, he received a dividend
9 as promised. Later, Porter called and said CDC was buying more land, growing and getting ready
10 to go public. On March 3, 2005, Mr. Rozansky invested an additional \$40,000. He received
11 another dividend payment on April 5, 2005. Mr. Rozansky invested another \$10,000 on June 23,
12 2005. He received additional dividend payments on July 25 and July 27, 2005. Mr. Rozansky
13 made another investment of \$10,000 on October 20, 2005.

14 Mr. Rozansky had steady contact with personnel at CDC. Lamber Vander Tuig
15 called him and was friendly. Mr. Rozansky once told Porter and Yard that he was going to visit
16 the property owned by CDC and they did not discourage him. He received Newsletters from
17 CDC and a letter in October of 2005 that discussed CDC going public and contained a new
18 subscription agreement to fill out. Because Mr. Rozansky was receiving dividend payments and
19 regular updates from the company, he did not suspect that he had been the victim of a crime until
20 he received a questionnaire from either the SEC or the court appointed receiver in approximately
21 May of 2006. Mr. Rozansky said that because CDC controlled all of the information regarding
22 the true status of the company and its assets, and gave him regular updates and dividends, he had
23 no reason to suspect that he had been the victim of fraud or to conduct further inquiry into the
24 matter prior to receiving the questionnaire.

25 As to counts 29 and 30, Grant Smith received a cold call from Lambert Vander Tuig
26 around 2002, and again in early 2004. Vander Tuig told Mr. Smith he was the president of CCP, a
27 company that was building golf course communities in North Carolina, Florida and Texas. He
28 was looking for interested investors. Vander Tuig sent Grant and his wife, Kremelda, offering

1 material including a PPM dated January 15, 2004, touting CCP's purchase of Ballymore
2 Plantation and Little River. The PPM also stated CCP had the trading symbol CACP.

3 After the conversation with Vander Tuig, the Smiths began receiving weekly
4 telephone calls from Yard. Yard stated: CDC would be going public in January of 2005, and
5 would be paying quarterly dividends; Yard felt so good about this venture that he invested his
6 own money; Lennar was coming in to build the homes on their development; Vander Tuig was a
7 spectacular, savvy businessman with great contacts; the Smiths should use money from their
8 IRAs to invest. Based on Yard's representations and information from Vander Tuig and the
9 offering material, Mr. and Mrs. Smith decided to invest \$25,194 on April 5, 2004.

10 After the Smiths made their first investment, they continuously received calls from
11 Yard with updates on the company. Yard sent a new PPM for 3,850,000 shares to raise
12 \$10,150,000 dated August 1, 2004. Yard told them: the IPO date had been postponed until Fall of
13 2005 because the company needed to correct their paperwork submitted to the SEC; CDC
14 recently sold some property; CDC's stock price would soon be increasing to \$1.50 a share and
15 they should get in before the price goes up. In the beginning of 2005, Yard sent a letter
16 discussing the latest acquisition of the Shadow Rock development in Palm Springs stating
17 grading was to begin in February of 2005; once lots are graded they could be sold to generate
18 substantial revenue; "revenue is the primary factor in driving higher stock values;" and CDC "will
19 terminate the \$2 offering and new stock will cost \$6 per share."

20 Based on all of the information provided by Yard, the Smiths decided to invest
21 \$25,000 on March 31, 2005. They received a 3% dividend on their investment on September 21,
22 2005. Sometime after the second investment, Yard advised he was so busy, Kirk Porter would
23 take over and assist them with their investments. The Smiths received monthly telephone calls
24 from Porter, who reassured them everything looked good and the market was great. Based on the
25 continuous positive information and dividends received, the Smiths decided to make a third
26 investment of \$15,000 on December 1, 2005.

27 Because CDC continued to provide dividend payments and information concerning
28 the growth of the company, the Smiths had no reason to suspect that they were the victims of a

1 crime until they checked CDC's website at the end of February of 2006, and were informed that
2 CDC had been closed by the SEC. The Smiths said that since CDC controlled all of the
3 information regarding the true status of the company and its assets, and gave them regular updates
4 and dividends, they had no reason to suspect that they had been the victims of fraud or to conduct
5 further inquiry into the matter prior to CDC's closure in February of 2006.

