

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term
Grand Jury Sworn in on November 16, 2009

UNITED STATES OF AMERICA

CRIMINAL NO. **CR-10-195**
MAGISTRATE NO. 08-727-M-01

v.

VIOLATIONS:

MILAD JAFARI,

Defendant.

18 U.S.C. § 371
(Conspiracy to Export Materials to
Embargoed Country and Defraud the
United States)

50 U.S.C. § 1705
(International Emergency Economic
Powers Act)

31 C.F.R. Part 560
(Iranian Transactions Regulations)

18 U.S.C. § 554
(Smuggling Goods)

18 U.S.C. § 2
(Aiding and Abetting and
Causing an Act to Be Done)

18 U.S.C. § 981(a)(1)(C)
28 U.S.C. § 2461(c)
(Criminal Forfeiture)

WALTON, J. RBW

INDICTMENT

FILED IN OPEN COURT

B

The Grand Jury charges that:

JUL 21 2010

COUNT ONE

CLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

At all time material to this Indictment:

A. INTRODUCTION

1. Defendant MILAD JAFARI was a citizen and resident of Iran who procured goods from the United States and other countries on behalf of customers located in Iran. Defendant MILAD JAFARI and others operated Macpar Makina San. Ve Ticaret A.S. (“Macpar”), a Turkish and Iranian business with locations in Istanbul, Turkey, and Tehran, Iran. Defendant MILAD JAFARI and others also operated Standart Teknik Parca San. Ve Ticaret A.S. (“STEP”), a Turkish business with locations in Istanbul, Turkey, and Tehran, Iran.

The Iran Trade Embargo and the Iranian Transactions Regulations

2. The International Emergency Economic Powers Act (“IEEPA”), 50 U.S.C. §§ 1701-1706, authorized the President of the United States (“the President”) to impose economic sanctions on a foreign country in response to an unusual or extraordinary threat to the national security, foreign policy or economy of the United States when the President declared a national emergency with respect to that threat. Pursuant to IEEPA, the President signed various Executive Orders imposing economic sanctions, including a trade embargo, on Iran. The Executive Orders prohibited, among other things, the exportation, reexportation, sale, or supply, directly or indirectly, to Iran of any goods, technology, or services from the United States or by a United States person. The Executive Orders also prohibited any transaction by any United States person or within the United States that evaded or avoided, or had the purpose of evading or avoiding, any prohibition set forth in the Executive Orders.

3. The Executive Orders authorized the United States Secretary of the Treasury to promulgate rules and regulations necessary to carry out the Executive Orders. Pursuant to this authority, the Secretary of the Treasury promulgated the Iranian Transactions Regulations, 31 C.F.R.

Part 560, implementing the sanctions imposed by the Executive Orders.

~~4. The Iranian Transactions Regulations prohibited, among other things, the export, reexport, sale, or supply, directly or indirectly, of any goods, technology, or services from the United States or by a United States person, wherever located, to Iran or the Government of Iran, without prior authorization or license from the United States Department of the Treasury, through the Office of Foreign Assets Control, located in the District of Columbia. These regulations further prohibited any transactions that evaded or avoided, or had the purpose of evading or avoiding, any of the prohibitions contained in the Iranian Transactions Regulations, including the unauthorized exportation of goods from the United States to a third country if the goods are intended or destined for Iran. The Iranian Transactions Regulations were in effect at all times relevant to this Indictment.~~

5. The Office of Foreign Assets Control, United States Department of the Treasury, administers and enforces economic and trade sanctions against targeted foreign states, organizations, and individuals. Among other things, the Office of Foreign Assets Control publicizes a list of Specially Designated Nationals & Blocked Persons (“SDN”), which contains the names of individuals and entities with whom United States nationals are prohibited from doing business.

6. Sanam Industrial Group (also known as Sanam Industries Group), which is located in Tehran, Iran, was added to the Office of Foreign Assets Control’s SDN list for Nuclear Proliferation and Weapons of Mass Destruction reasons on July 18, 2006.

