

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

**INDICTMENT FOR CONSPIRACIES TO DEFRAUD THE  
INTERNAL REVENUE SERVICE, MAKE FALSE STATEMENTS  
AND REPRESENTATIONS, TO COMMIT WIRE FRAUD, TO COMMIT  
MONEY LAUNDERING, FALSE STATEMENTS IN CONNECTION  
WITH A MULTIPLE EMPLOYER WELFARE ARRANGEMENT,  
WIRE FRAUD, MONEY LAUNDERING, AND NOTICES OF FORFEITURE**

UNITED STATES OF AMERICA

\*

CRIMINAL DOCKET NO.

v.

\*

SECTION:

DENIS JOHN JOACHIM

\*

VIOLATIONS: 18 U.S.C. § 2

DONNA KENNEDY JOACHIM

\*

THE TOTAL FINANCIAL GROUP, INC.

\*

18 U.S.C. § 371

18 U.S.C. § 1343

18 U.S.C. § 1349

18 U.S.C. § 1956(h)

18 U.S.C. § 1957

26 U.S.C. § 7206(2)

29 U.S.C. § 1131(b)

29 U.S.C. § 1149

\* \* \*

The Grand Jury charges that:

**COUNT 1**

(18 U.S.C. § 371 – Conspiracy to Defraud the IRS and Make False Statements and Representations in Connection with a Multiple Employer Welfare Arrangement)

**A. AT ALL TIMES MATERIAL HEREIN:**

**The Defendants**

✓ Fee USA  
— Process \_\_\_\_\_  
X Dktd \_\_\_\_\_  
— CtRmDep \_\_\_\_\_  
— Doc. No. \_\_\_\_\_

1. **THE TOTAL FINANCIAL GROUP, INC. (TTFG)** was a Louisiana business incorporated with the Louisiana Secretary of State on about January 6, 2005. Most recently, **TTFG** was located at 406 N. Florida Street, Covington, Louisiana, within the Eastern District of Louisiana.

2. **DENIS JOHN JOACHIM ("DENIS JOACHIM")** and **DONNA KENNEDY JOACHIM ("DONNA JOACHIM")** (collectively, "the **JOACHIMS**") were residents of the Eastern District of Louisiana. **DENIS JOACHIM** incorporated, owned, operated, and managed **TTFG**. **DONNA JOACHIM** owned and served as the Chief Operating Officer of **TTFG**.

3. From about September 2012, until about October 2014, **TTFG** had an operating account at JPMorgan Chase Bank, NA (Chase), bearing account number XXXXX2170 ("Chase 2170").

4. In about August 2014, **TTFG** moved its operating account to Capital One Bank, N.A. (Capital One) into an account bearing number XXXXXX9107 (CapOne 9107).

5. From in about October 2012 to about September 2014, **DENIS JOACHIM** and **DONNA JOACHIM** jointly controlled a personal checking account at Chase bearing account number XXXXX3090 (Chase 3090).

6. Beginning in about August 2014, **DENIS JOACHIM** and **DONNA JOACHIM** jointly controlled a personal checking account at Capital One bearing account number XXXXXX3973 (CapOne 3973).

**Classic 105**

7. **TTFG** marketed a product called the "Classic 105 Program" (Classic 105). Classic 105 purported to be a Medical Reimbursement Account (MRA), which provided for the

reimbursement to participating employees (employee-participants) of qualifying medical expenditures not paid for under the employer's (employer-client's) primary insurance plan.

8. MRAs, including Classic 105, were governed by the Internal Revenue Code.

9. The Internal Revenue Code, Title 26, United States Code, required employers to withhold Federal Insurance Contribution Act (FICA) taxes from employees' gross pay. FICA taxes represented Social Security and Medicare taxes.

10. The Internal Revenue Service (IRS), an agency of the United States Department of Treasury, was responsible for administering the internal revenue laws of the United States.

11. **DENIS JOACHIM** and **DONNA JOACHIM** created and marketed Classic 105 to employer-clients as a combination of an MRA plan with employee-participant contributions funded by a loan arrangement.

12. **TTFG** contracted with regional sales agents to market Classic 105 to prospective employer-clients.

13. **TTFG's** sales agents were required to undergo training developed largely by **DENIS JOACHIM** and participate in regular calls with **DENIS JOACHIM** and other **TTFG** employees. The trainings and calls focused on approved methods for marketing Classic 105 and frequently concerned matters related to federal tax laws. **DENIS JOACHIM** provided marketing materials to **TTFG's** sales agents and required sales agents to present the materials to prospective employer-clients unedited.

14. Classic 105 plans were established or maintained by employer-clients of **TTFG** for the purpose of providing medical benefits to their employees and their beneficiaries and were employee benefit plans subject to the Employee Retirement Income Security Act of 1974 (ERISA), which is enforced by the Department of Labor, Employment Benefit Security Administration

(EBSA). Classic 105 was an arrangement that was established and maintained for the purpose of offering or providing medical benefits to the employees of two or more employers or to their beneficiaries and was a “multiple employer welfare arrangement” (MEWA), as that term is defined by Title 29, United States Code, Section 1002(40). Classic 105 was also a health care benefit program as defined in Title 18, United States Code, Section 24.

15. **DENIS JOACHIM, DONNA JOACHIM, and TTFG** (collectively, “the Defendants”) marketed Classic 105 to prospective employer-clients as a supplemental group health benefits plan for their employees, which employer-clients could adopt for their employees. Employer-clients adopting Classic 105 were also required to offer a primary health insurance plan. Employee-participants participating in Classic 105 were also required to participate in their employer-client’s primary health insurance plan unrelated to Classic 105.

16. **DENIS JOACHIM, DONNA JOACHIM, TTFG, and TTFG’s** employees and agents acting at the direction of **DENIS JOACHIM and DONNA JOACHIM** represented that contributions, fees, benefits received, and costs paid would be tax exempt (*i.e.*, calculated and made with pre-tax dollars), thereby reducing an employee-participant’s taxable income.

17. According to **TTFG’s** marketing materials, employee-participants made contributions to Classic 105 based on their family composition. Employee-participants with individual coverage purportedly contributed approximately \$1,000 per month to Classic 105. Employee-participants with family coverage purportedly contributed approximately \$1,600 per month to Classic 105.

18. Because the required employee contribution amount was so high, Classic 105 purported to arrange for a lender to loan employees money for these contributions. **TTFG** represented to prospective employer-clients that the loans would be provided by a third-party

lender, most often Diamond Financial LLC (a/k/a Diamond, FLA, LLC) (Diamond FLA). **TTFG** informed prospective employer-clients that employee-participants would never have to make out-of-pocket payments to repay the loan. Instead, according to **TTFG** an employee-participant's loans would be repaid by an insurance policy secured on the life of the employee-participant and payable to the lender at the time of the employee-participant's death (a/k/a credit life policies and death benefit policies).

19. **TTFG's** marketing materials stated that there would be "no net cost" to employee-participants in Classic 105 and that most employee-participants "will receive an increase in their net take home pay" because their reduced taxable wages would offset the amount of employee-participants' required administration fee.

20. **TTFG's** marketing materials further represented that employer-clients benefitted financially from participating in Classic 105 because the employer would only pay a five percent (5%) fee to **TTFG** instead of the 7.65 percent fee it was required to pay to the IRS for FICA taxes.

21. **DENIS JOACHIM, DONNA JOACHIM, and TTFG** created "side-by-side" comparisons to show prospective employer-clients examples of the tax savings of enrolling in Classic 105.

22. **TTFG** claimed that contribution amounts would be held in trust in a contribution account **TTFG** set up for each individual employee-participant and that when an employee-participant made a claim for reimbursement, the reimbursement came from their personal contribution account.

23. In addition to contribution amounts, **TTFG** also charged employee-participants a monthly administrative fee. **TTFG** charged each employee-participant a fee of approximately \$150 per month for individual coverage or approximately \$250 per month for family coverage.

**TTFG** also charged employer-clients a monthly fee of approximately five percent (5%) of each employee-participant's purported contribution.

24. Each employer-client was responsible for withholding the fee amount from employee-participants' pay and for transmitting funds (*i.e.*, the employee-participants' administrative fees plus the fee paid by the employer-client), typically in the form of a monthly check mailed to **TTFG's** headquarters, within the Eastern District of Louisiana.

25. **TTFG** pooled all the fees it collected into a single business operating account, first at Chase 2170, and then at CapOne 9107.

26. Because the purported loan offset the amount of the contribution and the tax savings offset the amount of the administration fee, an employee-participant's net paycheck typically remained the same or increased due to participating in Classic 105.

27. Classic 105 paid seventy-five percent (75%) of covered out-of-pocket expenses, and it explicitly excluded reimbursement for costs related to vision, dental, pharmacy, assistant surgeon, pre-existing pregnancy, and weight reduction surgeries.

28. To receive reimbursement, an employee-participant was required to submit a claim within sixty days from the date the medical service was provided.

29. Reimbursement was limited to the employee-participant's accrued account value at the time of the claim. An employee-participant's purported contribution amount expired at the end of each calendar year, and any unused balance did not roll over to the following year.

30. Because of Classic 105's restrictive terms for reimbursement, Classic 105 enjoyed a small reimbursement claims rate. **DENIS JOACHIM** represented that over eighty (80) percent of employee-participants never submitted a claim.

31. **TTFG** paid the limited number of claims from the fees they collected and deposited into the single business operating account, first at Chase 2170, and then at CapOne 9107, and enjoyed a significant remainder.

32. No individual, entity, or financial institution provided funding in the form of “loans” for Classic 105. Consequently, the loan component for employee-participants never occurred.

**Diamond Financial LA, LLC (d/b/a Diamond FLA)**

33. Diamond Financial LA, LLC (d/b/a Diamond FLA) was a Louisiana business incorporated with the Louisiana Secretary of State on about September 18, 2012. **DONNA JOACHIM** incorporated Diamond FLA and was its registered agent, member, and manager.

34. On or about January 23, 2014, **DONNA JOACHIM** filed paperwork with the Louisiana Secretary of State making B.S. a manager of Diamond FLA. **DONNA JOACHIM** remained the registered agent.

35. On or about September 14, 2015, **DONNA JOACHIM** caused paperwork to be submitted by B.S. with the Louisiana Secretary of State making another individual, J.L., the registered agent of Diamond FLA. **DONNA JOACHIM** remained a member of Diamond FLA.

36. **TTFG**, **DENIS JOACHIM**, **DONNA JOACHIM**, and other representatives of **TTFG** represented to prospective employer-clients that Diamond FLA would be a lender and the facilitator of loans to fund employee-participant contributions to Classic 105.

**Employer-Clients and Employee-Participants**

37. Over approximately 350 employer-clients and approximately 4,400 employee-participants nationwide enrolled in Classic 105.

38. In total, **DENIS JOACHIM**, **DONNA JOACHIM**, and **TTFG** collected not less than approximately \$21,000,000 in fees from employer-clients and employee-participants.

39. The reclassification of taxable wages resulted in employer-clients underpaying FICA taxes due to the IRS and employee-participants underpaying personal income taxes. Employer-clients failed to report and pay over more than \$20,000,000 in FICA taxes. Employee-participants failed to pay a significant amount of personal income taxes.

40. Employer-Client 1, a New Orleans, Louisiana-based corporation, enrolled in Classic 105 in about January 2014, and participated until about December 2016. Approximately 32 of its employees participated in Classic 105. In total, Employer-Client 1 paid approximately \$147,728 in fees to **TTFG** for the participation in Classic 105 of Employer-Client 1 and its employee-participants.

41. Employee-Participant 1 was an employee of Employer-Client 1. Employee-Participant 1 enrolled in Classic 105 in about January 2014, and participated until about December 2016. In total, Employee-Participant 1 paid approximately \$8,750 in fees to **TTFG** during the time Employee-Participant 1 participated in Classic 105.

42. Employer-Client 2, a Springfield, Missouri-based corporation, enrolled in Classic 105 in about December 2014, and participated until about November 2016. Approximately 18 of its employees participated in Classic 105. In total, Employer-Client 2 paid approximately \$78,194 in fees to **TTFG** for the participation in Classic 105 of Employer-Client 2 and its employee-participants.

43. Employee-Participant 2 was an employee of Employer-Client 2. Employee-Participant 2 enrolled in Classic 105 in about December 2014, and participated until about March 2016. In total, Employee-Participant 2 paid approximately \$3,293.75 in fees to **TTFG** during the



time Employee-Participant 2 participated in Classic 105. Employee-Participant 2 ceased working at Employer-Client 2 in about March 2016. As a result of Employee-Participant 2's participation in Classic 105, namely the reclassification of wages, Employee-Participant 2 was denied unemployment benefits after Employee-Participant 2's departure from Employer-Client 2.

44. Employer-Client 3, a Lafayette, Louisiana-based corporation, enrolled in Classic 105 in about June 2012, and participated until about January 2017. Approximately 15 of its employees participated in Classic 105. In total, Employer-Client 3 paid approximately \$128,273 in fees to **TTFG** for the participation in Classic 105 of Employer-Client 3 and its employee-participants.

45. Employee-Participant 3 was an employee of Employer-Client 3. Employee-Participant 3 enrolled in Classic 105 in about June 2012, and participated until about January 2017. In total, Employee-Participant 3 paid approximately \$13,400 in fees to **TTFG** during the time Employee-Participant 3 participated in Classic 105.

46. Employer-Client 4, a Belle Chase, Louisiana-based corporation, enrolled in Classic 105 in about January 2014, and participated until about December 2016. Approximately 26 of its employees participated in Classic 105. In total, Employer-Client 4 paid approximately \$254,058 in fees to **TTFG** for the participation in Classic 105 of Employer-Client 4 and its employee-participants.

47. Employee-Participant 4 was an employee of Employer-Client 4. Employee-Participant 4 enrolled in Classic 105 in about January 2014, and participated until about December 2016. In total, Employee-Participant 4 paid approximately \$9,000 in fees to **TTFG** during the time Employee-Participant 4 participated in Classic 105.

48. Employer-Client 5, an Aliquippa, Pennsylvania-based corporation, enrolled in Classic 105 in about January 2014, and participated until about December 2016. Approximately 86 of its employees participated in Classic 105. In total, Employer-Client 5 paid approximately \$991,503 in fees to **TTFG** for the participation in Classic 105 of Employer-Client 5 and its employee-participants.

49. Employer-Client 6, a New York, New York-based corporation, enrolled in Classic 105 in about July 2016, and participated until about December 2016. Approximately 237 of its employees participated in Classic 105. In total, Employer-Client 6 paid approximately \$437,933 in fees to **TTFG** for the participation in Classic 105 of Employer-Client 6 and its employee-participants.

50. The funds **DENIS JOACHIM**, **DONNA JOACHIM**, and **TTFG** collected from employer-clients and employee-participants were insufficient to reimburse the maximum amount of benefits promised to employer-clients and employee-participants.

**B. THE CONSPIRACY:**

51. Beginning at a time unknown, but not later than August 2012, and continuing until on or about January 10, 2017, in the Eastern District of Louisiana and elsewhere, the Defendants, **DENIS JOACHIM**, **DONNA JOACHIM**, **TTFG**, and others known and unknown to the Grand Jury, willfully and knowingly did combine, conspire, confederate, and agree:

52. In connection with Classic 105, an arrangement that is a multiple employer welfare arrangement described in Section 1002(40) of title I of the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. § 1001 *et seq.*, to make and cause to be made a false statement and false representation of fact, knowing it to be false, in connection with the marketing and sale of such arrangement, to employees, employers, and any State, and representatives and agents of

such persons and State concerning the financial condition and solvency of, and benefits provided by Classic 105, in violation of Title 29, United States Code, Sections 1131(b) and 1149; and

53. To defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful Government functions of the IRS in the ascertainment, computation, assessment, and collection of the revenue: to wit, FICA taxes and federal income taxes.

**C. PURPOSE OF THE CONSPIRACY:**

54. The purpose of the conspiracy was for the Defendants to convince employer-clients and employee-participants to participate in Classic 105 by making false representations about the operation of Classic 105 and the nature and legitimacy of the tax benefits associated with participating in Classic 105, to defraud the IRS, and to receive significant fees from employer-clients and employee-participants and then divert the proceeds for the personal use and benefit of the Defendants and their co-conspirators.

**D. MANNER AND MEANS:**

55. The manner and means by which **DENIS JOACHIM, DONNA JOACHIM, TTFG** and other co-conspirators sought to accomplish the object and purpose of the conspiracy included, among other things, the following:

56. The Defendants provided false information to Law Firm A and Law Firm B about Classic 105 and how it operated.

57. The Defendants falsely represented that employee-participant contributions and fees paid by participants to a Classic 105 plan were made pre-tax and would reduce the taxable wages of participants.

58. The Defendants falsely told employer-clients that the fee paid to **TTFG** could be made in lieu of the tax owed to the IRS pursuant to FICA.

59. The Defendants falsely told employee-participants and employer-clients that contribution amounts would be held in trust in a contribution account **TTFG** set up for each individual employee-participant.

60. The Defendants falsely told employee-participants and employer-clients that loans to cover the amount of employee-participants' contributions would be provided by a third-party lender, that loans would not appear on employee-participants' credit reports, and that employee-participants would never have to make out-of-pocket payments to repay the loans.

61. The Defendants fraudulently transmitted and caused to be transmitted copies of legal opinions based on false information from Law Firm A and Law Firm B to prospective employer-clients to convince prospective employer-clients of the legitimacy of Classic 105 and to participate in Classic 105.

62. The Defendants caused J.L. to become the registered agent of Diamond FLA to make Diamond FLA appear to be unrelated to and unaffiliated with **TTFG** and the **JOACHIMS**.

63. The Defendant falsely told prospective employer-clients and employee-participants that an employee-participant's loans would be repaid by an insurance policy secured on the life of the employee-participant and payable to the lender at the time of the employee-participant's death well knowing that no such policies were purchased.

