



## U.S. Department of Justice

*United States Attorney  
District of the Virgin Islands*

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**FOR IMMEDIATE RELEASE**

### **OWNERS AND OPERATORS OF PLAZA EXTRA INDICTED ON FEDERAL CHARGES OF DEFRAUDING THE VIRGIN ISLANDS BY CONCEALING AND ILLEGALLY EXPORTING MILLIONS IN REVENUE**

United States Attorney David Marshall Nissman and Special Agents in Charge, Patrick Daley of the Federal Bureau of Investigation and Brian Wimpling of the Internal Revenue Service, announced today that the federal Grand Jury returned a 76 Count Indictment naming as defendants Fathi Yusuf, 62, the owner of Plaza Extra; his son, Maher Yusuf, 38, who participated in the operation of the stores; two managers, brothers Waleed Hamed, 41, and Waheed Hamed, 38; Isam Yousuf, 51, a relative; and United Corporation, which does business as Plaza Extra supermarkets. The indictment charges federal and territorial offenses, including conspiracy, mail fraud, money laundering, structuring financial transactions, causing false individual and corporate income tax returns, tax evasion and operating a criminal enterprise. The indictment also indicates the government's intent to forfeit the contents of bank accounts, real estate, and the assets of United Corporation.

According to the indictment, between 1996 and 2001, Plaza Extra registered sales exceeding \$300 million. But the owners of the stores failed to report \$60 million in sales on tax returns filed with the Virgin Islands. According to the indictment, Fathi Yusuf, Waleed Hamed,

and Waheed Hamed directed employees to withhold cash sales from deposit into the company's bank accounts, thereby causing these cash sales to be omitted from Plaza Extra's gross receipts tax returns and corporate income tax returns which were filed with the Virgin Islands Bureau of Internal Revenue.

To disguise the unreported cash as legitimate appearing financial instruments, Fathi Yusuf, Waheed Hamed, and Maher Yusuf directed store employees to purchase bank checks with the unreported cash. The checks were purchased in names other than those of the conspirators, at different bank branches typically on the same day, and in amounts designed to evade federal record-keeping and reporting requirements. To further disguise the unreported cash, Waleed Hamed and Maher Yusuf also used the unreported currency to cash customers' checks.

According to the indictment, Fathi Yusuf and Waleed Hamed then compiled those and other checks purchased with unreported cash and transported the checks to Amman, Jordan, where they were deposited into accounts they controlled at the Cairo Amman Bank. The indictment alleges that on at least 14 different occasions between 1998 and 2000, Fathi Yusuf and Waleed Hamed transported hundreds of checks and sent wire transfers totaling millions of dollars to their accounts in Jordan. The indictment further alleges that Fathi Yusuf and Waleed Hamed smuggled millions of dollars of unreported cash from the Virgin Islands to the island of St. Martin, in the French West Indies, where the cash was deposited into bank accounts that they and Isam Yousuf controlled.

Finally, the indictment charges that Fathi Yusuf, Waleed Hamed, and Waheed Hamed filed false individual income tax returns that failed to report as income the cash and other funds that they diverted from Plaza Extra and transferred to bank accounts they controlled and used for

their personal benefit, including the construction of expensive residences in the Virgin Islands.

U.S. Attorney Nissman stated: “At a time when essential services to the people of the Virgin Islands are in jeopardy, it is critical that those who have deprived this community of millions of dollars in tax revenue be brought to justice and that their ill-gotten gains be recovered.”

Moreover, U.S. Attorney Nissman stated that this case also addresses the problem of money illegally leaving the Territory and the costs to the community associated with capital flight. “The federal law enforcement agencies are working diligently to shut down the flow of money illegally leaving the Virgin Islands and the United States. When citizens discover this type of activity, they should notify the FBI at 777-3363. An informed and involved citizenry is the best protection against criminal activity.”

This is the first indictment for violations of federal tax laws in the District of the Virgin Islands and was the result of a joint investigation by the Federal Bureau of Investigation and the Internal Revenue Service. This included the FBI’s Legal Attache Office in Bridgetown, Barbados, and elsewhere as well as the cooperation of numerous international partners to include the Netherlands Antilles and French West Indian governments. Nissman indicated that the case was also a product of close cooperation and coordination between his office and two other components of the Department of Justice, the Tax and Criminal Divisions. Lawyers from both Divisions have been instrumental in bringing this indictment to fruition. He emphasized that an indictment is merely a charging document and that, as in all criminal cases, the defendants are presumed innocent unless and until convicted in a court of law.

## **Penalties:**

Conspiracy to commit mail fraud and to structure financial transactions carries a maximum penalty of five years imprisonment and a fine of \$250,000.

Conspiracy to launder money carries a maximum penalty of 20 years imprisonment and a fine of twice the value of the property involved in the laundering scheme.

Mail fraud, as charged, carries a maximum penalty of five years imprisonment and a fine of \$250,000.

Money laundering carries a maximum penalty of 20 years imprisonment and a fine of twice the value of the property involving in the laundering offense.

The federal charge of causing false tax returns carries a maximum penalty of three years imprisonment and a fine of \$100,000.

Structuring financial transactions as charged carries a maximum penalty of ten years imprisonment and a fine of \$500,000.

The Virgin Islands charge of conspiracy to evade taxes carries a maximum penalty of five years imprisonment and a fine of \$10,000.

The Virgin Islands charge of causing false tax returns carries a maximum penalty of three years imprisonment and a fine of \$5000.

The Virgin Islands charge of conspiracy to engage in a criminal enterprise and engaging in a criminal enterprise each carry a maximum penalty of 15 years imprisonment and a fine of three times the value of the property gained from the scheme.

## Defendant and Charge Chart

Fathi Yusuf

Count	Statute	Description	Penalty
1	18 USC § 371	Conspiracy to commit wire fraud and to structure financial transactions	5 years \$250,000
2	18 USC § 1956(h)	Conspiracy to launder money	20 years 2x value of property involved in scheme
3-43	19 USC § 1341	Mail fraud	5 years \$250,000
44, 45, 49, 50	18 USC § 1956(a)(2)(B)(i)	Money laundering	20 years 2x value of property involved
55	33 VIC § 1522	Conspiracy to evade taxes	5 years \$10,000
56-60	33 VIC § 1525(2)	Causing false tax returns	3 years \$5000
61-65	26 USC § 7206(2)	Causing false tax returns	3 years \$100,000
75	14 VIC 605(a)	Conducting a criminal enterprise	15 years 3x value of property gained
76	14 VIC 605(d)	Conspiracy to conduct a criminal enterprise	15 years 3x value of property gained

