

**SEALED**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**FILED IN OPEN COURT**

**Holding a Criminal Term  
Grand Jury Sworn in on November 3, 2016**

MAY - 3 2018

CLERK, U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
	:	<u>FILED UNDER SEAL</u>
v.	:	
	:	<b>VIOLATIONS:</b>
AMANALLAH PAIDAR	:	
also known as	:	18 U.S.C. § 371
“AHMAD AMIRI”	:	(Conspiracy)
also known as	:	
“RAJIB MURAT”	:	22 U.S.C. § 2778
	:	(Arms Export Control Act)
MURAT BÜKEY	:	
also known as	:	22 C.F.R. Parts 120-130
“MURAT BUKEY”	:	(International Traffic in Arms
also known as	:	Regulations)
“RECEP MURAT”	:	
	:	50 U.S.C. § 1705
FARAZAN INDUSTRIAL ENGINEERING, INC.	:	(International Emergency Economic
also known as	:	Powers Act)
“FARAZAN CO., LTD.”	:	
	:	31 C.F.R. Part 560
OZON SPOR VE HOBI ÜRÜNLERİ	:	(Iranian Transactions and Sanctions
also known as	:	Regulations)
“OZONE HOBBY”	:	
	:	18 U.S.C. § 554
	:	(Smuggling)
Case No: 1:18-CR-129	:	
Assigned To: Judge Trevor N. McFadden	:	18 U.S.C. §2(b)
Date Assigned: 5/3/2018	:	(Aiding and Abetting)
Description: INDICTMENT (B)	:	
	:	18 U.S.C. § 1956(h)
	:	(Conspiracy to Launder Monetary
	:	Instruments)
	:	
	:	18 U.S.C. § 1001(a)
	:	(False Statements)

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE – CONSPIRACY**

At all times material to this Indictment:

**INTRODUCTION**

1. Defendant AMANALLAH PAIDAR, also known as “Ahmad Amiri” and “Rajib Murat” (hereinafter “PAIDAR”), was an Iranian citizen residing in the Islamic Republic of Iran. Defendant PAIDAR was the owner and operator of “Farazan Industrial Engineering, Inc.,” also known as “Farazan Industrial Engineering Inc.,” also known as “Farazan Co., Ltd.” (hereinafter “FARAZAN”), a company operating in Tehran, Iran.

2. Defendant FARAZAN was a company that arranged for the transshipment of goods through third countries to Iran, on behalf of Iranian customers. Defendant FARAZAN has a listed address of Apt. 8, 4th Floor, No. 6, 2Th. Alley, Konoor St., Motahari Ave. in Tehran, Iran.

3. Defendant MURAT BÜKEY, also known as Murat Bukey and “Recep Murat,” (hereinafter “BÜKEY”), was a Turkish citizen residing in the Republic of Turkey. Defendant BÜKEY was the owner and operator of “Ozon Spor Ve Hobi Ürünleri,” also known as “Ozone Hobby,” (hereinafter “OZONE”), a company operating in İzmir, Turkey.

4. Defendant OZONE was a company that transshipped goods to Iran. Defendant OZONE has a listed address of Sehitler Cad. 18/3 Alsancak 35230 İzmir, Turkey.

5. Company A is a U.S. electronics company based in Southern Pines, North Carolina that manufactures fuel cell test stations. Company B is Company A’s sales agent in Turkey.

6. Company C is a U.S. company located in Goleta, California. Company C is the Global Distributor of RAZOR EX Biodetection Systems and handles sales to Turkey for Company D. Company D is a U.S. company in Salt Lake City, Utah that manufactures the RAZOR EX Biodetection system with product number RAZR-ASY-4000. The RAZOR EX Biodetection System detects and identifies biological agents in the air, water, or ground. The RAZOR EX is made for “field use,” and was created for first responders and front line military troops. The DDTC has determined the RAZOR EX is a defense article under Category XIV(f) of the United States Munitions List.

**The International Emergency Economic Powers Act and the Iranian Transaction Regulations**

7. 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 declares a national emergency with respect to that threat. Pursuant to this authority, the President and the executive branch have issued orders and regulations governing and prohibiting certain transactions with Iran by U.S. persons or U.S.-origin goods.

8. Beginning with Executive Order No. 12170, issued on November 14, 1979, the President has 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.”

