



Monitoring the Trial of Emmanuel Toto Constant: July 15^h 2008: Prosecution Calls Witnesses

Five witnesses were called on this day.

Witness 1: a colleague of Mr. Constant

The first witness had given most of his testimony the day before.

Answering questions posed by the Deputy Attorney General, he claimed that Mr. Constant taught him how to find buyers and conduct real estate business. The witness admitted that he conducted various business deals with Mr. Constant.

The Defense Attorney asked if he was acting under supervision of Emmanuel Constant. He said that at times he was acting on his own and in other instances Mr. Constant told him what to do. He also admitted to have undertaken fraudulent transactions on behalf of Mr. Constant.

Witness 2: a relative of Mr. Constant

The witness's father is related to Emmanuel Constant's mother, and has known Mr. Constant for seven years. She did not have any knowledge of real estate deals before meeting Emmanuel Constant who guided her through the process.

She told the court that Mr. Constant had promised her \$10,000 if she agreed to buy a property. She agreed to sign paperwork as the buyer of the property. Emmanuel Constant promised to pay the rest of the money in order for her to acquire the property. The property remained in the witness's name for two years. She never faced foreclosure as Mr. Constant's corporation (Zelden Holdings) was paying the dues.

Two years later, Mr. Constant told her that the property was for sale and that the lawyer from the bank would give her papers to sign. During the closing, Emmanuel Constant, the lawyer from the bank and other people were present when the witness signed the documents to sell the property.

Witness 3: friend and business partner of Mr. Constant

This witness has known Emmanuel Constant for seven years as a friend and business partner. Before meeting Emmanuel she did not know about real estate. Mr. Constant taught her how to look for buyers and make money on real estate. She explained how the house's value would be inflated, how the appraisal would be highly estimated so to increase the price and value of a house. All this was done with the intent of extorting money from buyers.

The witness made more than five house deals with Mr. Constant until Mr. Constant stopped contracting with her. She earned \$70,000 on each house deal.

She knew another conspirator who was her daughter's boyfriend. She introduced him to Emmanuel Constant when the conspirator told her that he had money to invest in housing.



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The witness participated in a number of meetings with Emmanuel and others. During those meetings they discussed how to inflate rates and values of houses, how to identify buyers and how to conduct the ABC scheme fraud.

The witness informed the court that she was still in touch with Emmanuel after his arrest. She spoke to him last week. During their telephone conversation, Emmanuel asked her to say good things about him. She quoted him as having said, "you would not let a good person go to jail."

As a result of her dealings with Emmanuel, she now owns houses, where the government pays her \$170 every two weeks for each homeless person that she houses. She owns a corporation called Alta M&D Corporation. She also works as a loan officer in a Bank.

Witness 4: a paralegal from De Angelo law office

This witness used to sign documents on behalf of the lawyer during closings. She admitted that she knew that values and prices were inflated. She was also aware of the ABC scam.

When her boss was being investigated by the Attorney General, she reported that she knew the office was involved in fraudulent transactions. She questioned her superiors and they reassured her that everything would be sorted out. After the arrest of her boss, she started cooperating with the Attorney General's office. When she knew that she has to come and testify in court, she asked for immunity.

Witness 5: Louise, a realtor and former lawyer from the bank

Louise met Emmanuel in 2001. As the bank lawyer, Louise admitted that she was aware of the fraudulent transactions that Emmanuel was involved in. In fact, she faced charges for larceny and lost her license as a lawyer.

The Deputy Attorney General provided the court with documents and checks that Louise had signed reflecting transfer of one property to various buyers. The Deputy Attorney General also showed the court that the property was sold to more than two buyers between 2002 and 2006. She admitted having been involved in the transactions.

The Defense Attorney asked the witness if Emmanuel was paying her for the various transactions. She answered that sometimes Emmanuel paid her, and in other instances, the buyers paid her. She also admitted that she knew about the ABC scam and that Emmanuel was using people with good credit as straw buyers.