Waleed Hamed

<b>Count</b>	<b>Statute</b>	<b>Description</b>	<b>Penalty</b>
1	18 USC § 371	Conspiracy to commit wire fraud and to structure financial transactions	5 years \$250,000
2	18 USC § 1956(h)	Conspiracy to launder money	20 years 2x value of property involved in scheme
3-43	19 USC § 1341	Mail fraud	5 years \$250,000
46, 47, 48, 51, 52	18 USC § 1956(a)(2)(B)(i)	Money laundering	20 years 2x value of property involved
55	33 VIC § 1522	Conspiracy to evade taxes	5 years \$10,000
56-60	33 VIC § 1525(2)	Causing false tax returns	3 years \$5000
66-70	26 USC § 7206(2)	Causing false tax returns	3 years \$100,000
75	14 VIC 605(a)	Conducting a criminal enterprise	15 years 3x value of property gained
76	14 VIC 605(d)	Conspiracy to conduct a criminal enterprise	15 years 3x value of property gained

Waheed Hamed

<b>Count</b>	<b>Statute</b>	<b>Description</b>	<b>Penalty</b>
1	18 USC § 371	Conspiracy to commit wire fraud and to structure financial transactions	5 years \$250,000
2	18 USC § 1956(h)	Conspiracy to launder money	20 years 2x value of property involved in scheme
3-43	19 USC § 1341	Mail fraud	5 years \$250,000
53	31 USC 5324(a)(3) and (d)(2)	Structuring financial transactions	10 years \$500,000
55	33 VIC § 1522	Conspiracy to evade taxes	5 years \$10,000
56-60	33 VIC § 1525(2)	Causing false tax returns	3 years \$5000
71-74	26 USC § 7206(2)	Causing false tax returns	3 years \$100,000
75	14 VIC 605(a)	Conducting a criminal enterprise	15 years 3x value of property gained
76	14 VIC 605(d)	Conspiracy to conduct a criminal enterprise	15 years 3x value of property gained

Maher Yusuf

<b>Count</b>	<b>Statute</b>	<b>Description</b>	<b>Penalty</b>
1	18 USC § 371	Conspiracy to commit wire fraud and to structure financial transactions	5 years \$250,000
2	18 USC § 1956(h)	Conspiracy to launder money	20 years 2x value of property involved in scheme
54	31 USC 5324(a)(3) and (d)(2)	Structuring financial transactions	10 years \$500,000



Isam Yousuf

<b>Count</b>	<b>Statute</b>	<b>Description</b>	<b>Penalty</b>
2	18 USC § 1956(h)	Conspiracy to launder money	20 years 2x value of property involved in scheme

United Corporation

<b>Count</b>	<b>Statute</b>	<b>Description</b>	<b>Penalty</b>
1	18 USC § 371	Conspiracy to commit wire fraud and to structure financial transactions	5 years \$250,000
2	18 USC § 1956(h)	Conspiracy to launder money	20 years 2x value of property involved in scheme
3-43	19 USC § 1341	Mail fraud	5 years \$250,000
55	33 VIC § 1522	Conspiracy to evade taxes	5 years \$10,000
56-60	33 VIC § 1525(2)	Causing false tax returns	3 years \$5000
75	14 VIC 605(a)	Conducting a criminal enterprise	15 years 3x value of property gained
76	14 VIC 605(d)	Conspiracy to conduct a criminal enterprise	15 years 3x value of property gained

**List of Individuals Indicted**

**Fathi Yusuf Mohamad Yusuf,  
aka Fathi Yusuf**

**Waleed Mohammad Hamed,  
aka Wally Hamed**

**Waheed Mohammed Hamed,  
ask Willie Hamed,**

**Maher Fathi Yusuf,  
aka Mike Yusuf**

**Isam Mohamad Yousuf,  
aka Sam Yousuf**

**United Corporation,  
dba Plaza Extra**

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA, and  
GOVERNMENT OF THE VIRGIN ISLANDS,  
Plaintiff,

v.

FATHI YUSUF MOHAMAD YUSUF,  
aka Fathi Yusuf,  
WALEED MOHAMMAD HAMED,  
aka Wally Hamed,  
WAHEED MOHAMMED HAMED,  
aka Willie Hamed,  
MAHER FATHI YUSUF,  
aka Mike Yusuf,  
ISAM MOHAMAD YOUSUF,  
aka Sam Yousuf, and  
UNITED CORPORATION,  
dba Plaza Extra,

Defendants.

INDICTMENT

CRIMINAL NO. 2003-147

18 U.S.C. § 371  
CONSPIRACY TO COMMIT MAIL FRAUD  
STRUCTURE FINANCIAL  
TRANSACTIONS

18 U.S.C. § 1956(h)  
CONSPIRACY TO LAUNDER MONEY

18 U.S.C. § 1341  
MAIL FRAUD

18 U.S.C. § 1956(a)(2)(B)(i)  
MONEY LAUNDERING

26 U.S.C. § 7206(2)  
CAUSING FALSE TAX RETURNS

31 U.S.C. § 5324(a)(3)  
STRUCTURING FINANCIAL  
TRANSACTIONS

33 V.I.C. § 1522  
CONSPIRACY TO EVADE TAXES

33 V.I.C. § 1525(2)  
CAUSING FALSE TAX RETURNS

14 V.I.C. § 605(a)  
ENGAGING IN A CRIMINAL ENTERPRISE

14 V.I.C. § 605(d)  
CONSPIRACY TO ENGAGE IN A  
CRIMINAL ENTERPRISE

18 U.S.C. § 982 & 21 U.S.C. § 853  
ASSET FORFEITURE

14 V.I.C. § 606  
ASSET FORFEITURE

SEP 18 10 12 AM '03

**THE GRAND JURY CHARGES:**

**GENERAL ALLEGATIONS**

At all times relevant to this Indictment:

**A. Defendants**

1. Defendant UNITED CORPORATION (hereinafter UNITED) was a corporation organized and existing under the laws of the United States Virgin Islands (hereinafter "Virgin Islands") that did business as Plaza Extra (hereinafter "Plaza Extra"). In the mid-1980s, Plaza Extra opened its first store, which was located in St. Croix. In 1993, Plaza Extra opened a second store, which was located in St. Thomas. In 2000, Plaza Extra opened a third store, which also was located in St. Croix. Plaza Extra sold groceries and other merchandise, which was purchased from wholesalers and other suppliers located in states, territories and countries outside of the Virgin Islands. From 1996 through 2001, Plaza Extra's sales totaled over \$300 million.

2. Defendant FATHI YUSUF MOHAMAD YUSUF (hereinafter FATHI YUSUF) is a citizen of the United States and a resident of the Virgin Islands. FATHI YUSUF was an owner, director and officer of defendant UNITED and participated in the operation of Plaza Extra. FATHI YUSUF's duties and responsibilities included management of the business and conduct of the affairs of the corporation. FATHI YUSUF acted with the intent to benefit both himself and UNITED in executing his duties and responsibilities.

3. Defendant WALEED MOHAMMAD HAMED (hereinafter WALEED HAMED) is a citizen of the United States and a resident of the Virgin Islands. WALEED HAMED was employed by UNITED as the manager of a Plaza Extra supermarket in St. Croix. WALEED HAMED's duties and responsibilities included the overall operation and financial management of the store. WALEED HAMED acted with the intent to benefit both himself and UNITED in

executing his duties and responsibilities.