9. On March 15, 1995, the President issued Executive Order No. 12957, finding that “the actions and policies of the Government of Iran constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States” and declaring

“a national emergency to deal with that threat.” Executive Order No. 12957, as expanded and continued by Executive Orders Nos. 12959 and 13059 (collectively, “Executive Orders”), were in effect at all times relevant to this Indictment.

10. The Executive Orders imposed 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.

11. The Executive Orders authorized the United States Secretary of the Treasury, in consultation with the United States Secretary of State, “to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes” of the Executive Orders. Pursuant to this authority, the Secretary of the Treasury, promulgated the Iranian Transactions and Sanctions Regulations (“ITSR”), implementing the sanctions imposed by the Executive Orders.<sup>1</sup>

12. The ITSR generally prohibit any person from exporting or causing to be exported from the U.S. to Iran any goods or technology without having first obtained an export license from the U.S. Department of the Treasury, Office of Foreign Assets Control (“OFAC”), which is located in the District of Columbia. The ITSR imposed, among others, the following prohibitions:

a. *Section 560.203 –Evasions; attempts; causing violations; conspiracies.*

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<sup>1</sup> On or about October 22, 2012, the Department of the Treasury revised and renamed the Iranian Transactions Regulations (“ITR”) as the “Iranian Transactions and Sanctions Regulations (“ITSR”).” See 77 Fed. Reg. 64664 (Oct. 22, 2012).

- (a) Any transaction on or after the effective date that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this part is prohibited.
- (b) Any conspiracy formed to violate any of the prohibitions set forth in this part is prohibited.

b. *Section 560.204 – Prohibited exportation, reexportation, sale, or supply of goods, technology, or services to Iran.*

Except as otherwise authorized [by a license issued by OFAC], the exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a United States person, wherever located, of any goods, technology, or services to Iran or the Government of Iran is prohibited, including the exportation, reexportation, sale, or supply of any goods, technology, or services to a person in a third country undertaken with knowledge or reason to know that:

- (a) Such goods, technology, or services are intended specifically for supply, transshipment, or re-exportation, directly or indirectly, to Iran or the Government of Iran...

c. *Section 560.205 – Prohibited reexportation of goods, technology, or services to Iran or the Government of Iran by persons other than United States persons; exceptions.*

Except as otherwise authorized pursuant to this part... the reexportation from a third country, directly or indirectly, by a person other than a United States person, of any goods, technology, or services that have been exported from the United States is prohibited, if:

- (1) Undertaken with knowledge or reason to know that the reexportation is intended specifically for Iran or the Government of Iran; and
- (2) The exportation of such goods, technology, or services from the United States to Iran was subject to export license application requirements under any United States regulations in effect on May 6, 1995, or thereafter is made subject to such requirements imposed independently of this part.

13. The ITSR were in effect at all times relevant to this Indictment.

**The Arms Export Control Act and the International Traffic in Arms Regulations**

14. In furtherance of the national security and foreign policy interests of the United States, the Arms Export Control Act (“AECA”), 22 U.S.C. § 2778, regulated and restricted the sale of arms, munitions, implements of war, and other defense articles and services.

15. Pursuant to the authority granted in the AECA, the Directorate of Defense Trade Controls (“DDTC”) of the United States Department of State promulgated the International Traffic in Arms Regulations (“ITAR”), 22 C.F.R. §§ 120-130. The ITAR governed the export of “defense articles” and contained the United States Munitions List (“USML”), 22 C.F.R. § 121.1, which designates certain items “defense articles.” The ITAR was in effect at all times relevant to this Indictment.

16. “Defense articles,” as that term is used in 22 U.S.C. § 2778(b)(2) and the ITAR, means items, including technical data, designated for placement on the USML as weapons, weapons systems, munitions, aircraft, associated equipment, and other implements of war.

17. A person or entity seeking to export from the United States designated “defense articles” on the USML must receive a license or other approval from the DDTC, located in the District of Columbia.

**Export and Shipping Records**

18. Pursuant to United States law and regulation, exporters, shippers, and/or freight forwarders were required to file certain forms and declarations concerning the exports of goods and technology from the United States. Typically, those filings were filed electronically through the Automated Export System (“AES”) administered by the United States Department of Homeland Security (“DHS”), Customs and Border Protection, which was headquartered in the

District of Columbia. A Shipper's Export Declaration ("SED") was an official document submitted to DHS in connection with export shipments from the United States.

