



Appendix D: Summaries and Tables of Closed Export Enforcement Cases and Criminal Cases

Stopping Proliferation of Weapons of Mass Destruction

An important focus of BIS's enforcement efforts is to prevent illegal exports and diversions of sensitive goods and technologies that could contribute to the proliferation of weapons of mass destruction. The following cases are examples of enforcement efforts in this area:

McDonnell Douglas Corporation

In November 2001, BIS imposed a \$2.12 million civil penalty against McDonnell Douglas Corporation of St. Louis, Missouri as part of a settlement of charges that the company violated U.S. export control laws. The order imposing the penalty terminated a six-year investigation into exports of machine tools to China between 1994 and 1995. BIS alleged that McDonnell Douglas submitted license applications containing false and misleading statements about the end-use and end-user of the machine tools. BIS also alleged that the exports violated conditions of export licenses issued to the company.

In addition to the civil penalty (the second-highest ever imposed by the Department for an export violation), the order and settlement agreement required that McDonnell Douglas's parent company, The Boeing Company, assume responsibility and liability for all exports of dual-use items or technology made or to be made by McDonnell Douglas.

This investigation was conducted by the Intelligence and Field Support Division of Export Enforcement (EE).

Entegris, Inc.

On October 22, 2001, BIS imposed a \$496,000 civil penalty on Entegris, Inc., of Chaska, Minnesota to settle charges that Fluoroware, Inc., a company that merged into Entegris, violated the Export Administration Regula-

tions (EAR). BIS alleged that, on 124 occasions between February 1996 and December 1998, Fluoroware, Inc., illegally exported diaphragm valves and components to China, Israel, and Taiwan. BIS controls the export of such valves and components because of their potential use in the manufacture of precursors for chemical weapons. A portion of the penalty – \$96,000 – was suspended and will be waived after one year, provided that Entegris does not commit any violations during the suspension period.

This investigation was conducted by the Chicago Field Office.

Detector Electronics Corporation

On November 8, 2001, BIS imposed a \$15,000 civil penalty on Detector Electronics Corporation of Minneapolis, Minnesota to settle charges that the company exported U.S.-origin ultraviolet fire detection systems to Bharat Heavy Electrical Ltd. without the required BIS license. Bharat was a company in India that was identified on BIS's Entity List. BIS alleged that Detector Electronics Corporation exported the fire detection systems to India on two occasions between November and December 1998.

This investigation was conducted by the Chicago Field Office.

Embargoed Destinations

BIS and the Department of the Treasury's Office of Foreign Assets Control (OFAC) share jurisdiction over exports and some reexports to countries subject to U.N. or U.S. trade embargos. To avoid duplicate licensing responsibilities, BIS has in some instances (e.g., Iran, Iraq, and Libya) revised its regulations to provide that authorization from OFAC for an export also constitutes authorization under the EAR. Failure to obtain OFAC

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authorization for an item subject to the EAR often is a violation of the EAR. The following cases illustrate the enforcement of export controls to countries subject to a U.S. embargo:

Thane-Coat, Inc.

On January 24, 2002, BIS imposed a \$1.12 million civil penalty on Thane-Coat, Inc., of Stafford, Texas. Thane-Coat's U.S. export privileges, as well as the exporting privileges of the company's president, Jerry Vernon Ford, and its vice-president, Preston John Engebretson, were denied for a period of 25 years. The parties agreed to these penalties to settle allegations that Thane-Coat, Ford, and Engebretson conspired to violate the EAR by exporting pipe coating materials and equipment valued at more than \$28 million to the Great Man Made River Project in Libya through the United Kingdom between June 1994 and July 1996.

BIS charged Thane-Coat, Ford, and Engebretson each with 112 violations of the EAR, including conspiracy, failing to obtain the required BIS export licenses, and making false representations on Shipper's Export Declarations. Under the terms of the order approving the settlement, Thane-Coat was required to pay \$600,000 of the penalty within 90 days of the date of the order. Payment of the remaining \$520,000 was suspended for two years and was to be waived provided that Thane-Coat did not commit any violations during the two-year period.

