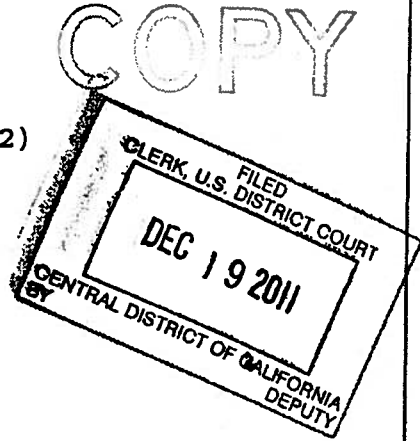


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8



9 Attorneys for Complainant  
United States of America

10 UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 IN THE MATTER OF THE )  
EXTRADITION OF ) **11-2991M**  
13 ) COMPLAINT  
14 DOROTHEE BURKHART, )  
15 ) FOR PROVISIONAL ARREST WARRANT  
A Fugitive from the )  
16 Government of Germany. ) [UNDER SEAL]  
17 )

18 TO: Honorable Patrick J. Walsh  
United States Magistrate Judge  
19 Central District of California

20 I, Cathy J. Ostiller, being duly sworn, depose and state  
21 that I am an Assistant United States Attorney for the Central  
22 District of California and act for and on behalf of the  
23 Government of the Federal Republic of Germany ("Germany"),  
24 pursuant to the Extradition Treaty between the United States of  
25 America and Germany signed on June 20, 1978 ("the Extradition  
26 Treaty"), with respect to the fugitive, Dorothee Burkhart.

27 In accordance with Title 18, United States Code, Section  
28 3184, I charge on information and belief as follows:

1           1.     That the Government of Germany has requested the  
2 provisional arrest of Dorothee Burkhart ("Burkhart"), a German  
3 national, pending extradition, pursuant to Section 16 of the  
4 Extradition Treaty. A copy of the Extradition Treaty is  
5 attached hereto as Exhibit A.

6           2.     That I am informed through diplomatic channels that  
7 Burkhart is charged in Germany with 19 counts of fraud,  
8 committed on a commercial basis and as a member of a gang, and  
9 breach of trust (embezzlement), in violation of section 263,  
10 subsections 1 and 3, section 266, and section 53, subsection 1  
11 of the German Criminal Code (Strafgesetzbuch), and that a  
12 warrant for the arrest of Burkhart for these crimes was issued  
13 on September 24, 2007, by Judge Biernath, Judge at the Local  
14 Court (Amtsgericht), Department 933, in Frankfurt am Main,  
15 Germany. A copy of the arrest warrant is attached hereto as  
16 Exhibit B.

17           3.     That the offenses for which Burkhart's extradition is  
18 sought are covered by Article 2 of the Extradition Treaty.  
19 These offenses are not barred by the statute of limitations in  
20 Germany.

21           4.     That the request for a provisional arrest warrant  
22 contains court records and information from Dr. [REDACTED]

23 at the Federal Office of Justice in Bonn, Germany, from which  
24 the following facts may reasonably be derived:

25           a.     On June 20, 2004, Burkhart falsely told Mr. [REDACTED],  
26 who owned a clinic in Frankfurt am Main, than an advance payment  
27 for Burkhart's breast augmentation surgery in the amount of  
28

1 7,680 euros was made by Burkhart's husband through a bank  
2 transfer. As a result, [REDACTED] performed the surgery the  
3 following day, June 21, 2004; however, no funds were actually  
4 transferred to [REDACTED], [REDACTED] was not paid for the surgery, and  
5 Burkhart did not have any intention of paying for the surgery.

6 b. Burkhart legitimately rented out apartments in  
7 Frankfurt am Main, Germany from September 29, 2000 through  
8 August 27, 2002, but failed to return the security deposits at  
9 the end of the leases and illegally kept those funds for  
10 herself. Specifically, she (1) rented an apartment at  
11 [REDACTED] to Mr. [REDACTED] on September 29, 2000 and  
12 failed to return his security deposit of 3,800 Deutschmarks as  
13 agreed in the lease; (2) rented an apartment at [REDACTED]  
14 [REDACTED] to Mr. [REDACTED] on November 14, 2001 and failed to return  
15 his security deposit of 2,880 Deutschmarks as agreed in the  
16 lease; and (3) rented an apartment at [REDACTED] to Mr.  
17 [REDACTED] and Mrs. [REDACTED] on August 27, 2002 and failed to return  
18 their security deposit of 1,000 euros as agreed in the lease.

19 c. Burkhart also rented apartments in Frankfurt am  
20 Main from July 16, 2005 to June 20, 2006 but failed to, and did  
21 not intend to, pay the rental fees and security deposits.  
22 Specifically, she (1) rented an apartment at [REDACTED] on  
23 July 16, 2005 and never paid Mr. [REDACTED] 370 euros in rent or 855  
24 euros for a security deposit; (2) rented an apartment at  
25 [REDACTED] on July 21, 2005 and never paid Mrs.  
26 [REDACTED] 480 euros in rent or 1,080 euros for a security  
27 deposit; (3) rented an apartment at [REDACTED] on  
28

1 August 23, 2005 and never paid Mrs. [REDACTED] 465 euros in rent  
2 or 1,100 euros for a security deposit; (4) rented an apartment  
3 at [REDACTED] on June 19, 2006 and never paid Mr.  
4 [REDACTED] 905 euros in rent or 2,100 euros for a security deposit;  
5 and (5) rented an apartment at [REDACTED] on June 20, 2006  
6 and never paid Mr. [REDACTED] of the property owners'  
7 association 2,291 euros in rent. Burkhart also falsely  
8 represented to Mr. [REDACTED] that she was a tour guide  
9 earning 2,700 euros per month.

