

1 EDMUND G. BROWN JR.
Attorney General of California
2 ROBERT MORGESTER
Deputy Attorney General
3 State Bar No. 142236
1300 I Street, Suite 125
4 P.O. Box 944255
Sacramento, CA 94244-2550
5 Telephone: (916) 445-9330
Fax: (916) 322-2368
6 E-mail: Robert.Morgester@doj.ca.gov
Attorneys for People

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SHASTA

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

14 Plaintiff,

COMPLAINT (FELONY)

15 **v.**

16 **GARY T. ARMITAGE;**
17 **JEFFERY A. GUIDI;**
18 **JAMES STANLEY KOENIG,**

19 Defendant.

20
21 ATTORNEY GENERAL

22 The Attorney General of California, by and through the undersigned Deputy Attorney
23 General, on information and belief, complains and accuses defendants of having committed, in
24 the County of Shasta, State of California, the crimes of:
25
26
27
28

1 **COUNT 1**

2 (QUAIL HOLLOW OFFERING)

3 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
4 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
5 **CODE, A FELONY.**

6 Defendants

7 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

8 On and between July 11, 1997, and January 3, 1997, did willfully and unlawfully and in
9 violation of Corporations Code Section 25401/25540, offer securities for sale and sell securities
10 to Robert & Mary Fossee, D.S. Gregg, and James R. Ross by means of written or oral
11 communication which included an untrue statement of material fact or omitted to state a material
12 fact necessary to make the statements made not misleading in light of the circumstances under
13 which they were made.

14 **COUNT 2**

15 (QUAIL HOLLOW OFFERING)

16 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
17 **CODE, A FELONY.**

18 Defendants

19 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

20 For a further and separate cause of Complaint, being a different offense from but connected
21 in its commission with the charges set forth in Counts 1 through 79, complainant further
22 complains and states that on and between July 11, 1997, and January 3, 1997, did willfully and
23 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
24 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by James
25 R. Ross with the intent to commit larceny and any felony.

26 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
27 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).
28

1 **COUNT 3**

2 (LAKE COLLEGE OFFERING)

3 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
4 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
5 **CODE, A FELONY.**

6 Defendants

7 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

8 For a further and separate cause of Complaint, being a different offense from but connected
9 in its commission with the charges set forth in Counts 1 through 79, complainant further
10 complains and states that on and between January 2, 2002, and April 9, 2008, did willfully and
11 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
12 and sell securities to Stephen and Ann Booth, Vernon & Sharon Dexter, Clair Kennedy, Susan
13 Pricco, Lee Walker, Sally Webber, Craig Allen, Guido Arreco, Robert Austin, Christopher
14 Blasdel, John Brooks, Andrew Fine, Virginia Gruber, Merrily Lee, Neil Morris, Tina Morris,
15 Wallace Mara, Heide Merson, Murriel Potter, Kay Reed, Terry Stupar, Mabel Terry, Larry
16 Timmons, Linda Trapanese, and Darcy Deskin by means of written or oral communication which
17 included an untrue statement of material fact or omitted to state a material fact necessary to make
18 the statements made not misleading in light of the circumstances under which they were made.

19 **COUNT 4**

20 (LAKE COLLEGE OFFERING)

21 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
22 **CODE, A FELONY.**

23 Defendants

24 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

25 For a further and separate cause of Complaint, being a different offense from but connected
26 in its commission with the charges set forth in Counts 1 through 79, complainant further
27 complains and states that on and between January 2, 2002, and April 9, 2008, did willfully and
28 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
inhabited dwelling house and trailer coach and inhabited portion of a building occupied by

1 Stephen & Ann Booth, Neil Morris, Tina Morris, Vernon & Sharon Dexter, Claire Kennedy,
2 Susan Pricco, Lee Walker, and Sally Weber with the intent to commit larceny and any felony.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
4 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

5 **COUNT 5**

6 (FOX RUN OFFERING)

7 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
8 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between April 20, 1999, and March 12, 2001, did willfully and
15 unlawfully and in violation of Corporations Code Section 25401/25540, offer securities for sale
16 and sell securities to Jean Hicks, Jay Kerzner, Kata Lekich, Diane Maxwell, James Maxwell,
17 Steven Ross, Charles & Eleanor Smith, Beverly Ewoldsen, Dennis & Janet Furby, Frank &
18 Constance Geraci, D.S. Gregg, Norman & Lynda Hamilton, Michael & Ruth Peritz, George &
19 Nona Merrill, Phillip Rhode, and Karen Nencini by means of written or oral communication
20 which included an untrue statement of material fact or omitted to state a material fact necessary to
21 make the statements made not misleading in light of the circumstances under which they were
22 made.

23 **COUNT 6**

24 (FOX RUN OFFERING)

25 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
26 **CODE, A FELONY.**

27 Defendants

28 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between April 20, 1999, and March 12, 2001, did willfully and
4 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
5 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Jean
6 Hicks, Jay Kerzner, Kata Lekich, Diane Maxwell, James Maxwell, Steven Ross, and Charles &
7 Eleanor Smith with the intent to commit larceny and any felony.

8 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
9 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

10 COUNT 7

11 (AREI CORPORATE NOTE OFFERING)

12 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL** 13 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS** 14 **CODE, A FELONY.**

15 Defendants

16 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

17 For a further and separate cause of Complaint, being a different offense from but connected
18 in its commission with the charges set forth in Counts 1 through 79, complainant further
19 complains and states that on and between November 19, 2000, and August 8, 2008, did willfully
20 and unlawfully and in violation of Corporations Code Section 25401/25540, offer securities for
21 sale and sell securities to Norman Bachignani, Neil Morris, Tina Morris, Majorie Bailey, Stephen
22 & Ann Booth, Pia Brown, Vernon & Sharon Dexter, Clayton Drake, Susan Drake, Callie Edward,
23 Craig Geis, Allan & Kay Goodmanson, Florence Haedt, Deanna Hanks, Patricia Hutchinson,
24 Thomas Hutchinson, Ronald Johnson, Sandra Johnson, Susan Joyce, Claire Kennedy, Jay
25 Kerzner, Robert Korhummel, Ronald Larson, David Lee, Kata Lekich, Lynn Luthi, William
26 Manusco, James & Kay McNeil, Lorraine Miles, Meludi Miles, Eileen Miller, Rose Nicholson,
27 Susan Pricco, Chareles & Eleanor Smith, Lee Walker, Sally Weber, Stanley & Nancy Weerts,
28 Darlyn Hoel, Henry Anderson, Guido Arreco, Brian & Sandra Barclay, Linda Beeson, James

1 Bjorge, Stanford Boardman, Jessica Brooks, John Brooks, Victoria Buchman, Thomas & Rita
2 Casebier, Patricia Dearman, Douglas Deskin, Stan Deutsch, Dynamic Precast Company, Diane
3 Ellsworth, John & Joyce Esakson, Tony Estes, Andrew Fine, David Forsman, Cynthia Gardner,
4 Frank & Constance Geraci, Susan Goodson, Virginia Gruber, Roderic Gue, Carol Gue, Charles
5 Hartwig, Thomas Hobbs, Brad Hol, Wendy Horton, Jeffrey Hough, Paul Hough, Lawrence
6 Howerton, Robert & Gisela Juengling, Darrell Jurling, Erick & Karen Kruse, Dennis & Pat
7 Larson, MaryAnn Lee, Merrily Lee, Lorraine Lender, Ray L'Esperance, Kristina Loquist,
8 Georgiana Maly, Doris Maneke, Diane Mara, Roberto Mendoza, Heide Merson, Glen & Dana
9 Meyer, Arnie & Kelli Moore, Allan & Linda Morgan, Bonnie Morrissey, Mervyn & Helen
10 Moyes, Carolyn Petersen, Leland Pfleiderer, Vardon Richardson, Richard & Hope Samaras,
11 Leslie Santucci, Paula Schulz, Paul & Kathryn Sheckler, Louis & Mary Siegert, Mabel Terry,
12 Terrance Thelen, Carol Thole, John & Ann Thomas, Larry Timmons, Linda Trapanese, Sharon
13 Waite, Gerald Welch, Sandra Wetzels-Ryan, Jack White, Michael Alvarado, Henry Anderson,
14 Joyce Brown, Ruth Chandler, Teresa Channel, John & Marilyn Dehnert, Darcy Deskin, Joanne
15 Duncan, Beverly Ewoldsen, GBC Global Investments, Inc., Diane Harrington, David Koehn,
16 Robert & Heidi Korhummel, Constance Kostolefsky, George & Nona Merrill, W. & B. Mitchell,
17 Phillip Rhode, Veronica Royer, Williard & Shirley Rush, Robert Schiff, Lawrence & Barbara
18 Shepard, Giovanni Nencini, Karen Nencini, and Nella Nencini by means of written or oral
19 communication which included an untrue statement of material fact or omitted to state a material
20 fact necessary to make the statements made not misleading in light of the circumstances under
21 which they were made.