7. Pursuant to United Nations Security Council Resolution (“UNSCR”) 1747, which was adopted on March 24, 2007, and establishes sanctions against Iran’s nuclear and missile programs, Sanam Industrial Group is listed under the heading “Entities involved in nuclear or ballistic missile activities.” The resolution further states that Sanam is “subordinate to AIO,” and

“has purchased equipment on AIO’s behalf for the missile programme.” AIO is an acronym for the Iran Aerospace Industries Organization, which is an industrial and military subsidiary of the Ministry of Defense and the Ministry of the Armed Forces Logistics of Iran.

Export and Shipping Records

8. Pursuant to United States law and regulation, exporters and shippers or freight forwarders are required to file certain forms and declarations concerning exports of goods and technology from the United States. Typically, those filings are completed through the submission of a paper Shipper’s Export Declaration (“SED”) or the submission of Electronic Export Information (“EEI”) via the Automated Export System (“AES”). AES is administered by the United States Department of Homeland Security (“DHS”), Bureau of Customs and Border Protection, which is headquartered in the District of Columbia. The SEDs and EEIs are official documents submitted to the DHS in connection with export shipments from the United States.

9. An essential and material part of the SED or EEI is information concerning the ultimate consignee and the country of ultimate destination of the export. In many cases, the identity of the ultimate consignee determines whether the goods may be exported a) without any specific authorization from the United States government; b) with the specific authorization or a validated license from the United States Department of Commerce, the United States Department of State, or the United States Department of the Treasury; or c) whether the goods may not be exported from the United States.

10. The SED or EEI is equivalent to a statement to the United States government that the transaction occurred as described. The SED or EEI is used by the United States Bureau of Census to collect trade statistics and by the Bureau of Industry and Security, United States Department of

Commerce, which is located in the District of Columbia, for export control purposes.

B. THE CONSPIRACY

11. Beginning as early as in or about February 2004, the exact date being unknown to the Grand Jury, and continuing through in or about August 2007, defendant MILAD JAFARI did knowingly and willfully combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to commit offenses against the United States, that is, to (a) export and cause the exportation of goods from the United States to Iran in violation of the embargo imposed upon that country by the United States, without having first obtained the required licenses or authorizations from the Office of Foreign Assets Control, United States Department of the Treasury, located in the District of Columbia, in violation of Title 50, United States Code, Section 1705, and Title 31, Code of Federal Regulations, Parts 560.203 and 560.204; and (b) defraud the United States Department of the Treasury and the United States government by interfering with and obstructing a lawful government function, that is, the enforcement of laws and regulations prohibiting the export or supply of goods from the United States to Iran without authorization or a license, by deceit, craft, trickery, and dishonest means, in violation of Title 18, United States Code, Section 371.

12. Known members of the conspiracy included the following individuals: an Iranian national who is a member of defendant MILAD JAFARI's family and a representative of STEP and Macpar ("Individual A"); an associate operating in Iran ("Individual B"); and a Turkish national and representative of Macpar ("Individual C").

13. The conduct alleged in this Count began outside of the jurisdiction of any particular State or district, and later occurred within the District of Columbia and elsewhere, and is therefore within the venue of the United States District Court for the District of Columbia.

C. OBJECTS OF THE CONSPIRACY

14. The objects of the conspiracy were:

- A. to acquire goods from the United States to supply to entities in Iran;
- B. to conceal from United States companies and the United States government that the U.S.-origin goods were destined for Iranian end-users; and
- C. to make a financial profit for defendant MILAD JAFARI and his co-conspirators.

