

MICHAEL V. HINCKLEY (15162)
Assistant Attorney General
SEAN D. REYES (7969)
Utah Attorney General
160 East 300 South 5th Floor
P.O. Box 140872
Salt Lake City, Utah 84114-0872
Tel: (385)377-6328
Email: mhinckley@agutah.gov

**IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH**

STATE OF UTAH, Plaintiff, vs. PATRICK BRODY, DOB: 9/27/1965 Defendant.	INFORMATION Summons to be Issued Court Case No. Judge
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STATE OF UTAH)
 ss
COUNTY OF SALT LAKE)

The undersigned, upon oath, states on information and belief that the above-identified defendant has committed the following crimes:

COUNT 1

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that commencing on or about December 2020 through October 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses,

representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Jeremy Gallimore, see probable cause statement paragraph 1.

COUNT 2

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that on or about July 8, 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim George Kanamu, see probable cause statement paragraph 3.

COUNT 3

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that on or about September 10, 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Heather Young, see probable cause statement paragraph 4.

COUNT 4

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that commencing on or about March 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Jeremy Snow, see probable cause statement paragraph 5.

COUNT 5

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that on or about August 27, 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of

value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Sandra Parris, see probable cause statement paragraph 6.

COUNT 6

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that on or about May 2, 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Russell Haring, see probable cause statement paragraph 7.

COUNT 7

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that on or about February 9, 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Daniel Smith, see probable cause statement paragraph 8.

COUNT 8

COMMUNICATIONS FRAUD, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1801, in that on or about August 6, 2021, in the State of Utah, the defendant, Patrick Brody, devised a scheme or artifice to defraud another or to obtain from another money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and did communicate directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, and the value of the property, or thing obtained or sought to be obtained exceeds \$5,000. To wit: Victim Allan Nelson, see probable cause statement paragraph 9.

COUNT 9

PATTERN OF UNLAWFUL ACTIVITY, a Second Degree Felony, in violation of Utah Code Ann. §76-10-1603, in that commencing on or about December 2020 through October 2021, in the State of Utah, the defendant, Patrick Brody, did, or did conspire to, receive any proceeds derived, whether directly or indirectly, from a pattern of unlawful activity in which the person has participated as a principal, to use or invest, directly or indirectly, any part of that income, or the proceeds of the

income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or the establishment or operation of, any enterprise; or did through a pattern of unlawful activity to acquire or maintain, directly or indirectly, any interest in or control of any enterprise; or was employed by or associated with any enterprise and did conduct or participate, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity.

PROBABLE CAUSE STATEMENT:

1. In or about December 2020, Patrick Brody approached Jeremy Gallimore with a business proposal. Brody was looking for a contractor who could qualify Brody's construction company, Cornerstone. Brody wanted to list his company under the contractor's, Jeremy Gallimore's, contracting license with the State of Utah so that they could do bigger jobs with the proper qualifications. During these negotiations, Brody failed to inform Gallimore that he had previously been convicted of Federal felony fraud charges. After about a month of back and forth, Gallimore agreed to the proposal. Gallimore agreed to allow Brody to use his license to pull permits and Brody would pay Gallimore \$1,000.00 a month for use of the license. Gallimore was not to be involved with any of the projects, and Gallimore was never involved with any of the projects. Gallimore was never involved directly with Cornerstone. Brody set up a bank account with Gallimore as a signor to issue checks from so that Gallimore could be paid. Brody also told Gallimore that he needed to bring on another signor so that Gallimore wouldn't be writing checks to himself. Brody brought on another signor because he trusted this person. Brody failed to tell Gallimore that this other signor was Brody's mother. Gallimore never issued checks or withdrew money from the account, all checks were issued by Brody's mother.
2. As the months went on, Brody used his company, Cornerstone, to sign up clients for home improvement projects. Brody, or one of his employees, would meet with potential clients, make a bid for a home improvement project and get a downpayment of 60% of the total cost of the project. After the client paid the 60%, Cornerstone employees would sometimes start some work at the clients' home, usually consisting of prep work. The work would then slow down and stop entirely. Cornerstone would frequently ask for more payment to get things going again and no work would be completed. Often, after the initial payment, work would never commence on the projects. Brody would often make false statements, or omit material information, to sign on clients.
3. On or about July 8, 2021, George Kanamu contracted with Cornerstone to remodel Kanamu's basement, and gave Cornerstone a deposit of \$40,000.00. Kanamu met with Brody and an employee of Cornerstone, Dusty Casey. Brody told Kanamu that Cornerstone was a national company, and this made Kanamu comfortable using Cornerstone. No work was ever done on the project. It wasn't until later that Kanamu found out about Brody's criminal history.

