

AUSA Nancy A. Abraham
Special Agent, Casey Carnahan/IRS

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF MICHIGAN

United States of America,

v.

JAMES STANLEY GRAY, and
KAREN AMERLING-GRAY.

Case: 4:12-mj-30422
Assigned To : Hluchaniuk, Michael J.
Assign. Date : 7/10/2012
Description: SEALED MATTER (TH)

CRIMINAL COMPLAINT

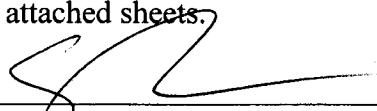
I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about June 30, 2008, in Genesee county and elsewhere, in the Eastern District of Michigan, defendant, **JAMES STANLEY GRAY**, who during calendar year 2007, had a financial interest in and signature and other authority over a financial account in a foreign country, that is an account at HSBC Panama, Panama City Panama, which account had an aggregate value of over \$10,000, unlawfully, willfully and knowingly, failed to disclose and file a report of the same, in violation of Title 31, United States Code, Sections 5314, and 5322 and Title 31, Code of Federal Regulations, Section 103.24..

On or about June 30, 2008, in Genesee county and elsewhere, in the Eastern District of Michigan, defendant, **KAREN AMERLING-GRAY**, who during calendar year 2007, had a financial interest in and signature and other authority over a financial account in a foreign country, that is an account at HSBC Panama, Panama City Panama, which account had an aggregate value of over \$10,000, unlawfully, willfully and knowingly, failed to disclose and file a report of the same, in violation of Title 31, United States Code, Sections 5314, and 5322 and Title 31, Code of Federal Regulations, Section 103.24..

On or about June 19, 2012, in Genesee county, in the Eastern District of Michigan, defendant, **JAMES STANLEY GRAY**, having been previously convicted of a crime punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, firearms, in violation of Title 18, United States Code, Section 922(g)(1).

This criminal complaint is based on facts continued on the attached sheets.

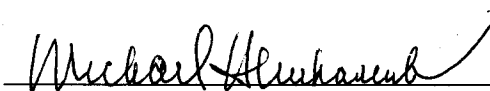


Complainant's signature
Casey Carnahan, Special Agent, IRS

Sworn to before me and signed in my presence.

Dated: 07/10/2012

City & State: Flint, Michigan



Judicial Officer signature
Michael Hluchaniuk
United States Magistrate Judge

**AFFIDAVIT OF CASEY CARNAHAN
IN SUPPORT OF COMPLAINT
*United States v. James Stanley Gray***

I, Casey P. Carnahan, Special Agent, United States Department of Treasury, Internal Revenue Service Criminal Investigation (IRS-CI), being duly sworn, state:

1. I have been a Special Agent with IRS-CI since September 2005. I am presently assigned to the Detroit Field Office, Flint, Michigan. I obtained my Bachelor's of Science degree in Criminal Justice from Northern Michigan University. I have completed the 12-week Criminal Investigator Training Program and the 16-week Special Agent Investigative Techniques Program, both of which were held at the Federal Law Enforcement Training Center in Glynco, Georgia. I received extensive training in conducting financial investigations that involve analyzing the books and records of individuals and/or businesses, such as journals, ledgers, bank accounts, invoices, receipts, and other records evidencing violations of the Internal Revenue Code. As a Special Agent, my responsibilities include investigations of criminal violations of the Internal Revenue Code (Title 26, United States Code), other Title 18 offenses, including the Money Laundering Control Act (Title 18, United States Code), the Bank Secrecy Act (Title 31, United States Code) and related offenses.

2. Since 2010, I have been investigating James Stanley Gray (Gray) and Karen Amerling-Gray (Amerling-Gray). The investigation involves Gray's business, Mainstream Design LTD, and properties in Costa Rica. Amerling-Gray is an officer of Mainstream Design LTD. Gray holds himself out to be a real estate developer in

Costa Rica operating under the business names, Vista Las Palmas International Developer and Vista Azul International Developer. Gray and Amerling-Gray have an ownership interest in two condominium properties located in Costa Rica called Vista Las Palmas and Vista Mar. The condominiums operate under the trade name of Vista CR. Gray also owns and operates a hotel and casino in Costa Rica called Hotel Cocal and Casino. Based on a review of documents seized during the execution of a federal search warrant on June 19, 2012, at defendants' residence, Amerling-Gray is an assistant manager of the hotel. The investigation also revealed that Brad Sanson, Douglas Nickel, Manuel Echandi and Boyt Johnson work with Gray on the sales and development of the condominium units.