D. MANNER AND MEANS OF THE CONSPIRACY

15. The manner and means by which defendant MILAD JAFARI and other conspirators sought to accomplish the objects of the conspiracy included, among others, the following:

- A. Defendant MILAD JAFARI and other conspirators began planning and acting outside of the United States to acquire goods from inside the United States.
- B. Defendant MILAD JAFARI and other conspirators used companies outside of Iran to procure goods from the United States.
- C. Defendant MILAD JAFARI and other conspirators used e-mail accounts and other forms of communication to communicate with one another and with other individuals located in the United States and Iran.
- D. Defendant MILAD JAFARI and other conspirators solicited purchase orders and business from other conspirators and customers in Iran for U.S.-origin goods.
- E. Defendant MILAD JAFARI and other conspirators sent requests for purchases of goods to companies located in the United States on behalf of other conspirators and customers in Iran.

F. Defendant MILAD JAFARI and other conspirators placed orders and purchased goods from companies located in the United States.

G. Defendant MILAD JAFARI and other conspirators wired money from accounts from outside of the United States to accounts of United States' companies in the United States in payment for the purchased goods.

H. Defendant MILAD JAFARI and other conspirators intentionally concealed from companies, shippers, and freight forwarders located in the United States the ultimate end-use and end-users of the purchased goods.

I. Defendant MILAD JAFARI and other conspirators caused shipments of goods to be made from the United States to Turkey before causing the goods to be transhipped to Iran.

J. Defendant MILAD JAFARI and other conspirators caused the goods to be exported from the United States to individuals and entities in Iran without obtaining a license from the Office of Foreign Assets Controls, United States Department of the Treasury, located in the District of Columbia.

E. OVERT ACTS

16. In furtherance of this conspiracy, and to accomplish its purposes and objects, at least one of the conspirators committed or caused to be committed, in the District of Columbia and elsewhere, at least one of the following overt acts, among others:

NEVADA COMPANY ORDER

(1) On or about July 4, 2006, Sanam Industrial Group in Tehran, Iran, issued to STEP a request for quote for 660 pounds of D6AC welding wire, a specialized steel welding wire which is known to have aerospace applications.

(2) In or about September 2006, Individual A requested a quote for Macpar from a representative of a company located in Nevada (“Nevada Company”) for 660 pounds of D6AC welding wire in the exact quantity and dimension as specified in the July 4, 2006, request for quote from Sanam Industrial Group.

(3) On or about May 7, 2007, defendant MILAD JAFARI caused an order to be placed for 660 pounds of D6AC welding wire by Macpar with the Nevada Company.

(4) On or about June 14, 2007, Macpar sent a wire transfer to the Nevada Company in the amount of \$ 35,048.20 in payment for the order.

(5) On or about June 15, 2007, Macpar sent a wire transfer to the Nevada Company in the amount of \$ 3,868.80 as the remaining payment for the order.

(6) Based upon representations made by defendant MILAD JAFARI to the Nevada Company, employees of the Nevada Company submitted an SED to the United States government that listed the ultimate consignee for the D6AC welding wire as Macpar at an address in Turkey.

(7) In or about June 2007, defendant MILAD JAFARI caused arrangements to be made with a freight forwarder to pick up the D6AC welding wire from the Nevada Company. The shipment of D6AC welding wire was subsequently detained by United States law enforcement before the product left the United States.

(8) In response to a July 19, 2007, communication from a representative of the Nevada Company notifying Macpar that it needed to provide the United States Department of Commerce’s Bureau of Industry and Security with a certification that the D6AC welding wire would not be exported from Turkey and that it would not be used for any nuclear or weapons-related

applications, on or about July 23, 2007, an e-mail was sent to the Nevada Company from defendant MILAD JAFARI's e-mail address with an attached certification, dated July 19, 2007, from Macpar, stating, "Herewith we confirm that product mentioned above [2 x 330 lbs Welding Wire] will not be exported from Turkey and will not be used for any nuclear, missile, or chemical/biological weapons related applications."

OHIO COMPANY ORDER

(9) In or about August 2006, Heavy Metals Industries ("H.M.I.") in Tehran, Iran, placed an order with STEP for 3,410 pounds of precipitation hardening ("PH") stainless steel manufactured in the United States.