4. Defendant WAHEED MOHAMMED HAMED (hereinafter WAHEED HAMED) is a citizen of the United States, a resident of the Virgin Islands, and the brother of WALEED HAMED. WAHEED HAMED was employed by UNITED as the manager of the Plaza Extra supermarket in St. Thomas. WAHEED HAMED's duties and responsibilities included the overall operation and financial management of the store. WAHEED HAMED acted with the intent to benefit both himself and UNITED in executing his duties and responsibilities.

5. Defendant MAHER FATHI YUSUF (hereinafter MAHER YUSUF) is a citizen of the United States, a resident of the Virgin Islands, and the son of defendant FATHI YUSUF. MAHER YUSUF was an owner, director and officer of UNITED and participated in the operation of Plaza Extra. MAHER YUSUF's duties and responsibilities included management of the business and conduct of the affairs of the corporation. MAHER YUSUF acted with the intent to benefit both himself and UNITED in executing his duties and responsibilities.

6. Defendant ISAM MOHAMAD YOUSUF (hereinafter ISAM YOUSUF) is a citizen of the United States, a resident of St. Maarten, Netherlands Antilles, and the nephew of defendant FATHI YUSUF. ISAM YOUSUF owns and operates Island Appliances, a company located in St. Maarten that sells appliances and furniture.

**B. Virgin Islands Tax Revenue Collection**

7. The Virgin Islands Code requires Virgin Islands corporations to report their gross receipts to the territorial government and pay a tax of four percent (4%) on such gross receipts. Gross receipts tax returns must be completed under oath subject to penalties for perjury and filed monthly with the Virgin Islands Bureau of Internal Revenue. Gross receipts tax revenue collected from corporations in this manner is deposited into the general fund of the treasury for use by the territory. Defendant UNITED was required to file monthly gross receipts tax returns

and to pay taxes on its monthly gross sales receipts.

8. United States law provides that the income-tax laws in force in the United States apply to the Virgin Islands, and that the proceeds of such taxes must be paid to the Virgin Islands.

**C. Scheme to Defraud**

9. Beginning at least as early as in or about January 1996 and continuing through at least in or about September, 2002, defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED defrauded the Virgin Islands of money in the form of tax revenue, specifically territorial gross receipts taxes as well as corporate income taxes, by failing to report at least \$60 million in Plaza Extra sales on gross receipts tax returns and corporate income tax returns.

10. Plaza Extra customers paid for their purchases with cash, checks, credit cards, food stamps, and other forms of payment. After Plaza Extra's sales receipts were collected each day, the funds typically were transferred to a room in the store often referred to as the "cash room," to which only certain individuals, including the defendants, were permitted access. In the cash room, Plaza Extra employees counted the sales receipts and prepared bank deposit slips for the sales receipts.

11. Defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED directed and caused Plaza Extra employees to withhold from deposit substantial amounts of cash received from sales, typically bills in denominations of \$100, \$50 and \$20. Instead of being deposited into the bank accounts with other sales receipts, this cash was delivered to one of the defendants or placed in a designated safe in the cash room. From 1996 through 2001, tens of millions of dollars in cash was withheld from deposit in this manner and as such, was not reported as gross receipts on tax returns filed by UNITED.

12. In this way, defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED caused the filing of dozens of false monthly gross receipts tax returns, which failed to report the cash withheld from deposit as gross receipts, thereby depriving the Virgin Islands of substantial tax revenue. Defendant UNITED's controller prepared and signed Plaza Extra's monthly gross receipts tax returns, declaring under oath that the returns were true and complete, knowing full well that the returns were false in that they failed to report substantial sales receipts.

13. Defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED also caused the filing of false annual corporate income tax returns of UNITED that failed to report the cash withheld from deposit as sales, thereby depriving the Virgin Islands of substantial tax revenue. Defendant FATHI YUSUF signed UNITED's returns, declaring under oath that the returns were true and complete, knowing full well that the returns were false in that they failed to report substantial sales receipts.

**D. Concealment of the Fraud Proceeds**

14. The defendants engaged in various efforts to disguise and conceal the illegal scheme and its proceeds. For example, defendants FATHI YUSUF, WAHEED HAMED and MAHER YUSUF directed and caused Plaza Extra employees and others to purchase cashier's checks, traveler's checks, and money orders with unreported cash, typically from different bank branches and made payable to individuals and entities other than the defendants, in order to disguise the cash as legitimate-appearing financial instruments.

15. Defendants FATHI YUSUF, WAHEED HAMED and MAHER YUSUF also purchased and caused others to purchase checks and money orders, and engaged in and caused others to engage in various cash transactions with banks, in amounts designed to evade the legal requirements that banks keep records and file reports regarding cash transactions with the U.S.



Treasury Department.

16. Defendants WALEED HAMED and MAHER YUSUF caused unreported currency to be used to cash the checks of Plaza Extra customers and others in order to disguise the cash as legitimate-appearing financial instruments.

17. Defendants FATHI YUSUF and WALEED HAMED caused the checks and money orders described above to be deposited into foreign bank accounts they controlled. For example, defendants FATHI YUSUF and WALEED HAMED compiled the various checks and money orders obtained with unreported cash and caused them to be transported from the Virgin Islands to the Kingdom of Jordan ("Jordan"), where the funds were deposited into accounts they controlled at Cairo Amman Bank, in Amman, Jordan.

18. Defendants WALEED HAMED and WAHEED HAMED used and caused to be used UNITED corporate checks to purchase cashiers' checks made payable to Plaza Extra suppliers and other entities to create the false appearance that the checks were payments to Plaza Extra suppliers. In fact, these cashier's checks were transported to Amman, Jordan and deposited into accounts at Cairo Amman Bank controlled by defendants FATHI YUSUF and WALEED HAMED.

19. Defendants FATHI YUSUF and WALEED HAMED smuggled and caused to be smuggled millions of dollars of unreported cash from the Virgin Islands to the island of St. Martin, in the French West Indies, where it was deposited into accounts at Banque Francaise Commerciale that they and defendant ISAM YOUSUF controlled.

20. To conceal the transfer of unreported cash to foreign bank accounts, defendants FATHI YUSUF and WALEED HAMED failed to file financial reports with the United States, as required by law. Specifically, FATHI YUSUF and WALEED HAMED failed to file required reports with the U.S. Treasury Department that would have revealed: (a) their transfer of

monetary instruments and cash in amounts greater than \$10,000 from the Virgin Islands to foreign countries, including Jordan and St. Martin; and (b) their control over bank accounts in foreign countries, including Jordan and St. Martin.

