

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| UNITED STATES OF AMERICA, |) |
| |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| \$2,340,000.00 ASSOCIATED WITH |) |
| PETROLEUM TANKER NAUTIC, WITH |) |
| INTERNATIONAL MARITIME |) |
| ORGANIZATION NUMBER 9150377, |) |
| HELD BY LIBERIAN COMPANY 1 |) |
| |) Civil Action No. 20-1139 |
| |) |
| - AND - |) |
| |) |
| \$9,998,941.91 ASSOCIATED WITH |) |
| PETROLEUM TANKER NAUTIC, WITH |) |
| INTERNATIONAL MARITIME |) |
| ORGANIZATION NUMBER 9150377, |) |
| HELD AT U.S. BANK 1 |) |
| |) |
| |) |
| Defendants. |) |
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UNITED STATES’ VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

COMES NOW, Plaintiff the United States of America (the “United States”), by and through the United States Attorney for the District of Columbia, which brings this verified complaint for forfeiture in a civil action *in rem* against the defendant properties, namely: \$2,340,000.00 associated with petroleum tanker Nautic (a/k/a Gulf Sky) (“Nautic”), with International Maritime Organization (“IMO”) number 9150377, held by Liberian Company 1 (“Defendant Funds 1”); and \$9,998,941.91 associated with petroleum tanker Nautic, with IMO number 9150377, held at U.S. Bank 1 (“Defendant Funds 2”) (collectively, the “Defendant Properties”); and alleges as follows.

NATURE OF ACTION AND THE DEFENDANT IN REM

1. This *in rem* forfeiture action arises out of an investigation by the Federal Bureau of Investigation (“FBI”) and Homeland Security Investigations (“HSI”). Specifically, the United States is investigating the unlawful use of the U.S. financial system to support and finance Iran’s transport and sale of oil products to benefit sanctioned Iranian entities.

2. The Defendant Properties are subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), as property constituting or derived from proceeds traceable to violations of the International Emergency Economic Powers Act (“IEEPA”), codified at 50 U.S.C. § 1701 *et seq.*, and the bank fraud statute, codified at 18 U.S.C. § 1344. The Defendant Properties are also subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A), as property involved in money laundering transactions, in violation of 18 U.S.C. § 1956, and as property traceable to such property. The Defendant Properties are further subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(G)(1), as foreign assets or sources of influence of the Islamic Revolutionary Guard Corps (“IRGC”), a designated foreign terrorist organization, which has engaged in planning and perpetrating federal crimes of terrorism as defined in 18 U.S.C. § 2332b(g)(5).

JURISDICTION AND VENUE

3. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.

4. Venue is proper pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts and omissions giving rise to the forfeiture took place in the District of Columbia.

FACTS GIVING RISE TO FORFEITURE

I. BACKGROUND

A. IEEPA and the Iranian Transactions and Sanctions Regulations

5. This civil forfeiture action relates to violations of regulations and Executive Orders issued pursuant to IEEPA. Enacted in 1977, IEEPA gives the President certain powers, defined in

50 U.S.C. § 1702, to deal with any threats with respect to which the President has declared a national emergency, and prescribes criminal penalties for violations. Section 1705 provides, in part, that “[i]t shall be unlawful for a person to violate, attempt to violate, conspire to violate, or cause a violation of any license, order, regulation, or prohibition issued under this title.” 50 U.S.C. § 1705(a).

6. Beginning with Executive Order No. 12,170, issued on November 14, 1979, the President found that “the situation in Iran constitutes an unusual and extraordinary threat to the national security, foreign policy and economy of the United States and declare[d] a national emergency to deal with that threat.”

7. On March 15 and May 6, 1995, the President issued Executive Orders Nos. 12,957 and 12,959, prohibiting, among other things, the exportation, re-exportation, sale, or supply, directly or indirectly, to Iran of any goods, technology, or services from the United States or by a United States person, and on August 19, 1997, issued Executive Order No. 13,059 clarifying the previous orders (collectively, the “Executive Orders”). 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 (renamed in 2012, the Iranian Transactions and Sanctions Regulations, the “ITSR”) implementing the sanctions imposed by the Executive Orders.

