

AUGUST 31, 2021

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury  
Number SGJ759-21-1  
Superior Court  
Docket Number 21-8-121-S

STATE OF NEW JERSEY )  
)  
v. )  
AHMED MAHGOUB )  
FAIZA IBRAHIM )  
and )  
F&A TRANSPORTATION, INC. )  
d/b/a SMART UNION )  
d/b/a/ UNITY )  
TRANSPORTATION )

INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

AHMED MAHGOUB

FAIZA IBRAHIM

and

F&A TRANSPORTATION, INC. d/b/a SMART UNION d/b/a/ UNITY

TRANSPORTATION

and one or more other persons whose identities are both known and

unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about January 2016 and in or about June 2020, in the City of Newark, in the County of Essex, in the City of Paterson, in the County of Passaic, in the City of East Hanover, in the County of Morris, elsewhere, and within the jurisdiction of this court, with the purpose of promoting or facilitating the commission of the crimes of False Representation for a Government Contract, Theft by Deception, Misconduct by a Corporate Official, Tampering With Public Records, and Falsifying or Tampering with Records, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crime(s), or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crime(s), that is:

1. False Representation for a Government Contract, in that one or more of them would knowingly make one or more false, material representation(s) in connection with the negotiation, award or performance of one or more contract(s) with one or more public school districts, the amount of each contract being \$25,000.00 or more, specifically by falsifying

and providing false documents in support of the contract(s), or by misrepresenting the qualifications of the company and its drivers and aides to transport students or by falsifying documents pertaining to school bus inspections, contrary to the provisions of N.J.S.A. 2C:21-34(b);

2. Theft by Deception, in that one or more of them would purposely obtain funds in the amount of \$75,000 or more from one or more public school districts within the State of New Jersey by deception, that is by creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind, specifically: by misrepresenting the qualifications of the company and its drivers and aides during the negotiation, award, or performance of contract(s) with one or more public school districts to transport students or by falsifying documents pertaining to school bus inspections, contrary to the provisions of N.J.S.A. 2C:20-4a;

3. Misconduct by Corporate Official, in that one or more of them would purposely or knowingly use, control, or operate

a corporation for the furtherance or promotion of any criminal object, specifically False Representation for a Government Contract, Theft by Deception, Tampering with Public Records or Information or Falsifying or Tampering with Records, contrary to the provisions of N.J.S.A. 2C:21-9(c);

4. Tampering with Public Records or Information, in that one or more of them, with the purpose to defraud or injure anyone, would knowingly make a false entry in, or false alteration of, or would make, present, offer for filing or use, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, specifically: by knowingly making false entry in or false alteration of, or making or presenting or offering for filing falsified school bus inspection reports or by misrepresenting the qualifications of the company and its drivers and aides to transport students, contrary to the provisions of N.J.S.A. 2C:28-7; and

5. Falsifying or Tampering with Records, in that one or

more of them would, with purpose to deceive or injure another or to conceal a wrongdoing, falsify a writing or record or utter a writing or record knowing that it contains a false statement or information, specifically by falsifying school bus inspection reports or uttering school bus inspection reports knowing they contained false statements or information or by misrepresenting the qualifications of the company and its drivers and aides to transport students, contrary to the provisions of N.J.S.A. 2C:21-4a.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of same.

COUNT TWO

(False Representation for a Government Contract - Second Degree)

AHMED MAHGOUB

FAIZA IBRAHIM

and

F&A TRANSPORTATION, INC. d/b/a SMART UNION d/b/a/ UNITY

TRANSPORTATION

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about January 2016 and in or about June 2020, in the City of Newark, in the County of Essex, in the City of Paterson, in the County of Passaic, in the City of East Hanover, in the County of Morris, elsewhere, and within the jurisdiction of this court, did knowingly make one or more false, material representation(s) in connection with the negotiation, award or performance of one or more contracts with one or more public school districts, the amount of each contract being \$25,000.00 or more, specifically by falsifying and misrepresenting the qualifications of the company and its drivers and aides to transport students or by falsifying documents pertaining to school bus inspections during the negotiation, award, or performance of contracts with school districts for school bus routes, in violation of N.J.S.A. 2C:21-34(b), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(THEFT BY DECEPTION - SECOND DEGREE)

AHMED MAHGOUB

FAIZA IBRAHIM

and

F&A TRANSPORTATION, INC. d/b/a SMART UNION d/b/a/ UNITY

TRANSPORTATION

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about January 2016 and in or about June 2020, in the City of Newark, in the County of Essex, in the City of Paterson, in the County of Passaic, in the City of East Hanover, in the County of Morris, elsewhere, and within the jurisdiction of this court, did purposely obtain funds in excess of \$75,000 from one or more public school districts within the State of New Jersey by deception, that is by creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind, specifically: by creating or reinforcing false impressions during the negotiation, award, or performance of contract(s) with one or more public school districts to transport students, contrary to the provisions of N.J.S.A. 2C:20-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(MISCONDUCT BY A CORPORATE OFFICIAL - SECOND DEGREE)

AHMED MAHGOUB

and

FAIZA IBRAHIM

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about January 2016 and in or about June 2020, in the City of Newark, in the County of Essex, in the City of Paterson, in the County of Passaic, in the City of East Hanover, in the County of Morris, elsewhere, and within the jurisdiction of this court, did purposely or knowingly use, control, or operate a corporation for the furtherance or promotion of any criminal object, specifically False Representation for a Government Contract, Theft by Deception, Tampering with Public Records or Information, or Falsifying or Tampering With Records, in violation of N.J.S.A. 2C:21-9(c), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



COUNT FIVE

(TAMPERING WITH PUBLIC RECORDS OR INFORMATION - THIRD DEGREE)

AHMED MAHGOUB

FAIZA IBRAHIM

and

F&A TRANSPORTATION, INC. d/b/a SMART UNION d/b/a/ UNITY

TRANSPORTATION

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about January 2016 and in or about June 2020, in the City of Newark, in the County of Essex, in the City of Paterson, in the County of Passaic, in the City of East Hanover, in the County of Morris, elsewhere, and within the jurisdiction of this court, did, with the purpose to defraud or injure anyone, knowingly make a false entry in, or false alteration of, or did knowingly make, present, offer for filing or use, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, specifically: by knowingly making false entry in or false alteration of, or making or presenting or offering for filing falsified school bus

inspection reports or by misrepresenting the qualifications of the company and its drivers and aides to transport students, in violation of N.J.S.A. 2C:28-7(a), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SIX

(FALSIFYING OR TAMPERING WITH RECORDS - FOURTH DEGREE)

AHMED MAHGOUB

FAIZA IBRAHIM

and

F&A TRANSPORTATION, INC. d/b/a SMART UNION d/b/a/ UNITY  
TRANSPORTATION

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about January 2016 and in or about June 2020, in the City of Newark, in the County of Essex, in the City of Paterson, in the County of Passaic, in the City of East Hanover, in the County of Morris, elsewhere, and within the jurisdiction of this court, with purpose to deceive or injure another or to conceal a wrongdoing, did falsify a writing or record or did utter a writing or record knowing that it contains a false statement or information, specifically by falsifying school bus inspection reports or uttering false school bus inspection reports knowing they contained false statements or information or by misrepresenting the

qualifications of the company and its drivers and aides to transport students, contrary to the provisions of N.J.S.A. 2C:21-4a, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



\_\_\_\_\_  
Thomas Eicher, Director  
Office of Public Integrity &  
Accountability

A TRUE BILL:

\_\_\_\_\_  Foreperson

Dated: 8/31/2021\_\_\_\_\_