4. On or about September 10, 2021, Heather Young contracted with Cornerstone for a home remodel and gave a deposit of \$36,000.00. No work was ever done. When Young called Cornerstone to see what was happening, she spoke with Brody. Brody told her that Gallimore decided to halt all the projects and that he would be very surprised if Gallimore would attempt to give anyone their money back. Brody told Young that Gallimore owned Cornerstone. Gallimore did not own Cornerstone, and was not involved in Cornerstone, or any of the projects that Cornerstone contracted to do. Brody was the head of Cornerstone.
5. In or about March 2021, Jeremy Snow contracted with Cornerstone to build a detached garage on his property. He paid Cornerstone \$2,500.00 for designs and paid a down payment of \$58,719.60 on or about April 26, 2021. No work was ever done, and he never received any materials. He was told that there were issues getting permits, and then told that the project would not be completed. Snow never got his money back. Snow was never told that the money he put down might be used for other projects. When the projects were halted, Snow was told that Gallimore was responsible for Cornerstone.
6. On or about August 27, 2021, Sandra Parris contracted with Cornerstone to do a home improvement project and paid \$9,180.00. No work was ever done. Parris was never told, including but not limited to, that the money she put down might be used for other projects.
7. On or about May 2, 2021, Russell Haring contracted with Cornerstone to re-do his bathroom and paid \$7,875.00. No work was done for months and only after Haring complained did Cornerstone show up and tore out the bathroom. No other work was ever completed. Haring never received any materials or supplies. Haring attempted several times to get in contact with Cornerstone, but he never got a response. Haring looked up Cornerstone's website but saw that the website was gone and he couldn't get contact information. Haring was never told that Cornerstone went out of business. Haring was never told, including but not limited to, that the money he put down might be used for other projects.
8. On or about February 9, 2021, Daniel Smith contracted with Cornerstone to finish his basement. When the estimate was higher than Smith said he could afford, Brody told him that Cornerstone would help with financing. Smith paid \$12,000.00 to hold his place in Cornerstone's "busy work schedule and get the job done before June." Smith asked if the financing fell through if he could get his deposit back. Brody was present when Smith asked this and said nothing even though his employee, Dusty Casey, indicated that it would be refundable in the event financing fell through. Ultimately, the financing fell through, but Brody refused to refund the deposit. The work was never completed.
9. On or about August 6, 2021, Allan Nelson contracted with Cornerstone for a home improvement project. Nelson paid \$50,000.00. No work was ever completed. When Nelson spoke with Brody, Brody told Nelson that Nelson should contact Gallimore, saying that Gallimore was the owner of Cornerstone. Brody was the head of Cornerstone.

10. Between on or about December 2020 and October 31, 2021, Patrick Brody, through Cornerstone signed up about 25 clients for various home improvement projects. All these clients paid deposits and Cornerstone either failed to do any work on the projects or started some amount of work but then failed to complete the projects. At one point, Gallimore met with Brody to discuss the problems with projects not being completed or started. At this meeting Brody proposed that they use money paid by one client to fund construction on another project. Gallimore disagreed with this idea. Cornerstone's clients were never told that the money they paid could be used for other projects, and the clients understood that the money they paid would be used for their own respective home projects. In Gallimore's conversation with Brody, Brody admits that Gallimore had nothing to do with these projects, and Brody admits that Gallimore was not involved in the shared bank account.
11. Ultimately, investigation shows that some of the money from clients was used for legitimate business purposes like advertising and payroll. However, a large amount of the checks from the clients would be deposited into various accounts related to Cornerstone and other companies controlled by Brody. Then the money would be moved into other accounts and Brody would convert the money to personal use, not leaving money to complete the projects Cornerstone contracted to perform.

WHEREFORE, THE AFFIANT PRAYS that a summons be issued requiring the appearance of PATRICK BRODY based on the above Information.

Pursuant to Utah Code Ann. § 78B-18a-106 (2018)
I declare under criminal penalty under the law of
Utah that the foregoing is true and correct.

EXECUTED on this 4th day of August, 2023.

/s/ Trace Cox
TRACE COX, Affiant

AUTHORIZED FOR PRESENTMENT AND FILING on this 4th day of August, 2023.

/s/ Michael V. Hinckley
MICHAEL V. HINCKLEY
Assistant Attorney General