3. In late 2010, I received information from an individual that was an investor with Gray in the Vista CR development. Gray sent an email to this individual in 2007, advising him/her that for more than 50 years, he has been in the business of buying and selling real estate and that he has investments totaling \$9 million. In the same email, Gray wrote that he bought the hotel in 1993 and currently had property interests in Vista Mar, Las Palmas and Vista Azul.

4. This individual also provided the IRS with copies of business cards of Gray and others that are associated with sales and development of the condo units in Costa Rica. He/she also provided copies of a price guide for the units at Vista Las Palmas, and a development update/sales letter from the developers of Vista Las Palmas. Gray's business card lists him as the managing partner for Vista CR. In the

letter to investors, Gray and Sanson are labeled as the developers of Vista Las Palmas.

5. As an investor, this individual was given payment instructions from Gray. The instructions were written on Vista Las Palmas letterhead. The instructions were for purchasers/investors to make payments based upon the completion of each construction phase of the development. Two options were provided for investors to send funds to Gray:

(1) Transfer the funds via wire, by sending the wired funds to LaSalle Bank (now Bank of America) care of Vista Las Palmas International Developer. The routing number for this account is 072000825 and the account number is XXXXXX5034.

(2) mail payment to Mainstream Designs, 6045 W. Pierson Road, Flushing, MI, 48433.

6. In an email that Gray sent to the informant on May 26, 2007, Gray explains to the informant that he does not report capital gains taxes on his condominium activities in the United States:

"In the U.S. you have capital gains and would have to pay tax in Costa Rica no capital gains. So you keep what you make. I do not bring it back to the U.S. I just keep investing in Costa Rica".

7. May 30, 2012, I did an internet search and learned that Vista Las Palmas and Hotel Cocal and Casino are located in Jaco, Costa Rica. Jim Gray is listed on a Linked-in web page as the owner/operator of Hotel Cocal. Vista Las Palmas advertises on the internet as a condominium complex attached to the Hotel Cocal. I also reviewed the Tico Times which is a Costa Rican, English newspaper

and found two articles from 2012 wherein Jim Gray was cited as providing information related to activities at the hotel.

8. I received and reviewed records from Bank of America relating to Gray, Amerling-Gray, Vista Las Palmas, Vista Mar, and Hotel Cocal and Casino. James Gray is listed as the primary account holder or as a signatory authority of at least nine Bank of America accounts.

9. During the period from 2006 through 2009, James Gray had two accounts relating to the Vista Las Palmas development and one account together with individuals identified as partners of the Costa Rican developments. These accounts are identified in the chart below.

Account Number	Account Title	Activity as of April 2011
xxxxxx5034	Vista Las Palmas International Developer, James S. Gray, Owner	Account Closed February 2009
xxxxxx9152	Vista Las Palmas International Developer, James S. Gray,	Account Closed July 2009
xxxxxx7268	James S. Gray, Douglas Nickel, Manuel Echandi, Boyt Johnson	Active Account

10. I have reviewed the bank statements of Bank of America account xxxxxx5034 for Vista Las Palmas International. The account was opened in May 2006, with a \$10,000 deposit. From May 2006 until the account was closed in February, 2009, a total of over \$29 million was deposited into the account via wires,

cash or check. During the time that the account was open, a significant portion of the monies deposited were wired to overseas accounts. To close out the account, on February 4, 2009, \$153,920.34 was transferred via international non-repeating wire to "Vista Las Palmas de la Costa" account xxxxxxxxxxxx6374 at the Banco Nacional de Costa Rica. Internet research shows that Banco Nacional de Costa Rica is headquartered in San Jose, Costa Rica.

11. I received and reviewed records pertaining to Bank of America account xxxxxx7268. James Gray, Douglas Nickel, Manuel Echandi, and Boyt Johnson hold signatory authority over the account. Only the home address for Gray and Amerling-Gray is listed as an address for the account. A review of bank statements and deposit items for this account during the period May, 2004, through April, 2011, revealed over 184 checks totaling over \$757,000 were deposited into the account. Deposit ticket items for 143 deposits were able to be recovered by the bank. Each of the 143 identifiable deposits were in the form of a check made payable to Gray. A majority of the memo notations on these deposits were indicative of expenses associated with the rental of rooms at the Hotel Cocal and Casino.