6 As to counts 35 through 38, James Beckstrom first was contacted by Scott Yard who
7 told him that CDC purchased golf course properties and would develop them. On March 16,
8 2004, he invested \$10,000. He believed it would take some time to get the share value up.

9 Around January 1, 2005, Yard sent him a "Greetings Shareholder" letter announcing:
10 CDC is acquiring property in Palm Springs; they obtained a Memo of Understanding regarding an
11 infusion of \$62 million to develop it with hotels, condos and estates; and the stock will soon go to
12 \$6.

13 Beckstrom received a shareholder letter dated October 9, 2005, stating that the filing
14 process to begin trading had begun and CDC had acquired more property. Kirk Porter called and
15 said CDC had acquired more land and the stock was appreciating, probably to \$7 a share. On
16 October 13, 2005, Beckstrom invested an additional \$21,000. He also received two dividend
17 payments. In addition, he received a Newsletter dated December of 2005, which contained a
18 revised Subscription Agreement. On January 9, 2006, Beckstrom invested an additional \$30,000.

19 CDC continued to contact Beckstrom from the time of his first investment until
20 shortly before it was closed by the SEC. Because CDC continued to provide dividend payments
21 and information concerning the growth of the company, Mr. Beckstrom had no reason to suspect
22 that he was the victim of a crime until he was informed that CDC's offices had been closed by the
23 SEC. Mr. Beckstrom said that since CDC controlled all of the information regarding the true
24 status of the company and its assets, and gave him regular updates and dividends, he had no
25 reason to suspect that he had been the victim of fraud or to conduct further inquiry into the matter
26 prior to CDC's closure in February of 2006.

27 As to counts 61 through 64, Arthur Spagnol first heard about CDC (then known as the
28 Carolina Company at Pinehurst) in 2000 or 2001 when he received an unsolicited telephone call

1 from Allan Chalme. Chalme sent him some offering material and told him: the company and
2 Arnold Palmer were raising money to develop two golf courses, Little River and The Carolina;
3 Arnold Palmer owned 25% of the shares; the company would be going public; shares were selling
4 for \$1 and they would be restricted for one year from date of purchase. Mr. Spagnol also spoke to
5 Vander Tuig (using the correct spelling) who told him he expected the shares to sell for \$8 per
6 share. Based on the information in the offering material and representations by Chalme and
7 Vander Tuig regarding the involvement of Arnold Palmer, Mr. Spagnol invested \$400,000 on
8 August 13, 2001, and received restricted shares. Mr. Spagnol received a letter from Vander Tuig
9 dated August 27, 2001, stating CDC acquired two golf courses with Mr. Palmer, and they were
10 acquiring "The Ballymore Plantation" built by Mr. Palmer in 1993. Vander Tuig sent Mr. Spagnol
11 a PPM dated September 1, 2001.

12 On September 14, 2001, Vander Tuig and Chalme flew Mr. Spagnol to Carolina,
13 showed him Little River and the Carolina properties that CDC owned, and outlined their
14 development plans. Chalme and Vander Tuig told him they were hiring accountants and
15 preparing to file papers with the SEC to go public within 60-90 days. In February and May of
16 2002, Mr. Spagnol received updates from Vander Tuig stating: they were close to purchasing the
17 Ballymore Plantation; they would go public in the last quarter of 2002; and the Palmer Design
18 Group was excited about their involvement with the Plantation. On January 9, 2003, Mr. Spagnol
19 invested an additional \$255,000 based on Vander Tuig's and Chalme's representations. As a
20 bonus, Vander Tuig gave Mr. Spagnol 75,000 of his own shares and 165,000 of Chalme's shares
21 to get the shares down to \$.83 per share.