22 **COUNT 8**

23 (AREI CORPORATE NOTE OFFERING)

24 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
25 **CODE, A FELONY.**

26 Defendants

27 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**
28

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between November 19, 2000, and August 8, 2008, did willfully
4 and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
5 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
6 Norman Bachignani, Majorie Bailey, Stephen & Ann Booth, Pia Brown, Vernon & Sharon
7 Dexter, Clayton Drake, Susan Drake, Callie Edward, Neil Morris, Tina Morris, Craig Geis, Allan
8 & Kay Goodmanson, Florence Haedt, Deanna Hanks, Patricia Hutchinson, Thomas Hutchinson,
9 Ronald Johnson, Sandra Johnson, Susan Joyce, Claire Kennedy, Jay Kerzner, Robert
10 Korhummel, Ronald Larson, David Lee, Kata Lekich, Lynn Luthi, William Manusco, James &
11 Kay McNeil, Lorraine Miles, Meludi Miles, Eileen Miller, Rose Nicholson, Susan Pricco, Charles
12 & Eleanor Smith, Lee Walker, Sally Weber, and Stanley & Nancy Weerts with the intent to
13 commit larceny and any felony.

14 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
15 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

16 **COUNT 9**

17 (VALDRY COURT OFFERING)

18 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL** 19 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS** 20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between January 3, 2001, and June 1, 2002, did willfully and
26 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
27 and sell securities to Majorie Bailey, Diane Maxwell, James Maxwell, Linda Beeson, George &
28 Rosemary Coleman, Robert & Mary Fossee, Charles Hartwig, Ann Hobbs, Ronald Johnson,

1 Sandra Johnson, Susan Joyce, Lorraine Lender, Georgiana Maley, Carol Patterson, Linda
2 Trapanese, George & Nona Merrill, Karen Nencini, Nella Nencini, and Teresa Timmons by
3 means of written or oral communication which included an untrue statement of material fact or
4 omitted to state a material fact necessary to make the statements made not misleading in light of
5 the circumstances under which they were made.

6 **COUNT 10**

7 (VALDRY COURT OFFERING)

8 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between January 3, 2001, and June 1, 2002, did willfully and
15 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
16 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
17 Majorie Bailey, Diane Maxwell, and James Maxwell with the intent to commit larceny and any
18 felony.

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
20 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

21 **COUNT 11**

22 (SUNSET BAY OFFERING)

23 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
24 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
25 **CODE, A FELONY.**

26 Defendants

27 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**
28

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between October 11, 1999, and March 4, 2003, did willfully and
4 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
5 and sell securities to Jay Kerzner, Diane Maxwell, Eileen Miller, Charles & Eleanor Smith, Diane
6 Gieg, Thomas Hobbs, Ronald & Sandra Johnson, Robert & Gisela Juengling, Lorraine Lender,
7 David Pearce, Linda Rezac, Sandra Wetzel-Ryan, George & Nona Merrill, Giovanni Nencini,
8 Nella Nencini, Larry Timmons, Lee Walker by means of written or oral communication which
9 included an untrue statement of material fact or omitted to state a material fact necessary to make
10 the statements made not misleading in light of the circumstances under which they were made.

11 **COUNT 12**

12 (SUNSET BAY OFFERING)

13 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
14 **CODE, A FELONY.**

15 Defendants

16 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

17 For a further and separate cause of Complaint, being a different offense from but connected
18 in its commission with the charges set forth in Counts 1 through 79, complainant further
19 complains and states that on and between October 11, 1999, and March 4, 2003, did willfully and
20 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
21 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Jay
22 Kerzner, Diane Maxwell, Eileen Miller, and Charles & Eleanor Smith with the intent to commit
23 larceny and any felony.

24 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
25 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

1 **COUNT 13**

2 (FOX RUN OFFERING)

3 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
4 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
5 **CODE, A FELONY.**

6 Defendants

7 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

8 For a further and separate cause of Complaint, being a different offense from but connected
9 in its commission with the charges set forth in Counts 1 through 79, complainant further
10 complains and states that on and between August 26, 1995, and April 13, 2000, did willfully and
11 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
12 and sell securities to Jean Hicks, Jay Kerzner, Kata Lekich, Diane Maxwell, James Maxwell,
13 Steven Ross, Charles & Eleanor Smith, Beverly Ewoldsen, Dennis & Janet Furby, Frank &
14 Constance Geraci, D.S. Gregg, Norman & Lynda Hamilton, Michael & Ruth Peritz, George &
15 Nona Merrill, Phillip Rhode, Karen Nencini by means of written or oral communication which
16 included an untrue statement of material fact or omitted to state a material fact necessary to make
17 the statements made not misleading in light of the circumstances under which they were made.

18 **COUNT 14**

19 (FOX RUN OFFERING)

20 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
21 **CODE, A FELONY.**

22 Defendants

23 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

24 For a further and separate cause of Complaint, being a different offense from but connected
25 in its commission with the charges set forth in Counts 1 through 79, complainant further
26 complains and states that on and between August 26, 1995, and April 13, 2000, did willfully and
27 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
28 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Jean

1 Hicks, Jay Kerzner, Kata Lekich, Diane Maxwell, James Maxwell, Steven Ross, Charles &
2 Eleanor Smtih, and Beverly Ewoldsen with the intent to commit larceny and any felony.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
4 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

5 **COUNT 15**

6 (MOUNTAIN HOUSE GOLF COURSE OFFERING)

7 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
8 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between June 1, 1999, and April 1, 2007, did willfully and
15 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
16 and sell securities to Judith Armitage, Dorothy Behler, Stephen & Ann Booth, Vernon & Sharon
17 Dexter, Callie Edward, Diane Ellsworth, James Ettinger, Craig Geis, Susan Goodmanson, Deanna
18 Hanks, Jean Hicks, Thomas & Patricia Hutchinson, Robert Korhummel, Daphne Lovely, Lynn
19 Luthi, William Mancusco, Sherry Martin, James Maxwell, James & Kay McNeil, Ralph & Debra
20 Shelton, Shaina Shelton, Charles Smith, Anita Thrall, Robert & Barbara Towel, Guido Arreco,
21 Linda Beeson, Sanford & Eileen Boardman, Merylee Boes, Gloria Buchanan, Kurt Cahenzli,
22 Thomas Casebier, Patricia Cella, James Derr, John & Joyce Esakson, Tony Estes, Andrew Fine,
23 David Forsman, Martha Forunati, Robert & Mary Fosse, Paul Freese, Cynthia Gardner, Carol
24 Green, Virginia Gruber, Robert Hall, Norman & Lynda Hamilton, Thomas Hobbs, Paul Hough,
25 Christopher Jones, Kay Kerriden, MaryAnn Lee, Merrily Lee, Tiffany Lee, Lorraine Lender, Jill
26 Madison, Byron Maly, Larry & Jo-Anne Maniscalco, Diane Mara, Michael Marovich, John May,
27 Shirley May, Michael McClenahan, Ralph Mele, Glen & Dana Meyer, Louis & Kimberly
28 Montano, Arnie & Kelli Moore, Hiroki Morimoto, Angelica Nieto, Jess Nieto, Bernadette Payne,

Bruce Payne, David Pearce, Frances Pearson, James & Gisele Pekkain, Leland Pfleiderer, William Potter, Kay Reed, Linda Rezac, Patricia Richardson, Vardon Richardson, Robert Righetti, Dale & Roswitha Robinson, Frederic & Virginia Rogers, Paul & Kathryn Sheckler, Samuel Sherwood, Louis & Mary Siegert, Manuel Silva, Sybil Skinner, Mary Ann Sluss, Edward Steiger, Robert Stickel, Dilla Sunderland, Robert Sunderland, Loyde & Kathleen Tatton, Mabel Terry, Carol Thole, William Thon, Larry Timmons, Teresa Timmons, Linda Trapanese, David Veith, Donald & Carole Wedl, Sandra Wetzel-Ryan, Jack White, Joanne Duncan, Michael Alvarado, Stephen Booth, William & Virginia Costanzo, Beverly Ewoldsen, Diane Herrington, David Koehn, Merle McGregor, George & Nona Merrill, Maria Peterson, Phillip Rohde, Kent Routh, Douglas Routh, Karen Nencini, Nella Nencini, and Susan Pricco by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact necessary to make the statements made not misleading in light of the circumstances under which they were made.