64. The **JOACHIMS** directed that payments of funds due from employer-clients and employee-participants be made by wire transfer, wire communication, electronic check, personal check, or cashier's check.

65. The **JOACHIMS** deposited payments of funds due from employer-clients and employee-participants into Chase 3090 and CapOne 3973, well knowing that the accounts had insufficient funds to reimburse the maximum amount of benefits promised to employer-clients and

employee-participants, and that **TTFG** alone carried the risk that benefits claimed could exceed the fees collected.

66. The **JOACHIMS** returned small amounts of money in the form of claim reimbursements out of Chase 3090 and CapOne 3973 to some employee-participants to encourage continued participation in Classic 105.

67. The **JOACHIMS** caused their clients to file false and fraudulent corporate and individual tax returns, which understated the amount of taxable wages.

68. The Defendants performed acts and made statements to hide and conceal, and cause to be hidden and concealed, the purposes of, and the acts done in furtherance of, said conspiracy.

69. The Defendants used a significant amount of the funds deposited into Chase 3090 and CapOne 3973 to pay for the personal expenses of the **JOACHIMS**.

**E. OVERT ACTS:**

70. In furtherance of the conspiracy and to achieve the objects thereof, the conspirators committed and caused to be committed the following overt acts, among others, in the Eastern District of Louisiana and elsewhere:

71. The **JOACHIMS** caused marketing materials to be provided to Employer-Client 1 that contained numerous false and fraudulent statements and representations about the operation and organization of Classic 105, including false statements and representations concerning the financial condition and solvency of, and benefits provided by, Classic 105.

72. The **JOACHIMS** caused marketing materials to be provided to Employer-Client 2 that contained numerous false and fraudulent statements and representations about the operation and organization of Classic 105, including false statements and representations concerning the financial condition and solvency of, and benefits provided by, Classic 105.

73. The **JOACHIMS** caused marketing materials to be provided to Employer-Client 3 that contained numerous false and fraudulent statements and representations about the operation and organization of Classic 105, including false statements and representations concerning the financial condition and solvency of, and benefits provided by, Classic 105.

74. The **JOACHIMS** caused marketing materials to be provided to Employer-Client 4 that contained numerous false and fraudulent statements and representations about the operation and organization of Classic 105, including false statements and representations concerning the financial condition and solvency of, and benefits provided by, Classic 105.

75. The **JOACHIMS** caused marketing materials to be provided to Employer-Client 5 that contained numerous false and fraudulent statements and representations about the operation and organization of Classic 105, including false statements and representations concerning the financial condition and solvency of, and benefits provided by, Classic 105.

76. The **JOACHIMS** caused marketing materials to be provided to Employer-Client 6 that contained numerous false and fraudulent statements and representations about the operation and organization of Classic 105, including false statements and representations concerning the financial condition and solvency of, and benefits provided by, Classic 105.

77. On or about December 17, 2014, **DENIS JOACHIM** caused a co-conspirator known to the Grand Jury to answer the inquiry of a **TTFG** sales agent. The sales agent was attempting to answer questions posed by a prospective employer-client of Classic 105. **DENIS JOACHIM** directed the sales agent to refer to **TTFG's** marketing materials and say that the scenario described in the materials "reflect[ed] all employees receiving a \$22,400 loan and deducting pre-tax \$15,000 flat for the 105 account."

78. On or about January 15, 2015, **DENIS JOACHIM** falsely answered a question posed by a **TTFG** sales agent that originated with a Classic 105 employer-customer as follows:

The loans were provided through a private investor and at the end of the year those loans were purchased by [T]TFG. [T]TFG will carry those account receivables until the death of the employees. There is a death benefit in place that will cover the principle and interest (interest is figured from actuary tables on life expectancy). Let this be said in writing that the loan will not be called until the death of the employee.

I hope this answers all of your questions for your client and we look forward to serving them again next year.

79. On or about January 30, 2015, **DENIS JOACHIM** transmitted and caused to be transmitted a letter to Employer-Client 2 stating that Employee-Participant 2's contributions to Employee-Participant 2's Classic 105 program in December 2014 was \$1,000, when, in fact, no money had been contributed.

80. On or about February 2, 2015, **DENIS JOACHIM** transmitted and caused to be transmitted to Employer-Client 1 a false monthly report claiming that Employee-Participant 1 contributed \$19,200 to Employee-Participant 1's Classic 105 in 2014.

81. **DENIS JOACHIM** routinely transmitted and caused to be transmitted copies of the legal opinion from Law Firm A, which was based upon false information the Defendants provided to Law Firm A, to prospective employer-clients to convince prospective employer-clients of the legitimacy of Classic 105 and to participate in Classic 105, which misled clients as to the legitimacy of Classic 105.

82. **DENIS JOACHIM** transmitted and caused to be transmitted copies of the legal opinion from Law Firm B, which was based upon false information the Defendants provided to Law Firm B, to prospective employer-clients to convince prospective employer-clients of the

legitimacy of Classic 105 and to participate in Classic 105, which misled clients as to the legitimacy of Classic 105.

83. In about 2015, **DENIS JOACHIM** and J.D. commissioned Person A to draft a document entitled "White Paper on the Risks and Benefits to Banks of The Classic 105 Program" ("White Paper"), which contained numerous false representations and characterizations about Classic 105, for the purpose of convincing financial institutions to invest in **TTFG**.

84. In about 2015, **DENIS JOACHIM** and J.D. directed Person A to transmit a final draft of the White Paper to them in editable Microsoft Word format. Unbeknownst to Person A, J.D. and **DENIS JOACHIM** then manipulated the document to include additional falsehoods before transmitting it to prospective investors.

85. On or about January 30, 2016, **DENIS JOACHIM** transmitted and caused to be transmitted a letter to Employer-Client 2 falsely stating that Employee-Participant 2's contributions to Employee-Participant 2's Classic 105 program between January 1, 2015, and December 31, 2015, had been \$13,687.50 and had received \$110.24 in reimbursements when, in fact, no money had been contributed.

86. On or about March 19, 2016, **DENIS JOACHIM** transmitted and caused to be transmitted a letter to Employer-Client 2 falsely stating that Employee-Participant 2's contributions to Employee-Participant 2's Classic 105 program between January 1, 2016, and March 18, 2016, had been \$3,506.25 and had received \$0.00 in reimbursements when, in fact, no money had been contributed.

87. On or about April 27, 2016, in response to a request to provide answers associated with an inquiry conducted by the Missouri Department of Labor, **DENIS JOACHIM** transmitted and caused to be transmitted a letter to Employer-Client 2 that falsely stated the following:



- a. "The loans are facilitated through Diamond FLA and are carried until the death of the client."
- b. "The death benefit is through a TOLI ("Trust Owned Life Insurance") held at Capital One Bank."
- c. "The contributions to the TOLI are made by TTFG while the client is current, as well as, after [sic] until the death of the client."
- d. "The beneficiary is the holder of the loan at the time of death."

88. On or about June 30, 2016, in response to a subpoena issued by the Missouri Department of Labor concerning Employer-Client 2 and Employee-Participant 2, **DENIS JOACHIM** falsely stated, among other things, the following:

- a. "TTFG, its owners, members, officers, and directors do not have any ownership interest in Diamond FLA, LLC. The Diamond FLA, LLC certified letter was mistakenly delivered to TTFG's address and signed for by an employee who didn't realize it was for another entity."
- b. "The Loan Documents have not been executed yet. Both [Employer-Client 2] and [Employee-Participant 2] executed documents indicating their intention to enter into the Classic 105 Loan Program; but the actual loans and paperwork are still being developed."
- c. "No loan documents were signed by [Employee-Participant 2] prior to her termination from [Employer-Client 2]. The loans inserted into her payroll have come from her employer, [Employer-Client 2]. No funds have been allocated for any loans from TTFG, LLC to date. With conversation with [B.S.] of Diamond FLA, LLC it is my understanding that no loans have been issued by Diamond FLA, LLC either. Under the current situation with this employer, and others, it is the intention of Diamond FLA, LLC to ultimately purchase the loans from the employer in bundles, just as mortgages and other loans are purchased from lenders in other situations."

89. On or about November 24, 2014, the **JOACHIMS** caused Employer-Client 1 to file a Quarter Three, Tax Year 2014 Form 941, in which it reported Taxable Social Security wages of \$272,081.28 and Taxable Medicare Wages and Tips of \$272,081.28.

90. On or about January 30, 2015, the **JOACHIMS** caused Employer-Client 1 to file a Quarter Four, Tax Year 2014 Form 941, in which it reported Taxable Social Security wages of \$289,059.34 and Taxable Medicare Wages and Tips of \$289,059.34.

91. On or about February 2, 2015, the **JOACHIMS** caused Employee-Participant 1 to file a 2014 Form 1040, in which she reported wages of \$75,957.

92. On or about November 2, 2015, the **JOACHIMS** caused Employer-Client 2 to file a Quarter Three, Tax Year 2015 Form 941, in which it reported Taxable Social Security wages of \$41,516.48 and Taxable Medicare Wages and Tips of \$41,516.48.

93. On or about February 1, 2016, the **JOACHIMS** caused Employer-Client 2 to file a Quarter Four, Tax Year 2015 Form 941, in which it reported Taxable Social Security wages of \$37,908.49 and Taxable Medicare Wages and Tips of \$37,908.40.

94. On or about February 3, 2016, the **JOACHIMS** caused Employee-Participant 2 to file a 2015 Form 1040, in which she reported wages of \$37,240.

95. On or about January 26, 2014, the **JOACHIMS** caused Employee-Participant 3 to file a 2013 Form 1040, in which she reported wages of \$47,766.

96. On or about March 29, 2017, the **JOACHIMS** caused Employee-Participant 4 to file a 2016 Form 1040, in which he reported wages of \$69,665.

97. On or about April 22, 2014, the **JOACHIMS** caused Employer-Client 5 to file a Quarter One, Tax Year 2014 Form 941, in which it reported Taxable Social Security wages of \$1,194,888.67 and Taxable Medicare Wages and Tips of \$1,194,888.67.

98. On or about July 30, 2014, the **JOACHIMS** caused Employer-Client 5 to file a Quarter Two, Tax Year 2014 Form 941, in which it reported Taxable Social Security wages of \$1,496,654.36 and Taxable Medicare Wages and Tips of \$1,496,654.36.

99. On or about October 27, 2016, the **JOACHIMS** caused Employer-Client 6 to file a Quarter Three, Tax Year 2016 Form 941, in which it reported Taxable Social Security wages of \$3,989,959.14 and Taxable Medicare Wages and Tips of \$5,369,133.24.

100. On or about January 24, 2017, the **JOACHIMS** caused Employer-Client 6 to file a Quarter Four, Tax Year 2016 Form 941, in which it reported Taxable Social Security wages of \$3,315,631.49 and Taxable Medicare Wages and Tips of \$6,753,267.74.

All in violation of Title 18, United States Code, Section 371.

**COUNTS 2 – 13**

(26 U.S.C. § 7206(2) – Aiding or Assisting in the  
Preparation of False Statements on Federal Income Tax Returns)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations of Part A of Count 1 are hereby realleged and incorporated herein in their entirety by reference.

**B. THE OFFENSES:**

On or about the dates listed below under the caption “Date Filed,” in the Eastern District of Louisiana, the Defendants, **DENIS JOACHIM** and **DONNA JOACHIM** did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation under the internal revenue laws of IRS Forms 1040 (U.S. Individual Income Tax Return) and IRS Forms 941 (Employer’s Quarterly Federal Tax Return), for the time periods listed below under the caption “Tax Year,” which were verified by a written declaration that they were made under the penalties of perjury and which defendants, **DENIS JOACHIM** and **DONNA JOACHIM**, did not believe to be true and correct as to every material matter. Specifically, as **DENIS JOACHIM** and **DONNA JOACHIM** then and there knew, the income tax returns, which were filed with the IRS,

reported income in the amounts listed below, in which the true amount of wages was significantly higher than the reported amount:

Count	Taxpayer Name	Date Filed	Tax Document	False Material Matter	Amount Reported
2	Employer-Client 1	11/24/14	Quarter 3, 2014 Form 941	Taxable Social Security (Line 5a)	\$272,081.28
				Taxable Medicare Wages & Tips (Line 5c)	\$272,081.28
3	Employer-Client 1	01/30/15	Quarter 4, 2014 Form 941	Taxable Social Security (Line 5a)	\$289,059.34
				Taxable Medicare Wages & Tips (Line 5c)	\$289,059.34
4	Employee-Participant 1	02/02/15	2014 Form 1040	Wages (Line 7)	\$75,957
5	Employer-Client 2	11/02/15	Quarter 3, 2015 Form 941	Taxable Social Security (Line 5a)	\$41,516.48
				Taxable Medicare Wages & Tips (Line 5c)	\$41,516.48
6	Employer-Client 2	02/01/16	Quarter 4, 2015 Form 941	Taxable Social Security (Line 5a)	\$37,908.49
				Taxable Medicare Wages & Tips (Line 5c)	\$37,908.49
7	Employee-Participant 2	02/03/16	2015 Form 1040	Wages (Line 7)	\$37,240
8	Employee-Participant 3	01/26/14	2013 Form 1040	Wages (Line 7)	\$47,766
9	Employee-Participant 4	03/29/17	2016 Form 1040	Wages (Line 7)	\$69,665
10	Employer-Client 5	04/22/14	Quarter 1, 2014 Form 941	Taxable Social Security (Line 5a)	\$1,194,888.67
				Taxable Medicare Wages & Tips (Line 5c)	\$1,194,888.67

Count	Taxpayer- Name	Date Filed	Tax Document	False Material Matter	Amount Reported
11	Employer- Client 5	07/30/14	Quarter 2, 2014 Form 941	Taxable Social Security (Line 5a)	\$1,496,654.36
				Taxable Medicare Wages & Tips (Line 5c)	\$1,496,654.36
12	Employer- Client 6	10/27/16	Quarter 3, 2016 Form 941	Taxable Social Security (Line 5a)	\$3,989,959.14
				Taxable Medicare Wages & Tips (Line 5c)	\$5,369,133.24
13	Employer- Client 6	01/24/17	Quarter 4, 2016 Form 941	Taxable Social Security (Line 5a)	\$3,315,631.49
				Taxable Medicare Wages & Tips (Line 5c)	\$6,753,267.74

All in violation of Title 26, United States Code, Section 7206(2).

#### **COUNTS 14 – 18**

(29 U.S.C. § 1149 – False Statements and Representations  
in Connection With a Multiple Employer Welfare Arrangement)

#### **A. AT ALL TIMES MATERIAL HEREIN:**

The allegations of Part A of Count 1 are hereby realleged and incorporated herein in their entirety by reference.

#### **B. THE OFFENSES:**

On or about the following dates, in the Eastern District of Louisiana and elsewhere, the defendants, **DENIS JOACHIM** and **TTFG**, did, in connection with Classic 105, an arrangement that is a multiple employer welfare arrangement described in Section 1002(40) of title I of the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. § 1001 *et seq.*, make and cause to be made false statements and false representations of fact, knowing them to be false,

in connection with the marketing and sale of such arrangement, to employees, employers, and any State, and representatives and agents of such persons and State concerning the financial condition and solvency of and benefits provided by Classic 105, as follows:

Count	Date	False Statement
14	12/17/14	Stating that scenario described in marketing materials "reflects all employees receiving a \$22,400 loan and deducting pre-tax \$15,000 flat for the 105 account," and causing such statement and representation to be made to a prospective employer-client.
15	01/15/15	Stating that "The loans were provided through a private investor and at the end of the year those loans were purchased by [T]TFG. [T]TFG will carry those account receivables until the death of the employees. There is a death benefit in place that will cover the principle and interest (interest is figured from actuary tables on life expectancy). Let this be said in writing that the loan will not be called until the death of the employee," and causing such statement and representation to be made to a prospective employer-client.
16	03/25/15	Stating in an email sent to an attorney for a prospective employer-client, "the vehicle used to guarantee the loan varies with the different community banks that we deal with and the contract that we are under with them. The loan is paid in full plus interest at the time of death of the employee. It can be a credit life insurance policy or an annuity with a death benefit that can be used to guarantee the loan. At the end of every year, what ever [sic] funds are left in the reimbursement account are used to help pay down the principle of the loan which reduces the amount of a death benefit that is needed to be purchased to secure the loan"
17	12/09/16	Stating that "[t]herefore when the individual leaves the program they already have all existing loans covered by the Captive Life Insurance," and causing such statement and representation to be made to a prospective employer-client.
18	04/27/16	Stating to an employer-client, and causing such false statement and representation to be made to a State representative and agent, that "[t]he information below is provided to answer questions associated with the MO DOL inquiries. The loans are facilitated through Diamond FLA and are carried until the death of the client. The death benefit is through a TOLI (Trust Owned Life Insurance) held in Capital One Bank. The contributions to the TOLI are made by TTFG while the client is current, as well as, after until [sic] the death of the client. The beneficiary is the holder of the loan at the time of death."

All in violation of Title 29, United States Code, Sections 1131(b) and 1149.

**COUNT 19**

(18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations of Part A of Count 1 are hereby realleged and incorporated herein in their entirety by reference.

**B. THE CONSPIRACY:**

Beginning at a time unknown, but not later than August 2012, and continuing until on or about January 10, 2017, in the Eastern District of Louisiana and elsewhere, **DENIS JOACHIM, DONNA JOACHIM, TTFG**, and others known and unknown to the Grand Jury, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to knowingly execute and attempt to execute a scheme and artifice to defraud and to obtain money, funds, and property, in the form of fees paid from employer-participants and employee-clients, by means of false and fraudulent pretenses, representations and promises and did transmit and cause to be transmitted in interstate commerce certain writings, signs, signals and sounds by means of wire communications from the Eastern District of Louisiana, in violation of Title 18, United States Code, Section 1343.