In addition to the administrative settlements, Ford and Engebretson pled guilty to charges that they violated the International Emergency Economic Powers Act (IEEPA) by exporting the pipe coating materials to Libya without the required U.S. Government authorizations. Ford and Engebretson each received three years probation and were ordered to forfeit property valued at approximately \$800,000.

This investigation was conducted by the Dallas Field Office, the U.S. Customs Service, Houston, Texas, and the U.S. Attorney's Office, Houston, Texas.

BS&B Process Systems, Inc. and Black Sivalls & Bryson (UK) Ltd.

On January 17, 2002, BS&B Process Systems, Inc. (BS&B) was sentenced in the U.S. District Court for the Northern District of Oklahoma to pay a criminal fine of \$414,000 on charges related to the illegal export of oil field processing equipment to Iran. Black Sivalls & Bryson (UK) Ltd., its London affiliate, was fined \$448,000. BS&B also agreed to pay an additional civil penalty to the Department of \$86,000, and Black Sivalls & Bryson agreed to pay \$32,000 to settle related administrative charges. In addition, BIS imposed a two-year denial of export privileges on BS&B and a three-year denial period on Black Sivalls & Bryson. The denial period on BS&B was suspended in its entirety. Two years of the denial period for Black Sivalls & Bryson were suspended, leaving a one-year denial period in effect.

This investigation was conducted by the Dallas Field Office.

Jabal Damavand General Trading Company, Ltd.

In April 1998, Jabal Damavand General Trading Company (Jabal), located in Dubai, United Arab Emirates, purchased ferrology laboratory equipment, valued at \$435,000, from a company in Massachusetts. The equipment can be used to test engines in military and civilian vehicles. Jabal informed the Massachusetts company that the equipment was to be used in the oil industry in Dubai. After the system was delivered and tested in Dubai, the Massachusetts company learned that the equipment had been dismantled and shipped to Iran. The export of the equipment from the United States to Iran, even if by way of a third country, required authorization from OFAC. There was no authorization from OFAC. It is a violation of the EAR to export items subject to the EAR to Iran without OFAC authorization. On May 2, 2002, the Under Secretary affirmed the recommended decision and order of the administrative law judge finding a violation of the EAR and denying Jabal's export privileges for 10 years.

This investigation was conducted by the Boston Field Office.

Mercator, Inc.

In August 2002, Mercator, Inc., of Englewood, New Jersey, agreed to pay \$30,000 in civil penalties to settle allegations that it violated U.S. export controls and antiboycott laws in connection with a shipment of chemicals to Iran through the United Arab Emirates.

BIS alleged that Mercator exported 4,080 bags of ethylene vinyl acetate valued at \$126,896 to Dubai, United Arab Emirates, with knowledge that the chemicals would then be shipped to Iran without obtaining prior authorization from OFAC, as required by the EAR. BIS also alleged that Mercator violated the antiboycott provisions of the EAR by certifying that the goods being shipped did not originate in Israel. Finally, BIS alleged that Mercator failed to report to BIS its receipt of a request to engage in an unsanctioned foreign boycott.

This investigation was conducted jointly by the New York Field Office and BIS's Office of Antiboycott Compliance.

P&M Trading, Inc.

On September 9, 2002, BIS denied the export privileges of P&M Trading, Inc., of San Ramon, California, for a period of 10 years, based on the company's conviction for violating the U.S. embargo on Iran by attempting to export and causing the exportation of a Shimadzu Transformer Oil Gas Analysis System from the United States to Iran via the United Arab Emirates. The ten-year denial period runs from the date of that conviction, October 20, 2000.

This investigation was conducted by the San Jose and Boston field offices.

Crime Control/Human Rights

BIS controls the export of certain items intended for crime control or police uses that also could be used to commit human rights violations. The following cases illustrate the enforcement of these controls:

Waters Instruments, Inc.

On April 1, 2002, BIS imposed a \$186,000 civil penalty on Minnesota-based Waters Instruments, Inc., to resolve allegations that North Central Plastics, Inc., a company

that subsequently merged with Waters Instruments, Inc., exported electric cattle prods to Argentina, Honduras, Switzerland, Taiwan, Columbia, Ecuador, Ireland, and Mexico without obtaining the required Department of Commerce licenses. BIS agreed to suspend \$26,000 of the \$186,000 penalty. The suspended portion of the penalty was to be waived after two years, provided that Waters Instruments, Inc., did not commit any violations of the EAR during that period.