COUNT 16

(MOUNTAIN HOUSE GOLF COURSE OFFERING)

RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL CODE, A FELONY.

Defendants

GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG

For a further and separate cause of Complaint, being a different offense from but connected in its commission with the charges set forth in Counts 1 through 79, complainant further complains and states that on and between June 1, 1999, and April 1, 2007, did willfully and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Judith Armitage, Dorothy Behler, Stephen & Ann Booth, Vernon & Sharon Dexter, Callie Edward, Diane Ellsworth, James Ettinger, Craig Geis, Susan Goodman, Deanna Hanks, Jean Hicks, Thomas & Patricia Hutchinson, Robert Korhummel, Daphne Lovely, Lynn Luthi, William

1 Mancusco, Sherry Martin, James Maxwell, James & Kay McNeil, Ralph & Debra Shelton,
2 Shaina Shelton, Charles Smith, Anita Thrall, and Robert & Barbara Towel with the intent to
3 commit larceny and any felony.

4 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
5 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

6 **COUNT 17**

7 (SIERRA OAKS OFFERING)

8 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
9 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
10 **CODE, A FELONY.**

11 Defendants

12 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

13 For a further and separate cause of Complaint, being a different offense from but connected
14 in its commission with the charges set forth in Counts 1 through 79, complainant further
15 complains and states that on and between October 16, 1999, and May 15, 2007, did willfully and
16 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
17 and sell securities to Laurie Foster, Stefan Giustino, Elaine Meine, Gardner Meine, Llona Brooks,
18 John Brooks, Van Cutler, Joyce Printing, Inc., Monterey Morrissey, Ernest Ongaro, Earl Purcell,
19 Roderick Bratwait, David Koehn, and Terry Tompson by means of written or oral communication
20 which included an untrue statement of material fact or omitted to state a material fact necessary to
21 make the statements made not misleading in light of the circumstances under which they were
22 made.

23 **COUNT 18**

24 (SIERRA OAKS OFFERING)

25 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
26 **CODE, A FELONY.**

27 Defendants

28 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between October 16, 1999, and May 15, 2007, did willfully and
4 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
5 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Laurie
6 Foster, Stefan Giustino, Elaine Meine, Gardner Meine, and John Brooks with the intent to
7 commit larceny and any felony.

8 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
9 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

10 **COUNT 19**

11 (OAKDALE HEIGHTS OFFERING)

12 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
13 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
14 **CODE, A FELONY.**

15 Defendants

16 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

17 For a further and separate cause of Complaint, being a different offense from but connected
18 in its commission with the charges set forth in Counts 1 through 79, complainant further
19 complains and states that on and between July 9, 2001, and August 20, 2004, did willfully and
20 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
21 and sell securities to Frank Aragona, Clayton Drake, Craig Geis, Stefan Giustino, Claire
22 Kennedy, James & Kay McNeil, Rose Nicholson, Merylee Boes, Wynn Boes, Fred Bollman,
23 Llona Brooks, John Brooks, John & Joyce Esakson, Frank & Constance Geraci, Carol Green,
24 D.S. Gregg, Roderic Gue, Liliane Heydt, Merrily Lee, Bruce Payne, Michael & Ruth Peritz,
25 Terry Stuppar, Carol Thole, and William Thon by means of written or oral communication which
26 included an untrue statement of material fact or omitted to state a material fact necessary to make
27 the statements made not misleading in light of the circumstances under which they were made.
28

1 **COUNT 20**

2 (OAKDALE HEIGHTS OFFERING)

3 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
4 **CODE, A FELONY.**

5 Defendants

6 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

7 For a further and separate cause of Complaint, being a different offense from but connected
8 in its commission with the charges set forth in Counts 1 through 79, complainant further
9 complains and states that on and between July 9, 2001, and August 20, 2004, did willfully and
10 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
11 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Frank
12 Aragona, Clayton Drake, Craig Geis, Stefan Giustino, Claire Kennedy, James & Kay McNeil, and
13 Rose Nicholson with the intent to commit larceny and any felony.

14 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
15 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

16 **COUNT 21**

17 (CAPITAL RESOURCES FUND OFFERING)

18 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
19 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between June 29, 2005, and February 23, 2007, did willfully and
26 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
27 and sell securities to Frank Aragor, Conrad Jahries, Reginald Ferguson, Linda Fentz and Kim
28 Steel by means of written or oral communication which included an untrue statement of material

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

3 **COUNT 22**

4 (CAPITAL RESOURCES FUND OFFERING)

5 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
6 **CODE, A FELONY.**

7 Defendants

8 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

9 For a further and separate cause of Complaint, being a different offense from but connected
10 in its commission with the charges set forth in Counts 1 through 79, complainant further
11 complains and states that on and between June 29, 2005, and February 23, 2007, did willfully and
12 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
13 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Frank
14 Aragor and Conrad Jahries with the intent to commit larceny and any felony.

15 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
16 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

17 **COUNT 23**

18 (OAKDALE HEIGHTS FRESNO OFFERING)

19 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
20 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
21 **CODE, A FELONY.**

22 Defendants

23 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

24 For a further and separate cause of Complaint, being a different offense from but connected
25 in its commission with the charges set forth in Counts 1 through 79, complainant further
26 complains and states that on and between December 17, 2001, and April 27, 2006, did willfully
27 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
28 sale and sell securities to Pia Brown, Eleanor Smith, Lee Walker, Sandra Johnson, Merrily Lee,

1 Pamela O'Donnell, James & Giselle Pekkain, Gary Plato, Muriel Potter, James Southard, Dilla
2 Sunderland, Robert Sunderland, Neil Morris, Tina Morris, Larry Timmons, Sandra Wetzel-Ryan,
3 and George & Nona Merrill by means of written or oral communication which included an untrue
4 statement of material fact or omitted to state a material fact necessary to make the statements
5 made not misleading in light of the circumstances under which they were made.

6 **COUNT 24**

7 (OAKDALE HEIGHTS FRESNO OFFERING)

8 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between December 17, 2001, and April 27, 2006, did willfully
15 and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
16 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Pia
17 Brown, Eleanor Smith, Neil Morris, Tina Morris, and Lee Walker with the intent to commit
18 larceny and any felony.

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
20 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

21 **COUNT 25**

22 (KOCO, LLC OFFERING)

23 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
24 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
25 **CODE, A FELONY.**

26 Defendants

27 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**
28

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between November 6, 2001, and April 1, 2007, did willfully and
4 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
5 and sell securities to William & Virginia Costanzo by means of written or oral communication
6 which included an untrue statement of material fact or omitted to state a material fact necessary to
7 make the statements made not misleading in light of the circumstances under which they were
8 made.

9 **COUNT 26**

10 (OAKDALE HEIGHTS BAKERSFIELD OFFERING)

11 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
12 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
13 **CODE, A FELONY.**

14 Defendants

15 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

16 For a further and separate cause of Complaint, being a different offense from but connected
17 in its commission with the charges set forth in Counts 1 through 79, complainant further
18 complains and states that on and between January 1, 2002, and June 11, 2008, did willfully and
19 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
20 and sell securities to Allan & Kay Goodmanson, Jean Hicks, James & Kay McNeil, Eleanor
21 Smith, Robert & Mary Fosse, Paul Freese, Carol Green, Charles Lodge, Pamela O'Donnell, Carol
22 Patterson, James & Gisele Pekkain, and Sandra Wetzel-Ryan by means of written or oral
23 communication which included an untrue statement of material fact or omitted to state a material
24 fact necessary to make the statements made not misleading in light of the circumstances under
25 which they were made.

1 **COUNT 27**

2 (OAKDALE HEIGHTS BAKERSFIELD OFFERING)

3 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
4 **CODE, A FELONY.**

5 Defendants

6 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

7 For a further and separate cause of Complaint, being a different offense from but connected
8 in its commission with the charges set forth in Counts 1 through 79, complainant further
9 complains and states that on and between January 1, 2002, and June 11, 2008, did willfully and
10 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
11 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Allan
12 & Kay Goodmanson, Jean Hicks, James & Kay McNeil, and Eleanor Smith with the intent to
13 commit larceny and any felony.