**C. MANNER AND MEANS OF THE CONSPIRACY:**

The manner and means by which **DONNA JOACHIM, DENIS JOACHIM, TTFG**, and other co-conspirators sought to accomplish the object and purpose of the conspiracy included, among other things, the allegations set forth in paragraphs 56-70, in Count 1 of this Indictment, as though fully set forth herein.

All in violation of Title 18, United States Code, Section 1349.

**COUNTS 20-25**

(18 U.S.C. § 1343 – Wire Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations of Part A of Count 1 and Part C of Count 19 are hereby realleged and incorporated herein in their entirety by reference.

**B. THE SCHEME:**

1. Beginning at a time unknown, but not later than in about August 2012, and continuing through on or about January 10, 2017, in the Eastern District of Louisiana and elsewhere, **DENIS JOACHIM** and **DONNA JOACHIM**, did knowingly devise and intend to devise a scheme and artifice to defraud and obtain money and property, in the form of fees paid, from employee-participants and employer-clients by means of false and fraudulent pretenses, representations, and promises.

2. On or about the dates listed below, in the Eastern District of Louisiana and elsewhere, **DENIS JOACHIM** and **DONNA JOACHIM**, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud and to obtain money, funds and property by means of false and fraudulent pretenses, representations and promises, did knowingly transmit and cause to be transmitted in interstate commerce certain writings, signs, signals and sounds by means of wire communications from the Eastern District of Louisiana, namely depositing monthly fees paid for the participation of employee-participants and employer-clients in Classic 105:

Count	Name of Victim	Date	Check Number	Amount of Check
20	Employer-Client 1	01/23/14	37090	\$4,071.15
21	Employer-Client 2	11/07/16	6752	\$1,073.80



Count	Name of Victim	Date	Check Number	Amount of Check
22	Employer-Client 3	12/12/16	8607	\$1,932.56
23	Employer-Client 4	03/02/15	1002449	\$6,775.18
24	Employer-Client 5	12/09/16	33981	\$23,338.11
25	Employer-Client 6	12/22/16	39411	\$73,396.22

All in violation of Title 18, United States Code, Sections 1343 and 2.

**COUNT 26**

(18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations of Parts A and E of Count 1 are hereby realleged and incorporated herein in their entirety by reference.

**B. THE CONSPIRACY:**

Beginning at a time unknown, but not later than August 2012, and continuing until at least January 20, 2017, in the Eastern District of Louisiana, and elsewhere, **DENIS JOACHIM** and **DONNA JOACHIM** did knowingly combine, conspire, and agree with each other and with other persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1957, to wit: to knowingly engage and attempt to engage, in monetary transactions by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, that is the items listed in Part C of this section, such property having been derived from a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2.

**C. MANNER AND MEANS OF THE CONSPIRACY:**

The manner and means by which the **JOACHIMS** and other co-conspirators sought

to accomplish the object and purpose of the conspiracy included, among other things, the following:

1. On about May 20, 2013, **DONNA JOACHIM** issued check number 129 drawn on Chase 3090, in the amount of \$10,000.00, payable to Bent Marine, for the purchase of a 2013 Chaparral boat, 26' 4" in length bearing HIN: FGBH0184A313;
2. On about May 22, 2013, **DONNA JOACHIM** withdrew \$39,750.00 from Chase 3090 and purchased Chase cashier's check number 9451304271, in the amount of \$39,750.00, payable to Bent Marine, for the completion of the sale of a 2013 Chaparral boat, 26' 4" in length bearing HIN: FGBH0184A313;
3. On about March 28, 2014, **DONNA JOACHIM** withdrew \$100,039.50 from Chase 2170 and purchased Chase cashier's check number 9141214782, in the amount of \$100,039.50, payable to Bayou Title, for the down payment for the real property located at 23185 Highway 1084, Covington, Louisiana 70435;
4. On about April 1, 2015, **DENIS JOACHIM** issued check number 2773 from CapOne 9107, in the amount of \$75,413.88, payable to Rainbow Luxury for the purchase of a 2014 Chevrolet Corvette bearing VIN: 1G1YM2D74E5129808;
5. On about April 16, 2015, **DENIS JOACHIM** withdrew \$120,648.33 from CapOne 9107 and purchased Capital One cashier's check number 9100821396, in the amount of \$120,648.33, payable to Bayou Title, Inc., for the purchase of the real property located at 14 Place Lafitte, Madisonville, Louisiana 70447;
6. On about April 17, 2015, **DONNA JOACHIM** issued check number 2932 from CapOne 9107, in the amount of \$5,000.00, payable to Bayou Title, for the purchase of the real property located at 14 Place Lafitte, Madisonville, Louisiana 70447;
7. On about May 4, 2015, **DONNA JOACHIM** issued check number 12823 from CapOne 3973, in the amount of \$2,000.00, payable to Latter Blum, for the down payment for the real property located at 41 Rue Du Sud, Madisonville, Louisiana 70447;
8. On about June 1, 2015, **DONNA JOACHIM** withdrew \$40,000.00 from CapOne 3973 and \$53,000.00 from Cap One 9107 and purchased Capital One cashier's check number 9101107205, in the amount of \$93,000.00, payable to Bayou Title, for the purchase of the real property located at 41 Rue Du Sud, Madisonville, Louisiana 70447;
9. On about October 14, 2015, **DONNA JOACHIM** issued check number 4513 from CapOne 9107, in the amount of \$81,068.09, payable to Dixie RV Superstores, for

the purchase of a 2016 Grand Design Solitude recreational trailer bearing VIN: 573FS4321G1105457;

10. On about November 24, 2015, **DONNA JOACHIM** issued check number 4837 from CapOne 9107, in the amount of \$53,589.76, payable to Rainbow CDJ, for the purchase of a 2016 Jeep Wrangler bearing VIN: 1C4HJWDG4GL156805;
11. On about December 17, 2015, **DENIS JOACHIM** issued check number 5206 from CapOne 9107, in the amount of \$74,214.70, payable to Rainbow CDJ, for the purchase of a 2016 Dodge Ram 3500 truck bearing VIN: 3C63RRKL0GG182763;
12. On about December 22, 2015, **DENIS JOACHIM** issued check number 5389 from CapOne 9107, in the amount of \$88,000.00, payable to Rainbow Luxury Imports, for the purchase of a 2012 Mercedes Benz CL 550 bearing VIN: WDDEJ9EB8CA028974 and a 2009 Mercedes Benz CL 550 bearing VIN: WDDEJ86X39A022321;
13. On about April 19, 2016, **DENIS JOACHIM** issued check numbers 6746 and 6747 from CapOne 9107, in the amounts of \$74,294.56 and \$2,085.25, respectively, payable to Gator Powersports, for the purchase of a 2016 CAN-AM Maverick 1000R Turbo X DS bearing VIN: 3JBPDAR22GJ001997, a 2016 CAN-AM Maverick 1000R Turbo X DS bearing VIN: 3JBPDAR21GJ001571, and a 2016 CAN-AM Outlander X MR 1000R bearing VIN: 3JBLWAX24GJ002077;
14. On about April 30, 2016, **DONNA JOACHIM** issued check number 6925 from CapOne 9107, in the amount of \$79,157.11, payable to Rainbow Northshore Buick GMC LLC, for the purchase of a 2016 GMC Yukon XL Denali bearing VIN: 1GKS1HKJ9GR237820;
15. On about April 30, 2016, **DONNA JOACHIM** issued check number 6927 from CapOne 9107, in the amount of \$45,546.65, payable to Gator Powersports & Marine, for the partial purchase of a 2016 CAN-AM Maverick 1000 Turbo off-road vehicle bearing VIN: 3JBPDAR25GJ001234, a 2015 SEA-DOO GTX LTD IS 260 jet ski bearing HIN: YDV02310A515, and a 2016 CAN-AM Renegade 1000 XMR off-road vehicle, bearing VIN: 3JBMWAX24GJ000057;
16. On about May 10, 2016, **DONNA JOACHIM** issued check number 7128 from CapOne 9107, in the amount of \$11,639.90, payable to Gator Powersports & Marine, for the completion of the purchase of a 2016 CAN-AM Maverick 1000 Turbo off-road vehicle bearing VIN: 3JBPDAR25GJ001234, a 2015 SEA-DOO GTX LTD IS 260 jet ski bearing HIN: YDV02310A515, and a 2016 CAN-AM Renegade 1000 XMR off-road vehicle, bearing VIN: 3JBMWAX24GJ000057;

17. On about May 19, 2016, **DENIS JOACHIM** issued check number 7261 from CapOne 9107, in the amount of \$39,437.25, payable to Gator Power Sports, for the purchase of a 2016 SEA-DOO RXT-X-300 jet ski bearing VIN: YDV08167A616, a 2016 SEA-DOO RXT-X-300 jet ski bearing VIN: YDV08085A616, a 2015 Karavan Move II boat trailer bearing VIN: 5KTWS1711FF010979, and a 2016 Magic-Tilt FT9200 boat trailer bearing VIN: 1M5BA1711G1E16459;
18. On about June 14, 2016, **DONNA JOACHIM** withdrew \$110,333.45 from CapOne 9107 and purchased Capital One cashier's check number 9101873719, in the amount of \$110,333.45, payable to Bayou Title, for the purchase of the real property located at 23210 Highway 1084, Covington, Louisiana 70435;
19. On about July 23, 2016, **DONNA JOACHIM** issued check number 1184 from CapOne 3973, in the amount of \$61,980.00, payable to Looney, Looney, & Chadwell for the down payment for 125.30 acres of undeveloped real property located in Spring City, Rhea County, Tennessee;
20. On about August 11, 2016, **DONNA JOACHIM** caused the issuance of a wire transfer from CapOne 9107, in the amount of \$560,651.62, to the escrow account of Looney, Looney, & Chadwell Title Services, LLC located at First National Bank of Tennessee bearing account number XXX1214 for the purchase of 125.30 acres of undeveloped real property located in Spring City, Rhea County, Tennessee;
21. On about November 12, 2016, **DONNA JOACHIM** issued check number 1351 from CapOne 3973, in the amount of \$5,000.00, payable to Keller Williams for the down payment for 40.883 acres of undeveloped real property located at 26169 Highway 40, Bush, Louisiana 70431; and
22. On about December 19, 2016, **DONNA JOACHIM** withdrew \$397,383.09 from CapOne 3973 and purchased Capital One cashier's check numbers 9102365837 and 9102365838, in the amounts of \$197,383.09 and \$200,000.00, respectively, payable to Bayou Title, for the completion of the purchase of 40.883 acres of undeveloped real property located at 26169 Highway 40, Bush, Louisiana 70431.

All in violation of Title 18, United States Code, Section 1956(h).

**COUNTS 27-34**

(18 U.S.C. § 1957 – Money Laundering)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations of Parts A, D, and E of Count 1, Part B of Counts 20-25, and Part C of Count 26 are hereby realleged and incorporated herein in their entirety by reference.

**B. WAYS AND MEANS BY WHICH THE MONEY WAS LAUNDERED:**

**DENIS JOACHIM** and **DONNA JOACHIM** utilized the following federally insured financial institutions and accounts to conduct financial transactions:

- a. JPMorgan Chase Bank, N.A. account number XXXXX2170, in the name of **TTFG**;
- b. Capital One Bank, N.A. account number XXXXXX9107, in the name of **TTFG**; and
- c. Capital One Bank, N.A. account, No. XXXXXX3973, in the names of **DENIS JOACHIM** and **DONNA JOACHIM**.

**C. THE OFFENSES:**

On or about each date listed below, in the Eastern District of Louisiana, and elsewhere, **DENIS JOACHIM** and **DONNA JOACHIM** knowingly engaged, and attempted to engage, and caused each other and others to engage, in a monetary transaction affecting interstate commerce, in criminally derived property of a value greater than \$10,000, that is, the withdrawal, deposit, and transfer of funds from and to the financial institutions identified below, such property having been derived from one or more of the following specified unlawful activities:

1. A violation of Title 18, United States Code, Section 371 (conspiracy to violate Title 29, United States Code, Sections 1131(b) and 1149 as it relates to a health care benefit program), as alleged in Count 1;
2. Violations of Title 29, United States Code, Section 1131(b) (false statements and representations in connection with a multiple employer welfare arrangement, as they relate to a health care benefit program), as alleged in Counts 14-18;
3. A violation of Title 18, United States Code, Section 1349 (conspiracy to violate Title 18, United States Code, Section 1343 (wire fraud, as it relates to a health care benefit program)), as alleged in Count 19; and
4. Violations of Title 18, United States Code, Sections 1343 and 2 (wire fraud), as alleged in Counts 20-25;

<b>Count</b>	<b>Defendant</b>	<b>Date</b>	<b>Amount</b>	<b>Monetary Transaction</b>
27	<b>DONNA JOACHIM</b>	03/28/14	\$100,039.50	Cashier's Check Number 9141214782, payable to Bayou Title, Inc., funded by Chase 2170 for the down payment of real property located at 23185 Highway 1084, Covington, Louisiana 70435.
28	<b>DENIS JOACHIM DONNA JOACHIM</b>	04/01/15	\$75,413.88	Bank Check Number 2773, payable to Rainbow Luxury Imports, LLC, funded by CapOne9107 for the purchase of a 2014 Chevrolet Corvette bearing VIN: 1G1YM2D74E5129808.
29	<b>DENIS JOACHIM</b>	04/16/15	\$120,648.33	Cashier's Check Number 9100821396, payable to Bayou Title, Inc., funded by CapOne 9107 for the purchase of real property located at 14 Place Lafitte, Madisonville, Louisiana 70447.
30	<b>DONNA JOACHIM</b>	10/14/15	\$81,068.709	Bank Check Number 4513, payable to Dixie RV Superstores, funded by CapOne 9107 for the purchase of a 2016 Grand Design Solitude recreational trailer bearing VIN: 573FS4321G1105457.
31	<b>DENIS JOACHIM</b>	12/17/15	\$74,214.70	Bank Check Number 5206, payable to Rainbow CDJ, funded by CapOne 9107 for the purchase of a 2016 Dodge Ram 3500 truck bearing VIN: 3C63RRKL0GG182763.
32	<b>DONNA JOACHIM</b>	04/30/16	\$79,157.11	Bank Check Number 6925, payable to Rainbow Northshore Buick-GMC, LLC, funded by CapOne 9107 for the purchase of a 2016 GMC Yukon XL Denali bearing VIN: 1GKS1HKJ9GR237820.
33	<b>DONNA JOACHIM</b>	06/14/16	\$110,333.45	Cashier's Check Number 910873719, payable to Bayou Title, Inc., funded by CapOne 9107 for the purchase of real property located at 23210 Highway 1084, Covington, Louisiana 70435.
34	<b>DONNA JOACHIM</b>	07/23/16	\$61,980.00	Bank Check Number 1184 issued, payable to Looney, Looney, &

Count	Defendant	Date	Amount	Monetary Transaction
				Chadwell, funded by CapOne 3973 for the down payment of 125.30 acres of undeveloped real property located in Spring City, Rhea County, Tennessee.

All in violation of Title 18, United States Code, Sections 1957 and 2.

### **NOTICE OF HEALTH CARE FRAUD FORFEITURE**

1. The allegations contained in Count 1 and Counts 14 through 18 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture to the United States pursuant to the provisions of Title 18, United States Code, Section 982(a)(7).