22 Because Mr. Spagnol continued to receive glowing updates and Newsletters from
23 CCP (and on the website) in 2004 and 2005, he did not suspect that he had been the victim of a
24 crime until he heard that CDC's offices had been closed by the SEC. Mr. Spagnol said that
25 because CDC controlled all of the information regarding the true status of the company and its
26 assets, and gave him regular updates and bonus stock, he had no reason to suspect he was the
27 victim of fraud or to conduct further inquiry into the matter prior to CDC's closure in February of
28 2006.

1 3) Law Enforcement Discovery

2 California Department of Justice Investigator Kathryn Holguin first heard about CDC
3 from a confidential informant on September 9, 2005. The SEC was first advised of CDC's
4 possible civil violation of the federal securities laws around November of 2005 from a
5 prospective Utah investor.

6 **REQUEST FOR DISCOVERY**

7 Pursuant to Penal Code section 1054.5(b), the People informally request from defense
8 counsel all material and information whose disclosure is required by Penal Code section 1054.3.

9 **DECLARATION**

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct.

12 Dated: January 19, 2009

Respectfully Submitted,

13

EDMUND G. BROWN JR.
Attorney General of California

14

15

16

17

MICHAEL W. WHITAKER
Deputy Attorney General
Attorneys for Plaintiff

18

19 BAIL RECOMMENDATIONS:

20 Vander Tuig: \$52,000,000
21 Carman: \$52,000,000
22 Mark Sostak: \$4,500,000
23 Scott Yard: \$8,500,000
24 Soren Svenson: \$2,200,000
25 Robert Waldman: \$900,000

26

27

28

1 AGENCY: California Dept. of Justice I/O: Kathry Holguin PHONE NO:
2 (213) 576-1345

3 DR NO: OPERATOR: PRELIM TIME EST: 10 days

4

5 <u>DEFENDANT(S)</u>	<u>CII No.</u>	<u>DOB</u>	<u>BOOKING</u> <u>NUMBER</u>	<u>BAIL</u> <u>RECOM'D</u>	<u>CUSTODY</u> <u>RET DATE</u>
6 Vander Tuig, Lambert	M94659467	07-23-58		\$52,000,000	
7 Carman, Jonathan	A09218819	03-03-63		\$52,000,000	
8 Sostak, Mark	A24210761	06-15-58		\$4,500,000	
9 Yard, Scott	A08217216	03-19-61		\$8,500,000	
10 Svendsen, Soren	A23862043	02-07-65		\$2,200,00	
11 Waldman, Robert	A25782392	08-13-60		\$900,000	

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty of perjury having been made this day to me by Special Agent Jason Nichols of the California Department of Justice, I find that there is probable cause to believe that the crimes of misrepresentations or omissions in the offer or sale of securities (Corp. Code, § 25401), grand theft (Pen. Code, 487(a)), and use of a device, scheme or artifice to defraud (Corp. Code, § 25541) have been committed by the defendant named below.

Therefore, you are commanded to arrest LAMBERT VANDER TUIG, and to bring the defendant before any magistrate in Orange County pursuant to Sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ _____.

Dated:

Time Issued: _____ (am/pm)

Judge of the Superior Court
State of California, County of Orange

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty of perjury having been made this day to me by Special Agent Jason Nichols of the California Department of Justice, I find that there is probable cause to believe that the crimes of misrepresentations or omissions in the offer or sale of securities (Corp. Code, § 25401), grand theft (Pen. Code, 487(a)), and use of a device, scheme or artifice to defraud (Corp. Code, § 25541) have been committed by the defendant named below.

Therefore, you are commanded to arrest JONATHAN CARMAN, and to bring the defendant before any magistrate in Orange County pursuant to Sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ _____.

Dated: _____

Time Issued: _____ (am/pm)

Judge of the Superior Court
State of California, County of Orange

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty of perjury having been made this day to me by Special Agent Jason Nichols of the California Department of Justice, I find that there is probable cause to believe that the crimes of misrepresentations or omissions in the offer or sale of securities (Corp. Code, § 25401), grand theft (Pen. Code, 487(a)), and use of a device, scheme or artifice to defraud (Corp. Code, § 25541) have been committed by the defendant named below.

Therefore, you are commanded to arrest MARK SOSTAK, and to bring the defendant before any magistrate in Orange County pursuant to Sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ _____.

