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News Release

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3 men indicted for conspiracy to violate U.S. export regulations

Three men were indicted today in federal court for allegedly exporting material from the United States to Singapore, Hong Kong and the People's Republic of China in violation of the export regulations of the U.S.

Charged Oct. 28 in St. Paul were: Ping Cheng, 45, Manhasset, N.Y.; Kok Tong Lim, 36, Singapore; and Jian Wei Ding, 50, Singapore. All three defendants were charged with one count of conspiracy to violate the Export Administration Regulations and two counts of attempting to illegally export carbon fiber material from the U.S.

Their indictment alleges that from October 2006 through Oct. 21, 2008, the three men conspired to violate the Export Administration Regulations by exporting and attempting to export from the U.S. to Singapore, Hong Kong and the People's Republic of China high-modulus carbon-fiber material without an export license issued by the U.S. Commerce Department. The U.S. government requires a license to export these materials for national security, nuclear proliferation and antiterrorism reasons.

The Commerce Department controlled the export of high-modulus carbon-fiber material from the U.S. to certain countries, including Singapore, Hong Kong and the People's Republic of China, by requiring individuals or companies intending to export such materials to obtain a license. The carbon-fiber material the defendants sought to export has applications in rockets, satellites, spacecraft and uranium enrichment. The indictment alleges that one of the intended destinations for the material was the China Academy of Space Technology, which oversees research institutes working on spacecraft systems for the People's Republic of China.

The indictment also alleges that Ding, who owned Jowa Globaltech, Far Easton and FirmSpace, and Lim, who was an agent of FirmSpace until approximately November 2007, placed written orders for material with an undercover, Minnesota company that purported to be a supplier of aerospace commodities.

Ding and Lim allegedly wired substantial sums of money from Singapore to a Minnesota bank account associated with the undercover company to pay for the material.

Cheng, who was the U.S. agent of FirmSpace, traveled from New York to Minnesota to inspect the material prior to its final acceptance by FirmSpace.

Ding and Lim allegedly accepted the delivery, and caused the material to be shipped from Minnesota through New York intending that it be illegally exported. In April 2008, the defendants attempted to export more than \$300,000 of material to Hong Kong and Singapore.

If convicted, Ding, Lim and Cheng each face a potential maximum penalty of 20 years in prison on the conspiracy count and 20 years on each of the illegal export counts. The three men also each face a potential maximum penalty of a \$1 million fine on each count. All sentences are determined by a federal district court judge.

This case is the result of an investigation by the U.S. Department of Homeland Security, Immigration and Customs Enforcement, and U.S. Department of Commerce-Bureau of Industry and Security, Office of Export Enforcement, and is being prosecuted by Assistant U.S. Attorney David J. MacLaughlin.

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by a defendant. A defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.