8. The ITSR, Title 31, Code of Federal Regulations, Section 560.204, prohibits, among other things, the exportation, re-exportation, sale, or supply, directly or indirectly, from the United States, or by a United States Person, of goods, technology, or services to Iran or the Government of Iran (with certain limited exceptions), including the exportation, re-exportation, sale or supply of goods, technology or services to a third country knowing that such goods,

technology or services are intended for Iran or the Government of Iran, without a license from Department of Treasury Office of Foreign Assets Control (“OFAC”), which is located in Washington, D.C.

9. The ITSR also prohibits the supply of services where the benefit of such services is otherwise received in Iran, if such services are performed in the United States or provided outside the United States by a U.S. person. *See* 31 C.F.R. § 560.410.

10. The ITSR provides that the transfer of funds, directly or indirectly, from the United States or by a U.S. person to Iran or the Government of Iran is a prohibited export, re-export, sale, or supply of services to Iran or the Government of Iran. *See* 31 C.F.R. § 560.427(a).

11. The ITSR further prohibits transactions that evade or avoid, have the purpose of evading or avoiding, cause a violation of, or attempt to violate the ITSR. 31 C.F.R. § 560.203.

12. On October 25, 2007, the Department of the Treasury designated the IRGC-Qods Force (“IRGC-QF”) pursuant to Executive Order No. 13224 for providing lethal support to multiple terrorist organizations.

13. According to the Department of the Treasury, the IRGC and its major holdings have a dominant presence in Iran’s commercial and financial sectors, controlling multi-billion dollar businesses and maintaining extensive economic interests in the oil industry and the profits from these activities support the IRGC’s full range of nefarious activities, including the proliferation of weapons of mass destruction (“WMD”) and their means of delivery, support for terrorism, and a variety of human rights abuses, at home and abroad.

14. On November 5, 2018, the Department of the Treasury designated the National Iranian Oil Company (“NIOC”). A previous press release noted that NIOC was owned by the Government of Iran through the Ministry of Petroleum, and was responsible for the exploration,

production, refining, and export of oil and petroleum products in Iran. It further noted the close relationship between the IRGC, which OFAC designated in 2007 because of its ties to Iran's ballistic missile program, and NIOC.

15. On November 5, 2018, the Department of the Treasury designated National Iranian Tanker Company ("NITC"). A previous press release noted that NITC was a Government of Iran entity which employed various front companies.

16. On April 8, 2019, the President designated the IRGC as a Foreign Terrorist Organization. The designation noted that the IRGC actively finances and promotes terrorism.

17. On January 23, 2020, the Department of the Treasury described NIOC as "an entity instrumental in Iran's petroleum and petrochemical industries, which helps to finance Iran's [IRGC-QF] and its terrorist proxies."

B. Overview of the Sale of Petroleum Tanker Nautic to Taif

18. This civil forfeiture action arises from a scheme to unlawfully access the U.S. financial system to support illicit shipments to and from Iran. The Iranian parties established front companies that transmitted U.S. dollar wires through the United States to purchase the Nautic. Shortly after these entities purchased the Nautic, they used the Nautic to transport Iranian crude oil from Kharg Island, Iran in coordination with NIOC.

19. The scheme involves multiple parties in Iran with a history of coordinating petroleum shipments with NIOC and NITC, and that are associated with the IRGC-QF.

20. Primarily, the scheme was orchestrated by:

a. Iranian individual, Kamran Lajmiry a/k/a Kamran Lajmiri ("Lajmiri"), who was employed by an Iranian shipping company ("Iranian Company 1"). Lajmiri

coordinated the sale of the Nautic from a Liberian company (“Liberian Company 1”) to Taif Mining Services LLC (“Taif”).

b. Iranian individual, Amir Dianat (“Dianat”), who was the managing director of one Iranian company and a regional director of another Iranian company (“Iranian Company 2”). Dianat uses both an Iranian and Iraqi passport with different names and dates of birth.

21. Lajmiri and Dianat both have experience doing business with NIOC and NITC.

a. Lajmiri was employed for approximately seven years in the technical department of the NITC at Kharg Island, Iran. Lajmiri also previously used NIOC as a bunker supplier at Kharg Island.

b. Dianat previously coordinated with NIOC to load Iranian crude oil at Kharg Island.