This investigation was conducted by the Chicago Field Office.

Hans Wrage

In August 2002, BIS imposed a \$30,000 civil penalty on Hans Wrage & Co. GmbH (Wrage) of Hamburg, Germany, to settle allegations that Wrage reexported 1,550 U.S.-origin shotguns from Germany to Poland without the required authorization from BIS. Wrage originally acquired the shotguns from a U.S. manufacturer.

This investigation was conducted by the Washington Field Office.

Thompson/Center Arms Corporation

BIS alleged that, on five occasions in 1998, Thompson/Center Arms Co., Inc., illegally exported rifle and pistol scopes to Argentina, the Czech Republic, and Switzerland. The scopes were controlled for crime control reasons and required export licenses. However, no such license was obtained by the company. On May 8, 2002, Thompson/Center Arms Co., Inc., agreed to pay a civil penalty of \$25,000 to settle the charges, of which \$12,500 was suspended for one year.

This investigation was conducted by the Boston Field Office.

National Security

The following cases illustrate BIS's role in enforcing national security export controls.

Eli Cohen

On January 30, 2002, BIS imposed a civil penalty of \$10,000 and a five-year denial of export privileges on

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Eli Cohen, of Haifa, Israel, to settle allegations that Cohen made false and misleading representations to, and concealed material facts from, special agents of the Office of Export Enforcement who were conducting a post-shipment verification as part of a safeguards visit to Israel. The investigation related to the unlicensed resale of a U.S.-origin Thermacam Infrared Focal Plane Array. The export of the Thermacam, valued at \$35,460, was controlled for national security reasons because of its potential application in military surveillance.

This investigation was conducted by the Boston Field Office.

Lion Precision

On December 20, 2002, BIS imposed a \$52,500 civil penalty on Automated Quality Technologies, Inc., doing business as Lion Precision, a Minnesota company, to settle charges that the company illegally exported measuring probes to Singapore, Taiwan, and Thailand. Measuring probes are high performance devices capable of the precise measurements needed for the construction of military equipment. These items are controlled for nuclear nonproliferation and national security reasons. BIS alleged that on seven occasions, Lion Precision exported these measuring probes without the required export licenses. A portion of the penalty, \$42,500, was suspended and was to be waived after two years, provided that the company did not commit any violations during this period.

This investigation was conducted by the Chicago Field Office.

Toxic Chemicals and Chemical Precursors

BIS maintains export controls on toxic chemicals and chemical precursors that can be used to manufacture chemical weapons. The following case illustrates enforcement of these controls:

Kaiser Aluminum & Chemical Corporation

On December 28, 2001, a four-year investigation culminated with Kaiser Aluminum & Chemical Corporation reaching an agreement to settle administrative charges of 10 unlicensed exports of high-strength aluminum rods to Israel and Taiwan, 12 unlicensed exports of potassium

fluoride to Jamaica, and 9 false statements on Shipper's Export Declarations. Potassium fluoride is a precursor for the production of toxic chemical agents. High-strength aluminum rod can be used to manufacture equipment for the enrichment of uranium. Kaiser agreed to pay a \$210,000 civil penalty to settle the allegations. A portion of the penalty, \$45,000, was suspended for one year, and was to be waived, provided that the company committed no violations during this period.

This investigation was conducted by the Dallas Field Office.

Other Export Control Cases

During Fiscal Year 2002, BIS also investigated the following cases:

Ihsan Elashi

On June 17, 2002, Ihsan Elashi, also known as Sammy Elashi, of Richardson, Texas, pled guilty in the U.S. District Court for the Northern District of Texas to a charge of exporting computer equipment to Saudi Arabia in violation of a BIS temporary denial order (TDO). In addition, Elashi pled guilty to several other charges of credit card fraud, money laundering, and wire fraud. Sentencing was pending in this case at the end of Fiscal Year 2002.