Dated: _____

Time Issued: _____ (am/pm)

Judge of the Superior Court
State of California, County of Orange

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty of perjury having been made this day to me by Special Agent Jason Nichols of the California Department of Justice, I find that there is probable cause to believe that the crimes of misrepresentations or omissions in the offer or sale of securities (Corp. Code, § 25401), grand theft (Pen. Code, 487(a)), and use of a device, scheme or artifice to defraud (Corp. Code, § 25541) have been committed by the defendant named below.

Therefore, you are commanded to arrest SCOTT YARD, and to bring the defendant before any magistrate in Orange County pursuant to Sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ _____.

Dated: _____

Time Issued: _____ (am/pm)

Judge of the Superior Court
State of California, County of Orange

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty of perjury having been made this day to me by Special Agent Jason Nichols of the California Department of Justice, I find that there is probable cause to believe that the crimes of misrepresentations or omissions in the offer or sale of securities (Corp. Code, § 25401), grand theft (Pen. Code, 487(a)), and use of a device, scheme or artifice to defraud (Corp. Code, § 25541) have been committed by the defendant named below.

Therefore, you are commanded to arrest SOREN SVENDSEN, and to bring the defendant before any magistrate in Orange County pursuant to Sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ _____.

Dated: _____

Time Issued: _____ (am/pm)

Judge of the Superior Court
State of California, County of Orange

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WARRANT OF ARREST

The People of the State of California to any peace officer of said State:

Proof by declaration under penalty of perjury having been made this day to me by Special Agent Jason Nichols of the California Department of Justice, I find that there is probable cause to believe that the crimes of misrepresentations or omissions in the offer or sale of securities (Corp. Code, § 25401), grand theft (Pen. Code, 487(a)), and use of a device, scheme or artifice to defraud (Corp. Code, § 25541) have been committed by the defendant named below.

Therefore, you are commanded to arrest ROBERT WALDMAN, and to bring the defendant before any magistrate in Orange County pursuant to Sections 821, 825, 826, and 848 of the California Penal Code.

Defendant is to be admitted to bail in the sum of \$ _____.

Dated: _____

Time Issued: _____ (am/pm)

Judge of the Superior Court
State of California, County of Orange

Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented, that the following offense(s) has/have been committed, and that there is sufficient evidence to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

	Count			Special	
	<u>No.</u>	<u>Charge</u>	<u>Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
<u>Lambert Vander Tuig</u>	1	CC 25401	2-3-5		
	2	PC 487	16-2-3		
	3	25401	2-3-5		
	4	487	16-2-3		
	5	25401	2-3-5		
	6	487	16-2-3		
	7	25401	2-3-5		
	8	487	16-2-3		
	9	25401	2-3-5		
	10	487	16-2-3		
	11	25401	2-3-5		
	12	487	16-2-3		
	13	25401	2-3-5		
	14	487	16-2-3		
	15	25401	2-3-5		
	16	487	16-2-3		
	17	25401	2-3-5		
	18	487	16-2-3		
	19	25401	2-3-5		
	20	487	16-2-3		
	21	25401	2-3-5		
	22	487	16-2-3		
	23	25401	2-3-5		
	24	487	16-2-3		
	25	25401	2-3-5		
	26	487	16-2-3		
	27	25401	2-3-5		
	28	487	16-2-3		
	29	25401	2-3-5		
	30	487	16-2-3		
	31	25401	2-3-5		
	32	487	16-2-3		
	33	25401	2-3-5		
	34	487	16-2-3		
	35	25401	2-3-5		
	36	487	16-2-3		
	37	25401	2-3-5		
	38	487	16-2-3		
	39	25401	2-3-5		
	40	487	16-2-3		
	41	25401	2-3-5		