19. An essential and material part of the SED and AES, as well as other export filings, was information concerning the end-user or ultimate destination of the export. The identity of the end-user may determine whether the goods may be exported: (a) without any specific authorization from the U.S. government; (b) with the specific authorization or validated license from the U.S. Department of Commerce, the U.S. Department of State, or the U.S. Department of the Treasury; or (c) whether the goods may not be exported from the U.S.

20. The SED or AES is equivalent to a statement to the U.S. government that the transaction occurred as described. The SED and AES are used by the U.S. Census Bureau to collect trade statistics and by the DDTC and OFAC for export control purposes. Other U.S. government agencies located in the District of Columbia also rely upon the information provided by SED and AES records.

21. It was also unlawful to file "false or misleading information through the . . . SED or the . . . AES," 13 U.S.C. § 305, or to use any "export control document" containing a false statement, or to misrepresent or omit a material fact for the purpose of exporting any defense article for which a license or approval is required. 22 C.F.R. § 127.2(a). An "export control document" includes invoices, declarations of destinations, SEDs, bills of lading, and air waybills. *Id.* The submission of a false or misleading SED or AES is punishable by a fine not to exceed \$10,000 per violation, or imprisonment of not more than five years, or both.

### **THE CONSPIRACY**

22. Beginning as early as in or around April 2012, the exact date being unknown to the Grand Jury, and continuing through in or around May 2013, in the District of Columbia and

elsewhere, defendants PAIDAR, FARAZAN, BÜKEY, OZONE, and persons known and unknown to the Grand Jury, did knowingly and willfully combine, conspire, confederate, and agree with each other to: (a) commit an offense against the United States, that is, to export and cause the exportation of goods from the United States to Iran in violation of the prohibitions imposed upon that country by the United States, without having first obtained the required licenses from OFAC, located in the District of Columbia, in violation of Title 50, United States Code, Section 1705 (IEEPA), and Title 31, Code of Federal Regulations, Parts 560.203 and 560.204 (ITSR) and DDTC, located in the District of Columbia, in violation of Title 22, United States Code, Section 2778 (AECA), and Title 22, Code of Federal Regulations, Sections 120-130 (ITAR); and (b) defraud the United States government by interfering with, and obstructing, a lawful government function, that is, the enforcement of laws and regulations relating to the export or supply of goods from the United States, by deceit, craft, trickery, and dishonest means, in violation of Title 18, United States Code, Section 371.

23. The conduct alleged in this Count began outside 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 pursuant to Title 18, United States Code, Sections 3237(a) and 3238.

**Objects of the Conspiracy**

24. The objects of the conspiracy were to acquire U.S.-origin goods from the United States to supply to entities in Iran; to conceal from United States companies and the United States government that the U.S.-origin goods were destined for Iranian end-users so as to avoid penalties and disruption of the illegal activity; to make a financial profit for the co-conspirators;

to frustrate the laws and regulations of the United States; and to evade the prohibitions and licensing requirements of IEEPA, ITSR, AECA, and ITAR.

**Manner and Means of the Conspiracy**

25. The manner and means by which the defendants and their co-conspirators sought to accomplish the objects of the conspiracy included the following:

- A. Defendants began planning and acting outside of the United States to acquire goods from inside the United States and elsewhere.
- B. Defendants used e-mail accounts and other forms of electronic communication to communicate with one another and with other individuals located in the United States, Iran, and elsewhere.
- C. Defendants used companies outside of Iran to solicit purchase orders for U.S.-origin goods from companies located in the United States on behalf of other conspirators and customers inside Iran.
- D. Defendants used companies outside of Iran, including defendant OZONE, to transship goods from the United States through third countries, including Turkey, to Iran.
- E. Defendants intentionally concealed from companies, shippers, and freight forwarders located in the United States the ultimate end-use and end-users of the purchased U.S.-origin goods.
- F. Defendants caused and attempted to cause U.S.-origin goods to be exported from the United States to individuals and entities in Iran without obtaining valid licenses from OFAC and DDTC, which are located in the District of Columbia.

- G. Defendants caused international monetary instruments to be sent from Turkey and elsewhere, to the United States, to pay for the U.S.-origin goods that were being purchased for illegal export to Iran.