2. As a result of the offenses alleged in Count 1, **DENIS JOHN JOACHIM, DONNA KENNEDY JOACHIM, and THE TOTAL FINANCIAL GROUP, INC.,** shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), any and all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense as a result of the violations of Title 18, United States Code, Section 371 and Title 29, United States Code, Sections 1131 and 1149, which are Federal Health Care offenses within the meaning of Title 18, United States Code, Section 24, including but not limited to:

\$749,162.44 U.S. Currency, seized from Capital One Bank, Account Number: 2082479107, in the name of Total Financial Group;

\$42,142.39 U.S. Currency, seized from Capital One Bank, Account Number: 5629143973, in the name of Denis Joachim and Donna K. Joachim;

2013 Chaparral Boat, bearing Vehicle Identification Number: FGBH0184A313;



2014 Chevrolet Corvette, bearing Vehicle Identification Number: 1G1YM2D74E5129808;

2016 Grand Design Solitude Recreational Trailer, bearing Vehicle Identification Number: 573FS4321G1105457;

2016 Jeep Wrangler, bearing Vehicle Identification Number: 1C4HJWDG4GL156805;

2016 Dodge Ram 3500 Pickup Truck, bearing Vehicle Identification Number: 3C63RRKL0GG182763;

2012 Mercedes CL550, bearing Vehicle Identification Number: WDDEJ9EB8CA028974;

2016 GMC Yukon XL Denali, bearing Vehicle Identification Number: 1GKS1HKJ9GR237820;

2016 Sea-Doo RXT-X-300 Jet Ski, bearing Vehicle Identification Number: YDV08167A616;

2016 Sea-Doo RXT-X-300 Jet Ski, bearing Vehicle Identification Number: YDV08085A616;

2015 Sea-Doo GTX-LTD IS 260, bearing Vehicle Identification Number: YDV02310A515;

2016 Can-Am Maverick 1000R Turbo XDS; bearing Vehicle Identification Number: 3JBPDAR22GJ001997;

2016 Magic-Tilt FT9200 Boat Trailer, bearing Vehicle Identification Number: 1M5BA1711G1E16459;

2016 Can-Am Outlander 1000R XMR, bearing Vehicle Identification Number: 3JBLWAX24GJ002077;

2015 Karavan Move II Boat Trailer, bearing Vehicle Identification Number: 5KTWS1711FF010979;

2016 Grand Design Reflection Recreational Trailer, bearing Vehicle Identification Number: 573TR3622G3304901;

Boat Trailer, bearing Vehicle Identification Number: 4YPAB252XDT050588;



Property currently recorded in the names of Denis J. Joachim and Donna Kennedy Pounds Joachim and described as follows: All that certain piece or portion of ground, together with all the buildings and improvements thereon, and also, all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, located in Section 17, Township 6 South Range 12 East and more fully described as follows, to-wit: commencing at the northwest corner of Section 17, Township 6 South, Range 12 East, go north 89 degrees 37 minutes east, a distance of 2,050.0 feet; thence south 00 degrees, 15 minutes east, a distance of 40 feet to an iron rod; thence north 89 degrees 34 minutes, 54 seconds east, a distance of 208.70 feet to a point located on the southerly right of way line of Louisiana Highway 1084, being the point of beginning. From the point of beginning, continue along the southerly right of way line of Louisiana Highway 1084, north 89 degrees 34 minutes 54 seconds east, a distance of 287.49 feet to a point; thence go south 46 degrees, 05 minutes, 36 seconds east a distance of 135.40 feet to a point located on the westerly right of way of Lenel Road, thence south 00 degrees 07 minutes 12 seconds west a distance of 372.26 feet to a point; thence south 89 degrees 47 minutes, 47 seconds to a point; thence north 00 degrees 12 minutes 40 seconds west, a distance of 465.47 feet to the point of beginning. Said parcel contains 4,004 acres and is designated as parcel Bo-1 and described as above, on survey by Turner Surveys, LLC, dated March 22, 2006 and revised on September 26, 2012. The improvements thereon bear the Municipal Number: 23185 Highway 1084, Covington, Louisiana;

Property currently recorded in the names of Denis J. Joachim and Donna K. Joachim and described as follows: TRACT ONE: Situated in the First Civil District of Rhea County, Tennessee, and being more particularly described as follows: Beginning at a point in the south right of way line of Lodge Road, corner to property of Stephen D. Mayo and Kelly Ann Mayo (Deed Book: 321, page 376); thence from said beginning point and with the southern right of way line of Lodge Road, forty-three calls and distances as follows: north 75 deg. 40 min. 18 sec. east, 125.51 feet to a point; north 76 deg. 32 min. 03 sec. east, 56.62 feet to a point; north 79 deg. 51 in. 17 sec. east, 62.96 feet to a point; north 74 deg. 53 min. 46 sec. east 70.92 feet to a point; north 63 deg. 35 min. 05 sec. east, 94.13 feet to a point, north 53 deg. 48 min. 19 sec. east, 48.72 feet to a point; north 48 deg. 06 min. 44 sec. east, 62.83 feet to a point; north 42 deg. 39 min. 14 sec. east, 177.79 feet to a point; north 50 deg. 13 min. 33 sec. east, 80.63 feet to a point; north 57 deg. 37 min. 09 sec. east, 46.78 feet to a point; north 64 deg. 21 min. 22 sec. east, 51.23 feet to a point; north 70 deg. 23 min. 33 sec. east, 67.16 feet to a point; north 74 deg. 45 min. 12 sec. east, 75.72 feet to a point; north 76 deg. 09 min. 02 sec. east, 169.85 to a point; north 81 deg. 54 min. 52 sec. east, 45.76 fee to a point; south 88 deg. 53 min. 26 sec. east, 32.69 feet to a

point; south 78 deg. 03 min. 02 sec. east, 41.33 feet to a point; south 68 deg. 59 min. 31 sec. east, 46.43 feet to a point; south 64 deg. 55 in. 56 sec. east, 77.65 feet to a point; south 71 deg. 24 min. 24 sec. east, 170.20 feet to a point; south 74 deg. 47 min. 10 sec. east, 165.83 feet to a point; south 76 deg. 34 min. 40 sec. east, 165.41 feet to a point; south 85 deg. 20 min. 18 sec. east 50.42 feet to a point north 84 deg. 50 min. 13 sec. east, 50.01 feet to a point; north 75 deg. 26 min. 21 sec. east 51.56 feet to a point north 71 deg. 54 min. 14 sec. east, 59.38 feet to a point; north 76 deg. 35 min. 08 sec. east 54.47 feet to a point; north 85 deg. 22 min. 48 sec. east 45.90 feet to a point; north 88 deg. 46 min. 56 sec. east 165.58 feet to a point; north 85 deg. 19 min. 18 sec. east, 43.89 feet to a point; north 82 deg. 52 min. 25 sec. east, 43.36 feet to a point; north 73 deg. 24 min. 29 sec. east, 52.23 feet to a point; north 60 deg. 38 min. 34 sec. east, 68.89 feet to a point; north 71 deg. 00 min. 30 sec. east 28.82 feet to a point; north 88 deg. 15 min. 15 sec. east, 35.12 feet to a point; south 71 deg. 44 min. 45 sec. east, 39.97 feet to a point; south 66 deg. 36 min. 05 sec. east, 110.69 feet to a point; south 80 deg. 14 min. 21 sec. east, 62.79 feet to a point; north 77 deg. 16 min. 45 sec. east 66.46 feet to a point; north 62 deg. 46 min. 04 sec. east 58.29 feet to a point; north 48 deg. 16 min 40 sec. east, 62.35 feet to a point, north 35 deg. 10 min. 11 sec. east, 72.45 feet to a point; and north 27 deg. 46 min. 30 sec. east, 41.51 feet to a point, corner to property Toestring Valley Properties, thence with the line of other property Toestring Valley Properties, seven calls and distances as follows: south 27 deg. 09 min. 21 sec. east, 145.36 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 589.69 feet to an iron pin; south 82 deg. 17 min. 49 sec. east, 324.30 feet to an iron pin; south 10 deg. 01 min. 06 sec. east, 277.01 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 94.85 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 362.24 feet to an iron pin; and south 49 deg. 26 min. 41 sec. east 97.37 feet to a point in the shoreline of Watts Bar Reservoir; thence with the shoreline of the Watts Bar Reservoir, the following calls and distances; south 52 deg. 30 min. 10 sec. west 59.68 feet to a point; south 50 deg. 22 min. 34 sec. west, 59.40 feet to a point; south 62 deg. 38 min. 38 sec. west, 71.39 feet to a point; south 61 deg. 08 min. 09 sec. west, 34.39 feet to a point south 50 deg. 52 min. 24 sec. west, 50.21 feet to a point, south 64 deg. 10 min. 05 sec. west 35.70 feet to a point; south 60 deg. 22 min. 01 sec. west 42.60 feet to a point; south 58 deg. 54 min. 54 sec. west, 31.26 feet to a point; south 50 deg. 41 min. 44 sec. west, 30.94 feet to a point; south 61 deg. 57 min. 26 sec. west, 28.37 feet to a point, south 76 deg. 42 min. 18 sec. west, 58.93 feet to a point; south 79 deg. 20 min. 03 sec. west, 67.93 feet to a point; south 60 deg. 51 min. 13 sec. west, 57.64 feet to a point; south 46 deg. 05 min. 20 sec. west 36.97 feet to a point; south 63 deg. 42 min. 09 sec. west, 47.20 feet to a point; south 66 deg. 40 min. 01 sec. west, 61.87 feet to a point; south 59 deg. 35 min. 43 sec. west, 45.00 feet to a point; south 60 deg. 26 min. 46 sec. west, 50.52 feet to a point; south 69 deg. 39 min. 59 sec. west, 36.17 feet to a point; south 70 deg. 54 min. 30 sec. west, 57.07

feet to a point; south 51 deg. 17 min. 13 sec. west, 27.04 feet to a point; south 34 deg. 37 min. 53 sec. west, 29.63 feet to a point; south 42 deg. 10 min. 30 sec. west, 29.42 feet to a point; south 44 deg. 33 min. 38 sec. west, 24.63 feet to a point; south 41 deg. 26 min. 27 sec. west, 28.20 feet to a point; south 47 deg. 53 min. 43 sec. west, 30.74 feet to a point; south 41 deg. 53 min. 15 sec. west 42.18 feet to a point; south 48 deg. 56 min. 11 sec. west, 43.35 feet to a point; south 54 deg. 24 min. 34 sec. west, 41.96 feet to a point; south 58 deg. 21 min. 08 sec. west, 33.59 feet to a point; south 45 deg. 55 min. 27 sec. west, 41.01 feet to a point; south 49 deg. 28 min. 24 sec. west, 40.69 feet to a point; south 55 deg. 31 min. 51 sec. west, 31.35 feet to a point; south 63 deg. 38 min. 39 sec. west, 46.80 feet to a point; south 50 deg. 39 min. 08 sec. west, 30.92 feet to a point; south 53 deg. 45 min. 25 sec. west, 45.28 feet to a point; south 45 deg. 53 min. 49 sec. west, 37.29 feet to a point; south 46 deg. 14 min. 19 sec. west, 33.19 feet to a point; south 53 deg. 09 min. 14 sec. west, 57.57 feet to a point; south 51 deg. 27 min. 55 sec. west 42.72 feet to a point; south 55 deg. 53 min. 36 sec. west, 31.88 feet to a point; south 42 deg. 18 min. 06 sec. west, 36.50 feet to a point; south 36 deg. 19 min. 58 sec. west, 65.42 feet to a point; south 40 deg. 37 min. 19 sec. west, 24.65 feet to a point; south 52 deg. 23 min. 39 sec. west, 23.31 feet to a point; south 51 deg. 17 min. 40 sec. west, 25.44 feet to a point; south 48 deg. 01 min. 43 sec. west, 37.58 feet to a point; south 38 deg. 32 min. 12 sec. west, 32.79 feet to a point; south 38 deg. 57 min. 34 sec. west, 29.34 feet to a point; south 52 deg. 15 min. 09 sec. west, 25.41 feet to a point; south 55 deg. 53 min. 28 sec. west, 43.22 feet to a point; south 42 deg. 24 min. 21 sec. west, 36.00 feet to a point; south 42 deg. 01 min. 10 sec. west, 45.76 feet to a point; south 42 deg. 45 min. 42 sec. west, 60.68 feet to a point; south 40 deg. 35 min. 44 sec. west, 12.24 feet to a point; north 33 deg. 24 min. 18 sec. west, 67.44 feet to an existing  $\frac{1}{2}$  inch rebar, north 33 deg. 24 min. 18 sec. west, 192.00 feet to a "T" post; thence north 74 deg. 03 min. 18 sec. west, 424.74 feet to an angle iron; south 35 deg. 18 min. 20 sec. west, 280.89 feet to an angle iron; south 30 deg. 23 min. 20 sec. west 525.53 feet to an angle iron; and south 53 deg. 59 min. 46 sec. east; 279.69 feet to an angle iron corner to property of Tennessee Land Development Company, G.P. (Deed Book 362, page 710); thence with the line of said property, south 10 deg. 47 min. 28 sec. west, 138.10 feet to an existing  $\frac{1}{2}$  inch rebar in the line of property of Paul and Sandra Bartizal (Deed Book 327, page 8); thence with the line of Bartizal, North 78 deg. 49 min. 25 sec. west, 141.85 feet to a "T" post; corner to property of CYG Partners (Deed Book 363, page 356); thence with the line of said property, north 81 deg. 28 min. 45 sec. west, 1594.52 feet to a "T" post, thence continuing with said line, north 03 deg. 31 min. 02 sec. west, 585.12 feet to an angle iron corner to the property of Charles Moore Wilson and Alice Wilson (Deed Book 202, page 547); thence with the line of Wilson, north 04 deg. 54 min. 43 sec east, 481.90 feet to an angle iron corner to property of Charles M. Wilson (Deed Book 140, page 342); thence with the line of

Wilson, North 04 deg. 51 min. 04 sec. east, 330.31 feet to an angle iron corner to property of Mabel W. Spriggs and Joyce Spriggs Henrikson (Deed Book 140, page 344); thence with the line of Spriggs and Henrikson, north 05 deg. 00 min. 29 deg. East 582.58 feet to an angle iron, corner to Madeline Y. Miller and Clint Miller (Deed Book 351, page 244); thence with the line of Madeline and Clint Miller, north 05 deg. 57 min. 37 sec. east, 321.96 feet to an existing  $\frac{1}{2}$  inch rebar, corner to property of Franklin and Kay Miller (Deed Book 178, page 44); thence with the line of Franklin and Kay Miller, north 04 deg. 56 min. 20 sec. east, 560.09 feet to an existing  $\frac{1}{2}$  inch rebar, corner to property of Shorty and Connie Simmons (Deed Book 293, page 58); thence with the line of Simmons north 03 deg. 06 min. 38 sec. east, 69.25 feet to an existing  $\frac{1}{2}$  inch rebar corner to property of Howard Miller (Deed Book 278, page 587); thence with the line of Howard Miller, north 04 deg. 51 min. 16 sec. east, 214.17 feet to an existing  $\frac{1}{2}$  rebar, corner to property of John C. and Shaina Stewart (Deed Book 365, page 214); thence with the line of Stewart and also property of Mayo (Deed Book 321, page 376) north 12 deg. 18 min. 50 sec. east 375.16 feet to an existing  $\frac{1}{2}$  inch pipe; thence continuing with the line of property of Mayo north 12 deg. 18 min. 50 sec. east, 26.38 feet to a point; said point marking the place of beginning, continuing 254.649 acres or 11092513.5 square feet, according to the survey of Christian M. Medders, Tennessee RLS#2493, of Medders Surveying and Mapping, P.O. Box 969, Athens, TN 37371, Dated February 19, 2007, and bearing Job No. 07-0022;

TRACT TWO: situated in the First Civil District of Rhea County, Tennessee, and being more particularly bounded and described as follows: beginning at an existing  $\frac{1}{2}$  inch rebar in the southeast right of way line of Lodge Road, corner to property now or formerly owned by Fred L. Key (Deed Book 306, page 316); thence from said beginning point and with the line of Key, six calls and distances as follows: south 23 deg. 09 min. 22 sec. east, 166.60 feet to an existing  $\frac{1}{2}$  inch pipe; north 56 deg. 20 min. 18 sec. east, 792.89 feet to an existing  $\frac{1}{2}$  inch pipe south 53 deg. 38 min. 43 sec. east, 380.38 feet to an existing  $\frac{1}{2}$  inch pipe; south 05 deg. 05 min. 38 sec. east, 971.88 feet to TVA concrete marker #14-7; thence south 73 g. 34 min. 49 sec. east, 111.89 feet to a point in the shoreline of Watts Barr Reservoir; thence with the shoreline of Watts Bar Reservoir, nine calls and distance as follows: south 47 deg. 30 min. 44 sec. west 23.79 feet to a point; south 41 deg. 57 min 34 sec. west 59.41 feet to a point; south 46 deg. 06 min. 04 sec. west, 48.92 feet to a point; south 35 deg. 45 min. 06 sec. west, 41.86 feet to a point; south 44 deg. 54 min. 08 sec. west, 23.26 feet to a point; south 44 deg. 44 min. 35 sec. west 37.69 feet to a point; south 43 deg. 49 min. 11 sec. west 40.44 feet to a point; south 42 deg. 46 min. 32 sec. west 64.95 feet to a point; and south 52 deg. 30 min. 10 sec. west 8.87 feet to a point, corner to property now or formerly owned by Toestring Valley Properties; thence with the line of Toestring Valley Properties, seven calls and distances as



follows: north 49 deg. 26 min. 41 sec. west 97.37 feet to a set ½ inch rebar; north 49 deg. 26 min. 41 sec. west 362.24 feet to a ½ set rebar, said rebar being distant north 72 deg. 51 min. 22 sec east, 514.44 feet from TVA concrete marker #14-6; north 49 deg. 26 min. 41 sec. west, 94.85 feet to a ½ inch rebar, north 10 deg. 01 min. 06 sec. west, 277.01 feet to a set ½ inch rebar, north 82 deg. 17 min. 49 sec. west, 324.30 feet to a set ½ inch rebar, north 49 deg. 26 min. 41 sec. west, 589.69 feet to a set ½ rebar; and north 27 deg. 09 min. 21 sec. west, 145.36 feet to an iron rebar set in the southeast right of way line of Lodge Road; thence with the southeast right of way line of Lodge Road, north 26 deg. 47 min. 42 sec. east, 28.48 feet to a point; thence continuing with Lodge Road, north 33 deg. 32 min. 03 sec. east, 67.99 feet to a ½ inch rebar, said rebar marking the point of beginning, containing 19.542 acres or 851234.5 square feet; according to the survey of Christian M. Medders, Tennessee RLS #2493, of Medders Surveying and Mapping, P.O. Box 979, Athens, TN 37371, dated February 19, 2007 and bearing the Job No. 07-0022A. A portion of the property described above has now been platted and known as Lot Number 1-122, Rivermyst Phase I, as per Plat of record in Plat Book 4, pg. 337, Register's Office, Rhea County, Tennessee. LESS AND EXCEPT THE FOLOWING DESCRIBED PROPERTY: Beginning at an iron pin at the right of way on the southeast side of Lodge Road, corner with property conveyed to Ultima Watts Bar Development, LLC; thence north 26 deg. 47'42" east 28.48 feet along the right of way on the southeast side of Lodge Road to an iron pin; thence north 33 deg. 32'03" east 67.99 feet along the right of way on the southeast side of Lodge Road to an existing ½" rebar, corner with Fred Key; thence south 23 deg. 09'22" east 166.60 feet along the property line of Fred Key to an existing ½" pipe; thence north 56 deg. 20'18" east 792.89 feet along the property line of Fred Key to an existing ½" pipe; thence south 53 deg. 38'43" east 380.38 feet along the property line of Fred Key to an existing ½" pipe; thence south 05 deg. 05'38" east 971.88 feet along the property line of Fred Key to TVA Marker #14-7; thence south 73 deg. 34'49" east 279.87 feet to a ½" rebar; thence south 73 deg. 34'49" east 111.89 feet to the shore line of the Watts Bar Reservoir, thence along the shore line of Watts Bar Reservoir, the following courses and distances; south 47 deg. 30'44" west 23.79 feet; south 41 deg. 57'34" west 59.41 feet; south 49 deg. 06'04" west 48.92 feet; south 35 deg. 45'06" west 41.86 feet; south 44 deg. 54'08" west 23.26 feet; south 44 deg. 44'35" west 37.69 feet; south 43 deg. 49'11" west 40.44 feet south 42 deg. 46'32" west 64.95 feet' south 52 deg. 30'10" west 8.87 feet, corner with property conveyed to Ultima Watts Bar Development, LLC. Thence along the property line of Ultima Watts Bar Development, LLC, the following courses and distances; north 49 deg. 26'41" west 97.37 feet; north 49 deg. 26'41" west 362.24 feet; north 49 deg. 26'41" west 94.85 feet; north 10 deg. 01'06" west 277.01 feet; north 82 deg. 17'49" west 324.30 feet; north 49 deg. 26'41" west 589.69 feet; thence north 27 deg. 09'21" west 145.36 feet to the iron pin at the point

of beginning, containing 19.542 acres, more or less, as per survey of Medders Surveying and Mapping, TRLS #2493, dated 2/19/07. Lot No. 45, Phase I, Rivermyst, as per plat of record in Plat Book 4, pg. 337, Register's Office, Rhea County, Tennessee. Lot no. 48, Phase I Rivermyst, as per plat of record in Plat Book 4 pg. 337, aforesaid Register's Office, located in Rhea County, Tennessee;