10 d. From August 10, 2005 to July 23, 2006, Burkhart  
11 falsely represented to be the owner of various apartments in  
12 Frankfurt am Main, Germany and received rental fees and security  
13 deposits for these apartments that she was not entitled to  
14 receive. Specifically, she (1) received 930 euros from Mr.  
15 [REDACTED] on August 16, 2005 to sublet an apartment at  
16 [REDACTED]; (2) received 620 euros for rent and 1,500 euros  
17 for a security deposit from Mrs. [REDACTED] and Mr. [REDACTED] on  
18 August 10, 2005 for an apartment at [REDACTED]; (3) she  
19 received 775 euros for the first month's rent and a security  
20 deposit from Mrs. [REDACTED] on August 31, 2005 for an  
21 apartment at [REDACTED] and did not let Mrs.  
22 [REDACTED] move in because Burkhart was living there; (4)  
23 received 815 euros for the first month's rent and a security  
24 deposit from Mrs. [REDACTED] on September 3, 2005 for an apartment at  
25 [REDACTED], from which Mrs. [REDACTED] was later told to  
26 vacate by the actual owner, Mrs. [REDACTED]; (5) received 515  
27 euros for a deposit and 250 euros for first month's rent from  
28

1 Mrs. [REDACTED] on September 5, 2005 for an apartment at [REDACTED]  
2 [REDACTED], into which Mrs. [REDACTED] was prevented from moving by  
3 Mrs. [REDACTED]; (6) received 1,896 euros for the first month's  
4 rent and the security deposit from Mr. [REDACTED] on December 13,  
5 2005 for an apartment at [REDACTED]; (7) received 1,500  
6 euros for a security deposit from Mr. [REDACTED] on December 23, 2005  
7 for an apartment at [REDACTED]; (8) received 1,700  
8 euros for the first month's rent and a security deposit from Mr.  
9 [REDACTED] on January 27, 2006 for an apartment at [REDACTED]  
10 [REDACTED]; (9) received 2,620 euros for the first month's rent  
11 and a security deposit from Ms. [REDACTED] on June 24, 2006 for an  
12 apartment at [REDACTED]; and (10) received 1,695  
13 euros for the first month's rent and a security deposit from Mr.  
14 [REDACTED] on July 23, 2006 for an apartment at [REDACTED].

15 5. I have reviewed a letter signed by [REDACTED], a public  
16 prosecutor with the Public Prosecutor's Office of Frankfurt am  
17 Main, dated December 12, 2011, stating that "[t]he evidence  
18 obtained by German authorities against Dorothee Burkhart and in  
19 support of the arrest warrant issued by the Local Court of  
20 Frankfurt includes: witness statements, documents written by  
21 Dorothee Burkhart, documents related to the accounts of Dorothee  
22 Burkhart at several banks, contracts entered between Dorothee  
23 Burkhart and the aggrieved witnesses, copies of photographs of  
24 Dorothee Burkhart for identification purposes."

25 6. Representatives from the United States Diplomatic  
26 Security Service and the United States Marshal's Service believe  
27 that Burkhart currently resides in Los Angeles, California with  
28

1 her adult son at [REDACTED], Apartment No. [REDACTED], Los  
2 Angeles, CA 90046. Burkhart flew from Frankfurt am Main,  
3 Germany to Las Vegas, Nevada on October 20, 2011 and went with  
4 her son to the German consulate in Los Angeles, California on  
5 October 26, 2011 to renew her son's passport.

6 7. According to information provided by Interpol, (1)  
7 Burkhart, a citizen of Germany, was born on [REDACTED], 1958;  
8 (2) she has dark hair and green eyes; (3) she is 153 centimeters  
9 tall and weighs approximately 71 kilograms; and (4) she wears  
10 glasses. Interpol and German authorities also have provided a  
11 photograph of Burkhart that confirms her hair and eye color.

12 8. It appears that Burkhart is in this district and  
13 therefore within the jurisdiction of this court.

14 WHEREUPON, complainant requests that a warrant be issued,  
15 based on probable cause, pursuant to Title 18, United States  
16 Code, Section 3184, for the provisional arrest of Dorothee  
17 Burkhart pending extradition; that Dorothee Burkhart be brought  
18 before this Court and the evidence of criminality heard; that if  
19 on such hearing this Court deems the evidence sufficient under  
20 the provisions of the Extradition Treaty to sustain the charge,  
21 the Court certify the same to the Secretary of State in order  
22 that a warrant may issue for the surrender of Dorothee Burkhart

23 to the appropriate authorities of the requesting state, Germany,  
24 according to the Extradition Treaty; and that this Court take

25 ///  
26 ///  
27 ///

28