14 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
15 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

16 **COUNT 28**

17 (REDCLIFF, LLC OFFERING)

18 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
19 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between July 26, 2001, and June 11, 2008, did willfully and
26 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
27 and sell securities to Jay Kerzner, C. Caprini, Thomas Hobbs, and Ronald & Sandra Johnson by
28 means of written or oral communication which included an untrue statement of material fact or

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

COUNT 29

(REDCLIFF, LLC OFFERING)

RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL CODE, A FELONY.

Defendants

GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG

For a further and separate cause of Complaint, being a different offense from but connected in its commission with the charges set forth in Counts 1 through 79, complainant further complains and states that on and between July 26, 2001, and June 11, 2008, did willfully and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Jay Kerzner, and C. Caprini with the intent to commit larceny and any felony.

NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

COUNT 30

(LAKESIDE FINANCIAL GROUP, INC. OFFERING)

SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS CODE, A FELONY.

Defendants

GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG

For a further and separate cause of Complaint, being a different offense from but connected in its commission with the charges set forth in Counts 1 through 79, complainant further complains and states that on and between August 23, 2002, and June 20, 2008, did willfully and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale and sell securities to Mary Miller, Valerie Gulayash, Nicholas & Florence Ioimo, Christopher

1 Jones, Kay Kerriden, MaryAnn Lee, Patricia Maldonado, Michael Marovich, Norman
2 Bachignani, Jane Barrelli, Stephen & Ann Booth, Vernon & Sharon Dexter, Ronald Johnson,
3 Sandra Johnson, Lynn Luthi, James Maxwell, Gerald & Rebecca McCain, James & Kay McNeil,
4 Lorraine Miles, Meludi Miles, Elaine Miller, Charles & Eleanor Smith, Robert Towel, Stanley &
5 Nancy Weerts, Daryl Hoel, Craig & Sheila Allen, Guido Arrecco, Linda Beeson, Sanford
6 Boardman, Thomas Casebier, Bruce & Rhonda Christensen, George Coleman, Darcy Deskin,
7 Douglas Deskin, Carolyn Doeling, Barbara Doyle, Andrew Fine, John Fisher, Robert & Mary
8 Fosse, Paul Freese, Judith Gomoll, Carol Green, D.S. Gregg, Thomas Hobbs, Wendy Horton,
9 Ronald & Sandra Johnson, Albert & Janet Lamarre, Larry & Jo-Anne Maniscalco, Diane Mara,
10 Nancy McClenahan, Marcy McFarland, Dana & Glenn Meyer, Arnie & Kelli Moore, Bonnie
11 Morrissey, Meryvin & Helen Moyles, Carol Patterson, Leland Pleiderer, William Potter, Muriel
12 Potter, Kay Reed, Joh Schmidt, Pauline Schnieder, Paula Schulz, Edward Steiger, Carol Thole,
13 John and Ann Thomas, William Thon, Diane Welch, Sandra Wetzel-Ryan, Roxanne Jones,
14 Marilyn Laughridge, Daniel Peterson, and Susan Pricco means of written or oral communication
15 which included an untrue statement of material fact or omitted to state a material fact necessary to
16 make the statements made not misleading in light of the circumstances under which they were
17 made.

18 **COUNT 31**

19 (LAKESIDE FINANCIAL GROUP, INC. OFFERING)

20 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
21 **CODE, A FELONY.**

22 Defendants

23 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

24 For a further and separate cause of Complaint, being a different offense from but connected
25 in its commission with the charges set forth in Counts 1 through 79, complainant further
26 complains and states that on and between August 23, 2002, and June 20, 2008, did willfully and
27 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
28 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Mary

1 Miller, Valerie Gulyash, Norman Bachignani, Jane Barrelli, Stephen & Ann Booth, Vernon &
2 Sharon Dexter, Ronald Johnson, Sandra Johnson, Lynn Luthi, James Maxwell, Gerald & Rebecca
3 McCain, James & Kay McNiel, Lorraine Miles, Meludi Miles, Elaine Miller, Charles & Eleanor
4 Smith, Robert Towel, and Stanley & Nancy Weerts with the intent to commit larceny and any
5 felony.

6 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
7 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

8 **COUNT 32**

9 (OAKDALE HEIGHTS CHARLESTON OFFERING)

10 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
11 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
12 **CODE, A FELONY.**

12 Defendants

13 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

14 For a further and separate cause of Complaint, being a different offense from but connected
15 in its commission with the charges set forth in Counts 1 through 79, complainant further
16 complains and states that on and between November 26, 2002, and June 11, 2008, did willfully
17 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
18 sale and sell securities to Claire Kennedy by means of written or oral communication which
19 included an untrue statement of material fact or omitted to state a material fact necessary to make
20 the statements made not misleading in light of the circumstances under which they were made.

21 **COUNT 33**

22 (OAKDALE HEIGHTS CHARLESTON OFFERING)

23 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
24 **CODE, A FELONY.**

25 Defendants

26 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

27 For a further and separate cause of Complaint, being a different offense from but connected
28 in its commission with the charges set forth in Counts 1 through 79, complainant further

1 complains and states that on and between November 26, 2002, and June 11, 2008, did willfully
2 and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
3 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Claire
4 Kennedy with the intent to commit larceny and any felony.

5 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
6 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

7 **COUNT 34**

8 (OAKDALE HEIGHTS CHARLOTTE OFFERING)

9 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
10 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
11 **CODE, A FELONY.**

12 Defendants

13 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

14 For a further and separate cause of Complaint, being a different offense from but connected
15 in its commission with the charges set forth in Counts 1 through 79, complainant further
16 complains and states that on and between November 26, 2002, and January 3, 2007, did willfully
17 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
18 sale and sell securities to Linda Beeson, Thomas Casebier, Paul Freese, Stanley & Mary
19 Henrikson, Janette Lamarre, Darrel Jurling, George & Nona Merrill, Lawrence Howerton, Teresa
20 Timmons, Majorie Bailey, Neil Morris, Tina Morris, Vernon & Sharon Dexter, and Claire
21 Kennedy by means of written or oral communication which included an untrue statement of
22 material fact or omitted to state a material fact necessary to make the statements made not
23 misleading in light of the circumstances under which they were made.

24 **COUNT 35**

25 (OAKDALE HEIGHTS CHARLOTTE OFFERING)

26 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
27 **CODE, A FELONY.**

28 Defendants

1 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

2 For a further and separate cause of Complaint, being a different offense from but connected
3 in its commission with the charges set forth in Counts 1 through 79, complainant further
4 complains and states that on and between November 26, 2002, and January 3, 2007, did willfully
5 and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
6 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
7 Majorie Bailey, Neil Morris, Tina Morris, Vernon & Sharon Dexter, and Claire Kennedy, with
8 the intent to commit larceny and any felony.

9 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
10 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

11 **COUNT 36**

12 (OAKDALE HEIGHTS GREENSBORO OFFERING)

13 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
14 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
15 **CODE, A FELONY.**

16 Defendants

17 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

18 For a further and separate cause of Complaint, being a different offense from but connected
19 in its commission with the charges set forth in Counts 1 through 79, complainant further
20 complains and states that on and between November 26, 2002, and June 11, 2007, did willfully
21 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
22 sale and sell securities to Ronald Johnson, Sandra Johnson, Claire Kennedy, Neil Morris, Tina
23 Morris, Charles & Eleanor Smith, Thomas Casebier, Gregory & Patricia Cella, Paul Freese, Louis
24 & Mary Siegert, Martha Sullivan, Larry Timmon, Lawrence Howerton by means of written or
25 oral communication which included an untrue statement of material fact or omitted to state a
26 material fact necessary to make the statements made not misleading in light of the circumstances
27 under which they were made.
28

1 **COUNT 37**

2 (OAKDALE HEIGHTS GREENSBORO OFFERING)

3 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
4 **CODE, A FELONY.**

5 Defendants

6 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

7 For a further and separate cause of Complaint, being a different offense from but connected
8 in its commission with the charges set forth in Counts 1 through 79, complainant further
9 complains and states that on and between November 26, 2002, and June 11, 2007, did willfully
10 and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
11 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
12 Ronald Johnson, Sandra Johnson, Neil Morris, Tina Morris, Claire Kennedy, and Charles &
13 Eleanor Smith with the intent to commit larceny and any felony.