Property currently recorded in the names of Denis J. Joachim and Donna Kennedy Joachim and described as follows: that certain parcel of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, located in Section 33, Township 7 South, Range 10 East and Section 4, Township 8 South, Range 10 East, St. Tammany Parish, Louisiana, designated as Phase I on survey of Jeron R. Fitzmorris, Land Surveyor, dated March 2, 1983, revised June 21, 1983, revised November 16, 1983, revised November 22, 1983 and further revised December 20, 1983, and described as Port Louis Phase I in that Certain Act Dedication of Servitudes, Privileges and Restrictions passed before C.W. Nelson, Jr., Notary Public, dated December 5, 1984, recorded in COB 1182, folio 631, St. Tammany Parish, Louisiana, and being further described as Phase I-A on that certain Planned Unit Development known as Port Louis, approved by Ordinance No. 84-471 of the St. Tammany Parish Council, as shown on subdivision Plat Port Louis Phase I-A, by BFM Corporation, Surveyors, dated October 22, 1984, filed December 14, 1984, in EM/204 of the records of St. Tammany Parish, Louisiana. The improvements thereon bear the Municipal Number: 14 Place Lafitte, Madisonville, Louisiana;

Property currently recorded in the name of Denis J. Joachim and described as follows: Lots 3T-2A, Port Louis Development, Phase I-A, bearing the municipal number 41 Rue Du Sud, Madisonville, Louisiana, described as those certain parcels of property, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, located in Section 33, Township 7 South, Range 10 East and Section 4 Township 8 South, Range 10 East, St. Tammany Parish, Louisiana, designated as Phase I on a survey of Jeron R. Fitzmorris, Land Surveyor, dated March 2, 1983, revised June 21, 1983, revised November 16, 1983, revised November 22, 1983 and further revised December 20 1983, and described as Port Louis Phase I in that certain Act of Dedication of Servitudes, Privileges and Restrictions passed before C. W. Nelson, Jr., Notary public, dated December 5, 1984, recorded in COB 1182, folio 631, St. Tammany Parish, Louisiana, and being further described as Phase I-A on that certain Planned Unit Development known as Port Louis, approved by Ordinance No. 84-471 of the St. Tammany Parish Council, as shown on subdivision Plat Plan, Port Louis Phase I-A, by BFM Corporation,

Surveyors, dated October 22, 1984, filed December 14, 1984, in EM/204 of the records of St. Tammany Parish, Louisiana and subdivision plat of BFM Corporation, Surveyors, dated October 22, 1984, filed December 5, 1984, EM-206. The improvements thereon bear the municipal number: 41 Rue Du Sud, Madisonville, Louisiana;

Property currently recorded in the names of Douglas Colter Pounds and Austin Perrie Pounds and described as follows: All that certain lot or parcel of ground, together with all the buildings, and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereto belonging or in anywise appertaining, situated in Section 43, Township 5 South, Range 12 East, St. Tammany parish, Louisiana and more fully described as follows, to-wit: from the Southwest corner of Section 43, go North 25 degrees 00 minutes East 5502.0 feet; thence South 27 degrees 15 minutes East 2469.0 feet to an old  $\frac{3}{4}$  inch iron rod located on Southern edge of a 60 feet gravel road; thence continue South 27 degrees 15 minutes East 1388.10 feet to an  $\frac{1}{2}$  inch iron rod; thence South 16 degrees 19 minutes West 793.4 feet (Title-South 16 degrees 33 minutes West) to an  $\frac{1}{2}$  inch iron rod and the point of beginning. From the point of beginning continue South 16 degrees 19 minutes West 1793.66 feet (Title-South 16 degrees 33 minutes West) to an  $\frac{1}{2}$  inch iron pipe; thence North 46 degrees 31 minutes West 309.74 feet (Title-North 45 degrees 33 minutes West 310.0 feet) to an  $\frac{1}{2}$  inch iron pipe; thence North 09 degrees 28 minutes East 261.87 feet (Title-North 10 degrees 19 minutes East 262.0 feet) to an  $\frac{1}{2}$  inch iron pipe; thence North 40 degrees 37 minutes 45 seconds West 299.70 feet (Title-North 39 degrees 24 minutes West 300.00 feet) to an  $\frac{1}{2}$  inch iron pipe; thence South 09 degrees 32 minutes 45 seconds West 947.60 (Title-South 10 degrees 19 minutes West 951.0 feet) to an  $\frac{1}{2}$  inch iron pipe located on the Northeasterly right of way line of Louisiana Highway 40; thence go Northwesterly along the Northeasterly right of way line of said Highway 340.54 feet along a curve to the right having a radius of 1128.21 feet to a concrete highway marker; thence North 21 degrees 20 minutes West 483.41 feet to a concrete highway marker; thence North 23 degrees 58 minutes 45 seconds West 151.15 feet all along the Northeasterly right of way line of Louisiana Highway 40 to a metal fence post; thence North 19 degrees 48 minutes East 1469.32 feet (Title-North 19 degrees 54 minutes East) to an  $\frac{1}{2}$  inch iron rod; thence South 72 degrees 00 minutes East 995.79 feet to an  $\frac{1}{2}$  inch iron rod and the point of beginning. Said property contains 40.883 acres and is designated as parcel "A" on Survey by H.C. Sanders & Associates, Inc., Civil Engineers and Land Surveyors, dated October 7, 1983. Further shown on a survey by D&S Surveyors dated February 14, 1996, a copy of which is annexed to act recorded at Instrument Number 988259. AND All that certain lot or parcel of ground, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances

thereunto belonging or in anywise appertaining, situated in Section 43, Township 5 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows: From the Southwest corner of Section 43, Township 5 South, Range 12 East, go North 25 degrees 00 minutes East 5502.00 feet; thence South 27 degrees 15 minutes East 3857.10 feet; thence South 16 degrees 19 minutes West 2587.06 feet; thence North 46 degrees 31 minutes West 309.74 feet; thence North 09 degrees 28 minutes East 261.87 feet; thence North 40 degrees 37 minutes 45 seconds West 199.70 feet to a ½ inch iron rod and the point of beginning. From the point of beginning go South 63 degrees 28 minutes 10 seconds West 95.02 feet to a ½ inch iron rod; thence go North 09 degrees 32 minutes 45 seconds West 120.0 feet to a wood fence post; thence go South 40 degrees 37 minutes 45 seconds East 100.0 feet to a ½ inch iron rod and the point of beginning. Said parcel contains 0.11 acres more or less, all as more fully shown on a survey by D&S Surveyors, Inc., a copy of which is annexed to act recorded at Instrument Number 1028850. The improvements thereon bear the Municipal Number: 26169 Highway 40, Bush, Louisiana;

Property currently recorded in the names of Denis J. Joachim and Donna K. Joachim and described as follows: that certain piece or portion of ground, together with all buildings and improvements thereon, situated in Section 17, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows, to wit: from the northwest corner of the above Township and Range, run North 89 degrees 37 minutes East 2050.00 feet, thence South 00 minutes 15 seconds East 40 feet to the point of beginning. From the point of beginning run North 89 degrees 34 minutes 54 seconds East 208.70 feet to a ½ iron rod. Thence run South 00 degrees 12 minutes 40 seconds East 465.47 feet to a ½ inch iron rod. Thence run South 89 degrees 47 minutes 47 seconds West 24.13 feet to a ½ in iron rod. Thence run South 00 degrees 03 minutes 24 seconds West 184.01 feet to a ½ inch iron rod. Thence run North 00 degrees 12 minutes 40 seconds West 673.34 feet to the point of beginning, containing 3.111 acers. All in accordance with the survey by Turner Surveys, LLC, Registered Land Surveyor, dated November 29, 2005, Plat File No. 050235, attached to an act recorded at CIN 1533901 of the records of St. Tammany Parish. The improvements thereon bear the Municipal Number: 23210 Highway 1084, Covington, Louisiana;

At least \$26,095,915.73 in United States Currency and all interest and proceeds traceable thereto; and

The government specifically provides notice of its intent to seek a personal money judgment against the Defendants in the amount of the fraudulently-obtained proceeds.



3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants:

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

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b) to seek forfeiture of any other property of said Defendants up to the value of the above forfeitable property;

All in violation of Title 18, United States Code, Section 982(a)(7).

**NOTICE OF FRAUD FORFEITURE**

1. The allegations of Counts 19 through 25 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1343, 1349 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 19 through 25, the Defendants, **DENIS JOHN JOACHIM, DONNA KENNEDY JOACHIM, and THE TOTAL FINANCIAL GROUP, INC.**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 1343 and 1349, including but not limited to:

\$749,162.44 U.S. Currency, seized from Capital One Bank, Account Number: 2082479107, in the name of Total Financial Group;

\$42,142.39 U.S. Currency, seized from Capital One Bank, Account Number: 5629143973, in the name of Denis Joachim and Donna K. Joachim;

2013 Chaparral Boat, bearing Vehicle Identification Number: FGBH0184A313;

2014 Chevrolet Corvette, bearing Vehicle Identification Number: 1G1YM2D74E5129808;

2016 Grand Design Solitude Recreational Trailer, bearing Vehicle Identification Number: 573FS4321G1105457;

2016 Jeep Wrangler, bearing Vehicle Identification Number: 1C4HJWDG4GL156805;

2016 Dodge Ram 3500 Pickup Truck, bearing Vehicle Identification Number: 3C63RRKL0GG182763;

2012 Mercedes CL550, bearing Vehicle Identification Number: WDDEJ9EB8CA028974;

2016 GMC Yukon XL Denali, bearing Vehicle Identification Number: 1GKS1HKJ9GR237820;

2016 Sea-Doo RXT-X-300 Jet Ski, bearing Vehicle Identification Number: YDV08167A616;

2016 Sea-Doo RXT-X-300 Jet Ski, bearing Vehicle Identification Number: YDV08085A616;

2015 Sea-Doo GTX-LTD IS 260, bearing Vehicle Identification Number: YDV02310A515;

2016 Can-Am Maverick 1000R Turbo XDS; bearing Vehicle Identification Number: 3JBPDAR22GJ001997;

2016 Magic-Tilt FT9200 Boat Trailer, bearing Vehicle Identification Number: 1M5BA1711G1E16459;

2016 Can-Am Outlander 1000R XMR, bearing Vehicle Identification Number: 3JBLWAX24GJ002077;

2015 Karavan Move II Boat Trailer, bearing Vehicle Identification Number: 5KTWS1711FF010979;

2016 Grand Design Reflection Recreational Trailer, bearing Vehicle Identification Number: 573TR3622G3304901;

Boat Trailer, bearing Vehicle Identification Number: 4YPAB252XDT050588;

Property currently recorded in the names of Denis J. Joachim and Donna Kennedy Pounds Joachim and described as follows: All that certain piece or portion of ground, together with all the buildings and improvements thereon, and also, all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, located in Section 17, Township 6 South Range 12 East and more fully described as follows, to-wit: commencing at the northwest corner of Section 17, Township 6 South, Range 12 East, go north 89 degrees 37 minutes east, a distance of 2,050.0 feet; thence south 00 degrees, 15 minutes east, a distance of 40 feet to an iron rod; thence north 89 degrees 34 minutes, 54 seconds east, a distance of 208.70 feet to a point located on the southerly right of way line of Louisiana Highway 1084, being the point of beginning. From the point of beginning, continue along the southerly right of way line of Louisiana Highway 1084, north 89 degrees 34 minutes 54 seconds east, a distance of 287.49 feet to a point; thence go south 46 degrees, 05 minutes, 36 seconds east a distance of 135.40 feet to a point located on the westerly right of way of Lenel Road, thence south 00 degrees 07 minutes 12 seconds west a distance of 372.26 feet to a point; thence south 89 degrees 47 minutes, 47 seconds to a point; thence north 00 degrees 12 minutes 40 seconds west, a distance of 465.47 feet to the point of beginning. Said parcel contains 4,004 acres and is designated as parcel Bo-1 and described as above, on survey by Turner Surveys, LLC, dated March 22, 2006 and revised on September 26, 2012. The improvements thereon bear the Municipal Number: 23185 Highway 1084, Covington, Louisiana;

Property currently recorded in the names of Denis J. Joachim and Donna K. Joachim and described as follows: TRACT ONE: Situated in the First Civil District of Rhea County, Tennessee, and being more particularly described as follows: Beginning at a point in the south right of way line of Lodge Road, corner to property of Stephen D. Mayo and Kelly Ann Mayo (Deed Book: 321, page 376); thence from said beginning point and with the southern right of way line of Lodge Road, forty-three calls and distances as follows: north 75 deg. 40 min. 18 sec. east, 125.51 feet to a point; north 76 deg. 32 min. 03 sec. east, 56.62 feet to a point; north 79 deg. 51 in. 17

sec. east, 62.96 feet to a point; north 74 deg. 53 min. 46 sec. east 70.92 feet to a point; north 63 deg. 35 min. 05 sec. east, 94.13 feet to a point, north 53 deg. 48 min. 19 sec. east, 48.72 feet to a point; north 48 deg. 06 min. 44 sec. east, 62.83 feet to a point; north 42 deg. 39 min. 14 sec. east, 177.79 feet to a point; north 50 deg. 13 min. 33 sec. east, 80.63 feet to a point; north 57 deg. 37 min. 09 sec. east, 46.78 feet to a point; north 64 deg. 21 min. 22 sec. east, 51.23 feet to a point; north 70 deg. 23 min. 33 sec. east, 67.16 feet to a point; north 74 deg. 45 min. 12 sec. east, 75.72 feet to a point; north 76 deg. 09 min. 02 sec. east, 169.85 to a point; north 81 deg. 54 min. 52 sec. east, 45.76 feet to a point; south 88 deg. 53 min. 26 sec. east, 32.69 feet to a point; south 78 deg. 03 min. 02 sec. east, 41.33 feet to a point; south 68 deg. 59 min. 31 sec. east, 46.43 feet to a point; south 64 deg. 55 min. 56 sec. east, 77.65 feet to a point; south 71 deg. 24 min. 24 sec. east, 170.20 feet to a point; south 74 deg. 47 min. 10 sec. east, 165.83 feet to a point; south 76 deg. 34 min. 40 sec. east, 165.41 feet to a point; south 85 deg. 20 min. 18 sec. east 50.42 feet to a point north 84 deg. 50 min. 13 sec. east, 50.01 feet to a point; north 75 deg. 26 min. 21 sec. east 51.56 feet to a point north 71 deg. 54 min. 14 sec. east, 59.38 feet to a point; north 76 deg. 35 min. 08 sec. east 54.47 feet to a point; north 85 deg. 22 min. 48 sec. east 45.90 feet to a point; north 88 deg. 46 min. 56 sec. east 165.58 feet to a point; north 85 deg. 19 min. 18 sec. east, 43.89 feet to a point; north 82 deg. 52 min. 25 sec. east, 43.36 feet to a point; north 73 deg. 24 min. 29 sec. east, 52.23 feet to a point; north 60 deg. 38 min. 34 sec. east, 68.89 feet to a point; north 71 deg. 00 min. 30 sec. east 28.82 feet to a point; north 88 deg. 15 min. 15 sec. east, 35.12 feet to a point; south 71 deg. 44 min. 45 sec. east, 39.97 feet to a point; south 66 deg. 36 min. 05 sec. east, 110.69 feet to a point; south 80 deg. 14 min. 21 sec. east, 62.79 feet to a point; north 77 deg. 16 min. 45 sec. east 66.46 feet to a point; north 62 deg. 46 min. 04 sec. east 58.29 feet to a point; north 48 deg. 16 min 40 sec. east, 62.35 feet to a point, north 35 deg. 10 min. 11 sec. east, 72.45 feet to a point; and north 27 deg. 46 min. 30 sec. east, 41.51 feet to a point, corner to property Toestring Valley Properties, thence with the line of other property Toestring Valley Properties, seven calls and distances as follows: south 27 deg. 09 min. 21 sec. east, 145.36 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 589.69 feet to an iron pin; south 82 deg. 17 min. 49 sec. east, 324.30 feet to an iron pin; south 10 deg. 01 min. 06 sec. east, 277.01 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 94.85 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 362.24 feet to an iron pin; and south 49 deg. 26 min. 41 sec. east 97.37 feet to a point in the shoreline of Watts Bar Reservoir; thence with the shoreline of the Watts Bar Reservoir, the following calls and distances; south 52 deg. 30 min. 10 sec. west 59.68 feet to a point; south 50 deg. 22 min. 34 sec. west, 59.40 feet to a point; south 62 deg. 38 min. 38 sec. west, 71.39 feet to a point; south 61 deg. 08 min. 09 sec. west, 34.39 feet to a point south 50 deg. 52 min. 24 sec. west, 50.21 feet to a point, south 64 deg. 10 min. 05 sec. west 35.70 feet to a point; south 60 deg. 22 min. 01 sec. west 42.60 feet

