

SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
MARTINEZ

THE PEOPLE OF THE STATE OF CALIFORNIA,
VS.

NO. 170832-0
DA NO. M 14 000340-0
COMPLAINT - FELONY

FLORINDA CHU YAMBAO,
DEFENDANT./

01) PC 487(a)/532
02) CUIC 2108
03) CUIC 2108
04) CUIC 2117.5
05) CUIC 2118.5
06) LC 3700.5
07) LC 1199
08) LC 1199
W/DEF ENHANCEMENTS

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The undersigned states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a felony, a violation of PENAL CODE SECTION 487(a)/532 (GRAND THEFT BY FALSE PRETENSES), committed as follows:

On or about January 1, 2007 through September 15, 2014, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did willfully, knowingly, unlawfully, and fraudulently get possession of money and property and obtain labor and service valued at four hundred seventy six thousand dollars (\$476,000).

COUNT TWO:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a felony, a violation of UNEMPLOYMENT INSURANCE CODE SECTION 2108 (NONPAYMENT OF CONTRIBUTIONS DUE), committed as follows:

On or about September 30, 2010 through December 31, 2011, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did unlawfully fail and refuse to make contributions due under Division One of the California Unemployment Insurance Code.

COUNT THREE:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a felony, a violation of UNEMPLOYMENT INSURANCE CODE SECTION 2108 (NONPAYMENT OF CONTRIBUTIONS DUE), committed as follows:

On or about June 30, 2012 through December 31, 2012, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did unlawfully fail and refuse to make contributions due under Division One of the California Unemployment Insurance Code.

COUNT FOUR:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a felony, a violation of UNEMPLOYMENT INSURANCE CODE SECTION 2117.5 (FAILURE TO FILE A RETURN), committed as follows:

On or about March 31, 2007 through September 15, 2014, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did unlawfully fail to file a return as required by the California Unemployment Insurance Code with the intent to evade any tax imposed by the California Unemployment Insurance Code.

COUNT FIVE:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a felony, a violation of UNEMPLOYMENT INSURANCE CODE SECTION 2118.5 (FAILURE TO ACCOUNT FOR AND PAY OVER TAXES), committed as follows:

On or about March 31, 2007 through September 15, 2014, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did unlawfully fail to truthfully account for and pay over taxes and amounts required to be withheld by the California Unemployment Insurance Code.

COUNT SIX:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a misdemeanor, a violation of LABOR CODE SECTION 3700.5 (FAILURE TO SECURE WORKER'S COMPENSATION INSURANCE), committed as follows:

On or about September 16, 2013 through September 15, 2014, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did unlawfully fail to secure worker's compensation insurance as required by law.

COUNT SEVEN:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a misdemeanor, a violation of LABOR CODE SECTION 1199(WAGE THEFT), committed as follows:

On or about September 16, 2013 through September 15, 2014, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did require or cause an employee to work for longer hours than those fixed, or under conditions of labor prohibited by an order of the commission, and/or pay or casue to be paid to any employee a wage less than the minimum fixed by an oder of the commission.

COUNT EIGHT:

The undersigned further states, on information and belief, that FLORINDA CHU YAMBAO, Defendant, did commit a misdemeanor, a violation of LABOR CODE SECTION 1199(WAGE THEFT), committed as follows:

On or about September 16, 2013 through September 15, 2014, in Contra Costa County, the Defendant, FLORINDA CHU YAMBAO, did require or cause an employee to work for longer hours than those fixed, or under conditions of labor prohibited by an order of the commission, and/or pay or casue to be paid to any employee a wage less than the minimum fixed by an oder of the commission.

CHARGE
ENHANCEMENT
AGGRAVATED WHITE COLLAR CRIME

It is further alleged, pursuant to Penal Code section 186.11, that in the commission of the above offenses, the Defendant, FLORINDA CHU YAMBAO, committed two or more related felonies, a material element of which is fraud and embezzlement, which involved a pattern of related felony conduct, and the pattern of related felony conduct involved the taking of more than One Hundred Thousand Dollars (\$100,000).

COMPLAINANT REQUESTS THAT DEFENDANT(S) BE DEALT WITH ACCORDING TO LAW. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: September 15, 2014 AT MARTINEZ, CALIFORNIA

WILLIAM J. MURPHY/gd
DEPUTY DISTRICT ATTORNEY