1	42	487	16-2-3
	43	25401	2-3-5
2	44	487	16-2-3
	45	25401	2-3-5
3	46	487	16-2-3
	47	25401	2-3-5
4	48	487	16-2-3
	49	25401	2-3-5
5	50	487	16-2-3
	51	25401	2-3-5
6	52	487	16-2-3
	53	25401	2-3-5
7	54	487	16-2-3
	55	25401	2-3-5
8	56	487	16-2-3
	57	25401	2-3-5
9	58	487	16-2-3
	59	25401	2-3-5
10	60	487	16-2-3
	61	25401	2-3-5
11	62	487	16-2-3
	63	25401	2-3-5
12	64	487	16-2-3
	65	25401	2-3-5
13	66	487	16-2-3
	67	25401	2-3-5
14	68	487	16-2-3
	69	25401	2-3-5
15	70	487	16-2-3
	71	25401	2-3-5
16	72	487	16-2-3
	73	25401	2-3-5
17	74	487	16-2-3
	75	25401	2-3-5
18	76	487	16-2-3
	77	25401	2-3-5
19	78	487	16-2-3
	79	25401	2-3-5
20	80	487	16-2-3
	81	25401	2-3-5
21	82	487	16-2-3
	83	25401	2-3-5
22	84	487	16-2-3
	85	25401	2-3-5
23	86	487	16-2-3
	87	25401	2-3-5
24	88	487	16-2-3
	89	CC 25541	2-3-5

186.11(a)(2) 2-3-5
12022.6(a)(4) 4 years

25
26
27
28

Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented, that the following offense(s) has/have been committed, and that there is sufficient evidence to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

	Count			Special	
	<u>No.</u>	<u>Charge</u>	<u>Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
<u>Jonathan Carman</u>	1	CC 25401	2-3-5		
	2	PC 487	16-2-3		
	3	25401	2-3-5		
	4	487	16-2-3		
	5	25401	2-3-5		
	6	487	16-2-3		
	7	25401	2-3-5		
	8	487	16-2-3		
	9	25401	2-3-5		
	10	487	16-2-3		
	11	25401	2-3-5		
	12	487	16-2-3		
	13	25401	2-3-5		
	14	487	16-2-3		
	15	25401	2-3-5		
	16	487	16-2-3		
	17	25401	2-3-5		
	18	487	16-2-3		
	19	25401	2-3-5		
	20	487	16-2-3		
	21	25401	2-3-5		
	22	487	16-2-3		
	23	25401	2-3-5		
	24	487	16-2-3		
	25	25401	2-3-5		
	26	487	16-2-3		
	27	25401	2-3-5		
	28	487	16-2-3		
	29	25401	2-3-5		
	30	487	16-2-3		
	31	25401	2-3-5		
	32	487	16-2-3		
	33	25401	2-3-5		
	34	487	16-2-3		
	35	25401	2-3-5		
	36	487	16-2-3		
	37	25401	2-3-5		
	38	487	16-2-3		
	39	25401	2-3-5		
	40	487	16-2-3		
	41	25401	2-3-5		

1	42	487	16-2-3
	43	25401	2-3-5
2	44	487	16-2-3
	45	25401	2-3-5
3	46	487	16-2-3
	47	25401	2-3-5
4	48	487	16-2-3
	49	25401	2-3-5
5	50	487	16-2-3
	51	25401	2-3-5
6	52	487	16-2-3
	53	25401	2-3-5
7	54	487	16-2-3
	55	25401	2-3-5
8	56	487	16-2-3
	57	25401	2-3-5
9	58	487	16-2-3
	59	25401	2-3-5
10	60	487	16-2-3
	65	25401	2-3-5
11	66	487	16-2-3
	67	25401	2-3-5
12	68	487	16-2-3
	69	25401	2-3-5
13	70	487	16-2-3
	71	25401	2-3-5
14	72	487	16-2-3
	73	25401	2-3-5
15	74	487	16-2-3
	75	25401	2-3-5
16	76	487	16-2-3
	77	25401	2-3-5
17	78	487	16-2-3
	79	25401	2-3-5
18	80	487	16-2-3
	81	25401	2-3-5
19	82	487	16-2-3
	83	25401	2-3-5
20	84	487	16-2-3
	85	25401	2-3-5
21	86	487	16-2-3
	87	25401	2-3-5
22	88	487	16-2-3
	89	CC 25541	2-3-5