14 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
15 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

16 **COUNT 38**

17 (OAKDALE HEIGHTS VIRGINIA BEACH OFFERING)

18 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
19 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between January 15, 2003, and June 11, 2008, did willfully and
26 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
27 and sell securities to Brent Stoddard by means of written or oral communication which included
28

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

3 **COUNT 39**

4 (OAKDALE HEIGHTS VIRGINIA BEACH OFFERING)

5 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
6 **CODE, A FELONY.**

7 Defendants

8 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

9 For a further and separate cause of Complaint, being a different offense from but connected
10 in its commission with the charges set forth in Counts 1 through 79, complainant further
11 complains and states that on and between January 15, 2003, and June 11, 2008, did willfully and
12 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
13 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Brent
14 Stoddard with the intent to commit larceny and any felony.

15 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
16 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

17 **COUNT 40**

18 (OAKDALE HEIGHTS WILMINGTON OFFERING)

19 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
20 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
21 **CODE, A FELONY.**

22 Defendants

23 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

24 For a further and separate cause of Complaint, being a different offense from but connected
25 in its commission with the charges set forth in Counts 1 through 79, complainant further
26 complains and states that on and between December 12, 2005, and April 1, 2007, did willfully
27 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
28 sale and sell securities to Donald Qualye by means of written or oral communication which

1 included an untrue statement of material fact or omitted to state a material fact necessary to make
2 the statements made not misleading in light of the circumstances under which they were made.

3 **COUNT 41**

4 (SIERRA SENIOR HOUSING OFFERING)

5 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
6 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
7 **CODE, A FELONY.**

8 Defendants

9 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

10 For a further and separate cause of Complaint, being a different offense from but connected
11 in its commission with the charges set forth in Counts 1 through 79, complainant further
12 complains and states that on and between June 15, 2004, and June 11, 2008, did willfully and
13 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
14 and sell securities to Laurie Foster, Stefan Giustino, Elaine Mein, Gardner Mein, Llona
15 Stuchman, John Brooks, Joyce Printing, Inc., Monterey Morrissey, Earnest Ongaro, Earl Purcell,
16 Van Cutler, Roderick Brathwaite, David Koehn, and Terri Thompson by means of written or oral
17 communication which included an untrue statement of material fact or omitted to state a material
18 fact necessary to make the statements made not misleading in light of the circumstances under
19 which they were made.

20 **COUNT 42**

21 (SIERRA SENIOR HOUSING OFFERING)

22 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
23 **CODE, A FELONY.**

24 Defendants

25 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

26 For a further and separate cause of Complaint, being a different offense from but connected
27 in its commission with the charges set forth in Counts 1 through 79, complainant further
28 complains and states that on and between June 15, 2004, and June 11, 2008, did willfully and

1 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
2 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Laurie
3 Foster, Stefan Giustino, Elaine Mein, and Gardner Mein with the intent to commit larceny and
4 any felony.

5 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
6 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

7 **COUNT 43**

8 (MODESTO CAPITAL OFFERING)

9 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
10 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
11 **CODE, A FELONY.**

12 Defendants

13 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

14 For a further and separate cause of Complaint, being a different offense from but connected
15 in its commission with the charges set forth in Counts 1 through 79, complainant further
16 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
17 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
18 and sell securities to Laurie Foster, Richard Larson, Gardner Mein, Jeffrey Cabral, Robert
19 Koenitzner, Janice Oswald, Edward Steiger, William Walkama, Joanne Duncan, and Karl Raadik
20 by means of written or oral communication which included an untrue statement of material fact or
21 omitted to state a material fact necessary to make the statements made not misleading in light of
22 the circumstances under which they were made.

23 **COUNT 44**

24 (MODESTO CAPITAL OFFERING)

25 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
26 **CODE, A FELONY.**

27 Defendants

28 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
4 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
5 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Laurie
6 Foster, Richard Larson, and Gardner Mein with the intent to commit larceny and any felony.

7 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
8 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

9 **COUNT 45**

10 (COLONNADE CAPITAL OFFERING)

11 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
12 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
13 **CODE, A FELONY.**

14 Defendants

15 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

16 For a further and separate cause of Complaint, being a different offense from but connected
17 in its commission with the charges set forth in Counts 1 through 79, complainant further
18 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
19 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
20 and sell securities to Pia Brown, Kenneth Cohen, James Haedt, Jarel Hoyt, Ralph Shelton, John
21 Brennecke, Sally Haag, Ernest Ongaro, Paul Schekler, David Synder, Edward Steiger, and
22 Merylin Meyers by means of written or oral communication which included an untrue statement
23 of material fact or omitted to state a material fact necessary to make the statements made not
24 misleading in light of the circumstances under which they were made.

25 **COUNT 46**

26 (COLONNADE CAPITAL OFFERING)

27 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
28 **CODE, A FELONY.**

1 Defendants

2 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

3 For a further and separate cause of Complaint, being a different offense from but connected
4 in its commission with the charges set forth in Counts 1 through 79, complainant further
5 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
6 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
7 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Pia
8 Brown, Kenneth Cohen, James Haedt, Jarel Hoydt, and Ralph Shelton with the intent to commit
9 larceny and any felony.

10 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
11 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

12 **COUNT 47**

13 (WOOD RIVER OFFERING)

14 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
15 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
16 **CODE, A FELONY.**

16 Defendants

17 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

18 For a further and separate cause of Complaint, being a different offense from but connected
19 in its commission with the charges set forth in Counts 1 through 79, complainant further
20 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
21 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
22 and sell securities to George Estes, Conrad Jahries, William Martin, Thomas Bayner, John
23 Brooks, Patricia Cella, Bruce Christiansen, Donald Dodge, Andrew Fine, Tor Grotting, William
24 Haag, Sandra Johnson, Robert Korhummel, Michael Lentz, Yolanda Maldonado, Ralph Mele,
25 Bernadette Payne, Steven Peaslee, Vidya Puri, Wallace Reemelin, Bryan Robbins, Paul
26 Scheckler, and Kearry Thomas by means of written or oral communication which included an
27
28

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

3 **COUNT 48**

4 (WOOD RIVER OFFERING)

5 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
6 **CODE, A FELONY.**

7 Defendants

8 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

9 For a further and separate cause of Complaint, being a different offense from but connected
10 in its commission with the charges set forth in Counts 1 through 79, complainant further
11 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
12 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
13 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
14 George Estes, Conrad Jahries, William Martin, and Thomas Bayner with the intent to commit
15 larceny and any felony.

16 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
17 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

18 **COUNT 49**

19 (PEORIA CAPITAL OFFERING)

20 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
21 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
22 **CODE, A FELONY.**

23 Defendants

24 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

25 For a further and separate cause of Complaint, being a different offense from but connected
26 in its commission with the charges set forth in Counts 1 through 79, complainant further
27 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
28 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale

1 and sell securities to Kathleen Adams, George Emmett, George Grandemange, Charles Johnson,
2 William Martin, Linda Jones, Melchior Lumetta, Nancy McClenahan, Francis Pearson, Pauline
3 Schneider, and Terrence Thelen by means of written or oral communication which included an
4 untrue statement of material fact or omitted to state a material fact necessary to make the
5 statements made not misleading in light of the circumstances under which they were made.

6 **COUNT 50**

7 (PEORIA CAPITAL OFFERING)

8 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
15 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
16 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
17 Kathleen Adams, George Emmet, George Grandemange, Charles Johnson, and William Martin
18 with the intent to commit larceny and any felony.

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
20 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

21 **COUNT 51**

22 (SANTA CLARA OFFERING)

23 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
24 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
25 **CODE, A FELONY.**

26 Defendants

27 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**
28

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
4 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
5 and sell securities to Conrad Jahries, Ralph Shelton, Patricia Shelton, Sandra Johnson, Joan
6 McConnell, and Gary Plato by means of written or oral communication which included an untrue
7 statement of material fact or omitted to state a material fact necessary to make the statements
8 made not misleading in light of the circumstances under which they were made.

9
10 **COUNT 52**

11 (SANTA CLARA OFFERING)

12 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL
13 CODE, A FELONY.**

14 Defendants

15 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

16 For a further and separate cause of Complaint, being a different offense from but connected
17 in its commission with the charges set forth in Counts 1 through 79, complainant further
18 complains and states that on and between June 23, 2004, and June 11, 2008, did willfully and
19 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
20 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
21 Conrad Jahries, and Ralph Shelton with the intent to commit larceny and any felony.

