

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	12 CR 171
	)	
v.	)	Violations: Title 18, United States
	)	Code, Sections 371, 2315, and
FIRAS EL MATARI and	)	2342(a)
AMMAR EL MATARI	)	
	)	

**COUNT ONE**

The SPECIAL SEPTEMBER 2011 GRAND JURY charges:

1. At times material to this indictment:

a. As used in this indictment, "contraband cigarettes" means a quantity in excess of 10,000 cigarettes, which bear no evidence of the payment of applicable taxes of the State of Illinois and Cook County, Illinois, which require a stamp or other indication to be placed on packages and other containers of cigarettes to evidence payment of cigarette taxes.

b. Defendants FIRAS EL MATARI and AMMAR EL MATARI were not persons authorized to possess contraband cigarettes within the meaning of Title 18, United States Code, Section 2341(2).

2. From at least on or about September 2, 2010, continuing until at least on or about March 13, 2012, at Hickory Hills, in the Northern District of Illinois, Eastern Division, and elsewhere,

FIRAS EL MATARI and  
AMMAR EL MATARI,

defendants herein, along with others known and unknown to the Grand Jury, knowingly

conspired and agreed with each other to commit offenses against the United States, namely, knowingly receiving, possessing, purchasing, and distributing in excess of 10,000 contraband cigarettes; in violation of Title 18, United States Code, Section 2342(a).

Manner and Means of the Conspiracy

3. It was part of the conspiracy that defendants FIRAS EL MATARI and AMMAR EL MATARI jointly agreed to and did jointly purchase in excess of 23 million contraband cigarettes in exchange for in excess of approximately \$3.3 million in United States Currency.

Overt Acts

4. To effect the object of the conspiracy, defendants FIRAS EL MATARI and AMMAR EL MATARI committed and caused to be committed the following overt acts, among others:

a. On or about February 18, 2011, at Hickory Hills, defendants FIRAS EL MATARI and AMMAR EL MATARI purchased contraband cigarettes from a confidential source who was cooperating with law enforcement agents, in exchange for approximately \$145,860 in United States Currency;

b. On or about April 6, 2011, at Hickory Hills, defendants FIRAS EL MATARI and AMMAR EL MATARI purchased contraband cigarettes from a cooperating source in exchange for approximately \$135,000 in United States Currency;

c. On or about July 19, 2011, at Hickory Hills, defendants FIRAS EL MATARI and AMMAR EL MATARI purchased contraband cigarettes from a cooperating

source in exchange for approximately \$254,920 in United States Currency;

d. On or about August 30, 2011, at Hickory Hills, defendants FIRAS EL MATARI and AMMAR EL MATARI purchased contraband cigarettes from a cooperating source in exchange for approximately \$178,070 in United States Currency; and

e. On or about October 26, 2011, at Hickory Hills, defendants FIRAS EL MATARI and AMMAR EL MATARI purchased contraband cigarettes from a cooperating source in exchange for approximately \$364,320 in United States Currency.

All in violation of Title 18, United States Code, Section 371.

**COUNTS TWO THROUGH NINE**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations in paragraph one of Count One of this indictment are incorporated here.

2. On or about the dates set forth below, at Hickory Hills, in the Northern District of Illinois, Eastern Division, and elsewhere, defendants, as listed in the chart below, did knowingly receive, possess, purchase, and distribute in excess of 10,000 contraband cigarettes:

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>
Two	FIRAS EL MATARI	November 16, 2010
Three	AMMAR EL MATARI	January 5, 2011
Four	FIRAS EL MATARI and AMMAR EL MATARI	February 18, 2011
Five	FIRAS EL MATARI and AMMAR EL MATARI	April 6, 2011
Six	FIRAS EL MATARI and AMMAR EL MATARI	July 19, 2011
Seven	FIRAS EL MATARI and AMMAR EL MATARI	August 20, 2011
Eight	FIRAS EL MATARI and AMMAR EL MATARI	October 26, 2011
Nine	FIRAS EL MATARI	January 11, 2012

Each in violation of Title 18, United States Code, Section 2342(a).

**COUNT TEN**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about January 11, 2012, at Hickory Hills, in the Northern District of Illinois, Eastern Division, and elsewhere,

FIRAS EL MATARI,

defendant herein, knowingly possessed and sold counterfeited tax stamps, which were a part of and constituted interstate commerce, knowing that the stamps had been counterfeited;

In violation of Title 18, United States Code, Section 2315.

## **FORFEITURE ALLEGATION**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

1. The allegations of Counts 2 through 9 are incorporated here for the purpose of alleging forfeiture pursuant to 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 violations of Title 18, United States Code, Section 2342(a) of the foregoing indictment,

FIRAS EL MATARIA and  
AMMAR EL MATARI,

defendants herein, shall forfeit 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), any and all right, title, and interest in property, real and personal, which constitutes and is derived from proceeds traceable to the charged offenses.

3. The interest of the defendants subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) include, but is not limited to, United States Currency in the form of proceeds traceable to the sale of contraband cigarettes.

4. If any of the forfeitable property described above, as a result of any act or omission by the defendant:

- 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,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c);

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

A TRUE BILL:

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FOREPERSON

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UNITED STATES ATTORNEY