

FILED

2019 SEP 26 PM 3:05

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NAKHLE NADER,

Defendant.

) INDICTMENT

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CASE NO. 1:19 CR 581

Title 26, United States Code,  
Section 7201

GENERAL ALLEGATIONS

**JUDGE PEARSON**

At all times material to this Information or other times specified:

1. Defendant NAKHLE NADER (“NADER”), resided in the Northern District of Ohio, Eastern Division, in the Cleveland, Ohio, metropolitan area.
2. NADER owned and controlled three liquor stores in Cuyahoga County, Ohio, within the Northern District of Ohio, Eastern Division: Amar Enterprises, Inc. d/b/a “Downtown Liquor” (a/k/a “Bank Street Wine and Spirits”)(“Amar”); Koubba, Inc., d/b/a “Mr. C’s Food Mart” (“Koubba”); and SFT Enterprises, Inc., d/b/a “Mr. C’s II” (“SFT”). NADER managed the daily operations of these liquor stores, but placed the legal ownership of the foregoing businesses in names of various relatives as nominees.
3. From in and around the 2012 tax year, and continuing to in and around the 2015 tax year, NADER withheld information from his tax preparer regarding his use of business monies to pay personal expenses, partnership income arising from businesses he controlled as reflected in a Form K-1 prepared by his accountants, and debt forgiveness received in 2013 as reported in a Form 1099C.

4. From in and around the 2012 tax year, and continuing to in and around the 2015 tax year, NADER regularly used cash or funds from the bank accounts of these businesses to pay for his personal expenses, including his rent, car payments, mortgage payments, parking, travel, dining, alimony payments, clothing, jewelry, and other personal expenses.

COUNT 1  
(Income Tax Evasion, 26 U.S.C. § 7201)

The Grand Jury charges:

5. The factual allegations of paragraphs 1 through 4 of this Information are realleged and incorporated by reference as if fully set forth herein.

6. On or about October 10, 2013, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant NAKHLE NADER, a resident of Cleveland, Ohio, willfully attempted to evade and defeat income tax due and owing by the defendant, NADER, to the United States of America, for the calendar year 2012, by committing the following affirmative acts, among others:

- (a) preparing and causing to be prepared, and signing and causing to be signed, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, which was submitted to the Internal Revenue Service; and
- (b) failing to disclose to his return preparer that he diverted monies from his businesses, through his use of a corporate debit card, cash or writing corporate checks, to pay personal expenses; and
- (c) failing to disclose to his return preparer partnership income, as stated in Forms K-1, arising from NADER's ownership interests in Koumba and SFT; and

(d) failing to disclose to his return preparer that he received rental income from a residence NADER owned on Boston Road in North Royalton, Ohio.

All in violation of Title 26, United States Code, Section 7201.

COUNT 2

(Income Tax Evasion, 26 U.S.C. § 7201)

The Grand Jury further charges:

7. The factual allegations of paragraphs 1 through 4 of this Information are realleged and incorporated by reference as if fully set forth herein.

8. On or about May 3, 2014, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant NAKHLE NADER, a resident of Cleveland, Ohio, willfully attempted to evade and defeat income tax due and owing by the defendant, NADER, to the United States of America, for the calendar year 2013, by committing the following affirmative acts, among others:

- (a) preparing and causing to be prepared, and signing and causing to be signed, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, which was submitted to the Internal Revenue Service; and
- (b) failing to disclose to his return preparer that he diverted monies from his businesses, through his use of a corporate debit card , cash or writing corporate checks, to pay personal expenses; and
- (c) failing to disclose to his return preparer partnership income, as stated in Forms K-1, arising from NADER's ownership interests in Koumba; and
- (d) failing to disclose to his return preparer that he received rental income from a residence NADER owned on Boston Road in North Royalton, Ohio; and

- (e) failing to disclose to his return preparer that he received debt forgiveness, as reported in a Form 1099C.

All in violation of Title 26, United States Code, Section 7201.

COUNT 3

(Income Tax Evasion, 26 U.S.C. § 7201)

The Grand Jury further charges:

9. The factual allegations of paragraphs 1 through 4 of this Information are realleged and incorporated by reference as if fully set forth herein.

10. On or about April 15, 2015, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant NAKHLE NADER, a resident of Cleveland, Ohio, willfully attempted to evade and defeat income tax due and owing by the defendant, NADER, to the United States of America, for the calendar year 2014, by committing the following affirmative acts, among others:

- (a) preparing and causing to be prepared, and signing and causing to be signed, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, which was submitted to the Internal Revenue Service; and
- (b) failing to disclose to his return preparer that he diverted monies from his businesses, through his use of a corporate debit card, cash or writing corporate checks, to pay personal expenses; and
- (c) failing to disclose to his return preparer partnership income, as stated in Forms K-1, arising from NADER's ownership interests in Koubba; and
- (d) failing to disclose to his return preparer that he received rental income from a residence NADER owned on Boston Road in North Royalton, Ohio.

All in violation of Title 26, United States Code, Section 7201.

COUNT 4  
(Income Tax Evasion 26 U.S.C. § 7201)

The Grand Jury further charges:

11. The factual allegations of paragraphs 1 through 4 of this Information are realleged and incorporated by reference as if fully set forth herein.

12. On or about September 11, 2016, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant NAKHLE NADER, a resident of Cleveland, Ohio, willfully attempted to evade and defeat income tax due and owing by the defendant, NADER, to the United States of America, for the calendar year 2015, by committing the following affirmative acts, among others:

- (a) preparing and causing to be prepared, and signing and causing to be signed, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, which was submitted to the Internal Revenue Service; and
- (b) failing to disclose to his return preparer that he diverted monies from his businesses, through his use of a corporate debit card, cash, or writing corporate checks, to pay personal expenses; and
- (c) failing to disclose to his return preparer partnership income, as stated in Forms K-1, arising from NADER's ownership interests in Koubba; and
- (d) failing to disclose to his return preparer that he received rental income from a residence NADER owned on Boston Road in North Royalton, Ohio.

All in violation of Title 26, United States Code, Section 7201.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.