to a point; south 58 deg. 54 min. 54 sec. west, 31.26 feet to a point; south 50 deg. 41 min. 44 sec. west, 30.94 feet to a point; south 61 deg. 57 min. 26 sec. west, 28.37 feet to a point; south 76 deg. 42 min. 18 sec. west, 58.93 feet to a point; south 79 deg. 20 min. 03 sec. west, 67.93 feet to a point; south 60 deg. 51 min. 13 sec. west, 57.64 feet to a point; south 46 deg. 05 min. 20 sec. west 36.97 feet to a point; south 63 deg. 42 min. 09 sec. west, 47.20 feet to a point; south 66 deg. 40 min. 01 sec. west, 61.87 feet to a point; south 59 deg. 35 min. 43 sec. west, 45.00 feet to a point; south 60 deg. 26 min. 46 sec. west, 50.52 feet to a point; south 69 deg. 39 min. 59 sec. west, 36.17 feet to a point; south 70 deg. 54 min. 30 sec. west, 57.07 feet to a point; south 51 deg. 17 min. 13 sec. west, 27.04 feet to a point; south 34 deg. 37 min. 53 sec. west, 29.63 feet to a point; south 42 deg. 10 min. 30 sec. west, 29.42 feet to a point; south 44 deg. 33 min. 38 sec. west, 24.63 feet to a point; south 41 deg. 26 min. 27 sec. west, 28.20 feet to a point; south 47 deg. 53 min. 43 sec. west, 30.74 feet to a point; south 41 deg. 53 min. 15 sec. west 42.18 feet to a point; south 48 deg. 56 min. 11 sec. west, 43.35 feet to a point; south 54 deg. 24 min. 34 sec. west, 41.96 feet to a point; south 58 deg. 21 min. 08 sec. west, 33.59 feet to a point; south 45 deg. 55 min. 27 sec. west, 41.01 feet to a point; south 49 deg. 28 min. 24 sec. west, 40.69 feet to a point; south 55 deg. 31 min. 51 sec. west, 31.35 feet to a point; south 63 deg. 38 min. 39 sec. west, 46.80 feet to a point; south 50 deg. 39 min. 08 sec. west, 30.92 feet to a point; south 53 deg. 45 min. 25 sec. west, 45.28 feet to a point; south 45 deg. 53 min. 49 sec. west, 37.29 feet to a point; south 46 deg. 14 min. 19 sec. west, 33.19 feet to a point; south 53 deg. 09 min. 14 sec. west, 57.57 feet to a point; south 51 deg. 27 min. 55 sec. west 42.72 feet to a point; south 55 deg. 53 min. 36 sec. west, 31.88 feet to a point; south 42 deg. 18 min. 06 sec. west, 36.50 feet to a point; south 36 deg. 19 min. 58 sec. west, 65.42 feet to a point; south 40 deg. 37 min. 19 sec. west, 24.65 feet to a point; south 52 deg. 23 min. 39 sec. west, 23.31 feet to a point; south 51 deg. 17 min. 40 sec. west, 25.44 feet to a point; south 48 deg. 01 min. 43 sec. west, 37.58 feet to a point; south 38 deg. 32 min. 12 sec. west, 32.79 feet to a point; south 38 deg. 57 min. 34 sec. west, 29.34 feet to a point; south 52 deg. 15 min. 09 sec. west, 25.41 feet to a point; south 55 deg. 53 min. 28 sec. west, 43.22 feet to a point; south 42 deg. 24 min. 21 sec. west, 36.00 feet to a point; south 42 deg. 01 min. 10 sec. west, 45.76 feet to a point; south 42 deg. 45 min. 42 sec. west, 60.68 feet to a point; south 40 deg. 35 min. 44 sec. west, 12.24 feet to a point; north 33 deg. 24 min. 18 sec. west, 67.44 feet to an existing  $\frac{1}{2}$  inch rebar, north 33 deg. 24 min. 18 sec. west, 192.00 feet to a "T" post; thence north 74 deg. 03 min. 18 sec. west, 424.74 feet to an angle iron; south 35 deg. 18 min. 20 sec. west, 280.89 feet to an angle iron; south 30 deg. 23 min. 20 sec. west 525.53 feet to an angle iron; and south 53 deg. 59 min. 46 sec. east; 279.69 feet to an angle iron corner to property of Tennessee Land Development Company, G.P. (Deed Book 362, page 710); thence with the line of said property, south 10 deg. 47 min. 28 sec. west, 138.10 feet to an

existing ½ inch rebar in the line of property of Paul and Sandra Bartizal (Deed Book 327, page 8); thence with the line of Bartizal, North 78 deg. 49 min. 25 sec. west, 141.85 feet to a "T" post; corner to property of CYG Partners (Deed Book 363, page 356); thence with the line of said property, north 81 deg. 28 min. 45 sec. west, 1594.52 feet to a "T" post, thence continuing with said line, north 03 deg. 31 min. 02 sec. west, 585.12 feet to an angle iron corner to the property of Charles Moore Wilson and Alice Wilson (Deed Book 202, page 547); thence with the line of Wilson, north 04 deg. 54 min. 43 sec east, 481.90 feet to an angle iron corner to property of Charles M. Wilson (Deed Book 140, page 342); thence with the line of Wilson, North 04 deg. 51 min. 04 sec. east, 330.31 feet to an angle iron corner to property of Mabel W. Spriggs and Joyce Spriggs Henrikson (Deed Book 140, page 344); thence with the line of Spriggs and Henrikson, north 05 deg. 00 min. 29 deg. East 582.58 feet to an angle iron, corner to Madeline Y. Miller and Clint Miller (Deed Book 351, page 244); thence with the line of Madeline and Clint Miller, north 05 deg. 57 min. 37 sec. east, 321.96 feet to an existing ½ inch rebar, corner to property of Franklin and Kay Miller (Deed Book 178, page 44); thence with the line of Franklin and Kay Miller, north 04 deg. 56 min. 20 sec. east, 560.09 feet to an existing ½ inch rebar, corner to property of Shorty and Connie Simmons (Deed Book 293, page 58); thence with the line of Simmons north 03 deg. 06 min. 38 sec. east, 69.25 feet to an existing ½ inch rebar corner to property of Howard Miller (Deed Book 278, page 587); thence with the line of Howard Miller, north 04 deg. 51 min. 16 sec. east, 214.17 feet to an existing ½ rebar, corner to property of John C. and Shaina Stewart (Deed Book 365, page 214); thence with the line of Stewart and also property of Mayo (Deed Book 321, page 376) north 12 deg. 18 min. 50 sec. east 375.16 feet to an existing ½ inch pipe; thence continuing with the line of property of Mayo north 12 deg. 18 min. 50 sec. east, 26.38 feet to a point; said point marking the place of beginning, continuing 254.649 acres or 11092513.5 square feet, according to the survey of Christian M. Medders, Tennessee RLS#2493, of Medders Surveying and Mapping, P.O. Box 969, Athens, TN 37371, Dated February 19, 2007, and bearing Job No. 07-0022;

TRACT TWO: situated in the First Civil District of Rhea County, Tennessee, and being more particularly bounded and described as follows: beginning at an existing ½ inch rebar in the southeast right of way line of Lodge Road, corner to property now or formerly owned by Fred L. Key (Deed Book 306, page 316); thence from said beginning point and with the line of Key, six calls and distances as follows: south 23 deg. 09 min. 22 sec. east, 166.60 feet to an existing ½ inch pipe; north 56 deg. 20 min. 18 sec. east, 792.89 feet to an existing ½ inch pipe south 53 deg. 38 min. 43 sec. east, 380.38 feet to an existing ½ inch pipe; south 05 deg. 05 min. 38 sec. east, 971.88 feet to TVA concrete marker #14-7; thence south 73 g. 34 min. 49 sec. east, 111.89 feet to a point in the shoreline of Watts Barr Reservoir;



thence with the shoreline of Watts Bar Reservoir, nine calls and distance as follows: south 47 deg. 30 min. 44 sec. west 23.79 feet to a point; south 41 deg. 57 min 34 sec. west 59.41 feet to a point; south 46 deg. 06 min. 04 sec. west, 48.92 feet to a point; south 35 deg. 45 min. 06 sec. west, 41.86 feet to a point; south 44 deg. 54 min. 08 sec. west, 23.26 feet to a point; south 44 deg. 44 min. 35 sec. west 37.69 feet to a point; south 43 deg. 49 min. 11 sec. west 40.44 feet to a point; south 42 deg. 46 min. 32 sec. west 64.95 feet to a point; and south 52 deg. 30 min. 10 sec. west 8.87 feet to a point, corner to property now or formerly owned by Toestring Valley Properties; thence with the line of Toestring Valley Properties, seven calls and distances as follows: north 49 deg. 26 min. 41 sec. west 97.37 feet to a set  $\frac{1}{2}$  inch rebar; north 49 deg. 26 min. 41 sec. west 362.24 feet to a  $\frac{1}{2}$  set rebar, said rebar being distant north 72 deg. 51min. 22 sec east, 514.44 feet from TVA concrete marker #14-6; north 49 deg. 26 min. 41 sec. west, 94.85 feet to a  $\frac{1}{2}$  inch rebar, north 10 deg. 01 min. 06 sec. west, 277.01 feet to a set  $\frac{1}{2}$  inch rebar, north 82 deg. 17 min. 49 sec. west, 324.30 feet to a set  $\frac{1}{2}$  inch rebar, north 49 deg. 26 min. 41 sec. west, 589.69 feet to a set  $\frac{1}{2}$  rebar; and north 27 deg. 09 min. 21 sec. west, 145.36 feet to an iron rebar set in the southeast right of way line of Lodge Road; thence with the southeast right of way line of Lodge Road, north 26 deg. 47 min. 42 sec. east, 28.48 feet to a point; thence continuing with Lodge Road, north 33 deg. 32 min. 03 sec. east, 67.99 feet to a  $\frac{1}{2}$  inch rebar, said rebar marking the point of beginning, containing 19.542 acres or 851234.5 square feet; according to the survey of Christian M. Medders, Tennessee RLS #2493, of Medders Surveying and Mapping, P.O. Box 979, Athens, TN 37371, dated February 19, 2007 and bearing the Job No. 07-0022A. A portion of the property described above has now been platted and known as Lot Number 1-122, Rivermyst Phase I, as per Plat of record in Plat Book 4, pg. 337, Register's Office, Rhea County, Tennessee. LESS AND EXCEPT THE FOLOWING DESCRIBED PROPERTY: Beginning at an iron pin at the right of way on the southeast side of Lodge Road, corner with property conveyed to Ultima Watts Bar Development, LLC; thence north 26 deg. 47'42" east 28.48 feet along the right of way on the southeast side of Lodge Road to an iron pin; thence north 33 deg. 32'03" east 67.99 feet along the right of way on the southeast side of Lodge Road to an existing  $\frac{1}{2}$ " rebar, corner with Fred Key; thence south 23 deg. 09'22" east 166.60 feet along the property line of Fred Key to an existing  $\frac{1}{2}$ " pipe; thence north 56 deg. 20'18" east 792.89 feet along the property line of Fred Key to an existing  $\frac{1}{2}$ " pipe; thence south 53 deg. 38'43" east 380.38 feet along the property line of Fred Key to an existing  $\frac{1}{2}$ " pipe; thence south 05 deg. 05'38" east 971.88 feet along the property line of Fred Key to TVA Marker #14-7; thence south 73 deg. 34'49" east 279.87 feet to a  $\frac{1}{2}$ " rebar; thence south 73 deg. 34'49" east 111.89 feet to the shore line of the Watts Bar Reservoir, thence along the shore line of Watts Bar Reservoir, the following courses and distances; south 47 deg. 30'44" west 23.79 feet; south 41 deg. 57'34" west 59.41 feet;

south 49 deg. 06'04" west 48.92 feet; south 35 deg. 45'06" west 41.86 feet; south 44 deg. 54'08" west 23.26 feet; south 44 deg. 44'35" west 37.69 feet; south 43 deg. 49'11" west 40.44 feet south 42 deg. 46'32" west 64.95 feet' south 52 deg. 30'10" west 8.87 feet, corner with property conveyed to Ultima Watts Bar Development, LLC. Thence along the property line of Ultima Watts Bar Development, LLC, the following courses and distances; north 49 deg. 26'41" west 97.37 feet; north 49 deg. 26'41" west 362.24 feet; north 49 deg. 26'41" west 94.85 feet; north 10 deg. 01'06" west 277.01 feet; north 82 deg. 17'49" west 324.30 feet; north 49 deg. 26'41" west 589.69 feet; thence north 27 deg. 09'21" west 145.36 feet to the iron pin at the point of beginning, containing 19.542 acres, more or less, as per survey of Medders Surveying and Mapping, TRLS #2493, dated 2/19/07. Lot No. 45, Phase I, Rivermyst, as per plat of record in Plat Book 4, pg. 337, Register's Office, Rhea County, Tennessee. Lot no. 48, Phase I Rivermyst, as per plat of record in Plat Book 4 pg. 337, aforesaid Register's Office, located in Rhea County, Tennessee;

Property currently recorded in the names of Denis J. Joachim and Donna Kennedy Joachim and described as follows: that certain parcel of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, located in Section 33, Township 7 South, Range 10 East and Section 4, Township 8 South, Range 10 East, St. Tammany Parish, Louisiana, designated as Phase I on survey of Jeron R. Fitzmorris, Land Surveyor, dated March 2, 1983, revised June 21, 1983, revised November 16, 1983, revised November 22, 1983 and further revised December 20, 1983, and described as Port Louis Phase I in that Certain Act Dedication of Servitudes, Privileges and Restrictions passed before C.W. Nelson, Jr., Notary Public, dated December 5, 1984, recorded in COB 1182, folio 631, St. Tammany Parish, Louisiana, and being further described as Phase I-A on that certain Planned Unit Development known as Port Louis, approved by Ordinance No. 84-471 of the St. Tammany Parish Council, as shown on subdivision Plat Port Louis Phase I-A, by BFM Corporation, Surveyors, dated October 22, 1984, filed December 14, 1984, in EM/204 of the records of St. Tammany Parish, Louisiana. The improvements thereon bear the Municipal Number: 14 Place Lafitte, Madisonville, Louisiana;

Property currently recorded in the name of Denis J. Joachim and described as follows: Lots 3T-2A, Port Louis Development, Phase I-A, bearing the municipal number 41 Rue Du Sud, Madisonville, Louisiana, described as those certain parcels of property, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, located in Section 33, Township 7 South, Range 10 East and Section 4 Township 8 South, Range 10 East, St. Tammany Parish,



Louisiana, designated as Phase I on a survey of Jeron R. Fitzmorris, Land Surveyor, dated March 2, 1983, revised June 21, 1983, revised November 16, 1983, revised November 22, 1983 and further revised December 20 1983, and described as Port Louis Phase I in that certain Act of Dedication of Servitudes, Privileges and Restrictions passed before C. W. Nelson, Jr., Notary public, dated December 5, 1984, recorded in COB 1182, folio 631, St. Tammany Parish, Louisiana, and being further described as Phase I-A on that certain Planned Unit Development known as Port Louis, approved by Ordinance No. 84-471 of the St. Tammany Parish Council, as shown on subdivision Plat Plan, Port Louis Phase I-A, by BFM Corporation, Surveyors, dated October 22, 1984, filed December 14, 1984, in EM/204 of the records of St. Tammany Parish, Louisiana and subdivision plat of BFM Corporation, Surveyors, dated October 22, 1984, filed December 5, 1984, EM-206. The improvements thereon bear the municipal number: 41 Rue Du Sud, Madisonville, Louisiana;

