

STATEMENT OF FACTS

Your affiant, Det. Teresita Lopez, is a detective with the Miami Police Department, and has been employed as a police officer for approximately seven (7) years. She is currently assigned to investigate economic crime cases.

The Greater Miami Chamber of Commerce, Inc. is a Florida not for profit corporation. William O. Cullom was president of the Greater Miami Chamber of Commerce (hereinafter referred to as "GMCC") during the period in question. His chief assistant, Rhodele Holzberg, a director and executive vice president of the corporation, was a long time GMCC employee. She supervised the administrative functions of the Chamber. Evelyn D. Minott was the supervisor of the Chamber's accounting section. Her title was Executive Director of Finance. She was assisted by Freddy Luna. His title was Finance Manager. Together they handled the financial functions of the GMCC, including accounts payable and banking. Evelyn Minott and Luna reported to Holzberg.

Beginning in late 2001 and continuing through early 2003 the GMCC began experiencing an increasing shortage of cash. Initially, the GMCC management attributed the cash shortage to a loss of membership. It was later discovered by the GMCC that its canceled checks, for the period from mid 1999 through approximately early 2003, were missing.

William O. Cullom stated that he had personally inquired of each GMCC employee as to the whereabouts of the missing checks. All employees denied any knowledge of them. Representatives of GMCC contacted law enforcement authorities and reported the suspected theft of the checks.

Subsequent investigation determined that Evelyn Minott and others participated in, and were responsible for, the theft of GMCC funds. Evelyn Minott is the mother of Francine Minott and Twana Wright, and the wife of Raymond Minott. Between July, 2000, and April, 2003, the total amount of funds stolen from GMCC exceeded more than \$1.9 million dollars.

GMCC maintained its checking account at First Union National Bank (now known as Wachovia). William O. Cullom and Rhodele Holzberg were authorized signatories on said account. The GMCC used a three-part check consisting of an original, a yellow, and a pink copy. Internal procedures called for the original check to be mailed to the vendor. The pink copy of the check was supposed to be attached to the related vendor invoice and filed at the GMCC; the yellow copies were to be filed numerically. GMCC personnel did not maintain a check register. Rather, at the end of each month, the yellow check copies were furnished to Creative Computer Services, Inc., for the preparation of a check register. After preparing the check register, Creative Computer Services, Inc., returned to the GMCC the yellow check copies along with the check register. These were received by either Freddy Luna or Evelyn Minott.

There were several methods used to steal funds from GMCC. One of the methods involved preparing checks manually on the office typewriter that used a ribbon and a correction tape. Checks would be prepared by either Freddy Luna or Evelyn Minott to

pay actual GMCC vendors, supported by invoices that GMCC had previously paid or were due to be paid. The checks were presented to either Holzberg or Cullom for signature. After the checks were signed, the checks were returned to Evelyn Minott or Freddy Luna to mail to vendors.

The checks which were intended to be stolen were placed back in the typewriter, and the correction key was used to back out the typed payee's name. After the payee's name was removed from the check, a new name would be typed in by either Evelyn Minott or Freddy Luna. The altered checks were made payable to the following payees (as well as others): Petty Cash, Evelyn Minott, Freddy Luna, Francine Minott, Twana Wright, KC-Ram, Inc. These altered checks were either cashed or deposited in bank accounts controlled by Evelyn Minott and others. This scheme was confirmed by Freddy Luna in a statement made to law enforcement authorities.

Another method of theft involved the unauthorized use of a facsimile stamp signature of Rhodele Holzberg to sign as "maker" on checks. Holzberg had the facsimile signature stamp made to use on internal GMCC documents. The stamp was never used by her to sign checks. The stamp was kept in an unlocked desk drawer and she never authorized anyone to use the stamp to sign checks. The facsimile signature stamp was used only on checks which ultimately benefited Evelyn Minott, her daughters and her husband's business, KC-Ram, Inc.

Over 700 altered GMCC checks totaling in excess of \$1.1 million dollars were either cashed by Evelyn Minott or were deposited in her bank accounts. Over 400 of the 700 altered checks were authenticated by the unauthorized use of the facsimile signature stamp of Rhodele Holzberg.

Over 300 altered GMCC checks totaling in excess of \$400,000.00 were either cashed by or were deposited in Freddy Luna's bank account. In many instances Luna's drivers license number appears on the face side of the check or as a part of the check endorsement.

Over 120 of the altered GMCC checks totaling \$180,000.00 were either endorsed in the name of Twana Wright and cashed or were deposited in her bank accounts. More than 100 of those checks had been authenticated by the unauthorized use of the facsimile signature stamp of Rhodele Holzberg.

American Express Credit Card No. 3715-614027-62001 was issued to Twana Wright. Evelyn Minott and Raymond Minott each held an additional credit card on Wright's account. Fifteen (15) GMCC checks totaling over \$23,500.00 were used to pay unauthorized personal charges incurred by the cardholders. Six (6) of the checks were authenticated by the unauthorized use of the facsimile signature stamp of Rhodele Holzberg.

Over 90 of the altered GMCC checks totaling in excess of \$140,000.00 were either endorsed with the name Francine Minott and cashed or were deposited in her bank

account. More than 40 were authenticated by the unauthorized use of the facsimile signature stamp of Rhodele Holzberg.

KC-Ram, Inc., performed cleaning services for the GMCC. KC-Ram, Inc., was owned and operated by Raymond A. Minot and Kenneth Clark. Forty (40) GMCC checks totaling in excess of \$60,000.00 were altered to reflect KC-Ram, Inc. as the payee. Those checks were deposited in the bank account of KC-Ram, Inc. at Eagle National Bank.

During the twelve (12) month period beginning July 1, 2000, and ending June 30, 2001, the value of the GMCC checks cashed or deposited by Evelyn Minott exceeded \$170,000.00. During the twelve (12) month period beginning July 1, 2001, and ending June 30, 2002, the value of the GMCC checks cashed or deposited by Evelyn Minott exceeded \$540,000.00. During the twelve (12) month period beginning July 1, 2002, and ending June 30, 2003, the value of the GMCC checks cashed or deposited by Evelyn Minott exceeded \$380,000.00.

For the foregoing reasons, your affiant finds that there is probable cause to believe that Evelyn Minott is guilty of violations of Sections 895.03, Racketeering Influenced and Corrupt Organizations (RICO) Act; 896.101, Florida Money Laundering Act; and 817.034, Organized Fraud, of the Florida Statutes.

For the foregoing reasons, your affiant finds that there is probable cause to believe that Freddy Luna is guilty of violations of Sections 895.03, Racketeering Influenced and Corrupt Organizations (RICO) Act and 817.034, Organized Fraud, of the Florida Statutes.

Affiant/ Detective Teresita Lopez

Sworn to and subscribed before me, this ____ day of December, 2004.

CIRCUIT / COUNTY JUDGE
Eleventh Judicial Circuit of Florida