(10) On or about May 3, 2007, defendant MILAD JAFARI instructed Individual A to send a request for quote for 4,400 pounds of 17-7PH stainless steel, a high-grade, temperature resistant, hardened stainless steel which is known to have aerospace applications, to thirteen named suppliers, including a company located in Ohio ("Ohio Company").

(11) On or about May 8, 2007, Individual A sent a request for quote for 4,400 pounds of 17-7PH stainless steel to the Ohio Company.

(12) On or about May 22, 2007, defendant MILAD JAFARI caused Macpar to place an order for 4,410 pounds of 17-7 PH stainless steel from the Ohio Company.

(13) On or about June 14, 2007, Macpar sent a wire transfer to the Ohio Company in the amount of \$ 10,102.00, as payment for this order.

(14) On or about June 18, 2007, Macpar sent a wire transfer to the Ohio Company in the amount of \$ 16,645.10, as the remaining payment for this order.

(15) In or about June 2007, Defendant MILAD JAFARI caused arrangements to

be made with a freight forwarder to pick up the 17-7 PH stainless steel from the Ohio Company.

(16) On or about July 31, 2007, Defendant MILAD JAFARI contacted the Ohio Company employee by telephone and completed an end-use statement verbally. During the conversation, Defendant MILAD JAFARI stated his name and affirmed that he was an authorized representative of Macpar. Defendant MILAD JAFARI then stated that Macpar would not ship the stainless steel obtained from the Ohio Company to Iran.

(17) Sometime after on or about August 21, 2007, when the order of 17-7PH stainless steel was detained by United States law enforcement, Individual C contacted a representative of the Ohio Company on multiple occasions in an attempt to have the shipment released and delivered to Macpar.

CALIFORNIA COMPANY ORDER

(18) On or about February 7, 2005, STEP submitted a quote for a custom-manufactured Palnicro brazing alloy composed of palladium, nickel, and chromium ("Palnicro brazing alloy") to SAPICO, also known as the Sahand Aluminum Parts Industrial Company, in Tehran, Iran.

(19) On or about June 2, 2005, defendant MILAD JAFARI sent a request for quote on STEP letterhead to a company located in California ("California Company") for the purchase of Palnicro brazing alloy.

(20) After a number of communications with employees at the California Company in or about June 2005, defendant MILAD JAFARI ordered the custom-manufactured Palnicro brazing alloy from the company.

(21) In response to a request from the California Company for end-use information

for the Palnico brazing alloy, on or about June 26, 2006, defendant MILAD JAFARI replied to the California Company via e-mail, stating, "Attached I am sending you the doc. required for your export formalities. Pls. start the export procedure and give me your readiness advice, then I will arrange the transfer of the invoicing amount before shipment." The e-mail attached a document that represented, among other things, that Macpar was the end-user of the Palnico alloy product, and that the product would not be re-exported from Turkey, the identified country of purchase.

(22) On or about July 14, 2006, defendant MILAD JAFARI requested that the California Company change the name of the buyer of the Palnico brazing alloy from STEP to Macpar.

(23) In or about July 2006, defendant MILAD JAFARI and his conspirators caused payments totaling approximately \$ 23,168 to be made to the California Company for the purchase of three (3) kilograms of this Palnico brazing alloy.

(24) On or about July 20, 2006, defendant MILAD JAFARI and his conspirators caused the California Company to complete and submit an SED certifying that the ultimate consignee of the Palnico brazing alloy was Macpar in Istanbul, Turkey, and that no license was required for the export.

(25) On or about July 20, 2006, defendant MILAD JAFARI and his conspirators caused the Palnico brazing alloy product to be shipped from the United States to Macpar in Istanbul, Turkey.

(26) By no later than in or about January 2007, defendant MILAD JAFARI caused the Palnico brazing alloy to be shipped from Istanbul, Turkey, to Iran, in accordance with the SAPICO purchase order.