22 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
23 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

24 **COUNT 53**

25 (ROSEVILLE OFFERING)

26 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL
27 OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS
28 CODE, A FELONY.**

Defendants

1 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

2 For a further and separate cause of Complaint, being a different offense from but connected
3 in its commission with the charges set forth in Counts 1 through 79, complainant further
4 complains and states that on and between March 14, 2005, and June 11, 2008, did willfully and
5 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
6 and sell securities to Patricia Black, Kenneth Crocker, Susan Joyce, Ronald Larson, Ernest
7 Rodriguez, Robert Schultz, Ralph Shelton, Frank Bernard, Gerald Blalock, Fred Bollman,
8 Douglas Christiansen, Rulon Crosby, John Didyk, Andrew Fine, Milton Forman, Al Froese,
9 Liliane Heydt, Setsuko Lebu, Jill Madison, Richard Ryder, Joeseph Vanschute by means of
10 written or oral communication which included an untrue statement of material fact or omitted to
11 state a material fact necessary to make the statements made not misleading in light of the
12 circumstances under which they were made.

13 **COUNT 54**

14 (ROSEVILLE OFFERING)

15 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
16 **CODE, A FELONY.**

17 Defendants

18 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

19 For a further and separate cause of Complaint, being a different offense from but connected
20 in its commission with the charges set forth in Counts 1 through 79, complainant further
21 complains and states that on and between March 14, 2005, and June 11, 2008, did willfully and
22 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
23 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
24 Patricia Black, Kenneth Crocker, Susan Joyce, Ronald Larson, Ernest Rodriguez, Robert Schultz,
25 and Ralph Shelton with the intent to commit larceny and any felony.

26 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
27 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).
28

1 **COUNT 55**

2 (SPENCER CAPITAL OFFERING)

3 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
4 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
5 **CODE, A FELONY.**

6 Defendants

7 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

8 For a further and separate cause of Complaint, being a different offense from but connected
9 in its commission with the charges set forth in Counts 1 through 79, complainant further
10 complains and states that on and between March 14, 2005, and June 11, 2008, did willfully and
11 unlawfully and in violation of Corporations Code Section 25401/25540, offer securities for sale
12 and sell securities to Daryl Fereday, Mary Fisk, Chang Pang, Robert Willoughby, William
13 Arnold, Dino Boito, Patrick Cooney, Andrew Fine, George Kontaxis, Patrick Scott, Paul
14 Scheckler, Loyde Tatton, Attila Toth, Lina Wong, and Robert Koenitzer by means of written or
15 oral communication which included an untrue statement of material fact or omitted to state a
16 material fact necessary to make the statements made not misleading in light of the circumstances
under which they were made.

17 **COUNT 56**

18 (SPENCER CAPITAL OFFERING)

19 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between March 14, 2005, and June 11, 2008, did willfully and
26 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
27 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Daryl
28

1 Fereday, Mary Fisk, Chang Pang, and Robert Willoughby with the intent to commit larceny and
2 any felony.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
4 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

5 **COUNT 57**

6 (SAN LEANDRO OFFERING)

7 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
8 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between May 26, 2005, and June 11, 2008, did willfully and
15 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
16 and sell securities to Sandra Johnson, and Stanley Reed by means of written or oral
17 communication which included an untrue statement of material fact or omitted to state a material
18 fact necessary to make the statements made not misleading in light of the circumstances under
19 which they were made.

20 **COUNT 58**

21 (NEWHALL OFFERING)

22 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
23 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
24 **CODE, A FELONY.**

25 Defendants

26 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

27 For a further and separate cause of Complaint, being a different offense from but connected
28 in its commission with the charges set forth in Counts 1 through 79, complainant further
complains and states that on and between June 30, 2005, and June 11, 2008, did willfully and
unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale

1 and sell securities to Kathleen Adams, Thomas Aldinger, Frank Aragona, Paul Blake, Ray
2 Dawson, James Haedt, Edward Lee, William Mancusco, Ernest Rodriguez, Robert Towle, Craig
3 Allen, Linda Beeson, Thomas Caldwell, Lawrence Cauble, George Coleman, Andrew Fine,
4 David Glass, David Hancock, Ann Hobbs, Brad Hol, Jeanine Jacobs, Yort Jue, Kay Kerriden,
5 Robert Korhumel, Eugene & Charlene Krautheim, Wanda Kwong, MaryAnn Lee, Lorraine
6 Lender, Ray L'Esperance, Doris Maneke, Nancy McClenahan, Reed McClintock, John Pardella,
7 John Peacock, Sue Poinsett, Richard Samaras, John & Ann Thomas, Susan Dunlap, Sharon
8 Waite, Anthony Gabaldon, Roxanne Jones, Maria Peterson, and Karen Nencini by means of
9 written or oral communication which included an untrue statement of material fact or omitted to
10 state a material fact necessary to make the statements made not misleading in light of the
11 circumstances under which they were made.

12 **COUNT 59**

13 (NEWHALL OFFERING)

14 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
15 **CODE, A FELONY.**

16 Defendants

17 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

18 For a further and separate cause of Complaint, being a different offense from but connected
19 in its commission with the charges set forth in Counts 1 through 79, complainant further
20 complains and states that on and between June 30, 2005, and June 11, 2008, did willfully and
21 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
22 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
23 Kathleen Adams, Thomas Aldinger, Frank Aragona, Paul Blake, Ray Dawson, James Haedt,
24 Edward Lee, William Mancusco, Ernest Rodriguez, and Robert Towle with the intent to commit
25 larceny and any felony.

26 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
27 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).
28

1 **COUNT 60**

2 (LA MESA OFFERING)

3 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
4 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
5 **CODE, A FELONY.**

6 Defendants

7 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

8 For a further and separate cause of Complaint, being a different offense from but connected
9 in its commission with the charges set forth in Counts 1 through 79, complainant further
10 complains and states that on and between August 19, 2005, and June 11, 2008, did willfully and
11 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
12 and sell securities to Albert Bauer, Emily Chang, James Collart, Maria Falkner, Allan & Kay
13 Goodmanson, Beverly Hawton, Michael Lyons, Ernest Rodriguez, Andrei Ungureanu, Corneilia
14 Ungureanu, Peter Ungureanu, Joanne Wile, Donald Bausler, James Bjorge, Fred Bollman, Lloyd
15 Compagno, Richard Ferry, Linda Feutz, Paul Freese, Majorie Howerton, Robert Hulsey, Gregory
16 Kay, Franz Lackner, Albert Lamarre, Mel Lawrence, Douglas Lofgren, Melchior Lumetta, Paul
17 Marangella, David Moore, Janet Moore, Howard Ortman, Frances Pearson, Gary Plato, William
18 Rollman, Tomaoaki Takemori, Terrence Thelen, Andra Wicks, and Maria Petersen by means of
19 written or oral communication which included an untrue statement of material fact or omitted to
20 state a material fact necessary to make the statements made not misleading in light of the
21 circumstances under which they were made.

22 **COUNT 61**

23 (LA MESA OFFERING)

24 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
25 **CODE, A FELONY.**

26 Defendants

27 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**
28

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between August 19, 2005, and June 11, 2008, did willfully and
4 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
5 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Albert
6 Bauer, Emily Chang, James Collart, Maria Falkner, Allan & Kay Goodmanson, Beverly Hawton,
7 Michael Lyons, Ernest Rodriguez, Andrei Ungureanu, Cornelia Ungureanu, Peter Ungureanu, and
8 Joanne Wile with the intent to commit larceny and any felony.

9 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
10 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

11 **COUNT 62**

12 (WILMINGTON OFFERING)

13 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
14 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
15 **CODE, A FELONY.**

16 Defendants

17 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

18 For a further and separate cause of Complaint, being a different offense from but connected
19 in its commission with the charges set forth in Counts 1 through 79, complainant further
20 complains and states that on and between August 31, 2004, and June 11, 2008, did willfully and
21 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
22 and sell securities to Charles Hartwig, by means of written or oral communication which included
23 an untrue statement of material fact or omitted to state a material fact necessary to make the
24 statements made not misleading in light of the circumstances under which they were made.

25 **COUNT 63**

26 (NORTHRIDGE OFFERING)

27 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
28 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
CODE, A FELONY.