**Overt Acts**

26. 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:

**Fuel Cell Test Station**

- A. On or about April 8, 2012, defendant PAIDAR e-mailed defendant BÜKEY, asking him to acquire a Fuel Cell Test Station, manufactured by Company A. A Fuel Cell Test Station is a device that can test the efficacy and power of fuel cells. Fuel cells have a number of military and civilian uses, from ballistic missiles, drones, and nuclear weapons, to electric cars and other miniature devices that require portable energy.
- B. On or about April 10, 2012, defendant PAIDAR sent defendant BÜKEY an e-mail with the subject "RE: BT-115." The body of the e-mail contained a message from BÜKEY, which stated, "Hi Mr. Paidar, Here is the price offer." The following items and prices were listed in the e-mail:

Model No. 850e description 10/50/100A MWF Fuel Cell Test Station \$37,942.72;  
Model No. 850 description 859 Humidifier Bypass Option \$3,060.30;  
Model No. 885 description 885 FC Pstat Option \$6,732.66;  
Model No. 850 description 850 Lab-Laboratory Setup Kit \$489.65;  
Model No. BT-112 description BT-112 Conductivity Cell-FCT \$1,774.97;  
Model No. 5Cm2 description 5Cm2 Fuel Cell Test Fixture No MEA \$2,362.55

Defendant BÜKEY provided a total price of \$52,367.85 and asked defendant PAIDAR to "check the technical specs and options an [sic] let me know."

Defendant BÜKEY also added “delivery 3-4 weeks” and “C+F Tehran delivery by partial truck.” The term “C+F” is understood to mean cost and freight.

C. On or about May 14, 2012, defendant PAIDAR e-mailed defendant BÜKEY a confirmation of his order with some additional modifications. At the conclusion of the e-mail, defendant PAIDAR asked defendant BÜKEY for a “short training before shipment” and stated, “of course all travelling charges... will be paid by us.” Defendant BÜKEY responded, “[a]bout training that is a big problem if the training will take place in Iran. You know the reasons.”

D. On or about May 22, 2012, defendant PAIDAR responded, confirming a final offer for the products of \$63,842 and stating, “regarding training, I mean pleas [sic] arrange short training course there not here.”

E. On May 23, 2012, defendant BÜKEY wrote back:

The company here in Turkey will support you in installation and technical information when you receive the goods. As you know we will reexport it to Iran under my responsibility. ... However as you know the company in the US will ask my guarantee that the goods are not sold to Iran. Therefore if there is any technical support needed we will sort it out with the [Company B, Company A’s agent] in Ankara and my company. The company in Ankara [Company B] promises to give support however they also don’t know you are in Iran.

F. On or about May 25, 2012, defendant BÜKEY sent defendant PAIDAR an e-mail stating “Your proforma is attached.” The e-mail contained an attachment with a Microsoft Word document titled PROFORMA Fuel Cell. The document listed defendant BÜKEY’s company, defendant OZONE, and the following location as the destination for the products: FARAZAN INDUSTRIAL ENGINEERING INC., Head Office: Apt. 8, 4<sup>th</sup>. Floor, No.6, 2Th. Alley, Konoor St., Motahari

Ave., Tehran-Iran. The document had a heading titled "PROFORMA INVOICE" and listed the following products and prices:

850e 10/50/100A MWF Fuel Cell Test Station \$37,947.72;  
880 Frequency Response Analyzer Option \$5,625.00;  
885 Fuel Cell Potentiostat \$6,732.66;  
Automated Humidifier Bypass Valve for wet/dry operation \$3,060.30;  
Auto Multi Gas Selector Valve Accessory \$3,250.00;  
Computer Controlled MeOH Pump for DMFC \$2,600.00;  
BT-112 Conductivity Cell-FCT \$1,774.97;  
Laboratory Setup Kit \$489.65;  
[Company A] 5 cm<sup>2</sup> Fuel Cell Test Fixture \$2,362.55

The total price listed in the document for "PROFORMA INVOICE" was \$63,842.85.

The document also listed "Terms: C+F Tehran" and "Country of Origin: USA."

G. On or about June 23, 2012, Company A in the United States received Requests for Quotation ("RFQ") from Company B, which is Company A's sales agent in Turkey. The RFQ was from defendant BÜKEY, on behalf of OZONE, for the following U.S.-origin products:

Fuel Cell Test Station (850e 10/50/100A)  
Humidifier Bypass Option (850)  
FC Pstat Option (885)  
Lab-Laboratory Setup Kit (850)  
Conductivity Cell-FCT (BT-112, Fuel Cell Test Fixture (5cm<sup>2</sup>)  
Auto Multigas Valves (850)  
FRA Option (880)  
MeOh Gilson Pump (850)

The RFQ items matched the items requested by defendant PAIDAR, who was located in Iran.