**E. Filing False Personal Income Tax Returns**

21. Defendants FATHI YUSUF, WALEED HAMED and WAHEED HAMED also filed and caused to be filed false personal income tax returns that failed to report and pay tax on the cash and other funds that they diverted from Plaza Extra and transferred to bank accounts they controlled and used for their own personal benefit, including for the construction of lavish and expensive personal residences in the Virgin Islands. FATHI YUSUF, WALEED HAMED and WAHEED HAMED signed their personal returns, declaring under oath that the returns were true and complete, knowing full well that the returns were false in that they failed to report substantial income from funds diverted from Plaza Extra.

**COUNT 1**  
**(Conspiracy)**

22. The allegations in paragraphs 1 - 20 above are realleged as if set forth in full here.

23. Beginning at least as early as in or about January 1996 and continuing through at least in or about September 2002, in the District of the Virgin Islands and elsewhere, defendants

**FATHI YUSUF  
WALEED HAMED  
WAHEED HAMED  
MAHER YUSUF  
and UNITED**

knowingly conspired and agreed with each other and with others known and unknown to the grand jury to:

a. Knowingly and willfully devise and intend to devise a scheme and artifice to defraud and to obtain money and property, specifically money belonging to the Virgin Islands in the form of territorial gross receipts tax revenue, by means of material false and fraudulent pretenses, representations and promises, knowing that the pretenses, representations and promises were false when made, and for the purpose of executing and attempting to execute and in furtherance of the scheme and artifice to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations and promises, did knowingly cause to be sent and moved by the United States Postal Service, Gross Receipts Monthly Tax Returns, Forms 720 V.I., addressed to the Virgin Islands Bureau of Internal Revenue; in violation of Title 18, United States Code, Section 1341; and

b. Knowingly and for the purpose of evading the reporting and record-keeping requirements of Title 31, United States Code, Section 5313(a) and 5325, and the regulations promulgated thereunder, structure, cause to be structured, assist in the structuring, and attempt to structure and assist in the attempted structuring of financial transactions with one

or more domestic financial institutions involving: (i) the issuance and sale of bank checks, bank drafts, cashier's checks, and money orders for \$3,000 or more in currency; and (ii) transactions with financial institutions involving more than \$10,000 of currency; in violation of Title 31, United States Code, Section 5324(a)(3) and (d)(2).

**A. Purpose and Object of the Conspiracy**

24. It was the purpose and object of the conspiracy for the defendants to unlawfully enrich themselves and the corporations they controlled by engaging in a fraudulent scheme to obtain and conceal money belonging to the Virgin Islands in the form of gross receipts tax revenue.

**B. Overt Acts**

25. In furtherance of the conspiracy and to effect the objects thereof, in the District of the Virgin Islands and elsewhere, the defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED, MAHER YUSUF, UNITED, and others known and unknown to the grand jury committed and caused to be committed the following overt acts, among others:

a. Beginning in or about January 1996 and continuing through in or about September 2002, defendants FATHI YUSUF, WALEED HAMED and WAHEED HAMED directed and caused Plaza Extra employees to withhold from deposit substantial amounts of cash received from sales, typically bills in denominations of \$100, \$50 and \$20;

b. Beginning in or about January 1996 and continuing through in or about September 2002, defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED's controller caused the mailing and filing of false monthly gross receipts tax returns for defendant UNITED;

c. Beginning at least as early as in or about July 1996 and continuing at least through in or about January 2000, defendants FATHI YUSUF and WALEED HAMED on numerous occasions transported and caused to be transported tens of thousands of dollars in unreported cash, typically bills in denominations of \$100, \$50 and \$20, from the Virgin Islands to St. Martin;

d. Beginning at least as early as in or about July 1996 and continuing at least through in or about January 2000, defendants FATHI YUSUF, WALEED HAMED and ISAM YOUSUF on numerous occasions deposited unreported cash into accounts they controlled at banks in St. Martin;

e. Beginning on or about July 7, 1998 and continuing through on or about October 15, 1998, on numerous occasions defendant WAHEED HAMED purchased and caused others to purchase cashier's checks and traveler's checks with unreported cash;

f. On or about July 22, 1998, defendant WALEED HAMED transported and caused to be transported approximately 23 checks totaling \$79,205.83 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled;

g. On or about August 4, 1998, defendant WALEED HAMED transported and caused to be transported approximately 60 checks totaling \$237,526.64 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled;

h. Beginning on or about August 7, 1998 and continuing through on or about October 8, 1998, on numerous occasions, defendant MAHER YUSUF purchased and caused others to purchase cashier's checks and bank checks with unreported cash;

i. On or about August 21, 1998, defendants WALEED HAMED and MAHER YUSUF transported and caused to be transported approximately 54 checks totaling \$105,225.97 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account controlled by defendant WALEED HAMED;

j. On or about September 1, 1998, defendant FATHI YUSUF transported and caused to be transported approximately 265 checks totaling \$135,880.42 from the U.S. Virgin Islands to Cairo Amman Bank in Amman, Jordan, where the proceeds were deposited into an account he controlled;

k. On or about September 11, 1998, defendant WALEED HAMED transported and caused to be transported approximately 138 checks totaling \$171,042.53 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled;

l. On or about September 25, 1998, defendant FATHI YUSUF transported and caused to be transported approximately 3 checks totaling \$179,468.50, including two bank checks totaling \$150,000 payable to a third party whose endorsement was forged, from the U.S. Virgin Islands to Cairo Amman Bank in Amman, Jordan, where the proceeds were deposited into an account he controlled;

m. On or about October 23, 1998, defendant FATHI YUSUF transported and caused to be transported approximately 42 checks totaling \$106,092.74 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled;

n. On or about December 5, 1998, defendant WALEED HAMED transported and caused to be transported approximately 85 checks totaling \$161,846.15 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an

account he controlled;

o. On or about January 6, 1999, defendant WALEED HAMED transported and caused to be transported approximately 57 checks totaling \$232,788.69 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled;

p. On or about February 18, 1999, defendant WALEED HAMED transported and caused to be transported approximately 80 checks totaling \$152,425.89 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled;

q. On or about April 15, 1999, defendant FATHI YUSUF transported and caused to be transported approximately 6 checks totaling \$66,660.39 from the U.S. Virgin Islands to Cairo Amman Bank in Amman, Jordan, where the proceeds were deposited into an account he controlled;

r. On or about May 25, 1999, defendant FATHI YUSUF transported and caused to be transported approximately 8 checks totaling \$439,502.62, including a bank check in the amount of \$179,273.64 payable to and endorsed by a third party who had been deceased for over two years, from the U.S. Virgin Islands to Cairo Amman Bank in Amman, Jordan, where the proceeds were deposited into an account controlled by defendant FATHI YUSUF;

s. On or about August 5, 1999, defendant WALEED HAMED transported and caused to be transported approximately 98 checks totaling \$384,145.40 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled; and

t. On or about April 10, 2000, defendant WALEED HAMED transported and caused to be transported approximately 7 checks totaling \$164,576.54 from the U.S. Virgin Islands to Cairo Amman Bank, in Amman, Jordan, where the funds were deposited into an account he controlled.