TEXAS COMPANY ORDER

(27) On or about September 6, 2006, defendant MILAD JAFARI and other conspirators caused a company located in Texas ("Texas Company") to issue an invoice to Macpar for the purchase of 1,369 pounds of commercial leaded bronze bars for \$ 8,186.62. The invoice indicated that the product would be shipped to Macpar in Istanbul, Turkey, and stated that diversion from Turkey was contrary to the laws of the United States.

(28) On or about September 19, 2006, Macpar sent a wire transfer to the Texas Company in the amount of \$ 3,289.00 as payment for the order of the commercial bronze bars.

(29) On or about December 12, 2006, Macpar sent a wire transfer to the Texas Company in the amount of \$ 4,897.62 as the remaining payment for the order of the commercial bronze bars.

(30) Between in or about December 2006 and in or about February 2007, defendant MILAD JAFARI and other conspirators caused the shipment of commercial bronze bars from the Ohio Company to Turkey.

(31) On or about March 25, 2007, defendant MILAD JAFARI and other conspirators caused the transport of 621 kilograms, or roughly 1,366 pounds, of commercial bronze bars to be moved by truck from Turkey to Iran by an Iranian transport company. Transport paperwork indicated that the consignor of the goods was Macpar in Istanbul and that the goods were consigned to order of "ALBORZ ROTATING MACHINES CO., TEHRAN-IRAN."

(32) On or about April 3, 2007, defendant MILAD JAFARI and other conspirators issued a commercial invoice on STEP letterhead to H.M.I. in Tehran, Iran, for the commercial bronze bars, requesting that payment for the product, including trucking freight charges, be sent to

STEP's account at the Export Development Bank of Iran.

ILLINOIS COMPANY ORDER

(33) On or about October 13, 2005, STEP issued a quote to Electronic Equipment Company ("E.E.C.") in Tehran, Iran, for, among other items, a Keithley Digital Multimeter, which is a piece of electronic testing equipment.

(34) On or about January 18, 2006, E.E.C. placed an order with STEP for, among other items, the Keithley Digital Multimeter.

(35) On or about July 14, 2006, defendant MILAD JAFARI sent an e-mail to a representative of a company located in Illinois ("Illinois Company") thanking the representative for its quote for a Keithley Digital Multimeter and requesting that he be sent an invoice, including bank details, to enable Macpar to pay the Illinois Company for the product.

(36) On or about July 31, 2006, Macpar sent a wire transfer in the amount of \$ 1,471.20 to the Illinois Company as payment for the order.

(37) On or about August 1, 2006, Macpar sent a wire transfer in the amount of \$ 1,715.00 to the Illinois Company as payment for the order.

(38) On or about August 4, 2006, Macpar sent a wire transfer in the amount of \$ 1,715.00 to the Illinois Company as the remaining payment for this order.

(39) On or about late August or early September 2006, defendant MILAD JAFARI and other conspirators caused the Illinois Company to ship the Keithley Digital Multimeter from the United States to Istanbul, Turkey.

(40) On or about September 7, 2006, defendant MILAD JAFARI and other conspirators caused the Keithley Digital Multimeter to be shipped via Iran Air from Istanbul, Turkey,

to Tehran, Iran.

PENNSYLVANIA COMPANY ORDER

(41) On or about October 20, 2004, STEP issued an invoice to H.M.I. in Tehran, Iran, for fiber optic testing and measuring equipment from “Agilent Technologies/USA,” including an Optical Time Domain Reflectometer (“OTDR”) mainframe, and related products and services.

(42) In or about January 2005, defendant MILAD JAFARI caused an order to be placed by STEP with a company located in Pennsylvania (“Pennsylvania Company”) for fiber optic testing equipment, including an Agilent OTDR mainframe and related products and services, that was almost identical to the items set forth in the STEP invoice to H.M.I. dated October 20, 2004.

(43) On or about January 24, 2005, STEP sent a wire transfer to the Pennsylvania Company in the amount of \$ 33,948 in payment for the order.

(44) On or about March 9, 2005, defendant MILAD JAFARI caused the goods to be shipped from the United States to STEP in Istanbul, Turkey.