Elashi was the founder and principal owner of Tetrabal Corporation, a Richardson, Texas company that sold and exported computer hardware, computer software, and telecommunications equipment primarily to customers in the Middle East. Prior to the creation of Tetrabal, Elashi was employed by Infocom Corporation, another Richardson, Texas, company owned by Elashi's brothers. While employed at Infocom, Elashi engaged in sales and export transactions similar to those made by Tetrabal.

On September 6, 2001, BIS temporarily denied Infocom's export privileges based on evidence that Infocom had shipped and attempted to ship computer technology to Libya and Syria – countries designated as state sponsors of terrorism by the U.S. Department of State – without the required U.S. Government authorizations. BIS found that Elashi and Tetrabal were related to Infocom and, on that basis, extended the terms of the Infocom denial order to Elashi and Tetrabal.

In his guilty plea, Elashi admitted that, on September 22, 2001, after imposition of the TDO, he and Tetrabal willfully violated that order by participating in a transaction that involved the export and attempted export of computers and monitors from the United States to Saudi Arabia.

This investigation was conducted by the Dallas Field Office.

Maria Elena Ibanez & International High Tech Marketing

On March 21, 2002, Maria Elena Ibanez, former President of International High Tech Marketing (IHTM), was sentenced to 18 months probation and a criminal fine of \$5,000 after she pled guilty in U.S. District Court in Miami, Florida, to conspiring to falsify export documents. By pleading guilty to the charge, Ibanez acknowledged that on numerous occasions between 1996 and 1998, she directed IHTM employees to submit undervalued invoices for computer and related items to freight forwarders, causing the forwarders to submit falsified air waybills and Shipper's Export Declarations to the U.S. Customs Service and Bureau of the Census. BIS also pursued administrative charges against Ibanez, which had not been resolved by the end of the fiscal year.

In March 2000, IHTM had pled guilty and was fined \$250,000 for two counts of export violations in connection with exports to Libya and Sudan, and three counts of undervaluing the goods to evade the requirement to file a Shippers Export Declaration.

This investigation was conducted by the Miami Field Office.

EOTT Energy Operating Limited Partnership (EOTT)

In July 2002, BIS imposed a \$508,000 civil penalty against EOTT Energy Operating Limited Partnership, (EOTT), of Houston, Texas to settle allegations that the company exported crude petroleum to Canada in excess of the quantities BIS had authorized. BIS controls the export of crude petroleum to any foreign destination to protect the domestic supply of crude petroleum.

BIS alleged that, on 14 occasions between January 1997 and February 1999, EOTT exported crude petroleum from the United States to Canada in amounts exceeding the quantities authorized by BIS export licenses. BIS further alleged that EOTT caused the filing of 46 Shipper's Declarations (SEDs) that stated that the crude petroleum qualified for export under the export license numbers indicated on the SEDs. BIS alleged that these representations were false because EOTT already had exported the authorized amounts of crude petroleum under the export license numbers represented on the SEDs.

This investigation was conducted by the Dallas Field Office.

Kaiyo USA

On April 2, 2002, BIS imposed a \$10,000 civil penalty on Don Yamaguchi, of Houston, Texas doing business as Kaiyo USA, to settle allegations that Yamaguchi caused an exporter to make a false statement on the Shipper's Export Declaration (SED) in connection with an export of satellite modems from the United States. Yamaguchi advised the exporter that the goods being exported were ultimately destined for Japan when, in fact, Japan was not the ultimate destination of the shipment.

This investigation was conducted by the Dallas Field Office.

Antiboycott Cases

The U.S. Government stands firm in its policy of opposing restrictive trade practices and boycotts against its allies. BIS is committed to opposing economic boycotts against those allies. The following cases highlight BIS's role in this process:

Johns Hopkins Health Care System

On August 6, 2002, Johns Hopkins Health Care System agreed to pay a \$10,000 civil penalty to settle allegations that it violated the antiboycott provisions of the EAR when the company discriminated against an individual in support of the Arab League boycott of Israel. BIS alleged that Johns Hopkins discriminated against a U.S. person because she was Jewish. The person had been seeking a position with the company's International Services

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Department, which markets medical services around the world, including in the Middle East. BIS alleged that the discriminatory conduct was motivated by the company's concern about having a Jewish person in that position because of the Arab League boycott of Israel.