12. By way of example from March 5, 2007 to April 5, 2011, 35 checks were written from an account held by Downeast Guide Service, Inc. All the checks were made payable to Gray and deposited into the account. The amount deposited was \$240,920.85. Notations on several of the checks read "Hotel Cocal", and "Vista Mar".

13. From March 2, 2005 until December 11, 2006, 17 checks totaling \$125,921.90, were deposited into the account. The checks were drawn from Banco Internacional De Costa Rica – Miami Agency, from an account held by “Riscos Tropicales, S.A., P.O. Box 09 Jaco, Puntarenas, Costa Rica”. The checks were all made payable to James S. Gray and Gray signed each check as the payor on the account. Notations on five of the checks reference a hotel and one check references “Cocal”.

14. From July 21, 2004, until December 23, 2010, 19 checks written for the benefit of Karen Amerling-Gray, totaling \$74,027.68 and were deposited Bank of America xxxxxx5554. The checks were draw from Bank of America xxxxxx7268 and from the Riscos Tropicales SA, account at Banco Internacional de Costa Rica Miami Agency. James Gray was a signer of the checks and notations on 16 of the checks reference reimbursement for hotel expenses.

15. Account records for Bank of America account xxxxxx7268 are also indicative of business purposes commensurate with a hotel or casino, such as supplies for the casino or utilities payments. For example, between July 2004 and December 2009, there were 21 checks totaling \$17,033.64, signed by Gray as the payor and made to payable to Gambler’s General Store. Internet research shows that “Gambler’s General Store” is a supplier of casino supplies and related products.

16. During the course of the investigation I learned that Gray and Amerling-Gray have a \$200,000 revolving line of business credit with Chemical Bank of

Midland, Michigan. The paper work for the loan renewal application included a Personal Financial Statement providing that the information was current as of September 15, 2009. The statement identifies assets owned by Gray and Amerling-Gray to include Vista Mar Condos 4A, 6B, and 6C; Vista Las Palmas Condos 3B, 3D, 6B, and 10B. These real estate holdings are valued at \$5,680,000.00. The statement also reflects that they have a business interest in Hotel Cocal and Casino. This interest is valued at \$2,860,000.

17. During 2010, an IRS-CI Undercover Agent (UCA-1) called a toll-free telephone number listed for Vista CR. UCA-1 identified himself as a potential investor and spoke to Brad Sanson. The telephone call was recorded. Sanson explained that of the approximate 80 investors, 80-85% of them were United States Citizens. Sanson made statements about capital gains taxes and tax ramifications of owning foreign investments that would lead one to believe that he is knowledgeable about the tax requirements for US citizens to claim foreign income and investments. Sanson went on to say that he and other partners have established bank accounts in Panama and other countries in order to conceal income from their Costa Rican condo properties. Sanson claimed that he and his partners establish Costa Rican Limited Liability Corporations for clients who have invested in the condo units, and then direct them towards banks in other countries in which to establish accounts. Sanson stated that he and his fellow partners, "can be very creative" when concealing the source of the funds. Sanson also stated that

according to US income tax laws, it is a requirement for individuals who own foreign property to indicate it on their tax returns. He stated that he and his fellow partners instruct their clients not to do this, as it prevents them from being "dinged" by the U.S. Government on their capital gains taxes. Sanson stated that the majority of their US clients do not claim foreign earned income or property on their income tax returns. He stated that the payments for the property could be "disguised" as payments for a loan or other expense.

18. In 2011, an undercover Agent (UCA-3), contacted Gray via a cell phone number listed on Gray's Vista CR business card. Gray and UCA-3 arranged for a face-to-face meeting. The two met in Ann Arbor, Michigan on May 20, 2011. UCA-3 recorded the meeting. UCA-3 also posed as a potential buyer of a Vista CR condominium. Gray explained that he purchased the hotel in 1993. He further told UCA-3 that he was a developer of condominiums in Costa Rica and identified which units were for sale at Vista Mar and at Vista Las Palmas. Gray said the casino at the hotel has approximately 90 slot machines, and about seven tables for card games. He said the casino "turns big numbers" for them. He stated that they recently spent \$2.2 million in renovations on Hotel Cocal and Casino. Gray told UCA-3 that the condominiums were placed in the names of a limited liability corporation that were formed in Costa Rica. Gray further explained that when a condo was sold, the shares of the corporation were transferred to the new owner for the purchase price of the condo. The purchaser then would establish him or herself as the board of