22. Lajmiri lamented that “buying even the smallest and most ordinary items, even simple industrial components, has become a major challenge for Iranian traders and traders because of [] US sanctions.” Lajmiri further noted that it is “is almost impossible under these circumstances” to purchase tankers.

C. Taif was a Shell Company for Iranians Linked to NIOC, NITC, and the IRGC-QF

23. In 2019, Dianat retained Lajmiri as a consultant to assist with purchasing, inspection, and oversight of vessels.

24. In 2019, Dianat and Lajmiri agreed to purchase the Nautic from Liberian Company 1. Lajmiri retained an agent in Japan (“Japanese Agent”) to assist in this purchase.

25. Lajmiri initially planned to use Iranian Company 2 as the buyer of the Nautic. However, on or about April 30, 2019, Japanese Agent informed Lajmiri that the bank processing

the sale of the Nautic would need detailed background documentation on Iranian Company 2 and affiliated entities as part of “OFAC” and due diligence checks by the bank.

26. On or about that same time, Lajmiri and Dianat caused the registration of Taif.

27. Taif was nominally registered in the name of two Omani nationals, however, Dianat and another Iranian individual maintained the true majority ownership of Taif.

28. A confidential reliable source revealed that Dianat and Taif are associated with the IRGC-QF.

29. On or about May 29, 2019, Lajmiri inserted Taif as the new buyer of the Nautic, in lieu of Iranian Company 2. As part of this change in buyer, a United Kingdom broker to the transaction required that Taif produce a performance guarantee on Iranian Company 2 letterhead stating that Iranian Company 2 “unconditionally and irrevocably guarantee[s]” Taif’s purchase of the Nautic from Liberian Company 1.

30. On June 10, 2019, a Taif nominee owner signed a memorandum of agreement for the purchase of the Nautic and warranted the buyers, “including, but not limited to, the Buyers, shareholders and/or affiliated companies,” were not under any “sanctions, prohibition or blacklist whatsoever imposed by USA, UK, EU, UN.”

31. Lajmiri subsequently described Taif as having “no experience, no background in such major projects” such as the purchase of a vessel.

32. Lajmiri further admitted that it was “very difficult” to get Liberian Company 1 to sell a huge ship to a company with no background. Lajmiri further stated that with help from Japanese Agent who had international credentials, Lajmiri was able to convince Liberian Company 1 to sell to Taif.

33. Lajmiri admitted that he had to circumvent sanctions in order to purchase the Nautic.

34. On or about September 10, 2019, Taif wired Defendant Funds 1 through a brokerage firm in the United Kingdom (“UK Brokerage Firm”) as a 20% deposit for the Nautic, which funds were then transferred to Liberian Company 1 and transited through the United States.

35. Between on or about October 8 and 16, 2019, Taif wired the balance of the purchase price to UK Brokerage Firm.

36. On or about October 23, 2019, Taif caused the UK Brokerage Firm to wire \$9,983,931.91 (a portion of Defendant Funds 1) with the instruction of “Payment of Balance” to Liberian Company 1.

37. On or about October 24, 2019, Taif caused the UK Brokerage Firm wired the remaining \$15,010.00 (the remaining portion of Defendant Funds 1) with a note of “Additional Fee Due to Delay.”

38. Shortly thereafter, Defendant Funds 2 were frozen while transiting through a correspondent account at U.S. Bank 1.

39. Liberian Company 1 transferred possession of petroleum tanker Nautic to Taif. Taif subsequently renamed the Nautic to the Gulf Sky.

40. Liberian Company 1 never received possession of Defendant Funds 2.

41. Taif failed to seek or obtain an OFAC license for the above transactions.

D. Nautic Received Iranian Crude Oil from NIOC After Purchased by Taif

42. On December 2, 2019, after taking possession of the Nautic, Taif ordered the captain of the Nautic to take the vessel to Iran.

43. On December 2, 2019, Taif notified two Iranian Company 2 employees that Taif had sent the vessel to Iran.

44. On December 3, 2019, the captain of the Nautic notified Taif that a notice of readiness had been tendered to NIOC at Kharg Island, Iran for loading.

