

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

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UNITED STATES OF AMERICA

v.

ZTE CORPORATION

No.

3-17 CR-0120K

INFORMATION

The United States Attorney for the Northern District of Texas charges:

Count One

Conspiracy to Unlawfully Export

(Violation of 50 U.S.C. § 1705; 31 C.F.R. Part 560; 15 C.F.R. § 764.2(a)-(e))

Beginning on or about January 1, 2010, and continuing through on or about April 1, 2016, in the Northern District of Texas, and elsewhere, the defendant, **ZTE Corporation**, did knowingly and willfully conspire and agree with others known and unknown to the United States to export, re-export, and transship, and cause the export, re-export, and transshipment of U.S. goods, specifically servers, switches, routers, and other component parts of a cellular network infrastructure through China and to Iran without having first obtained the required export license(s) from the United States Department of the Treasury, Office of Foreign Assets Control.

In violation of 50 U.S.C. § 1705; 31 C.F.R. Part 560; 15 C.F.R. § 764.2(a)-(e).

Count Two
Obstruction of Justice
(Violation of 18 U.S.C. § 1503)

Beginning in or about November 2013, and continuing through on or about April 1, 2016, in the Northern District of Texas, and elsewhere, the defendant, **ZTE Corporation**, did corruptly influence, obstruct, and impede, and endeavor to influence, obstruct, and impede the due and proper administration of the law under which a grand jury investigation was being held by (i) hiding data regarding its 2013-2016 sales to Iran, thereby causing **ZTE Corporation's** defense counsel to unwittingly provide false information to attorneys for the Department of Justice and federal law enforcement agents, and (ii) deleting all communications related to this cover-up.

In violation of 18 U.S.C. § 1503.

Count Three
False Statements to Federal Investigators
(Violation of 18 U.S.C. § 1001)

On or about July 8, 2015, in the Northern District of Texas, the defendant, **ZTE Corporation**, in a matter within the jurisdiction of the executive branch of government, namely the United States Department of Justice's Federal Bureau of Investigation, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation, to wit, that **ZTE Corporation** was complying with the laws and regulations of the United States.

In violation of 18 U.S.C. § 1001.

NOTICE OF CRIMINAL FORFEITURE

Pursuant to 28 U.S.C. § 2461(c), and 18 U.S.C. § 981(a)(1)(C), the United States gives notice to the defendant, **ZTE Corporation**, that upon conviction of the violations charged in Count One, all property which constitutes or is derived from proceeds traceable to those violations is subject to forfeiture. The property subject to forfeiture includes, but is not limited to, the following property:

\$143,496,266 in United States Currency.

The defendant is notified that a money judgment for \$143,496,266 may be imposed against the defendant and in favor of the United States.

Substitute Assets

In the event that the property subject to forfeiture as a result of any act or omission of the defendant:

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

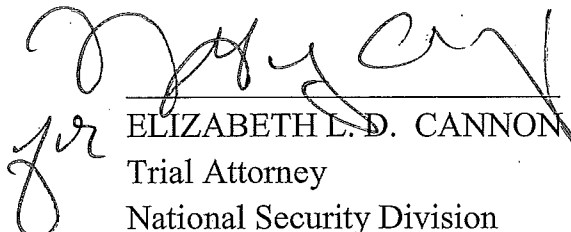
it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of such property pursuant to 18 U.S.C. § 982(b)(1), incorporating 21 U.S.C. § 853(p).

Respectfully submitted,

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