All in violation of Title 18, Sections 371 and 3551 *et seq.*



**COUNT 2**  
(Money Laundering Conspiracy)

26. The allegations in paragraphs 1 through 12 and 14 through 20 above are realleged as if set forth in full here.

27. Beginning at least as early as in or about January 1996 and continuing through at least in or about October 2001, in the District of the Virgin Islands and elsewhere, defendants

**FATHI YUSUF  
WALEED HAMED  
WAHEED HAMED  
MAHER YUSUF  
ISAM YOUSUF  
and UNITED**

knowingly conspired and agreed with each other and with others known and unknown to the grand jury to:

a. Conduct and attempt to conduct financial transactions, affecting interstate and foreign commerce, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, which in fact involved the proceeds of specified unlawful activity, that is, mail fraud in violation of Title 18, United States Code, Section 1341, knowing that the financial transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity; in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

b. Transport and transfer, and attempt to transport and transfer, monetary instruments and funds from a place in the United States, to and through a place outside the United States, knowing that the monetary instruments and funds involved in the transportation and transfers represented the proceeds of some form of unlawful activity, and knowing that such transportation and transfers were designed in whole and in part to conceal and disguise the

nature, location, source, ownership, and control of the proceeds of a specified unlawful activity,  
that is, mail fraud, in violation of Title 18, United States Code, Section 1341; in violation of Title  
18, United States Code, Section 1956(a)(2)(B)(i).

All in violation of Title 18, Section 1956(h) and 3551 *et seq.*

**COUNTS 3 – 43**  
**(Mail Fraud)**

28. The allegations of paragraphs 1 through 12 and 14 through 20 are realleged as if fully set forth here.

29. Beginning at least as early as in or about January 1996 and continuing through at least in or about September 2002, in the District of the Virgin Islands and elsewhere, defendants

**FATHI YUSUF  
WAHEED HAMED  
WALEED HAMED  
and UNITED**

and others known and unknown to the grand jury, knowingly and willfully devised and intended to devise a scheme and artifice to defraud and to obtain money and property, specifically money belonging to the Virgin Islands in the form of territorial gross receipts tax revenue, by means of material false and fraudulent pretenses, representations and promises, knowing that the pretenses, representations and promises were false when made, as more particularly described in paragraphs 9 through 12 and 14 through 20 of this Indictment.

30. On or about the dates specified in each count below, the defendants, for the purpose of executing and attempting to execute and in furtherance of the aforesaid scheme and artifice to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations and promises, did knowingly cause to be sent and moved by the United States Postal Service, at the East End United States Post Office in St. Thomas, Gross Receipts Monthly Tax Returns, Forms 720 V.I., addressed to the Virgin Islands Bureau of Internal Revenue, St. Thomas, Virgin Islands, 00802:

<b>Count</b>	<b>Approximate Date of Mailing</b>	<b>Sales Month</b>
3	09/29/1998	August 1998
4	10/30/1998	September 1998
5	11/27/1998	October 1998
6	12/30/1998	November 1998
7	01/29/1999	December 1998
8	03/01/1999	January 1999
9	03/30/1999	February 1999
10	04/30/1999	March 1999
11	06/01/1999	April 1999
12	06/30/1999	May 1999
13	07/30/1999	June 1999
14	08/30/1999	July 1999
15	09/30/1999	August 1999
16	10/29/1999	September 1999
17	11/30/1999	October 1999
18	12/29/1999	November 1999
19	01/29/2000	December 1999
20	02/29/2000	January 2000
21	03/30/2000	February 2000
22	05/01/2000	March 2000
23	05/31/2000	April 2000
24	06/30/2000	May 2000
25	07/31/2000	June 2000
26	08/30/2000	July 2000
27	10/02/2000	August 2000
28	10/30/2000	September 2000

<b>Count</b>	<b>Approximate Date of Mailing</b>	<b>Sales Month</b>
29	11/30/2000	October 2000
30	01/02/2001	November 2000
31	01/30/2001	December 2000
32	02/28/2001	January 2001
33	03/28/2001	February 2001
34	04/30/2001	March 2001
35	05/30/2001	April 2001
36	07/02/2001	May 2001
37	07/30/2001	June 2001
38	08/28/2001	July 2001
39	10/01/2001	August 2001
40	11/02/2001	September 2001
41	11/30/2001	October 2001
42	01/02/2002	November 2001
43	01/30/2002	December 2001

All in violation of Title 18, United States Code, Sections 1341, 2, and 3551 *et seq.*

**COUNTS 44 - 52**  
**(Money Laundering)**

31. The allegations in paragraphs 1 through 12 and 14 through 20 are realleged as if fully set forth here.

32. On or about the dates listed in each count below, in the District of the Virgin Islands and elsewhere, the defendants listed below, transported and transferred, and attempted to transport and transfer, monetary instruments and funds in amounts described below from a place in the United States, specifically the United States Virgins Islands, to and through a place outside the United States, specifically Amman, Jordan, knowing that the monetary instruments and funds involved in the transportation and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation and transfer was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of a specified unlawful activity, that is, mail fraud, in violation of Title 18, United States Code, Section 1341:

<b>Count</b>	<b>Date</b>	<b>Amount</b>	<b>Defendant</b>
44	09/25/98	\$179,468.50	FATHI YUSUF
45	10/23/98	\$106,092.74	FATHI YUSUF
46	12/05/98	\$161,846.15	WALEED HAMED
47	01/06/99	\$232,788.69	WALEED HAMED
48	02/18/99	\$152,425.89	WALEED HAMED
49	04/15/99	\$66,660.39	FATHI YUSUF
50	05/25/99	\$439,502.62	FATHI YUSUF
51	08/05/99	\$384,145.40	WALEED HAMED
52	04/10/00	\$164,576.54	WALEED HAMED

All in violation of Title 18, United States Code, Sections 1956(a)(2)(B)(i), 2, 3551 *et seq.*

**COUNT 53**  
(Structuring Financial Transactions)

33. The allegations of paragraphs 1 through 21 are realleged as if fully set forth here.

34. Beginning on or about July 7, 1998 and continuing through on or about October 15, 1998, in the District of the Virgin Islands, defendant

**WAHEED HAMED**

knowingly structured and assisted in structuring, and attempted to structure and assist in structuring, the following transaction with the domestic financial institutions listed below for the purpose of evading the record-keeping and reporting requirements of Title 31, United States Code, Section 5325, and the regulations promulgated thereunder, for transactions involving the issuance and sale of a bank check, bank draft, and cashier's check for \$3,000 or more in currency, by purchasing the following cashier's checks and bank checks with currency; and did so as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period, and while violating another law of the United States, to wit: Title 18, United States Code, Sections 1341 and 1956(h), and Title 26, United States Code, Section 7206(2):