Koch Petroleum Group, L.P. and Koch Refining International Pte. Ltd.

On February 20, 2002, Koch Petroleum Group, L.P. and Koch Refining International Pte. Ltd., agreed to pay a total of \$37,000 in civil penalties to settle allegations that the two related crude oil trading companies violated the antiboycott provisions of the EAR. BIS alleged that Koch Petroleum Group, L.P., located in Wichita, Kansas and its subsidiary, Koch Refining International Pte. Ltd., located in Singapore failed to report their receipts of requests to engage in restrictive trade practices or boycotts within the time period prescribed by the regulations.

Sunbeam Europe, Limited and Coleman Benelux, B.V.

On December 12, 2001, Sunbeam Corporation, a Florida-based consumer products company, agreed to pay \$9,000 in civil penalties to settle allegations that two of its foreign subsidiaries – Sunbeam Europe, Ltd., located in the United Kingdom and Coleman Benelux, B.V., located in the Netherlands – violated the antiboycott provisions of the EAR. BIS alleged that Sunbeam Europe, Ltd., failed to report its receipts of three requests to engage in restrictive trade practices or boycotts as required by the EAR. BIS also alleged that Coleman Benelux, B.V., violated the EAR when it agreed to refuse to do business with ships “blacklisted” by the boycott office in Lebanon.

**Table 1
Export Enforcement Cases Closed October 1, 2001 to September 30, 2002**

Order Date	Cases	Charges	Sections Violated¹	Respondents	Result
10/22/01	In the Matter of Entegris, Inc., on its own behalf and as successor to Fluoroware, Inc.	Exported various valves, including diaphragm valves, from the United States to Taiwan, Israel, and the People's Republic of China without obtaining the required licenses.	787.6 [7] 787A.6 [14] 764.2(a) [103]	Entegris, Inc., on its own behalf and as successor to Fluoroware, Inc.	Settlement Agreement – civil penalty of \$496,000, \$96,000 suspended for one year
11/08/01	In the Matter of Detector Electronics Corporation	Exported U.S.-origin ultraviolet fire detection systems to Bharat Heavy Electrical Limited, an organization on the Entity List, without obtaining the required licenses.	764.2(a) [2]	Detector Electronics Corporation	Settlement Agreement – civil penalty of \$15,000
11/14/01	In the Matter of McDonnell Douglas Corporation	Submitted license applications containing false and misleading statements about the end-use and end-user for the export of machine tools; violated the conditions of the U.S. export licenses issued to McDonnell Douglas Corporation.	787.5(a)(1) [20] 787.6 [30]	McDonnell Douglas Corporation	Settlement Agreement – civil penalty of \$2,120,000
12/14/01	In the Matter of Automated Quality Technologies, Inc. doing business as Lion Precision	Exported from the United States to Taiwan, Thailand, and Singapore a non-contact measuring probe without the required export licenses.	787A.6 [2] 764.2(a) [5]	Automated Quality Technologies, Inc. doing business as Lion Precision	Settlement Agreement – civil penalty of \$52,500, \$42,500 suspended for two years
12/28/01	In the Matter of Kaiser Aluminum & Chemical Corporation	Exported or caused to be exported potassium fluoride from the United States to Jamaica without the required licenses; exported or caused to be exported aluminum rod with an outside diameter of more than three inches from the United States to Israel and Taiwan without the required licenses; made false or misleading statements of material fact directly or indirectly to a United States agency in connection with the use of export control documents.	787.6 [2] 787A.6 [8] 764.2(a) [17] 787.5 [1] 787A.5 [1] 764.2(g) [7]	Kaiser Aluminum & Chemical Corporation	Settlement Agreement – civil penalty of \$210,000, \$45,000 suspended for one year

¹The number shown in brackets is the number of violations alleged.