1 Defendants

2 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

3 For a further and separate cause of Complaint, being a different offense from but connected
4 in its commission with the charges set forth in Counts 1 through 79, complainant further
5 complains and states that on and between February 21, 2006, and June 11, 2008, did willfully and
6 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
7 and sell securities to Mary Carver, Randy Craig, Laurie Foster, Ronald Johnson, Gretchen Miller,
8 Donald Strassberg, George Sullivan, Lee Walker, Sally Weber-Tappin, James Bjorge, Richard
9 Doyle, Patricia Wood, Linda Jones, Paul Montgomery, Frances Pearson, Raymond Sanchez,
10 Terrence Thelen, David Veith, John Dehnert, and George & Nona Merrill by means of written or
11 oral communication which included an untrue statement of material fact or omitted to state a
12 material fact necessary to make the statements made not misleading in light of the circumstances
13 under which they were made.

14 **COUNT 64**

15 (NORTHRIDGE OFFERING)

16 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
17 **CODE, A FELONY.**

18 Defendants

19 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

20 For a further and separate cause of Complaint, being a different offense from but connected
21 in its commission with the charges set forth in Counts 1 through 79, complainant further
22 complains and states that on and between February 21, 2006, and June 11, 2008, did willfully and
23 unlawfully and in violation of Penal Code sections 459, did willfully and unlawfully enter an
24 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Mary
25 Carver, Randy Craig, Laurie Foster, Ronald Johnson, Gretchen Miller, Donald Strassberb, George
26 Sullivan, Lee Walker, and Sally Weber-Tappin with the intent to commit larceny and any felony.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
2 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

3 **COUNT 65**

4 (PUTNAM OFFERING)

5 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
6 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
7 **CODE, A FELONY.**

8 Defendants

9 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

10 For a further and separate cause of Complaint, being a different offense from but connected
11 in its commission with the charges set forth in Counts 1 through 79, complainant further
12 complains and states that on and between June 16, 2006, and June 11, 2008, did willfully and
13 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
14 and sell securities to Karen Juncker, Melita Matzen, Douglas Stone, Douglas Deskin, John
15 Gardner, Charles Hartwig, Stanely & MaryJo Henrikson, Lawrence Howerton, John & Heidi
16 Merson, Jon Schmidt, Steve Spiller, David Wolters, and Diane Mara by means of written or oral
17 communication which included an untrue statement of material fact or omitted to state a material
18 fact necessary to make the statements made not misleading in light of the circumstances under
19 which they were made.

20 **COUNT 66**

21 (PUTNAM OFFERING)

22 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
23 **CODE, A FELONY.**

24 Defendants

25 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

26 For a further and separate cause of Complaint, being a different offense from but connected
27 in its commission with the charges set forth in Counts 1 through 79, complainant further
28 complains and states that on and between June 16, 2006, and June 11, 2008, did willfully and

1 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
2 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Karen
3 Juncker, Melita Matzen, and Douglas Stone with the intent to commit larceny and any felony.

4 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
5 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

6 **COUNT 67**

7 (VACAVILLE OFFERING)

8 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
9 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
10 **CODE, A FELONY.**

11 Defendants

12 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

13 For a further and separate cause of Complaint, being a different offense from but connected
14 in its commission with the charges set forth in Counts 1 through 79, complainant further
15 complains and states that on and between July 3, 2006, and June 11, 2008, did willfully and
16 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
17 and sell securities to Craig Hill, by means of written or oral communication which included an
18 untrue statement of material fact or omitted to state a material fact necessary to make the
19 statements made not misleading in light of the circumstances under which they were made.

20 **COUNT 68**

21 (PROVIDENCE OFFERING)

22 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
23 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
24 **CODE, A FELONY.**

25 Defendants

26 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

27 For a further and separate cause of Complaint, being a different offense from but connected
28 in its commission with the charges set forth in Counts 1 through 79, complainant further
complains and states that on and between September 14, 2006, and June 11, 2008, did willfully

1 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
2 sale and sell securities to Stefen Giustino, and Susan Joyce by means of written or oral
3 communication which included an untrue statement of material fact or omitted to state a material
4 fact necessary to make the statements made not misleading in light of the circumstances under
5 which they were made.

6 **COUNT 69**

7 (PROVIDENCE OFFERING)

8 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
9 **CODE, A FELONY.**

10 Defendants

11 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

12 For a further and separate cause of Complaint, being a different offense from but connected
13 in its commission with the charges set forth in Counts 1 through 79, complainant further
14 complains and states that on and between September 14, 2006, and June 11, 2008, did willfully
15 and unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
16 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Stefen
17 Giustino, and Susan Joyce with the intent to commit larceny and any felony.

18 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
19 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

20 **COUNT 70**

21 (OAKDALE HEIGHTS MANAGEMENT OFFERING)

22 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
23 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
24 **CODE, A FELONY.**

25 Defendants

26 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

27 For a further and separate cause of Complaint, being a different offense from but connected
28 in its commission with the charges set forth in Counts 1 through 79, complainant further

1 complains and states that on and between September 22, 2006, and June 11, 2008, did willfully
2 and unlawfully and in violation of Corporations Code section 25401/25540, offer securities for
3 sale and sell securities to Beverly Ewoldsen, Norman & Enez Nicoll, Terry Stupar, Roderic Gue,
4 James & Kay McNiell, and Rose K. Nicolson by means of written or oral communication which
5 included an untrue statement of material fact or omitted to state a material fact necessary to make
6 the statements made not misleading in light of the circumstances under which they were made.

7 **COUNT 71**

8 (OAKDALE HEIGHTS MANAGEMENT OFFERING)

9 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
10 **CODE, A FELONY.**

11 Defendants

12 **GARY T. ARMITAGE AND JAMES STANLEY KOENIG**

13 For a further and separate cause of Complaint, being a different offense from but connected
14 in its commission with the charges set forth in Counts 1 through 79, complainant further
15 complains and states that on and between September 22, 2006, and June 11, 2008, did willfully
16 and unlawfully and in violation of Penal Code sections 459, did willfully and unlawfully enter an
17 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by James
18 & Kay McNiel, Rose K. Nicolson, and Wynn & Merylee Boes with the intent to commit larceny
19 and any felony.

20 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
21 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

22 **COUNT 72**

23 (REDSTONE OFFERING)

24 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
25 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
26 **CODE, A FELONY.**

27 Defendants

28 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

1 For a further and separate cause of Complaint, being a different offense from but connected
2 in its commission with the charges set forth in Counts 1 through 79, complainant further
3 complains and states that on and between January 1, 2007, and March 15, 2008 did willfully and
4 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
5 and sell securities to Claire Kennedy, Sherry Martin, Sally Weber-Tappin, James Weiss, Vance
6 Alkire, Christopher Blasdel, Bruce & Rhonda Christensen, Teresa Derr, Virginia Gruber,
7 Lawrence Howerton, Dennis & Pat Larson, John Merson, Mervyn Moyles, Claudia Thomas,
8 Carla Ward, and George & Nona Merrill by means of written or oral communication which
9 included an untrue statement of material fact or omitted to state a material fact necessary to make
10 the statements made not misleading in light of the circumstances under which they were made.

11 **COUNT 73**

12 (REDSTONE OFFERING)

13 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
14 **CODE, A FELONY.**

15 Defendants

16 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

17 For a further and separate cause of Complaint, being a different offense from but connected
18 in its commission with the charges set forth in Counts 1 through 79, complainant further
19 complains and states that on and between January 1, 2007, and March 15, 2008 did willfully and
20 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
21 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Claire
22 Kennedy, Sherry Martin, Sally Weber-Tappin, and James Weiss, with the intent to commit
23 larceny and any felony.

24 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
25 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

1 **COUNT 74**

2 (EQUESTRON OFFERING)

3 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
4 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
5 **CODE, A FELONY.**

6 Defendants

7 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

8 For a further and separate cause of Complaint, being a different offense from but connected
9 in its commission with the charges set forth in Counts 1 through 79, complainant further
10 complains and states that on and between December 1, 2006, and April 15, 2008 did willfully and
11 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
12 and sell securities to Claire Kennedy, Thomas Bayner, Victoria Buchman, Teresa Derr, Darcy
13 Deskin, Patricia Maldonado, John & Heidi Merson by means of written or oral communication
14 which included an untrue statement of material fact or omitted to state a material fact necessary to
15 make the statements made not misleading in light of the circumstances under which they were
16 made.