<b>Date</b>	<b>Amount</b>	<b>Financial Institution</b>
07/07/98	\$2,975.00	Scotiabank
07/23/98	\$2,943.00	Scotiabank
07/23/98	\$2,900.00	Scotiabank
07/24/98	\$2,750.00	Scotiabank
07/24/98	\$2,900.00	Scotiabank
07/27/98	\$2,501.56	Scotiabank
07/27/98	\$2,891.61	Scotiabank
07/27/98	\$2,598.98	Scotiabank
07/28/98	\$2,541.01	Banco Popular

<b>Date</b>	<b>Amount</b>	<b>Financial Institution</b>
07/28/98	\$2,781.81	Banco Popular
07/29/98	\$2,768.68	Scotiabank
07/29/98	\$2,898.15	Scotiabank
07/29/98	\$2,819.92	Scotiabank
07/29/98	\$2,967.75	Scotiabank
07/29/98	\$2,644.38	Scotiabank
07/29/98	\$2,777.50	Scotiabank
07/29/98	\$2,998.98	Scotiabank
07/29/98	\$2,981.11	Scotiabank
08/10/98	\$2,801.98	Scotiabank
08/10/98	\$2,784.40	Scotiabank
08/10/98	\$2,998.48	Scotiabank
08/10/98	\$2,862.48	Scotiabank
08/11/98	\$2,862.48	Scotiabank
08/12/98	\$2,784.40	Scotiabank
08/20/98	\$2,950.00	Scotiabank
08/20/98	\$2,777.41	Scotiabank
08/20/98	\$2,991.70	Scotiabank
08/20/98	\$2,698.90	Scotiabank
09/11/98	\$2,858.50	First Bank
09/11/98	\$2,879.98	Scotiabank
09/11/98	\$2,990.05	Scotiabank
09/11/98	\$2,995.48	Scotiabank
10/15/98	\$2,805.00	Scotiabank
10/15/98	\$2,999.10	Scotiabank
10/15/98	\$2,899.60	Scotiabank



All in violation of Title 31, United States Code, Sections 5324(a)(3) and (d)(2), and Title 18, United States Code, Sections 2 and 3551 *et seq.*

**COUNT 54**  
**(Structuring Financial Transactions)**

35. The allegations of paragraphs 1 through 21 are realleged as if fully set forth here.

36. From on or about August 6, 1998 through on or about October 8, 1998, in the District of the Virgin Islands, defendant

**MAHER YUSUF**

knowingly structured and assisted in structuring, and attempted to structure and assist in structuring, the following transaction with the domestic financial institutions listed below for the purpose of evading the record-keeping and reporting requirements of Title 31, United States Code, Section 5325, and the regulations promulgated thereunder, for transactions involving the issuance and sale of a bank check, bank draft, and cashier's check for \$3,000 or more in currency, by purchasing the following cashier's checks and bank checks with currency; and did so as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period, and while violating another law of the United States, to wit: Title 18, United States Code, Section 1956(h):

<b>Date</b>	<b>Amount</b>	<b>Financial Institution</b>
08/06/98	\$2,400.00	Bank of St. Croix
08/06/98	\$2,500.00	Scotiabank
08/10/98	\$2,990.00	Bank of St. Croix
08/10/98	\$2,891.00	Scotiabank
08/10/98	\$2,794.00	Banco Popular
08/10/98	\$2,661.00	Banco Popular
08/10/98	\$2,665.00	Scotiabank
08/11/98	\$2,480.00	Scotiabank
08/12/98	\$2,123.00	Scotiabank

<b>Date</b>	<b>Amount</b>	<b>Financial Institution</b>
08/19/98	\$2,700.00	Scotiabank
08/27/98	\$2,500.00	Banco Popular
08/27/98	\$2,500.00	Scotiabank
09/04/98	\$2,500.00	Scotiabank
09/04/98	\$2,500.00	Banco Popular
10/05/98	\$2,847.00	Banco Popular
10/05/98	\$2,900.00	Scotiabank
10/07/98	\$2,800.00	Bank of St. Croix
10/07/98	\$2,800.00	Scotiabank
10/08/98	\$2,920.00	Scotiabank

All in violation of Title 31, United States Code, Sections 5324(a)(3) and (d)(2), and Title 18, United States Code, Sections 2 and 3551 *et seq.*

**COUNT 55**  
(Conspiracy to Evade Taxes)

37. The allegations in paragraphs 1 - 21 above are realleged as if set forth in full here.

38. Beginning at least as early as in or about January 1996 and continuing through at least in or about September 2002, in the District of the Virgin Islands and elsewhere, defendants

**FATHI YUSUF  
WALEED HAMED  
WAHEED HAMED  
and UNITED**

knowingly and intentionally combined, conspired, confederated and agreed with each other and with others known and unknown to the grand jury to willfully evade and defeat taxes imposed by the Virgin Islands, to wit gross receipts taxes and corporate and individual income taxes.

**A. Purpose and Object of the Conspiracy**

39. It was the purpose and object of the conspiracy for the defendants to unlawfully enrich themselves and the corporations they controlled by depriving the Virgin Islands of gross receipts tax revenue and corporate and individual income tax revenue.

**B. Overt Acts**

40. In furtherance of the conspiracy and to effect the objects thereof, in the District of the Virgin Islands and elsewhere, the defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED, UNITED, and others known and unknown to the grand jury committed and caused to be committed the overt acts described in paragraphs 25(a) through (t), which are realleged as if set forth in full here, in addition to the following overt acts, among others:

a. Between on or about March 4, 1997 and September 11, 2002, defendant WALEED HAMED caused the filing of false annual individual income tax returns, Forms 1040, in his name for the tax years 1996 through 2001;

b. Between on or about April 11, 1997 and September 30, 2002, defendant FATHI YUSUF caused the filing of false annual individual income tax returns, Forms 1040, in his name for the tax years 1996 through 2001;

c. Between on or about August 14, 1997 and September 18, 2002, defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED caused the filing of false annual corporate income tax returns, Forms 1120 and 1120S, on behalf of defendant UNITED, for the tax years 1996 through 2001; and

d. Between on or about April 17, 1998 and April 17, 2001, defendant WAHEED HAMED caused the filing of false annual individual income tax returns, Forms 1040, in his name for the tax years 1997 through 2000.

All in violation of Title 33, Virgin Islands Code, Section 1522.

**COUNTS 56 - 60**  
**(Causing False Tax Returns)**

41. On or about the dates listed below, in the District of the Virgin Islands, defendants

**FATHI YUSUF  
WALEED HAMED  
WAHEED HAMED  
and UNITED**

the individuals all being residents of the United States Virgin Islands and the corporation, being organized under the laws of the United States Virgin Islands, did willfully cause and aid and assist in, and procure, counsel, and advise, the preparation and presentation to the Virgin Islands Bureau of Internal Revenue, of defendant UNITED's Corporate Income Tax Returns, Forms 1120 and 1120S, for the calendar years listed below, which were false and fraudulent as to a material matter, in that the returns reported sales in the amount listed below, whereas defendants then and there knew and believed that UNITED made substantial sales in addition to the amount reported.