directors for the corporation. Gray stated that this was done in order to avoid paying a Costa Rican asset transfer tax. Gray explained how he started moving his bank accounts from Panama to Costa Rica due to the recent banking information exchange treaty that the United States signed with Panama. When asked by UCA-3 how to report property owned outside the United States on tax returns, Gray stated, "you don't". Gray explained that in order to conceal the income from the rentals and hotel, they, "sort of make it disappear, doesn't really happen". Gray told UCA-3 that in order to get the money back from the rentals and sales of units, the bank in Panama or Costa Rica would give the client a debit/credit card. The client could use the card anywhere, and the income from the property would be placed into the account directly without having to move the money through the United States. Gray explained that this is an excellent way to have access to money held in foreign accounts without having tax problems. Gray told UCA-3 that he has followed this practice for approximately 18 years.

19. During a recorded undercover operation on May 20, 2011, Gray told the UCA-3 that he transferred his bank accounts from Panama to Costa Rica after a banking treaty was signed between the United States and Panama. The reason for this was because tax information would be made available to the United States for any United States citizen with greater than \$10,000 in a Panamanian bank account.

20. Gray told UCA-3 that he and his wife recently purchased and renovated a home in Flushing, Michigan. He also claimed that they live in a condominium in

Boyne City Michigan during the year. I conducted a law enforcement data base check and learned that James Stanley Gray and Karen Amerling-Gray are United States citizens residing in the State of Michigan. Further, seized during the execution of a search warrant at Gray and Amerling-Gay's residence were two expired U.S. passports for Gray and the current U.S. passport for Amerling-Gray.

21. I have reviewed the bank account records for Bank of America accounts xxxxxx7268 (Gray, Nickel, Echandi, Johnson), xxxxxx5034 (Vista Las Palmas International Developer, James s. Gray Owner), xxxxxx9152 (Vista Las Palmas International Developer, James Gray, Owner) and identified two foreign financial accounts associated with Visa Las Palmas and Hotel Cocal. Both foreign financial accounts are held at the Banco Nacional de Costa Rica in San Jose, Costa Rica. Account number xxxxxxxxxxx6374 is in the name of Vista Las Palmas de la Costa del Pacifico Central de Costa Rica S.A. Account number xxxxxxxxxxx2259 in the name of Hotel Cocal. Wire transfer information from Bank of America accounts held by James Gray show the following account activity associated the two financial accounts.

22. In 2008, two wire transfers from Hotel Cocal, CR, Puntarenas, Garabito, Jaco, Costa Rica, Banco Nacional de Costa Rica account xxxxxxxxxxx2259 were sent to the Bank of America account xxxxxx7268 held in the name of James Gray and his partners. The total amount deposited was \$40,000.00. James Stanley Gray is listed as the individual beneficiary on both wire transfers. Also in 2008, funds

totaling \$5,815,773.68 were transferred via wire on eighteen occasions from Bank of America accounts held in the name of Vista Las Palmas, International, Developer James S. Gray, Owner – account numbers xxxxxx5034 and xxxxxx9152. All eighteen wire transfers were for deposits into account number xxxxxxxxxxxx6374 held at the Banco Nacional de Costa Rica in the name of Vista Las Palmas de la Costa.

23. In 2009, two wire transfers from Hotel Cocal, CR, Puntarenas, Garabito, Jaco, Costa Rica, Banco Nacional de Costa Rica account xxxxxxxxxxxx2259 were sent to the Bank of America account xxxxxx7268 held in the name of James Gray and his partners. The total amount deposited was \$39,960.00. James Stanley Gray is listed as the individual beneficiary on both wire transfers. Also in 2009 funds totaling \$1,835,808.79 were transferred via wire on eight occasions from Bank of America accounts held in the name of Vista Las Palmas, International, Developer James S. Gray, Owner – account numbers xxxxxx5034 and xxxxxx9152. All eight wire transfers were for deposits into account number xxxxxxxxxxxx6374 held at the Banco Nacional de Costa Rica in the name of Vista Las Palmas de la Costa.