45. After receiving this document, Taif notified two Iranian Company 2 employees that the Nautic loaded Iranian crude oil onboard.

46. Subsequent to this voyage, the Nautic was seized pursuant to a U.A.E. civil court order.

COUNT ONE – FORFEITURE
(18 U.S.C. § 981(A)(1)(C))

47. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 46 above as if fully set forth herein.

48. Persons known and unknown acted individually and conspired together to cause and conduct the above identified illegal payments and financial services, which benefitted Iran, in violation of IEEPA, specifically 50 U.S.C. § 1705 *et seq.*

49. As such, the Defendant Properties are subject to forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(C), as property which constitutes or is derived from proceeds traceable to substantive and conspiracy violations of section 206 (relating to penalties) of the IEEPA.

COUNT TWO – FORFEITURE
(18 U.S.C. § 981(A)(1)(C))

50. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 46 above as if fully set forth herein.

51. Persons known and unknown acted individually and conspired together to conduct the above identified illegal payments using shell companies and other tactics to conceal beneficial

owners and ties to Iran as part of a scheme or artifice to defraud a U.S. bank and/or to obtain any of the money, funds, or other property owned by, or under the custody or control of, a U.S. bank by means of false or fraudulent pretenses, representations, or promises, in violation of the bank fraud statute, specifically 18 U.S.C. § 1344, and the conspiracy statute, 18 U.S.C. § 1349.

52. As such, the Defendant Properties are subject to forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(C), as property which constitutes or is derived from proceeds traceable to a substantive violation and conspiracy to violate § 1344.

COUNT THREE -- FORFEITURE
(18 U.S.C. § 981(A)(1)(A))

53. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 46 above as if fully set forth herein.

54. Persons known and unknown acted individually and conspired together to transmit and transfer funds related to the Defendant Properties from a place in the United States to or through a place outside the United States or to a place in the United States from or through a place outside the United States, with the intent to promote the carrying on of violations of the penalties of IEEPA and the bank fraud statute, in violation of 18 U.S.C. §§ 1956(h), 1956(a)(2)(A).

55. As such, the Defendant Properties are subject to forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(A), as property involved in transactions in violation of 18 U.S.C. § 1956(h), 1956(a)(2)(A), or as any property traceable to such property.

COUNT FOUR -- FORFEITURE
(18 U.S.C. § 981(A)(1)(G)(I))

56. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 46 above as if fully set forth herein.

57. The IRGC is a designated foreign terrorist organization.

58. The above described scheme involves the IRGC's unlawful access of the U.S. financial system to support illicit shipments to and from Iran. The Defendant Properties were associated with the IRGC, and are sources of influence for the IRGC.

59. As such, the Defendant Properties are subject to forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(G)(i), as assets of a foreign terrorist organization engaged in planning or perpetrating any federal crime of terrorism (as defined in section 2332b(g)(5)) against the United States, citizens or residents of the United States, or their property, and as assets affording any person a source of influence over any such entity or organization.

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PRAYER FOR RELIEF

WHEREFORE, the United States prays that notice issue on the Defendant Properties as described above; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring that the Defendant Properties be forfeited to the United States for disposition according to law; and that the United States be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: May 1, 2020
Washington, D.C.

Respectfully submitted,

TIMOTHY J. SHEA, D.C. Bar Number 437437
UNITED STATES ATTORNEY

By: /s/ Zia Faruqui
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VERIFICATION

I, Cindy Burnham, a Special Agent with the Federal Bureau of Investigation, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing Verified Complaint for Forfeiture *In Rem* is based upon reports and information known to me and/or furnished to me by other law enforcement representatives and that everything represented herein is true and correct.

Executed on this 1st day of May, 2020.

 /s/ *Cindy Burnham*
Special Agent Cindy Burnham
Federal Bureau of Investigation

I, Thomas Tamsi, a Special Agent with the Homeland Security Investigations, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing Verified Complaint for Forfeiture *In Rem* is based upon reports and information known to me and/or furnished to me by other law enforcement representatives and that everything represented herein is true and correct.

Executed on this 1st day of May, 2020.

 /s/ *Thomas Tamsi*
Special Agent Thomas Tamsi
Homeland Security Investigations