Property currently recorded in the names of Douglas Colter Pounds and Austin Perrie Pounds and described as follows: All that certain lot or parcel of ground, together with all the buildings, and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereto belonging or in anywise appertaining, situated in Section 43, Township 5 South, Range 12 East, St. Tammany parish, Louisiana and more fully described as follows, to-wit: from the Southwest corner of Section 43, go North 25 degrees 00 minutes East 5502.0 feet; thence South 27 degrees 15 minutes East 2469.0 feet to an old  $\frac{3}{4}$  inch iron rod located on Southern edge of a 60 feet gravel road; thence continue South 27 degrees 15 minutes East 1388.10 feet to an  $\frac{1}{2}$  inch iron rod; thence South 16 degrees 19 minutes West 793.4 feet (Title-South 16 degrees 33 minutes West) to an  $\frac{1}{2}$  inch iron rod and the point of beginning. From the point of beginning continue South 16 degrees 19 minutes West 1793.66 feet (Title-South 16 degrees 33 minutes West) to an  $\frac{1}{2}$  inch iron pipe; thence North 46 degrees 31 minutes West 309.74 feet (Title-North 45 degrees 33 minutes West 310.0 feet) to an  $\frac{1}{2}$  inch iron pipe; thence North 09 degrees 28 minutes East 261.87 feet (Title-North 10 degrees 19 minutes East 262.0 feet) to an  $\frac{1}{2}$  inch iron pipe; thence North 40 degrees 37 minutes 45 seconds West 299.70 feet (Title-North 39 degrees 24 minutes West 300.00 feet) to an  $\frac{1}{2}$  inch iron pipe; thence South 09 degrees 32 minutes 45 seconds West 947.60 (Title-South 10 degrees 19 minutes West 951.0 feet) to an  $\frac{1}{2}$  inch iron pipe located on the Northeasterly right of way line of Louisiana Highway 40; thence go Northwesterly along the Northeasterly right of way line of said Highway 340.54 feet along a curve to the right having a radius of 1128.21 feet to a concrete highway marker; thence North 21 degrees 20 minutes West 483.41 feet to a concrete highway marker; thence North 23 degrees 58 minutes 45 seconds West 151.15 feet all along the Northeasterly right of way line of Louisiana Highway 40 to a metal fence post; thence North 19 degrees 48

minutes East 1469.32 feet (Title-North 19 degrees 54 minutes East) to an ½ inch iron rod; thence South 72 degrees 00 minutes East 995.79 feet to an ½ inch iron rod and the point of beginning. Said property contains 40.883 acres and is designated as parcel "A" on Survey by H.C. Sanders & Associates, Inc., Civil Engineers and Land Surveyors, dated October 7, 1983. Further shown on a survey by D&S Surveyors dated February 14, 1996, a copy of which is annexed to act recorded at Instrument Number 988259. AND All that certain lot or parcel of ground, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in Section 43, Township 5 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows: From the Southwest corner of Section 43, Township 5 South, Range 12 East, go North 25 degrees 00 minutes East 5502.00 feet; thence South 27 degrees 15 minutes East 3857.10 feet; thence South 16 degrees 19 minutes West 2587.06 feet; thence North 46 degrees 31 minutes West 309.74 feet; thence North 09 degrees 28 minutes East 261.87 feet; thence North 40 degrees 37 minutes 45 seconds West 199.70 feet to a ½ inch iron rod and the point of beginning. From the point of beginning go South 63 degrees 28 minutes 10 seconds West 95.02 feet to a ½ inch iron rod; thence go North 09 degrees 32 minutes 45 seconds West 120.0 feet to a wood fence post; thence go South 40 degrees 37 minutes 45 seconds East 100.0 feet to a ½ inch iron rod and the point of beginning. Said parcel contains 0.11 acres more or less, all as more fully shown on a survey by D&S Surveyors, Inc., a copy of which is annexed to act recorded at Instrument Number 1028850. The improvements thereon bear the Municipal Number: 26169 Highway 40, Bush, Louisiana;

Property currently recorded in the names of Denis J. Joachim and Donna K. Joachim and described as follows: that certain piece or portion of ground, together with all buildings and improvements thereon, situated in Section 17, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows, to wit: from the northwest corner of the above Township and Range, run North 89 degrees 37 minutes East 2050.00 feet, thence South 00 minutes 15 seconds East 40 feet to the point of beginning. From the point of beginning run North 89 degrees 34 minutes 54 seconds East 208.70 feet to a ½ inch iron rod. Thence run South 00 degrees 12 minutes 40 seconds East 465.47 feet to a ½ inch iron rod. Thence run South 89 degrees 47 minutes 47 seconds West 24.13 feet to a ½ inch iron rod. Thence run South 00 degrees 03 minutes 24 seconds West 184.01 feet to a ½ inch iron rod. Thence run North 00 degrees 12 minutes 40 seconds West 673.34 feet to the point of beginning, containing 3.111 acres. All in accordance with the survey by Turner Surveys, LLC, Registered Land Surveyor, dated November 29, 2005, Plat File No. 050235, attached to an act recorded at CIN 1533901 of the records of St. Tammany Parish. The

improvements thereon bear the Municipal Number: 23210 Highway 1084, Covington, Louisiana.

At least \$26,095,915.73 in United States Currency and all interest and proceeds traceable thereto.

The government specifically provides notice of its intent to seek a personal money judgment against the Defendants in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture, as a result of any act or omission of the Defendants:

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

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

All in violation of Title 18, United States Code, Sections 1343, 1349 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

#### **NOTICE OF MONEY LAUNDERING FORFEITURE**

1. The allegations of Counts 26 through 35 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 982.

2. As a result of the offenses, alleged in Counts 26 through 35, the Defendants, **DENIS JOHN JOACHIM, DONNA KENNEDY JOACHIM, and THE TOTAL FINANCIAL GROUP, INC.**, shall forfeit to the United States all property real or personal, involved in the aforesaid offenses and all property traceable to such property which was involved in the said violations of Title 18, United States Code, Sections 1956(h), 1957 and 982, including but not limited to:

\$749,162.44 U.S. Currency, seized from Capital One Bank, Account Number: 2082479107, in the name of Total Financial Group;

\$42,142.39 U.S. Currency, seized from Capital One Bank, Account Number: 5629143973, in the name of Denis Joachim and Donna K. Joachim;

2013 Chaparral Boat, bearing Vehicle Identification Number: FGBH0184A313;

2014 Chevrolet Corvette, bearing Vehicle Identification Number: 1G1YM2D74E5129808;

2016 Grand Design Solitude Recreational Trailer, bearing Vehicle Identification Number: 573FS4321G1105457;

2016 Jeep Wrangler, bearing Vehicle Identification Number: 1C4HJWDG4GL156805;

2016 Dodge Ram 3500 Pickup Truck, bearing Vehicle Identification Number: 3C63RRKL0GG182763;

2012 Mercedes CL550, bearing Vehicle Identification Number: WDDEJ9EB8CA028974;

2016 GMC Yukon XL Denali, bearing Vehicle Identification Number: 1GKS1HKJ9GR237820;

2016 Sea-Doo RXT-X-300 Jet Ski, bearing Vehicle Identification Number: YDV08167A616;

2016 Sea-Doo RXT-X-300 Jet Ski, bearing Vehicle Identification Number: YDV08085A616;

2015 Sea-Doo GTX-LTD IS 260, bearing Vehicle Identification Number: YDV02310A515;

2016 Can-Am Maverick 1000R Turbo XDS; bearing Vehicle Identification Number: 3JBPDAR22GJ001997;

2016 Magic-Tilt FT9200 Boat Trailer, bearing Vehicle Identification Number: 1M5BA1711G1E16459;

2016 Can-Am Outlander 1000R XMR, bearing Vehicle Identification Number: 3JBLWAX24GJ002077;

2015 Karavan Move II Boat Trailer, bearing Vehicle Identification Number: 5KTWS1711FF010979;

Property currently recorded in the names of Denis J. Joachim and Donna Kennedy Pounds Joachim and described as follows: All that certain piece or portion of ground, together with all the buildings and improvements thereon, and also, all the rights, ways, means, privileges, servitudes, prescriptions, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, located in Section 17, Township 6 South Range 12 East and more fully described as follows, to-wit: commencing at the northwest corner of Section 17, Township 6 South, Range 12 East, go north 89 degrees 37 minutes east, a distance of 2,050.0 feet; thence south 00 degrees, 15 minutes east, a distance of 40 feet to an iron rod; thence north 89 degrees 34 minutes, 54 seconds east, a distance of 208.70 feet to a point located on the southerly right of way line of Louisiana Highway 1084, being the point of beginning. From the point of beginning, continue along the southerly right of way line of Louisiana Highway 1084, north 89 degrees 34 minutes 54 seconds east, a distance of 287.49 feet to a point; thence go south 46 degrees, 05 minutes, 36 seconds east a distance of 135.40 feet to a point located on the westerly right of way of Lenel Road, thence south 00 degrees 07 minutes 12 seconds west a distance of 372.26 feet to a point; thence south 89 degrees 47 minutes, 47 seconds to a point; thence north 00 degrees 12 minutes 40 seconds west, a distance of 465.47 feet to the point of beginning. Said parcel contains 4,004 acres and is designated as parcel Bo-1 and described as above, on survey by Turner Surveys, LLC, dated March 22, 2006 and revised on September 26, 2012. The improvements thereon bear the Municipal Number: 23185 Highway 1084, Covington, Louisiana;

Property currently recorded in the names of Denis J. Joachim and Donna K. Joachim and described as follows: TRACT ONE: Situated in the First Civil District of Rhea County, Tennessee, and being more particularly described

as follows: Beginning at a point in the south right of way line of Lodge Road, corner to property of Stephen D. Mayo and Kelly Ann Mayo (Deed Book: 321, page 376); thence from said beginning point and with the southern right of way line of Lodge Road, forty-three calls and distances as follows: north 75 deg. 40 min. 18 sec. east, 125.51 feet to a point; north 76 deg. 32 min. 03 sec. east, 56.62 feet to a point; north 79 deg. 51 in. 17 sec. east, 62.96 feet to a point; north 74 deg. 53 min. 46 sec. east 70.92 feet to a point; north 63 deg. 35 min. 05 sec. east, 94.13 feet to a point, north 53 deg. 48 min. 19 sec. east, 48.72 feet to a point; north 48 deg. 06 min. 44 sec. east, 62.83 feet to a point; north 42 deg. 39 min. 14 sec. east, 177.79 feet to a point; north 50 deg. 13 min. 33 sec. east, 80.63 feet to a point; north 57 deg. 37 min. 09 sec. east, 46.78 feet to a point; north 64 deg. 21 min. 22 sec. east, 51.23 feet to a point; north 70 deg. 23 min. 33 sec. east, 67.16 feet to a point; north 74 deg. 45 min. 12 sec. east, 75.72 feet to a point; north 76 deg. 09 min. 02 sec. east, 169.85 to a point; north 81 deg. 54 min. 52 sec. east, 45.76 feet to a point; south 88 deg. 53 min. 26 sec. east, 32.69 feet to a point; south 78 deg. 03 min. 02 sec. east, 41.33 feet to a point; south 68 deg. 59 min. 31 sec. east, 46.43 feet to a point; south 64 deg. 55 in. 56 sec. east, 77.65 feet to a point; south 71 deg. 24 min. 24 sec. east, 170.20 feet to a point; south 74 deg. 47 min. 10 sec. east, 165.83 feet to a point; south 76 deg. 34 min. 40 sec. east, 165.41 feet to a point; south 85 deg. 20 min. 18 sec. east 50.42 feet to a point north 84 deg. 50 min. 13 sec. east, 50.01 feet to a point; north 75 deg. 26 min. 21 sec. east 51.56 feet to a point north 71 deg. 54 min. 14 sec. east, 59.38 feet to a point; north 76 deg. 35 min. 08 sec. east 54.47 feet to a point; north 85 deg. 22 min. 48 sec. east 45.90 feet to a point; north 88 deg. 46 min. 56 sec. east 165.58 feet to a point; north 85 deg. 19 min. 18 sec. east, 43.89 feet to a point; north 82 deg. 52 min. 25 sec. east, 43.36 feet to a point; north 73 deg. 24 min. 29 sec. east, 52.23 feet to a point; north 60 deg. 38 min. 34 sec. east, 68.89 feet to a point; north 71 deg. 00 min. 30 sec. east 28.82 feet to a point; north 88 deg. 15 min. 15 sec. east, 35.12 feet to a point; south 71 deg. 44 min. 45 sec. east, 39.97 feet to a point; south 66 deg. 36 min. 05 sec. east, 110.69 feet to a point; south 80 deg. 14 min. 21 sec. east, 62.79 feet to a point; north 77 deg. 16 min. 45 sec. east 66.46 feet to a point; north 62 deg. 46 min. 04 sec. east 58.29 feet to a point; north 48 deg. 16 min 40 sec. east, 62.35 feet to a point, north 35 deg. 10 min. 11 sec. east, 72.45 feet to a point; and north 27 deg. 46 min. 30 sec. east, 41.51 feet to a point, corner to property Toestring Valley Properties, thence with the line of other property Toestring Valley Properties, seven calls and distances as follows: south 27 deg. 09 min. 21 sec. east, 145.36 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 589.69 feet to an iron pin; south 82 deg. 17 min. 49 sec. east, 324.30 feet to an iron pin; south 10 deg. 01 min. 06 sec. east, 277.01 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 94.85 feet to an iron pin; south 49 deg. 26 min. 41 sec. east, 362.24 feet to an iron pin; and south 49 deg. 26 min. 41 sec. east 97.37 feet to a point in the shoreline of Watts Bar Reservoir; thence with the shoreline



of the Watts Bar Reservoir, the following calls and distances; south 52 deg. 30 min. 10 sec. west 59.68 feet to a point; south 50 deg. 22 min. 34 sec. west, 59.40 feet to a point; south 62 deg. 38 min. 38 sec. west, 71.39 feet to a point; south 61 deg. 08 min. 09 sec. west, 34.39 feet to a point south 50 deg. 52 min. 24 sec. west, 50.21 feet to a point, south 64 deg. 10 min. 05 sec. west 35.70 feet to a point; south 60 deg. 22 min. 01 sec. west 42.60 feet to a point; south 58 deg. 54 min. 54 sec. west, 31.26 feet to a point; south 50 deg. 41 min. 44 sec. west, 30.94 feet to a point; south 61 deg. 57 min. 26 sec. west, 28.37 feet to a point, south 76 deg. 42 min. 18 sec. west, 58.93 feet to a point; south 79 deg. 20 min. 03 sec. west, 67.93 feet to a point; south 60 deg. 51 min. 13 sec. west, 57.64 feet to a point; south 46 deg. 05 min. 20 sec. west 36.97 feet to a point; south 63 deg. 42 min. 09 sec. west, 47.20 feet to a point; south 66 deg. 40 min. 01 sec. west, 61.87 feet to a point; south 59 deg. 35 min. 43 sec. west, 45.00 feet to a point; south 60 deg. 26 min. 46 sec. west, 50.52 feet to a point; south 69 deg. 39 min. 59 sec. west, 36.17 feet to a point; south 70 deg. 54 min. 30 sec. west, 57.07 feet to a point; south 51 deg. 17 min. 13 sec. west, 27.04 feet to a point; south 34 deg. 37 min. 53 sec. west, 29.63 feet to a point; south 42 deg. 10 min. 30 sec. west, 29.42 feet to a point; south 44 deg. 33 min. 38 sec. west, 24.63 feet to a point; south 41 deg. 26 min. 27 sec. west, 28.20 feet to a point; south 47 deg. 53 min. 43 sec. west, 30.74 feet to a point; south 41 deg. 53 min. 15 sec. west 42.18 feet to a point; south 48 deg. 56 min. 11 sec. west, 43.35 feet to a point; south 54 deg. 24 min. 34 sec. west, 41.96 feet to a point; south 58 deg. 21 min. 08 sec. west, 33.59 feet to a point; south 45 deg. 55 min. 27 sec. west, 41.01 feet to a point; south 49 deg. 28 min. 24 sec. west, 40.69 feet to a point; south 55 deg. 31 min. 51 sec. west, 31.35 feet to a point; south 63 deg. 38 min. 39 sec. west, 46.80 feet to a point; south 50 deg. 39 min. 08 sec. west, 30.92 feet to a point; south 53 deg. 45 min. 25 sec. west, 45.28 feet to a point; south 45 deg. 53 min. 49 sec. west, 37.29 feet to a point; south 46 deg. 14 min. 19 sec. west, 33.19 feet to a point; south 53 deg. 09 min. 14 sec. west, 57.57 feet to a point; south 51 deg. 27 min. 55 sec. west 42.72 feet to a point; south 55 deg. 53 min. 36 sec. west, 31.88 feet to a point; south 42 deg. 18 min. 06 sec. west, 36.50 feet to a point; south 36 deg. 19 min. 58 sec. west, 65.42 feet to a point; south 40 deg. 37 min. 19 sec. west, 24.65 feet to a point; south 52 deg. 23 min. 39 sec. west, 23.31 feet to a point; south 51 deg. 17 min. 40 sec. west, 25.44 feet to a point; south 48 deg. 01 min. 43 sec. west, 37.58 feet to a point; south 38 deg. 32 min. 12 sec. west, 32.79 feet to a point; south 38 deg. 57 min. 34 sec. west, 29.34 feet to a point; south 52 deg. 15 min. 09 sec. west, 25.41 feet to a point; south 55 deg. 53 min. 28 sec. west, 43.22 feet to a point; south 42 deg. 24 min. 21 sec. west, 36.00 feet to a point; south 42 deg. 01 min. 10 sec. west, 45.76 feet to a point; south 42 deg. 45 min. 42 sec. west, 60.68 feet to a point; south 40 deg. 35 min. 44 sec. west, 12.24 feet to a point; north 33 deg. 24 min. 18 sec. west, 67.44 feet to an existing ½ inch rebar, north 33 deg. 24 min. 18 sec. west, 192.00 feet to a "T" post; thence

north 74 deg. 03 min. 18 sec. west, 424.74 feet to an angle iron; south 35 deg. 18 min. 20 sec. west, 280.89 feet to an angle iron; south 30 deg. 23 min. 20 sec. west 525.53 feet to an angle iron; and south 53 deg. 59 min. 46 sec. east; 279.69 feet to an angle iron corner to property of Tennessee Land Development Company, G.P. (Deed Book 362, page 710); thence with the line of said property, south 10 deg. 47 min. 28 sec. west, 138.10 feet to an existing ½ inch rebar in the line of property of Paul and Sandra Bartizal (Deed Book 327, page 8); thence with the line of Bartizal, North 78 deg. 49 min. 25 sec. west, 141.85 feet to a "T" post; corner to property of CYG Partners (Deed Book 363, page 356); thence with the line of said property, north 81 deg. 28 min. 45 sec. west, 1594.52 feet to a "T" post, thence continuing with said line, north 03 deg. 31 min. 02 sec. west, 585.12 feet to an angle iron corner to the property of Charles Moore Wilson and Alice Wilson (Deed Book 202, page 547); thence with the line of Wilson, north 04 deg. 54 min. 43 sec east, 481.90 feet to an angle iron corner to property of Charles M. Wilson (Deed Book 140, page 342); thence with the line of Wilson, North 04 deg. 51 min. 04 sec. east, 330.31 feet to an angle iron corner to property of Mabel W. Spriggs and Joyce Spriggs Henrikson (Deed Book 140, page 344); thence with the line of Spriggs and Henrikson, north 05 deg. 00 min. 29 deg. East 582.58 feet to an angle iron, corner to Madeline Y. Miller and Clint Miller (Deed Book 351, page 244); thence with the line of Madeline and Clint Miller, north 05 deg. 57 min. 37 sec. east, 321.96 feet to an existing ½ inch rebar, corner to property of Franklin and Kay Miller (Deed Book 178, page 44); thence with the line of Franklin and Kay Miller, north 04 deg. 56 min. 20 sec. east, 560.09 feet to an existing ½ inch rebar, corner to property of Shorty and Connie Simmons (Deed Book 293, page 58); thence with the line of Simmons north 03 deg. 06 min. 38 sec. east, 69.25 feet to an existing ½ inch rebar corner to property of Howard Miller (Deed Book 278, page 587); thence with the line of Howard Miller, north 04 deg. 51 min. 16 sec. east, 214.17 feet to an existing ½ rebar, corner to property of John C. and Shaina Stewart (Deed Book 365, page 214); thence with the line of Stewart and also property of Mayo (Deed Book 321, page 376) north 12 deg. 18 min. 50 sec. east 375.16 feet to an existing ½ inch pipe; thence continuing with the line of property of Mayo north 12 deg. 18 min. 50 sec. east, 26.38 feet to a point; said point marking the place of beginning, continuing 254.649 acres or 11092513.5 square feet, according to the survey of Christian M. Medders, Tennessee RLS#2493, of Medders Surveying and Mapping, P.O. Box 969, Athens, TN 37371, Dated February 19, 2007, and bearing Job No. 07-0022;