<b>Count</b>	<b>Date</b>	<b>Tax Year</b>	<b>Form</b>	<b>Reported Sales</b>
56	07/11/98	1997	1120	\$36,823,771
57	04/07/99	1998	1120	\$40,706,669
58	07/05/00	1999	1120S	\$47,004,399
59	08/30/01	2000	1120S	\$51,746,933
60	09/18/02	2001	1120S	\$69,579,412

All in violation of Title 33, Virgin Islands Code, Section 1525(2).

**COUNTS 61 – 65**  
**(Causing False Tax Returns)**

42. On or about the dates listed below, in the District of the Virgin Islands, defendant

**FATHI YUSUF**

a resident of the Virgin Islands, did willfully cause and aid and assist in, and procure, counsel, and advise, the preparation and presentation to the Virgin Islands Bureau of Internal Revenue, of Individual Income Tax Returns, Forms 1040, for the calendar years listed below, which were false and fraudulent as to a material matter, in that the returns reported total income in the amount listed below, whereas he then and there knew and believed that his true total income was substantially more than the amount reported.

<b>Count</b>	<b>Date</b>	<b>Tax Year</b>	<b>Reported Total Income</b>
61	04/15/98	1997	\$58,360
62	04/09/99	1998	\$33,341
63	10/16/00	1999	\$1,936,460
64	09/28/01	2000	\$1,607,800
65	09/30/02	2001	\$3,402,579

All in violation of Title 26, United States Code, Section 7206(2).

**COUNTS 66 – 70**  
**(Causing False Tax Returns)**

43. On or about the dates listed below, in the District of the Virgin Islands, defendant

**WALEED HAMED**

a resident of the Virgin Islands, did willfully cause and aid and assist in, and procure, counsel, and advise, the preparation and presentation to the Virgin Islands Bureau of Internal Revenue, of Individual Income Tax Returns, Forms 1040, for the calendar years listed below, which were false and fraudulent as to a material matter, in that the returns reported total income in the amount listed below, whereas he then and there knew and believed that he received substantial income in addition to the amount reported.

<b>Count</b>	<b>Date</b>	<b>Tax Year</b>	<b>Reported Total Income</b>
66	03/31/98	1997	\$23,825
67	07/29/99	1998	\$25,598
68	08/10/00	1999	\$23,017
69	08/24/01	2000	\$28,259
70	09/11/02	2001	\$39,052

All in violation of Title 26, United States Code, Section 7206(2).



**COUNTS 71 – 74**  
**(Causing False Tax Returns)**

44. On or about the date listed below, in the District of the Virgin Islands, defendant

**WAHEED HAMED**

a resident of the Virgin Islands, did willfully cause and aid and assist in, and procure, counsel, and advise, the preparation and presentation to the Virgin Islands Bureau of Internal Revenue, of Individual Income Tax Returns, Forms 1040, for the calendar years listed below, which were false and fraudulent as to a material matter, in that the returns reported total income in the amount listed below, whereas he then and there knew and believed that he received substantial income in addition to the amount reported.

<b>Count</b>	<b>Date</b>	<b>Tax Year</b>	<b>Reported Total Income</b>
71	04/17/98	1997	\$14,700
72	04/15/99	1998	\$16,300
73	04/14/00	1999	\$25,189
74	04/17/01	2000	\$31,293

All in violation of Title 26, United States Code, Section 7206(2).

**COUNT 75**  
(Conduct of Criminal Enterprise)

**A. The Enterprise**

45. At various times relevant to this Indictment, the defendants

**FATHI YUSUF  
WALEED HAMED  
WAHEED HAMED  
and UNITED**

being persons employed by and associated with an enterprise, as defined by 14 V.I.C. § 604(h), consisting of defendant UNITED, described in paragraph 1, unlawfully and intentionally did conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of criminal activity. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

46. The purposes of the enterprise included unlawfully enriching the members and associates of the enterprise by obtaining and concealing money belonging to the Virgin Islands in the form of gross receipts tax revenue and corporate and individual income tax revenue.

47. The defendants participated in the operation and management of the enterprise, as follows:

a. The defendant FATHI YUSUF, an owner and officer of UNITED, was a leader of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs;

b. The defendant WAHEED HAMED, a manager of a Plaza Extra supermarket, was a leader of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs;

c. The defendant WALEED HAMED, a manager of a Plaza Extra supermarket, was a leader of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs; and

d. Under the direction of the leaders of the enterprise, defendant UNITED participated in unlawful and other activities in furtherance of the conduct of the enterprise's affairs.

48. Among the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the enterprise are the acts described in paragraphs 9-21 above, which are incorporated herein as if set forth in full.

**B. The Violation**

49. Beginning at least as early as in or about January 1996 and continuing through at least in or about September 2002, in the District of the Virgin Islands and elsewhere, defendants

**FATHI YUSUF  
WAHEED HAMED  
WALEED HAMED  
and UNITED**

together and with others known and unknown to the Grand Jury, being persons employed by and associated with the enterprise described above, unlawfully, intentionally, and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of criminal activity, that is, through the commission of the following acts.

50. The pattern of criminal activity as defined in Title 14, Virgin Islands Code, Section 604(e) and (j) consisted of violations described in Counts 1, 2, 3, 15, 27, 39, and 55-60. In violation of Title 14, Virgin Islands Code, Section 605(a).

**COUNT 76**  
(Conspiracy to Conduct Criminal Enterprise)

51. Paragraphs 45 through 50 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

52. Beginning at least as early as in or about January 1996 and continuing through at least in or about September 2002, in the District of the Virgin Islands and elsewhere, defendants

**FATHI YUSUF  
WALEED HAMED  
WAHEED HAMED  
and UNITED**

together with other persons known and unknown to the Grand Jury, being persons employed by and associated with the enterprise described in paragraph 45 above, knowingly and intentionally conspired to violate Title 14, Virgin Islands Code, Section 605(a), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of criminal activity, as that term is defined by Title 14, Virgin Islands Code, Section 604(e) and (j). The pattern of criminal activity through which the defendants agreed to conduct the affairs of the enterprise consisted of the acts forth in paragraph 50 of Count 75 of this Indictment, which are incorporated as if fully set forth herein.

53. It was a part of the conspiracy that the defendants agreed that a conspirator would commit at least two acts of criminal activity in the conduct of the affairs of the enterprise.

All in violation of Title 14, Virgin Islands Code, Section 605(d).

**CRIMINAL FORFEITURE ALLEGATION 1**  
(18 U.S.C. § 982)

54. The allegations contained in Counts 1, 2 and 27 through 52 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein, for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 982.

55. Upon conviction of one or more of the offenses charged in Counts 1, 2 and 27 through 52 of this Indictment, the defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED, ISAM YOUSUF and UNITED shall forfeit to the United States pursuant to Title 18, United States Code, Section 982, any property, real or personal, involved in such offenses, or any property traceable to such property, or any property constituting or derived from proceeds which the defendants obtained directly or indirectly as a result of the commission of said violations.