24. On June 19, 2012, a federal search warrant was executed at the home of James Gray and Karen Amerling-Gray. Amerling-Gray was present during the execution of the search warrant. Amerling-Gray advised that James Gray was in Costa Rica. Seized pursuant to the warrant were bank records, business records and copies of emails relating to Gray and Amerling-Gray's ownership and interest in foreign properties and financial accounts. More specifically, a file entitled

"Crimson Tide Pacific West" was seized. Contained within the file folder was a bank account signature card for an account (account # ____41041) held at HSBC Panama in the name Crimson Tide Pacific West Shore Int'l Corp. A signature card bearing the names and signatures of James Stanley Gray and Karen Amerling-Gray was contained within the file. The signature card was accompanied by copies of Karen Amerling-Gray's passport and State of Michigan drivers' license, numerous bank statements, a bank account information card and account PIN information. According to statements of the account, and correspondence relating to the account, the HSBC Panama account is located in Panama City, Panama. Pursuant to federal regulations, this account meets the definition of a foreign financial account.

25. Also maintained in this folder are three account opening and agreement pages that are in Spanish and from HSBC Panama. A series of Amerling-Gray's signatures appear on all of these pages.

26. According to the bank statement seized for this account, balances for HSBC account ____41041 were over \$10,000 during calendar year 2007. The account was opened and operating from at least January 30, 2006 until at least March 31, 2011. The table below summarized some of the account balances during 2007.

Balance of Account	Date of Balance
\$526,428.38	March 30, 2007
\$778,225.38	April 30, 2007
\$138,545.89	August 30, 2007
\$113,495.89	September 28, 2007
\$48,900.89	October 30, 2007

27. A file was also seized that was labeled "Crimson Tide Pacific West". Inside the file folder was a personal information sheet for Amerling-Gray, where her occupation was listed as Assistant Manager of Hotel Cocal and Casino in CR. Maintained in the same folder was a letter from Gray, printed on Hotel Cocal and Casino letterhead, asking LaSalle Bank manager, Mark Storms for a reference letter for Amerling-Gray in order to add her to his Panama bank accounts. In the letter he states that Amerling-Gray is an Officer of Mainstream Design. The folder also contains the reference letter drafted by Mark Storms for Amerling-Gray, which is dated April 13, 2007. Several other folders were seized that contained correspondence between Gray and bankers of domestic and international banks adding Amerling-Gray to his international accounts.

28. Also seized from the residence were copies of several emails from an email address used by Gray during communications with the informant and UCA-3. The emails were purported to be between Gray and Carmen Lopez, an employee of HSBC Panama. Gray was corresponding with Lopez regarding the transfer of accounts held at HSBC Panama, obtaining debit cards from the bank and opening

new accounts. There were also emails regarding in-person visits by Gray and Amerling-Gray, to meet with Lopez at the bank in Panama to discuss executing the proper documentation to add Karen Amerling-Gray to the accounts at HSBC Panama.

29. On June 19, 2012, Michael Baker was interviewed. Baker electronically signed the Gray/Amerling-Gray 2007 tax return as the preparer. Baker stated that he had no knowledge that Gray or Amerling-Gray owned any foreign properties or bank accounts. He stated that Gray talked to him about visiting Costa Rica and the Hotel Cocal and Casino, but did not tell Baker about owning them. Baker also stated that he dealt with both Gray and Amerling-Gray and that he was able to approach either if he needed additional information to complete any tax returns.

30. On June 19, 2012, three firearms were seized from 1463 Flushing Road, Flushing, Michigan. The firearms were identified by Special Agent Aaron Voogd of the Bureau of Alcohol, Tobacco, Firearms and Explosives as a Winchester, model 50, 12 gauge shotgun, serial number 198422; a Churchill (Zabala) model Windsor I, 10 gauge double barrel shotgun, serial number 360238; and a Volunteer Enterprises (Commando Arms), model Mark 45, .45 caliber semi-automatic rifle, serial number 54562. S/A Voogd examined the firearms and advised that they were not manufactured in the State of Michigan.

31. The firearms were seized from a basement room that contained men's hunting apparel. I received information from the Department of Natural Resources

that James Gray obtained eleven firearms hunting licenses during the period 1984 to 2000.

32. On June 19, 2012, Karen Amerling-Gray advised me that the firearms belonged to her husband.

33. Among the documents seized during the execution of the search warrant at Gray's residence was a file marked "Will and Trust Papers." In the file was a typed memorandum from Jim and Karen referencing disposition of estate assets. Item 5 on the memo reads "73-CORVETTE GOES TO MATT GRAY AND ONE GUN CAN NOT PUT IN WRITING". Item 6 on the memo references two shot guns going to Scott. Matthew Gray and Scott Gray are the only children of James Gray that I am aware of. A hand written note was also in the file which reads "Matt 73 Corvette/other gun Scott shot Guns - 2".