17 **COUNT 75**

18 (EQUESTRON OFFERING)

19 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between December 1, 2006, and April 15, 2008 did willfully and
26 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
27 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Claire
28 Kennedy with the intent to commit larceny and any felony.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
2 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

3 **COUNT 76**

4 (EPLANNING OFFERING)

5 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
6 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
7 **CODE, A FELONY.**

8 Defendants

9 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

10 For a further and separate cause of Complaint, being a different offense from but connected
11 in its commission with the charges set forth in Counts 1 through 79, complainant further
12 complains and states that on and between June 1, 2008, and June 30, 2008 did willfully and
13 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
14 and sell securities to Neil Morris, Tina Morris, and Stephen & Ann Booth by means of written or
15 oral communication which included an untrue statement of material fact or omitted to state a
16 material fact necessary to make the statements made not misleading in light of the circumstances
under which they were made.

17 **COUNT 77**

18 (EPLANNING OFFERING)

19 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
20 **CODE, A FELONY.**

21 Defendants

22 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

23 For a further and separate cause of Complaint, being a different offense from but connected
24 in its commission with the charges set forth in Counts 1 through 79, complainant further
25 complains and states that on and between June 1, 2008, and June 30, 2008 did willfully and
26 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
27 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by
28 Stephen & Ann Booth with the intent to commit larceny and any felony.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
2 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

3 **COUNT 78**

4 (IMS-GA, LLC OFFERING)

5 **SALE OF SECURITIES BY MEANS OF FALSE STATEMENT OR MATERIAL**
6 **OMISSION, IN VIOLATION OF SECTION 25401/25540 OF THE CORPORATIONS**
7 **CODE, A FELONY.**

8 Defendants

9 **GARY T. ARMITAGE and JEFFERY A. GUIDI**

10 For a further and separate cause of Complaint, being a different offense from but connected
11 in its commission with the charges set forth in Counts 1 through 79, complainant further
12 complains and states that on and between June 1, 1997, and July 15, 2008 did willfully and
13 unlawfully and in violation of Corporations Code section 25401/25540, offer securities for sale
14 and sell securities to Robert & Erin Foote, Valerie Gulyash, Deanna Hanks, Jean Hicks, Rudolf
15 Ioimo, Sandra Pertersen, Dale & Roswitha Robinson, Larry Phillips, Brenda Phillips, Neil
16 Morris, Tina Morris, Harry & Karen Tappin, Sally Weber-Tappin, Stanley & Nancy Weerts,
17 Daryln Hole, Carrie Baide, Thomas Bayner, Linda Beeson, Christopher Blasdel, Merylee Boes,
18 Ann Bynum, Denise Bynum, Marcia Bynum, Beverly Ewoldsen, Martha Fortunati, Robert &
19 Mary Fosse, John Founier, Carolyn Georgette, Robert Gross, Jaci Hall, Lawrence Howerton,
20 Steffen & Mary Kuehn, John Lewin, Patricia Maldonado, Diane Mara, Marcy McFarland, John &
21 Heidi Merson, Arnie & Kelly Moore, Hiroaki Morimoto, Brandon & Staci Overstreet, Kay Reed,
22 Kim Stemple, Terry Stupar, Mabel Terry, Carol Thole, Claudia Thomas, Garret Valle, Gerald &
23 Diane Welch, and Richard Lang by means of written or oral communication which included an
24 untrue statement of material fact or omitted to state a material fact necessary to make the
25 statements made not misleading in light of the circumstances under which they were made.
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1 **COUNT 79**

2 (IMS-GA, LLC OFFERING)

3 **RESIDENTIAL BURGLARY, IN VIOLATION OF SECTION 459 OF THE PENAL**
4 **CODE, A FELONY.**

5 Defendants

6 **GARY T. ARMITAGE and JEFFERY A. GUIDI,**

7 For a further and separate cause of Complaint, being a different offense from but connected
8 in its commission with the charges set forth in Counts 1 through 78, complainant further
9 complains and states that on and between June 1, 1997, and July 15, 2008 did willfully and
10 unlawfully and in violation of Penal Code section 459, did willfully and unlawfully enter an
11 inhabited dwelling house and trailer coach and inhabited portion of a building occupied by Robert
12 & Erin Foote, Valerie Gulyash, Deanna Hanks, Larry Phillips, Brenda Phillips, Neil Morris, Tina
13 Morris, Jean Hicks, Rudolf Ioimo, Sandra Petersen, Dale & Rothwitha Robinson, Harry &
14 Karen Tappin, Sally Weber-Tappin, Stanley & Nancy Weerts, and Daryln Hole with the intent to
15 commit larceny and any felony.

16 NOTICE: The above offense is a serious felony within the meaning of Penal Code section
17 1192.7 (c). It is further alleged that the above offense is a violation of Penal Code section 462(a).

18 **ENHANCEMENTS**

19 **186.11(A)(2) PC SPECIAL ALLEGATION EXCESSIVE AGGRAVATED WHITE**
20 **COLLAR CRIME**

21 It is further alleged, pursuant to Penal Code section 186.11(a)(2), that the offenses set forth
22 in Counts 1 through 79, are related felonies, a material element of which is fraud and
23 embezzlement, which involves a pattern of related felony conduct, and the pattern of related
24 conduct involves the taking of more than \$500,000.

25 **667.9 (A) PC SPECIAL ALLEGATION CRIMES AGAINST THE VULNERABLE**

26 It is further alleged, pursuant to Penal Code section 667.9(a), that the offenses set forth in
27 Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 19, 23, 28, 29, 30, 32, 33, 34, 35, 36, 37, 43,
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1 47, 60, 62, 63, 65, 72, 73, 74, 75, 76, 78, and 79 were committed against a person who was 65
2 years of age or older and said disability and condition was known and reasonably should have
3 been known to the defendants.

4 **1203.045(A) PC SPECIAL ALLEGATION EXCESSIVE LOSS OVER \$100,000**

5 It is further alleged that the offenses set forth in Counts 1 through 79 involve a theft of over
6 \$100,000, within the meaning of Penal Code section 1203.045(a).

7 **12022.6(A)(4) PC SPECIAL ALLEGATION EXCESSIVE LOSS OVER \$3,200,000**

8 It is further alleged that the defendant(s)

9 **GARY T. ARMITAGE, JEFFERY A. GUIDI, AND JAMES STANLEY KOENIG**

10 in the commission of Counts 1 through 79, with the intent to do so, took property of a value
11 exceeding \$3,200,000 within the meaning of Penal Code section 12022.6(a)(4).

12 **TOLLING OF THE STATUTE OF LIMITATIONS**

13 It is further alleged that as to counts 1 through 79 that the statute of limitations has been
14 extended pursuant to Penal Code section 801.5 in that the above violations were not discovered
15 until April 1, 2007, and that no victim of said violations, and no law enforcement agency
16 chargeable with the investigation and prosecution had actual or constructive knowledge of said
17 violations prior to said date. Furthermore, the above violations were continuous and the earliest
18 completion date of any act of the charged offenses was April 1, 2007. More specifically, it was
19 not until AREI ceased making payments on its debt obligation during April 2007 that investors
20 first learned of the material omissions that were made during the sale of the securities.

21 Dated: May 12, 2009

Respectfully Submitted,
EDMUND G. BROWN JR.
Attorney General of California

26 ROBERT MORGESTER
Deputy Attorney General
27 *Attorneys for People*

28 SA2007304838

1 Pursuant to Penal Code section 1054.5(b), the People are hereby informally requesting that
2 defense counsel provide discovery to the people as required by Penal Code section 1054.3.
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HOLDING ORDER

____It appearing to me that the offense(s) in the within complaint has/have been committed, and that there is sufficient cause to believe that the defendant(s)

GARY T. ARMITAGE
JEFFERY A. GUIDI
JAMES STANLEY KOENIG

is guilty thereof.

The defendant(s)

GARY T. ARMITAGE
JEFFERY A. GUIDI
JAMES STANLEY KOENIG

having waived preliminary hearing to the offense(s) set forth in this complaint,

Exceptions/Additions/Conditions:

____I order that the defendant be held to answer to same. In my capacity as Judge of the Superior Court, I deem the within complaint to be an Information and order it filed in the Superior Court.

____ I order that the defendant be held to answer to same. An Information is to be filed by the District Attorney's Office within the statutory time limit for defendant's arraignment on said Information.

Date: _____

JUDGE OF THE SUPERIOR COURT