186.11(a)(2) 2-3-5
12022.6(a)(4) 4 years

23
24
25
26
27
28

Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented, that the following offense(s) has/have been committed, and that there is sufficient evidence to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

	Count			Special	
	<u>No.</u>	<u>Charge</u>	<u>Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
<u>Mark Sostak</u>	1	CC 25401	2-3-5		
	2	PC 487	16-2-3		
	3	25401	2-3-5		
	4	487	16-2-3		
	5	25401	2-3-5		
	6	487	16-2-3		
	7	25401	2-3-5		
	8	487	16-2-3		
	9	25401	2-3-5		
	10	487	16-2-3		
	11	25401	2-3-5		
	12	487	16-2-3		
	13	25401	2-3-5		
	14	487	16-2-3		
	15	25401	2-3-5		
	16	487	16-2-3		
	17	25401	2-3-5		
	18	487	16-2-3		
	19	25401	2-3-5		
	20	487	16-2-3		
	89	CC 25541	2-3-5		
				186.11(a)(2)	2-3-5
				12022.6(a)(4)	4 years

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented, that the following offense(s) has/have been committed, and that there is sufficient evidence to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

	Count			Special	
	<u>No.</u>	<u>Charge</u>	<u>Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
<u>Scott Yard</u>	21	CC 25401	2-3-5		
	22	PC 487	16-2-3		
	23	25401	2-3-5		
	24	487	16-2-3		
	25	25401	2-3-5		
	26	487	16-2-3		
	27	25401	2-3-5		
	28	487	16-2-3		
	29	25401	2-3-5		
	30	487	16-2-3		
	31	25401	2-3-5		
	32	487	16-2-3		
	33	25401	2-3-5		
	34	487	16-2-3		
	35	25401	2-3-5		
	36	487	16-2-3		
	37	25401	2-3-5		
	38	487	16-2-3		
	39	25401	2-3-5		
	40	487	16-2-3		
	89	CC 25541	2-3-5		
				186.11(a)(2)	2-3-5
				12022.6(a)(4)	4 years

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented, that the following offense(s) has/have been committed, and that there is sufficient evidence to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

	Count			Special	
	<u>No.</u>	<u>Charge</u>	<u>Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
<u>Soren Svendsen</u>	41	CC 25401	2-3-5		
	42	PC 487	16-2-3		
	43	25401	2-3-5		
	44	487	16-2-3		
	45	25401	2-3-5		
	46	487	16-2-3		
	47	25401	2-3-5		
	48	487	16-2-3		
	49	25401	2-3-5		
	50	487	16-2-3		
	51	25401	2-3-5		
	52	487	16-2-3		
	89	CC 25541	2-3-5		
				186.11(a)(2)	2-3-5
				12022.6(a)(3)	3 years

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Order Holding To Answer - Felony Complaint (P.C. § 872)

It appearing to me from the evidence presented, that the following offense(s) has/have been committed, and that there is sufficient evidence to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

	Count			Special	
	<u>No.</u>	<u>Charge</u>	<u>Range</u>	<u>Allegation</u>	<u>Alleg. Effect</u>
<u>Robert Waldman</u>	53	CC 25401	2-3-5		
	54	PC 487	16-2-3		
	55	25401	2-3-5		
	56	487	16-2-3		
	57	25401	2-3-5		
	58	487	16-2-3		
	59	25401	2-3-5		
	60	487	16-2-3		
	89	CC 25541	2-3-5		
				186.11(a)(2)	2-3-5
				12022.6(a)(2)	2 years

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER OF THE COURT

I ORDER that the defendant(s) named below be held to answer for the above-described offense(s) and allegation(s) and be admitted to bail in the sum(s) of:

- Lambert Vander Tuig \$ _____
- Jonathan Carman \$ _____
- Mark Sostak \$ _____
- Scott Yard \$ _____
- Soren Svendsen \$ _____
- Robert Waldman \$ _____

And that said defendant(s) be committed to the custody of the Sheriff of Orange County until such bail is given. The date of felony arraignment is set for:

_____ in Department ____ at _____ a.m.
(Date)

LA2006300284
50374437.doc