TRACT TWO: situated in the First Civil District of Rhea County, Tennessee, and being more particularly bounded and described as follows: beginning at an existing ½ inch rebar in the southeast right of way line of Lodge Road, corner to property now or formerly owned by Fred L. Key (Deed Book 306, page 316); thence from said beginning point and with the line of Key, six calls and distances as follows: south 23 deg. 09 min. 22 sec.



east, 166.60 feet to an existing  $\frac{1}{2}$  inch pipe; north 56 deg. 20 min. 18 sec. east, 792.89 feet to an existing  $\frac{1}{2}$  inch pipe south 53 deg. 38 min. 43 sec. east, 380.38 feet to an existing  $\frac{1}{2}$  inch pipe; south 05 deg. 05 min. 38 sec. east, 971.88 feet to TVA concrete marker #14-7; thence south 73 g. 34 min. 49 sec. east, 111.89 feet to a point in the shoreline of Watts Barr Reservoir; thence with the shoreline of Watts Bar Reservoir, nine calls and distance as follows: south 47 deg. 30 min. 44 sec. west 23.79 feet to a point; south 41 deg. 57 min 34 sec. west 59.41 feet to a point; south 46 deg. 06 min. 04 sec. west, 48.92 feet to a point; south 35 deg. 45 min. 06 sec. west, 41.86 feet to a point; south 44 deg. 54 min. 08 sec. west, 23.26 feet to a point; south 44 deg. 44 min. 35 sec. west 37.69 feet to a point; south 43 deg. 49 min. 11 sec. west 40.44 feet to a point; south 42 deg. 46 min. 32 sec. west 64.95 feet to a point; and south 52 deg. 30 min. 10 sec. west 8.87 feet to a point, corner to property now or formerly owned by Toestring Valley Properties; thence with the line of Toestring Valley Properties, seven calls and distances as follows: north 49 deg. 26 min. 41 sec. west 97.37 feet to a set  $\frac{1}{2}$  inch rebar; north 49 deg. 26 min. 41 sec. west 362.24 feet to a  $\frac{1}{2}$  set rebar, said rebar being distant north 72 deg. 51min. 22 sec east, 514.44 feet from TVA concrete marker #14-6; north 49 deg. 26 min. 41 sec. west, 94.85 feet to a  $\frac{1}{2}$  inch rebar, north 10 deg. 01 min. 06 sec. west, 277.01 feet to a set  $\frac{1}{2}$  inch rebar, north 82 deg. 17 min. 49 sec. west, 324.30 feet to a set  $\frac{1}{2}$  inch rebar, north 49 deg. 26 min. 41 sec. west, 589.69 feet to a set  $\frac{1}{2}$  rebar; and north 27 deg. 09 min. 21 sec. west, 145.36 feet to an iron rebar set in the southeast right of way line of Lodge Road; thence with the southeast right of way line of Lodge Road, north 26 deg. 47 min. 42 sec. east, 28.48 feet to a point; thence continuing with Lodge Road, north 33 deg. 32 min. 03 sec. east, 67.99 feet to a  $\frac{1}{2}$  inch rebar, said rebar marking the point of beginning, containing 19.542 acres or 851234.5 square feet; according to the survey of Christian M. Medders, Tennessee RLS #2493, of Medders Surveying and Mapping, P.O. Box 979, Athens, TN 37371, dated February 19, 2007 and bearing the Job No. 07-0022A. A portion of the property described above has now been platted and known as Lot Number 1-122, Rivermyst Phase I, as per Plat of record in Plat Book 4, pg. 337, Register's Office, Rhea County, Tennessee. LESS AND EXCEPT THE FOLOWING DESCRIBED PROPERTY: Beginning at an iron pin at the right of way on the southeast side of Lodge Road, corner with property conveyed to Ultima Watts Bar Development, LLC; thence north 26 deg. 47'42" east 28.48 feet along the right of way on the southeast side of Lodge Road to an iron pin; thence north 33 deg. 32'03" east 67.99 feet along the right of way on the southeast side of Lodge Road to an existing  $\frac{1}{2}$ " rebar, corner with Fred Key; thence south 23 deg. 09'22" east 166.60 feet along the property line of Fred Key to an existing  $\frac{1}{2}$ " pipe; thence north 56 deg. 20'18" east 792.89 feet along the property line of Fred Key to an existing  $\frac{1}{2}$ " pipe; thence south 53 deg. 38'43" east 380.38 feet along the property line of Fred Key to an existing  $\frac{1}{2}$ " pipe; thence south 05 deg. 05'38" east 971.88 feet along the

property line of Fred Key to TVA Marker #14-7; thence south 73 deg. 34'49" east 279.87 feet to a ½" rebar; thence south 73 deg. 34'49" east 111.89 feet to the shore line of the Watts Bar Reservoir, thence along the shore line of Watts Bar Reservoir, the following courses and distances; south 47 deg. 30'44" west 23.79 feet; south 41 deg. 57'34" west 59.41 feet; south 49 deg. 06'04" west 48.92 feet; south 35 deg. 45'06" west 41.86 feet; south 44 deg. 54'08" west 23.26 feet; south 44 deg. 44'35" west 37.69 feet; south 43 deg. 49'11" west 40.44 feet south 42 deg. 46'32" west 64.95 feet' south 52 deg. 30'10" west 8.87 feet, corner with property conveyed to Ultima Watts Bar Development, LLC. Thence along the property line of Ultima Watts Bar Development, LLC, the following courses and distances; north 49 deg. 26'41" west 97.37 feet; north 49 deg. 26'41" west 362.24 feet; north 49 deg. 26'41" west 94.85 feet; north 10 deg. 01'06" west 277.01 feet; north 82 deg. 17'49" west 324.30 feet; north 49 deg. 26'41" west 589.69 feet; thence north 27 deg. 09'21" west 145.36 feet to the iron pin at the point of beginning, containing 19.542 acres, more or less, as per survey of Medders Surveying and Mapping, TRLS #2493, dated 2/19/07. Lot No. 45, Phase I, Rivermyst, as per plat of record in Plat Book 4, pg. 337, Register's Office, Rhea County, Tennessee. Lot no. 48, Phase I Rivermyst, as per plat of record in Plat Book 4 pg. 337, aforesaid Register's Office, located in Rhea County, Tennessee;

Property currently recorded in the names of Denis J. Joachim and Donna Kennedy Joachim and described as follows: that certain parcel of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, located in Section 33, Township 7 South, Range 10 East and Section 4, Township 8 South, Range 10 East, St. Tammany Parish, Louisiana, designated as Phase I on survey of Jeron R. Fitzmorris, Land Surveyor, dated March 2, 1983, revised June 21, 1983, revised November 16, 1983, revised November 22, 1983 and further revised December 20, 1983, and described as Port Louis Phase I in that Certain Act Dedication of Servitudes, Privileges and Restrictions passed before C.W. Nelson, Jr., Notary Public, dated December 5, 1984, recorded in COB 1182, folio 631, St. Tammany Parish, Louisiana, and being further described as Phase I-A on that certain Planned Unit Development known as Port Louis, approved by Ordinance No. 84-471 of the St. Tammany Parish Council, as shown on subdivision Plat Port Louis Phase I-A, by BFM Corporation, Surveyors, dated October 22, 1984, filed December 14, 1984, in EM/204 of the records of St. Tammany Parish, Louisiana. The improvements thereon bear the Municipal Number: 14 Place Lafitte, Madisonville, Louisiana;

Property currently recorded in the name of Denis J. Joachim and described as follows: Lots 3T-2A, Port Louis Development, Phase I-A, bearing the municipal number 41 Rue Du Sud, Madisonville, Louisiana, described as

those certain parcels of property, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, located in Section 33, Township 7 South, Range 10 East and Section 4 Township 8 South, Range 10 East, St. Tammany Parish, Louisiana, designated as Phase I on a survey of Jeron R. Fitzmorris, Land Surveyor, dated March 2, 1983, revised June 21, 1983, revised November 16, 1983, revised November 22, 1983 and further revised December 20 1983, and described as Port Louis Phase I in that certain Act of Dedication of Servitudes, Privileges and Restrictions passed before C. W. Nelson, Jr., Notary public, dated December 5, 1984, recorded in COB 1182, folio 631, St. Tammany Parish, Louisiana, and being further described as Phase I-A on that certain Planned Unit Development known as Port Louis, approved by Ordinance No. 84-471 of the St. Tammany Parish Council, as shown on subdivision Plat Plan, Port Louis Phase I-A, by BFM Corporation, Surveyors, dated October 22, 1984, filed December 14, 1984, in EM/204 of the records of St. Tammany Parish, Louisiana and subdivision plat of BFM Corporation, Surveyors, dated October 22, 1984, filed December 5, 1984, EM-206. The improvements thereon bear the municipal number: 41 Rue Du Sud, Madisonville, Louisiana;

Property currently recorded in the names of Douglas Colter Pounds and Austin Perrie Pounds and described as follows: All that certain lot or parcel of ground, together with all the buildings, and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereto belonging or in anywise appertaining, situated in Section 43, Township 5 South, Range 12 East, St. Tammany parish, Louisiana and more fully described as follows, to-wit: from the Southwest corner of Section 43, go North 25 degrees 00 minutes East 5502.0 feet; thence South 27 degrees 15 minutes East 2469.0 feet to an old  $\frac{3}{4}$  inch iron rod located on Southern edge of a 60 feet gravel road; thence continue South 27 degrees 15 minutes East 1388.10 feet to an  $\frac{1}{2}$  inch iron rod; thence South 16 degrees 19 minutes West 793.4 feet (Title-South 16 degrees 33 minutes West) to an  $\frac{1}{2}$  inch iron rod and the point of beginning. From the point of beginning continue South 16 degrees 19 minutes West 1793.66 feet (Title-South 16 degrees 33 minutes West) to an  $\frac{1}{2}$  inch iron pipe; thence North 46 degrees 31 minutes West 309.74 feet (Title-North 45 degrees 33 minutes West 310.0 feet) to an  $\frac{1}{2}$  inch iron pipe; thence North 09 degrees 28 minutes East 261.87 feet (Title-North 10 degrees 19 minutes East 262.0 feet) to an  $\frac{1}{2}$  inch iron pipe; thence North 40 degrees 37 minutes 45 seconds West 299.70 feet (Title-North 39 degrees 24 minutes West 300.00 feet) to an  $\frac{1}{2}$  inch iron pipe; thence South 09 degrees 32 minutes 45 seconds West 947.60 (Title-South 10 degrees 19 minutes West 951.0 feet) to an  $\frac{1}{2}$  inch iron pipe located on the Northeasterly right of way line of Louisiana Highway 40; thence go Northwesterly along the Northeasterly right of way line of said Highway

340.54 feet along a curve to the right having a radius of 1128.21 feet to a concrete highway marker; thence North 21 degrees 20 minutes West 483.41 feet to a concrete highway marker; thence North 23 degrees 58 minutes 45 seconds West 151.15 feet all along the Northeasterly right of way line of Louisiana Highway 40 to a metal fence post; thence North 19 degrees 48 minutes East 1469.32 feet (Title-North 19 degrees 54 minutes East) to an ½ inch iron rod; thence South 72 degrees 00 minutes East 995.79 feet to an ½ inch iron rod and the point of beginning. Said property contains 40.883 acres and is designated as parcel "A" on Survey by H.C. Sanders & Associates, Inc., Civil Engineers and Land Surveyors, dated October 7, 1983. Further shown on a survey by D&S Surveyors dated February 14, 1996, a copy of which is annexed to act recorded at Instrument Number 988259. AND All that certain lot or parcel of ground, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes, prescriptions, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in Section 43, Township 5 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows: From the Southwest corner of Section 43, Township 5 South, Range 12 East, go North 25 degrees 00 minutes East 5502.00 feet; thence South 27 degrees 15 minutes East 3857.10 feet; thence South 16 degrees 19 minutes West 2587.06 feet; thence North 46 degrees 31 minutes West 309.74 feet; thence North 09 degrees 28 minutes East 261.87 feet; thence North 40 degrees 37 minutes 45 seconds West 199.70 feet to a ½ inch iron rod and the point of beginning. From the point of beginning go South 63 degrees 28 minutes 10 seconds West 95.02 feet to a ½ inch iron rod; thence go North 09 degrees 32 minutes 45 seconds West 120.0 feet to a wood fence post; thence go South 40 degrees 37 minutes 45 seconds East 100.0 feet to a ½ inch iron rod and the point of beginning. Said parcel contains 0.11 acres more or less, all as more fully shown on a survey by D&S Surveyors, Inc., a copy of which is annexed to act recorded at Instrument Number 1028850. The improvements thereon bear the Municipal Number: 26169 Highway 40, Bush, Louisiana;

Property currently recorded in the names of Denis J. Joachim and Donna K. Joachim and described as follows: that certain piece or portion of ground, together with all buildings and improvements thereon, situated in Section 17, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows, to wit: from the northwest corner of the above Township and Range, run North 89 degrees 37 minutes East 2050.00 feet, thence South 00 minutes 15 seconds East 40 feet to the point of beginning. From the point of beginning run North 89 degrees 34 minutes 54 seconds East 208.70 feet to a ½ iron rod. Thence run South 00 degrees 12 minutes 40 seconds East 465.47 feet to a ½ inch iron rod. Thence run South 89 degrees 47 minutes 47 seconds West 24.13 feet to a ½ in iron rod. Thence run South 00 degrees 03 minutes 24 seconds West 184.01 feet to a

½ inch iron rod. Thence run North 00 degrees 12 minutes 40 seconds West 673.34 feet to the point of beginning, containing 3.111 acers. All in accordance with the survey by Turner Surveys, LLC, Registered Land Surveyor, dated November 29, 2005, Plat File No. 050235, attached to an act recorded at CIN 1533901 of the records of St. Tammany Parish. The improvements thereon bear the Municipal Number: 23210 Highway 1084, Covington, Louisiana;

At least \$26,095,915.73 in United States Currency and all interest and proceeds traceable thereto; and

The government specifically provides notice of its intent to seek a personal money judgment against the defendant in the amount of the fraudulently-obtained proceeds.

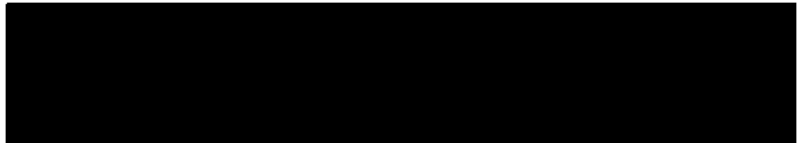
3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants:

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

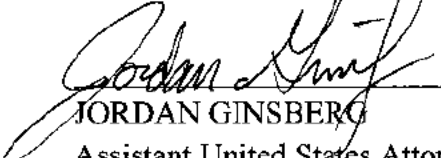
it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1) to seek forfeiture of any other property of said Defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 982.

A TRUE BILL:



DUANE A. EVANS  
UNITED STATES ATTORNEY

  
JORDAN GINSBERG  
Assistant United States Attorney  
Illinois Bar No. 6282956

New Orleans, Louisiana  
August 30, 2018

FORM OBD-34

No. \_\_\_\_\_

**UNITED STATES DISTRICT COURT**

Eastern District of Louisiana

Criminal Division

**THE UNITED STATES OF AMERICA**

**vs.**

**DENIS JOHN JOACHIM  
DONNA KENNEDY JOACHIM  
THE TOTAL FINANCIAL GROUP, INC.**

**INDICTMENT**

INDICTMENT FOR CONSPIRACIES TO DEFRAUD  
THE INTERNAL REVENUE SERVICE, MAKE FALSE  
STATEMENTS AND REPRESENTATIONS, TO COMMIT  
WIRE FRAUD, TO COMMIT MONEY LAUNDERING, FALSE  
STATEMENTS IN CONNECTION WITH A MULTIPLE  
EMPLOYER WELFARE ARRANGEMENT, WIRE FRAUD,  
MONEY LAUNDERING, AND NOTICES OF FORFEITURE

VIOLATIONS: 18 USC § 2, 18 USC § 371, 18 USC § 1343  
18 USC § 1349, 18 USC § 1956(b), 18 USC § 1957,  
26 USC § 7206(2), 29 USC § 1131(b), 29 USC § 1149

Filed in open court this \_\_\_\_\_ day of \_\_\_\_\_  
A.D. 2018.

Clerk

Bail, \$ \_\_\_\_\_

JORDAN GINSBERG  
Assistant United States Attorney

