UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. ANDREW HOANG DO, Defendant.	No. 8:24-cr-00126 JVS I N F O R M A T I O N [18 U.S.C. § 371: Conspiracy to Commit Bribery Concerning Programs Receiving Federal Funds; 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c): Forfeiture]

The United States Attorney charges:

[18 U.S.C. § 371]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Information:

1. Defendant ANDREW HOANG DO was a public official employed by the County of Orange ("County"), within the Central District of California. Defendant DO was a member of the Orange County Board of Supervisors ("Board of Supervisors") for the First District from approximately 2015 to present.

2. As a public official employed by the County, defendant DO owed a fiduciary duty to the citizens of the County to perform the duties and responsibilities of his office free from bias, conflicts

of interest, self-enrichment, self-dealing, concealment, deceit, fraud, kickbacks, and bribery.

3. The County was a local government that received benefits in excess of $10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other forms of Federal assistance in each of the calendar years 2020 through 2024.

4. DO Relative #1 and DO Relative #2 were defendant DO's daughters.

B. OBJECT OF THE CONSPIRACY

5. Beginning in or around May 2020 and continuing to in or around August 2024, in Orange County, within the Central District of California, defendant DO conspired with Co-Conspirator #1, Co-Conspirator #2, and others known and unknown to the United States Attorney, to knowingly and intentionally commit an offense against the United States, namely, Bribery Concerning Programs Receiving Federal Funds, in violation of Title 18, United States Code, Sections 666(a)(1)(B), (a)(2).

C. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

6. The object of the conspiracy was to be accomplished, in substance, as follows:

a. Defendant DO would solicit, demand, accept, and agree to accept direct and indirect financial benefits from Co-Conspirator #1, Co-Conspirator #2, and others, in exchange for official acts to benefit Co-Conspirator #1 and Co-Conspirator #2.

b. In exchange for direct and indirect financial benefits from Co-Conspirator #1, Co-Conspirator #2, and others, defendant DO would agree to perform and perform official acts, including, among others, voting to award federally funded and state funded County contracts to Co-Conspirator #1 through an entity known as Viet America Society ("VAS").

c. In exchange for such official acts by defendant DO, Co-Conspirator #1, Co-Conspirator #2, and others would give, offer, and agree to give direct and indirect financial benefits to defendant DO, including, but not limited to: (1) give DO Relative #1 a position at VAS, (2) pay bribes to defendant DO disguised as VAS employment-related payments to DO Relative #1, (3) pay bribes to defendant DO disguised as an earnest money deposit and a down payment for a home for DO Relative #1, and (4) pay bribes to defendant DO disguised as payments to DO Relative #2.

D. OVERT ACTS

7. On or about the following dates, in furtherance of the conspiracy and to accomplish the objects of the conspiracy, defendant DO, Co-Conspirator #1, Co-Conspirator #2, and others known and unknown to the United States Attorney committed and caused to be committed various overt acts within the Central District of California, and elsewhere, including the following:

Overt Act No. 1: On June 2, 2020, defendant DO voted in favor of Agenda Item S66 D, which, in part, authorized allocation of Coronavirus Aid, Relief, and Economic Security Act funds to Board of Supervisors districts, including the First District, that could be distributed at the discretion of each Supervisor, including by defendant DO.

Overt Act No. 2: On April 27, 2021, defendant DO voted in favor of Agenda Item 54, which, in part, authorized allocation of American Rescue Plan Act funds to Board of Supervisors districts, including the First District, that could be distributed at the discretion of each Supervisor, including by defendant DO.

<u>Overt Act No. 3:</u> On September 8, 2021, VAS, which was controlled by Co-Conspirator #1, increased monthly payments to Company #1, which was controlled by Co-Conspirator #1 and Co-Conspirator #2, by $8,000 per month (from $100,000 to $108,000), and in turn began paying $8,000 per month to DO Relative #1.

<u>Overt Act No. 4:</u> On September 28, 2021, defendant DO voted in favor of Agenda Item 35, which, in part, authorized allocation of American Rescue Plan Act funds to Board of Supervisors districts, including the First District, that could be distributed at the discretion of each Supervisor, including by defendant DO.

<u>Overt Act No. 5:</u> On September 13, 2022, defendant DO voted in favor of Supplemental Agenda Item S32F, which was submitted by defendant DO, to approve additional American Rescue Plan Act funds to Board of Supervisors districts, including the First District.

<u>Overt Act No. 6:</u> On September 22, 2022, Co-Conspirator #1 wrote a check to DO Relative #2 for $25,000, which was deposited into DO Relative #2's Citibank account ending in 1424.

<u>Overt Act No. 7:</u> On October 14, 2022, Company #2 wrote a check to DO Relative #2 for $25,000, which was deposited into DO Relative #2's Citibank account ending in 1424.

<u>Overt Act No. 8:</u> On November 29, 2022, defendant DO voted in favor of Agenda Item 36, a contract with Entity #1, for which VAS was a subcontractor.

<u>Overt Act No. 9:</u> On May 23, 2023, defendant DO voted in favor of Agenda Item 13, relating to a contract amendment with Entity #2, for which VAS was a subcontractor.

Overt Act No. 10: In or around July 2023, Company #1 transferred a total of $381,500 received from VAS to an escrow company to facilitate DO Relative #1's purchase of a home in Tustin, California.

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offense set forth in this Information.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds traceable to such offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the defendant shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond

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the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property that cannot be divided without difficulty.

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