MINNESOTA COMPANY ORDER

(45) In or about November 2004, defendant MILAD JAFARI caused an order to be placed by STEP with a company located in Minnesota (“Minnesota Company”) for 266 aerosol generators, which are used in fire suppression systems, for a total purchase price of approximately \$ 42,000.00.

(46) In or about November or December 2004, defendant MILAD JAFARI caused wire transfer payments to be made to the Minnesota Company for the 266 units of aerosol generators.

(47) On or about December 27, 2004, defendant MILAD JAFARI caused 124 of the aerosol generators to be shipped from the United States to Istanbul, Turkey.

(48) On or about December 27, 2004, defendant MILAD JAFARI caused the Minnesota Company to file shipping documents accompanying the shipment of 124 aerosol generators that certified that the country of ultimate destination was Turkey, the ultimate consignee was STEP, and no license was required for the shipment.

(49) On or about December 30, 2004, defendant MILAD JAFARI caused to be shipped the remaining 142 units of the ordered aerosol generators from the United States to Istanbul, Turkey.

(50) On or about December 30, 2004, defendant MILAD JAFARI caused the Minnesota Company to file shipping documents accompanying the shipment of 142 aerosol generators that certified that the country of ultimate destination was Turkey, the ultimate consignee was STEP, and no license was required for the shipment.

(51) On or about January 7, 2005, defendant MILAD JAFARI sent a letter to a representative of Iran Air on STEP letterhead containing details about the shipment of the aerosol generators from Istanbul, Turkey, to Tehran, Iran, and listing the consignee as Zaeim Electronic Industries Co. Ltd. in Tehran, Iran.

(52) On or about January 7, 2005, defendant MILAD JAFARI caused to be shipped 124 of the aerosol generators from Istanbul, Turkey, to Tehran, Iran via Iran Air Cargo.

(53) On or about January 11, 2005, defendant MILAD JAFARI caused to be shipped the remaining 142 units of the aerosol generators from Istanbul, Turkey to Iran.

FAILURE TO OBTAIN A LICENSE

(54) Defendant MILAD JAFARI and his conspirators failed to apply for, receive, or possess a license or authorization from the Office of Foreign Assets Control, United States

Department of the Treasury, located in the District of Columbia, to export any of the goods and services set forth above from the United States to Iran.

(Conspiracy to Export U.S. Goods to Iran and to Defraud the United States and the U.S. Department of the Treasury, in violation of Title 50, United States Code, Section 1705; Title 31, Code of Federal Regulations, Sections 560.203 and 560.204; and Title 18, United States Code, Section 371)

COUNTS TWO through SIX
(Exports and Attempted Exports to Embargoed Country)

17. The allegations in Paragraphs 1 through 10, 12, 13 and 16 of this Indictment are incorporated and re-alleged by reference herein.

18. On or about the dates listed as to each count below, beginning outside of the jurisdiction of any particular State or district, and later within the District of Columbia and elsewhere, defendant MILAD JAFARI did knowingly and willfully violate the embargo against Iran by attempting to export and causing to be exported materials set out in Counts Two through Six from the United States to Iran, without having first obtained the required authorizations from the Office of Foreign Assets Control, United States Department of the Treasury, located in the District of Columbia.

<u>Count</u>	<u>Approx. Date of Export</u>	<u>Item Description</u>	<u>Destination</u>	<u>Overt Acts (Count One)</u>
2	07/2007 (Attempt)	660 pounds of D6AC welding wire	Tehran, Iran	(1)-(8)
3	08/2007 (Attempt)	4,410 pounds of 17-7PH stainless steel	Tehran, Iran	(9)-(17)
4	07/20/2006	3 kilograms of Palnicro brazing alloy	Tehran, Iran	(18)-(26)

<u>Count</u>	<u>Approx. Date of Export</u>	<u>Item Description</u>	<u>Destination</u>	<u>Overt Acts (Count One)</u>
5	03/25/2007	621 kilograms commercial bronze bars	Tehran, Iran	(27)-(32)
6	09/07/2006	Keithley Digital Multimeter	Tehran, Iran	(33)-(40)