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Table 1
Export Enforcement Cases Closed October 1, 2001 to September 30, 2002 (Continued)

Order Date	Cases	Charges	Sections Violated ¹	Respondents	Result
01/24/02	In the Matter of Thane-Coat, Inc.	Conspiracy; exported or caused to be exported pipe coating materials from the United States to Libya without obtaining the required validated export licenses that it knew or had reason to know was required; made false or misleading statements of material fact directly or indirectly to a U.S. Government agency in connection with the use of export control documents.	787.3(b) [1] 787.4(a) [32] 787A.4(a) [5] 787.5(a) [32] 787A.5(a) [5] 787.6 [32] 787A.6 [5]	Thane-Coat, Inc.	Settlement Agreement – civil penalty of \$1,120,000, \$520,000 suspended for 2 years; export privileges denied for 25 years
01/24/02	In the Matter of Jerry Vernon Ford	Conspiracy; exported or caused to be exported pipe coating materials from the United States to Libya without obtaining the required validated export licenses that he knew or had reason to know was required; made false or misleading statements of material fact directly or indirectly to a U.S. Government agency in connection with the use of export control documents.	787.3(b) [1] 787.4(a) [32] 787A.4(a) [5] 787.5(a) [32] 787A.5(a) [5] 787.6 [32] 787A.6 [5]	Jerry Vernon Ford	Settlement Agreement – export privileges denied for 25 years
01/24/02	In the Matter of Preston John Engrebretson	Conspiracy; exported or caused to be exported pipe coating materials from the United States to Libya without obtaining the required validated export licenses that he knew or had reason to know was required; made false or misleading statements of material fact directly or indirectly to a U.S. Government agency in connection with the use of export control documents.	787.3(b) [1] 787.4(a) [32] 787A.4(a) [5] 787.5(a) [32] 787A.5(a) [5] 787.6 [32] 787A.6 [5]	Preston John Engrebretson	Settlement Agreement – export privileges denied for 25 years
01/30/02	In the Matter of Eli Cohen	Made false and misleading representation or statement of material fact directly to BIS and concealed material facts from BIS in connection with an improper transfer of an infrared camera.	764.2(g) [1]	Eli Cohen	Settlement Agreement – civil penalty of \$10,000; export privileges denied for five years

¹The number shown in brackets is the number of violations alleged.

Table 1
Export Enforcement Cases Closed October 1, 2001 to September 30, 2002 (Continued)

Order Date	Cases	Charges	Sections Violated ¹	Respondents	Result
02/04/02	In the Matter of BS&B Process Systems, Inc.	Exported oil production equipment from the United States to Iran, through the United Kingdom, without obtaining the authorization it knew or had reason to know was required; made false or misleading representations, statements, or certifications directly or indirectly to a U.S. Government agency in connection with the preparation, submission, issuance, use or maintenance of an export control document; failed to prepare the required Shipper's Export Declaration.	787.4 [1] 787.6 [1] 764.2(a) [3] 764.2(e) [2] 764.2(g) [1]	BS&B Process Systems, Inc.	Settlement Agreement – civil penalty of \$86,000; export privileges denied for three years, all of which is suspended
02/04/02	In the Matter of Black, Sivalls & Bryson (UK) Ltd.	Received oil production equipment in the United Kingdom that it knew or had reason to know its affiliated company in the United States, BS&B Process Systems, Inc., had exported from the United States without the required authorization, and forwarded the items to Iran.	787.4 [1] 764.2(e) [2]	Black, Sivalls & Bryson (UK) Ltd.	Settlement Agreement – civil penalty of \$32,000; export privileges denied for three years, two years suspended
02/05/02	In the Matter of Federal Parts International, Inc.	Exported U.S.-origin auto parts from the United States to Iran without obtaining the required validated export licenses; made false or misleading representation of material fact directly or indirectly to a United States agency in connection with the preparation, submission or use of an export control document; attempted to export from the United States to Iran U.S.-origin auto parts without obtaining the required authorization that it knew or had reason to know was required.	787.3(a) [2] 787.4(a) [2] 787.5(a) [2] 787.6 [2]	Federal Parts International, Inc.	Settlement Agreement – civil penalty of \$50,000; export privileges denied for 10 years
02/11/02	In the Matter of Neopoint, Inc.	Exported 128 bit encryption software to South Korea without obtaining the license that it knew or had reason to know was required.	764.2(a) [10] 764.2(e) [9]	Neopoint, Inc.	Settlement Agreement – civil penalty of \$95,000