56. Such forfeitures shall include, but are not limited to:

**Money Judgment**

57. The sum of at least approximately \$60 million in United States currency and all interest and proceeds traceable thereto, in that such sum, in the aggregate, was involved in and is traceable to, and constitutes and is derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of, the criminal offenses alleged in Counts 1, 2 and 27 through 52, for which the defendants are jointly and severally liable.

**Real Property**

58. Real property located at 14 and 28-29 Estate Plessen, St. Croix, Parcel 4-06200-0408-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United

States Code, Sections 371 and 1341.

59. Real property located at 3AA-1 and 4AA St. Joseph and Rosendahl, St. Thomas, Parcels 1-05501-0148-00 and 1-05501-0107-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 371 and 1341.

60. Real property located at 4-15, No. 5 and 6 Tabor and Harmony, St. Thomas, Parcels 1-03104-234-00 and 1-03104-265-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 371 and 1341.

61. Real property located at Remainder Spring Garden, St. Croix, Parcel 4-01900-0101-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

62. Real property located at Parcel 2, Estate Longpoint and Cotton Garden, St. Croix, Parcel 2-03500-0414-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

63. Real property located at Estate Peter's Farm, St. Croix, Parcel 2-04900-0404-00, including all of its appurtenances, improvements, fixtures, attachments, and easements,

which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

64. Real property located at Estate Perseverance, St. Thomas, Parcel 1-02503-0101-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

65. Real property located at 6 and 9 Estate Thomas, St. Thomas, Parcel 05404-1505-00, including all of its appurtenances, improvements, fixtures, attachments, and easements, which is property constituting and derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

66. Real property known as Diamond Keturah Land on St. Croix, consisting of:

a. Estate Cane Garden, Parcel Nos. 8, 9, 10, Remainder No. 46A, Remainder Matriculate No. 32B, Road Plots 11 and 12;

b. Estate Retreat Parcel 11, Peter's Matriculate No. 37B of Company Quarter and Peter's Matriculate No. 37A and 37BA of Company Quarter, No. 54 of Queen's Quarter;

c. Estate Granard Remainder Matriculate 32A, Parcel No. 40, Road Plot 41;  
and

d. Estate Diamond, Remainder Matriculate 31, Parcel Nos. 1, 2, 3, 4, Road Plot No. 6; including all appurtenances, improvements, fixtures, attachments, and easements; all of which is property constituting and derived from proceeds which the defendants obtained

directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i), (a)(2)(B)(i) and (h).

#### **Bank Account**

67. All United States currency, funds, or other monetary instruments credited to Account No.140-21722 in the name of Fathieh Yousuf (or Yousef), held by Merrill Lynch, which is property involved in and traceable to, and constitutes and is derived from proceeds which the defendants obtained directly and indirectly as a result of the commission of violations of Title 18, United States Code, Sections 371, 1341, and 1956(a)(1)(B)(i) and (h).

#### **SUBSTITUTE ASSETS**

68. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by reference by Title 18, United States Code, Section 982(b), if any of the forfeitable property, and any portion thereof, described in the forfeiture section of this Indictment, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to the following:

- f. Real property located at 92C and D, La Grande Princess, St. Croix, Parcel 2-02611-0215-00, including all appurtenances, improvements, fixtures, attachments, and



easements;

g. Real property located at 7 Southgate, St. Croix, Parcel 2-03000-0412-00, including all of its appurtenances, improvements, fixtures, attachments, and easements;

h. Real property located at 92B La Grande Princess, St. Croix, Parcel 2-02611-0214-00, including all appurtenances, improvements, fixtures, attachments, and easements; and

i. Real property located at Green Cay Plantation Subdivision, Frenchman's Bay, St. Thomas, Parcel 07404-0280-00, including all of its appurtenances, improvements, fixtures, attachments, and easements.

**CRIMINAL FORFEITURE ALLEGATION 2**  
(14 V.I.C. § 606)

69. The allegations contained in Counts 75 and 76 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein for the purpose of alleging forfeitures pursuant to Title 14, Virgin Islands Code, Section 606.

70. Through the pattern of criminal activity alleged in Counts 75 and 76, defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED have acquired and maintained real and personal property used in the course of, intended for use in the course of, derived from, or realized through, conduct in violation of Title 14, Virgin Islands Code, Section 605, including property constituting an interest in, or means of control or influence over, the enterprise involved in the conduct in violation of Title 14, Virgin Islands Code, Section 605, and including property constituting proceeds derived from the conduct in violation of Title 14, Virgin Islands Code, Section 605, which is subject to forfeiture to the Government of the Territory of the United States Virgin Islands pursuant to Title 14, Virgin Islands Code, Section 606(c). That forfeitable property includes, but is not limited to:

**Corporate Assets**

71. All assets, tangible and intangible, of United Corporation, including, but not limited to: all United States currency, funds, or other monetary instruments credited to the following accounts in the name of defendant United Corporation:

- (1) Account No. 191-063789 at Banco Popular;
- (2) Account No. 191-013307 at Banco Popular;
- (3) Account No. 192-026143 at Banco Popular;
- (4) Account No. 65811 at Bank of Nova Scotia;

- (5) Account No. 55312010 at Bank of Nova Scotia;
- (6) Account No. 60086413 at Bank of Nova Scotia;
- (7) Account No. 60092918 at Bank of Nova Scotia;
- (8) Account No. 55356719 at Bank of Nova Scotia; and
- (9) Account No. 140-07759 at Merrill Lynch.

72. As a result of the commission of the offenses charged in Counts 75 and 76 of this Indictment, the defendants FATHI YUSUF, WALEED HAMED, WAHEED HAMED and UNITED shall forfeit to the Government of the Territory of the United States Virgin Islands assets, including, but not limited to, the assets described in paragraphs 57, and 59 through 67.

#### **SUBSTITUTE ASSETS**

73. Pursuant to Title 14, Virgin Islands Code, Section 606(e), if any of the forfeitable property, and any portion thereof, described in Criminal Forfeiture Allegation One of this Indictment, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been sold to a bona fide purchaser for value;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty or injury to third persons;

it is the intent of the United States to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property, including, but not limited to the property described in paragraphs 68(f) through 68(i).

All in accordance with Title 14, Virgin Islands Code, Section 606.

USAO NO. 2002R00389

A TRUE BILL

*Casey*  
FOREPERSON

*John Steen*  
ASSISTANT U. S. ATTORNEY

DISTRICT OF THE VIRGIN ISLANDS: 9/18, 2003

Returned into the District Court by Grand Jurors and filed.

*Claudette A. Donwa*  
DEPUTY CLERK

U.S. DISTRICT COURT  
ST. JOHN, VIRGIN ISLANDS

03 SEP 18 11:21 AM

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