(Unlawful Export or Attempted Export of U.S. Goods to Iran, in violation of Title 50, United States Code, Sections 1702 and 1705; Title 31, Code of Federal Regulations, Sections 560.203 and 560.204; Aiding and Abetting and Causing an Act to be Done, in violation of Title 18, United States Code, Section 2)

COUNT SEVEN through ELEVEN
(Smuggling Goods)

19. The allegations in Paragraphs 1 through 10, 12, 13 and 16 of this Indictment are incorporated and re-alleged by reference herein.

20. On or about the dates listed as to each count below, beginning outside of the jurisdiction of any particular State or district, and later within the District of Columbia and elsewhere, defendant MILAD JAFARI did knowingly and fraudulently export and send, and attempt to export and send from the United States, merchandise, articles, and objects, to wit, materials set forth in Counts Seven through Eleven, contrary to laws and regulations of United States, specifically 50 U.S.C. § 1705, 31 C.F.R. §§ 560.203 and 560.204:

<u>Count</u>	<u>Approx. Date of Export</u>	<u>Item Description</u>	<u>Destination</u>	<u>Overt Acts (Count One)</u>
7	07/2007 (Attempt)	660 pounds of D6AC welding wire	Tehran, Iran	(1)-(8)
8	08/2007 (Attempt)	4,410 pounds of 17-7PH stainless steel	Tehran, Iran	(9)-(17)

Count	Approx. Date of Export	Item Description	<u>Destination</u>	<u>Overt Acts (Count One)</u>
9	07/20/2006	3 kilograms of Palnico brazing alloy	Tehran, Iran	(18)-(26)
10	03/25/2007	621 kilograms commercial bronze bars	Tehran, Iran	(27)-(32)
11	09/07/2006	Keithley Digital Multimeter	Tehran, Iran	(33)-(40)

(Smuggling, in violation of 18 U.S.C. § 554; Aiding and Abetting and Causing an Act to be Done, in violation of 18 U.S.C. § 2)

FORFEITURE ALLEGATION
(As to Counts One through Eleven)

1. The violations alleged in Counts One through Eleven of this Indictment are realleged and incorporated by reference herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts One through Eleven of this Indictment, defendant MILAD JAFARI shall forfeit to the United States any property constituting, or derived from, proceeds obtained directly or indirectly, as the result of the offenses of: (a) a conspiracy to export materials to embargoed country and defraud the United States and the United States Department of Treasury, in violation of Title 50, United States Code, Section 1705, Title 31, Code of Federal Regulations, Sections 560.203 and 560.204, and Title 18, United States Code, Section 371; (b) exports and attempted exports to embargoed country, in violation of Title 50, United States Code, Sections 1702 and 1705, Title 31, Code of Federal Regulations, Sections 560.203 and 560.204, and Title 18, United States Code, Section 2; and (c) smuggling goods, in violation of Title 18, United States Code, Sections 554 and 2; including, but not limited to:

Money Judgment:

\$ 177,867.92, which represents a sum of money equal to property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of the offenses alleged in Counts One through Eleven of this Indictment.

By virtue of the commission of the felony offenses charged in Counts One through Eleven of this Indictment, any and all interest that defendant MILAD JAFARI has in property constituting, or derived from, proceeds obtained directly or indirectly, as the result of such offenses is vested in

the United States and hereby forfeited to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

3. If any of the property described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (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 that cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), incorporating by reference Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said defendant up to the value of said property listed above as being subject to forfeiture.

(Criminal Forfeiture, in violation of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c)).

A TRUE BILL


FOREPERSON



Attorney of the United States in
and for the District of Columbia

U.S. District and Bankruptcy Courts
for the District of Columbia

A TRUE COPY
ANGELA D. CAESAR, Clerk

By Mark Coates
Deputy Clerk