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Table 1
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Order Date	Cases	Charges	Sections Violated ¹	Respondents	Result
03/04/02	In the Matter of Infocom Corporation, Tetrabal Corporation, Inc., Ihsan Medhat "Sammy" Elashi, denied persons, and related persons Abdulah Al Nasser, Maysoon Al Kayali, Mynet.Net Corp., Bayan Medhat Elashi, Ghassan Elashi, Basman Medhat Elashi Hazim Elashi, Fadwa Elafrangi	TDO: Reason to believe that there was a risk of an imminent violation based on evidence that the respondents shipped and attempted to ship goods to Libya and Syria without obtaining the necessary authorizations.	764.2(a) 764.2(g)	Infocom Corporation, Tetrabal Corporation, Inc., Ihsan Medhat "Sammy" Elashi, denied persons, and related persons Abdulah Al Nasser, Maysoon Al Kayali, Mynet.Net Corp., Bayan Medhat Elashi, Ghassan Elashi, Basman Medhat Elashi Hazim Elashi, Fadwa Elafrangi	Renewal of order temporarily denying export privileges renewed for 180 days
03/14/02	In the Matter of Waters Instruments, Inc.	Exported or caused to be exported electric cattle prods from the United States to Argentina, Honduras, Switzerland, Taiwan, Columbia, Ecuador, Ireland, and Mexico without obtaining the required licenses that it knew or had reason to know was required.	787A.6[4] 764.2(a)[15] 764.2(e)[12]	Waters Instruments, Inc.	Settlement Agreement – civil penalty of \$186,000, \$26,000 suspended for two years
04/01/02	In the Matter of Don K. Yamaguchi, individually, and Kaiyo U.S.A.	In connection with an export of satellite modems from the United States, Yamaguchi caused the exporter to make a false and misleading statement of material fact on the air waybill, an export control document.	787A.2[1]	Don K. Yamaguchi, individually, and Kaiyo U.S.A.	Settlement Agreement – civil penalty of \$10,000
05/02/02	In the Matter of Jabal Damavand General Trading Company	Exported equipment from the United States through UAE to Iran without the required authorization; participated in that transaction with knowledge that a violation had occurred; acted with intent to evade the regulations by making a false statement to the U.S. supplier of the equipment as to the end-use and destination of the equipment.	764.2(b)[1] 764.2(e)[1] 764.2(h)[2]	Jabal Damavand General Trading Company	Export privileges denied for 10 years
05/08/02	In the Matter of Thompson/Center Arms Company, Inc.	Exported rifle and pistol scopes from the United States to Argentina, the Czech Republic, and Switzerland without the required licenses.	764.2(a)[5]	Thompson/Center Arms Company, Inc.	Settlement Agreement – civil penalty of \$25,000, \$12,500 suspended for one year

¹The number shown in brackets is the number of violations alleged.

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Table 1
Export Enforcement Cases Closed October 1, 2001 to September 30, 2002 (Continued)

Order Date	Cases	Charges	Sections Violated ¹	Respondents	Result
07/15/02	In the Matter of EOTT Energy Operating Limited Partnership	Exported and caused to be exported crude petroleum to Canada in violation of the terms of BIS export licenses; filed or caused to be filed Shipper's Export Declarations that contained material misrepresentations of fact.	764.2(a) [14] 764.2(g) [46]	EOTT Energy Operating Limited Partnership	Settlement Agreement – civil penalty of \$508,000
07/16/02	In the Matter of Printrak, A Motorola Company	Exported or reexported automated fingerprint identification systems and associated software, and encryption software to various destinations without obtaining the required licenses; filed or caused to be filed Shipper's Export Declarations that stated the incorrect Export Control Classification Number or certified that the export was authorized under an export license or license exception that did not, in fact, authorize the export.	764.2(a) [37] 764.2(g) [8]	Printrak, A Motorola Company	Settlement Agreement – civil penalty of \$135,000
08/14/02	In the Matter of Mercator, Inc.	Exported plastic products that were subject to the Export Administration Regulations and the Iranian Transactions Regulations to Iran without obtaining prior authorization from the Treasury Department's Office of Foreign Assets Control; transferred plastic products to the United Arab Emirates with knowledge that the plastic products would be exported to Iran without the required authorization; failed to retain export control documents and other records required to be maintained.	764.2(a) [1] 764.2(e) [1] 764.2(i) [1]	Mercator, Inc.	Settlement Agreement – civil penalty of \$18,000
08/28/02	In the Matter of Tetrabal Corporation, Inc. and Ihsan Medhat "Sammy" Elashi, denied persons and related persons Maysoon Al Kayali, and Mynet.Net Corp.	TDO: Reason to believe that there was a risk of an imminent violation based on evidence that the respondents shipped and attempted to ship goods to Libya and Syria without obtaining the necessary authorizations.	764.2(a) 764.2(g)	Tetrabal Corporation, Inc. and Ihsan Medhat "Sammy" Elashi, denied persons and related persons Maysoon Al Kayali, and Mynet.Net Corp.	Renewal of order temporarily denying export privileges partially renewed for 180 days