34. The memo also references holding of the couple outside the United States. Specifically "Crimson Tide Pacific West Shore International S.A." is identified as a Costa Rican company that manages the hotel. A second similar company "Crimson Tide Pacific West Shore" is identified as a "Panama Corporation". This Panama corporation is described as "a holding company for my profits from the condo projects". There is a paragraph in the memo advising about the stock certificates that reads as follows:

CURRENTLY KAREN HAS THE STOCK FOR PACIFICA INTERMONTANA, FONDO JACO AND CRIMSON TIDE IN HER POSSESION SIGNED IN BLANK BY ME. THE OTHER CORPORATION STOCK IS HELD CURRENTLY BY OUR ATTORNEY

IN COSTA RICA, VICTOR LOBO. HE IS A GOOD GUY AND CLOSE FRIEND. WE HAVE JUST FORMED THE PANAMA CORPORATIONS. WHEN I GO BACK TO COSTA RICA I PLAN TO NAME KAREN BENEFICAIRY MAINSTREAM DESIGN IN COSTA RICA. I NEED TO GET THAT STOCK AND BRING IT BACK TO THE U.S.

35. I have obtained a certified copy of a judgment/probation commitment order for James Gray dated November 18, 1986. Gray was convicted in the United States District Court for the Eastern District of Michigan in 1986 of conspiracy to possess with intent to distribute cocaine, a crime punishable by a term of imprisonment exceeding one year.

36. I have reviewed the 2007 US Income Tax Return, Forms 1040 for James Stanley Gray and Karen Amerling-Gray. Attached to the return is a Schedule B: Interest and Ordinary Dividends of Forms 1040. Part II of the form is entitled "Foreign Accounts and Trusts". Line 7a requires a taxpayer to disclose whether during the tax year the taxpayer had "an interest in or a signature or other authority over a financial account in a foreign country, such as a bank account, securities account or other financial account." The form directs a taxpayer to see instructions for filing requirements on form TD F 90-22.1. Form TD F 90-22.1 provides the following instructions:

Financial Account. A financial account includes, but is not limited to, a securities, brokerage, savings, demand, checking, deposit, time deposit, or other account maintained with a financial institution (or other person performing the services of a financial institution).

Foreign Financial Account. A foreign financial account is a financial account located outside of the United States.

Signature Authority. Signature authority is the authority of an individual (alone or in conjunction with another individual) to control the disposition of assets held in a foreign financial account by direct communication (whether in writing or otherwise) to the bank or other financial institution that maintains the financial account.

For 2007, James Gray and Karen Amerling-Gray answered "No" to question 7a which indicates that they are not claiming any ownership interest in any foreign financial accounts.

37. James Gray and Karen Amerling-Gray's 2007 income tax return was electronically signed and the return contained a certification that the information contained on the return is true and accurate.

38. A query of Internal Revenue Service records maintained at the Detroit Computing Center shows that no reports of foreign bank and financial accounts were filed by or on behalf of James Stanley Gray, Karen Amerling-Gray and/ or any business entity associated with them. There are no records showing a filing of Form TD F90-22.1, Report of Foreign Bank and Financial Accounts by James Gray, Karen Amerling-Gray, or any business entity associated with them.

39. Pursuant to Title 31, United States Code, Section 5314 and Title 31, Code of Federal Regulations, Section 103.24, citizens and residents of the United States, who have a financial interest in, or signature or other authority over a financial account in a foreign country with an aggregate value of more than \$10,000 at any time during the year are required to file with the Department of Treasury a Report of Foreign Bank and Financial Accounts, Form TD F 90-22.1 (FBAR). The form is due to the Department of Treasury by June 30 of the year immediately

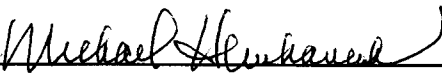
following the calendar year being reported. There is no allowable extension of the filing date. By willfully failing to file a Form TD F90.22-1, James Gray and Karen Amerling-Gray violated Title 31, United States Code, Section 5314.

Dated the 10th day of July, 2012.



Casey Carnahan, Affiant
Special Agent, Internal Revenue Service

Subscribed and sworn to before me on the 10th day of July, 2012.



Michael Hluchaniuk
United States Magistrate Judge