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Table 1
Export Enforcement Cases Closed October 1, 2001 to September 30, 2002 (Continued)

Order Date	Cases	Charges	Sections Violated ¹	Respondents	Result
08/29/02	In the Matter of Hans Wrage & Co. GMBH	Reexported from Germany to Poland, shotguns with a barrel length of at least 18 inches but less than 24 inches, which had been exported from the United States, without obtaining the required licenses.	764.2(a) [3]	Hans Wrage & Co. GMBH	Settlement Agreement – civil penalty of \$30,000
09/09/02	In the Matter of P&M Trading, Inc.	[EAA § 11(h)] Willfully, knowingly and unlawfully violated the embargo against Iran by attempting to export and causing the exportation of a Shimadzu GC-14A Transformer Oil Gas Analysis System from the United States to Iran via the United Arab Emirates.	Section 1705 of the IEEPA	P&M Trading, Inc.	Export privileges denied until October 20, 2010
09/30/02	In the Matter of Yaudat Mustafa Talyi, also known as Joseph Talyi, and International Business Services, Ltd. and Top Oil Tools, Ltd.	TDO: Reason to believe that there was a risk of an imminent violation based on evidence that Talyi, through his company International Business Services, Inc., exported or participated in the export of U.S.-origin items to Libya and Sudan without obtaining the necessary authorizations from BIS or the Treasury Department's Office of Foreign Assets Control; attempted to mislead U.S. suppliers about the ultimate destination and end-user of the items ordered by falsely claiming that they were bound for acceptable destinations such as the United Arab Emirates or Venezuela while the items were designed for oil field equipment in Libya and Sudan.	764.2(a) 764.2(d) 764.2(g)	In the Matter of Yaudat Mustafa Talyi, also known as Joseph Talyi, and International Business Services, Ltd. and Top Oil Tools, Ltd.	Order temporarily denying export privileges for 180 days

¹The number shown in brackets is the number of violations alleged.

**Table 2
Criminal Indictments and Informations Returned During Fiscal Year 2002
Charging Export Control Violations Investigated by the Office of Export Enforcement**

Indictment/ InformationDate	Defendant (s)	Charge (s)	Enforcement Organization(s)	Sanction/Status at End of Fiscal Year
1/10/02	Maria Elena Ibanez	Conspiracy to falsify export control documents.	Commerce	Received a \$5,000 fine and 18 months of probation
3/19/02	Edvard Yamnik	Illegal export of fingerprint materials to Belarus.	Commerce	Not Concluded
4/10/02	Ihsan Elashyi, a.k.a. Sammy Elashyi, and Tetrabal Corporation	Knowingly and willfully violating a Commerce Department temporary denial order.	Commerce/Joint Terrorism Task Force	Not Concluded
4/22/02	M.I.I. (Massive International Inc.)	Illegal export of hydraulic stud tensioners to a firm on the Entity List in India.	Commerce/Customs	Received a \$10,000 fine
5/24/02	Malte Mangelsen, John Phillip Clements, Minequip Corporation, Jeffrey Woodbridge, and Sigma Enterprises Limited	Conspiracy to illegally export spare machine parts for hydraulic shears to Libya.	Commerce/Customs	Not Concluded
8/23/02	Zlatko Brkic	Illegal export of handcuffs to Bosnia and Herzegovina.	Commerce	Trial Pending