H. On or about July 20, 2012, Company A sold and shipped the following items to defendant BÜKEY's company, defendant OZONE, in Turkey:

850e 5/25/50 Integrated PEM Fuel Cell Test Station  
High Temp Backpressure Accessory  
Model 880 FRA install in Unit Integrated Fuel Cell Potentiostat

Automated Humidifier Bypass Valve for wet/dry operation  
Auto multi-gas selector valve accessory  
computer-controlled Methanol Pump Option  
Connectivity Cell (FCT)  
Laboratory setup kit  
5cm<sup>2</sup> fuel cell test fixture

The items were shipped by DHL delivery and received by defendant OZONE in İzmir, Turkey, with the contact listed as “Murat Bukey.”

- I. Company A provided bank records confirming that payment for the aforementioned items was made via wire transfer on July 26, 2012, by defendant BÜKEY. The price listed on Company A’s invoice for the items, and in the bank’s records of the wire transfer, was \$55,650.00. Wire transfer records indicate the funds were sent to the New York branch of a U.S. bank from a bank in Turkey.
- J. DHL submitted an SED on behalf of Company A for the transaction with defendant OZONE through the AES. The export is dated July 26, 2012, from Company A to defendant OZONE for the listed price of \$55,650. The ultimate consignee on the SED is listed as defendant OZONE.
- K. Company A provided defendant BÜKEY with a document regarding U.S. Export Administration Regulations, which included the following paragraph:

[Company A] products are subject to control under the U.S. Export Administration Regulations (15 CFR Part 730 et seq.) and other applicable U.S. export control laws and regulations. Customer agrees that it will not export, reexport or transfer the Products by any means to any prohibited destination, entity or individual without the required export license(s) or authorization(s) from the U.S. Government. [Company A] reserves the right not to ship the Products ordered if, at any time, [Company A] believes that such shipment may violate U.S. export control laws.

- L. Defendant BÜKEY also signed an end-user statement, containing the following false statement:

“To Whom It May Concern: OZON SPOR VE HOBI URUNLERI certifies to [Company A] that the products being ordered will not be used in any rocket systems or unmanned air vehicles capable of a range of at least 300 kilometers; nor be used in any nuclear weapons delivery systems; and will not be used in any design, development, production or use for chemical, biological or nuclear weapons; **and will not be diverted to any country, company or individual that is prohibited by the U.S. Government.**”

(Emphasis added).

At no time did the defendants, or the U.S. supplier, apply for, or receive, a license from OFAC to export or re-export the device to Iran.

#### **RAZOR EX BioDetection System**

- M. On or about October 18, 2012, defendant BÜKEY e-mailed Company D requesting a “price offer” for the “RAZOR EX BioDetection System Type: RAZR-ASY-4000.”
- N. Company D forwarded the October 18, 2012 e-mail from defendant BÜKEY to Company C, its Global Distributor, for order processing.
- O. On or about October 25, 2012, defendant BÜKEY e-mailed defendant PAIDAR: “About RAZORR EX BioDetection System Type: RAZR-ASY-4000. I cannot get any replies. I will call by phone on Monday and try to get direct assistance. They do not reply to my e-mails.”
- P. On or about November 2, 2012, defendant BÜKEY e-mailed defendant PAIDAR, “Price for RAZORR EX BioDetection System: 71,140 USD excluding shipping to Tehran, Payment 100% on order, Delivery 90 days upon approval of export license. Delivery will be in Izmir. No direct shipping allowed.”

- Q. On or about January 21, 2013, defendant BÜKEY signed a Pro Forma Invoice for the sale of one RAZR-ASY-4000 RAZOR EX BioDetection System for \$38,600. The Pro Forma Invoice lists the bill to and ship to as defendant OZONE. The Pro Forma Invoice reveals a prepayment by defendant OZONE for the RAZOR EX of \$11,580, 30% of the total. Company C has also provided wire transfer records showing payment of this amount from defendant OZONE's bank in Turkey, to the to the New York branch of a U.S. bank from a bank in Turkey, and ultimately to Company C's bank, in the state of California.
- R. On or about January 21, 2013, defendant BÜKEY executed and provided Company C with an end-user statement for the RAZR-ASY-4000 RAZOR EX BioDetection System. The end-user statement falsely certifies the foreign consignee as defendant OZONE and the end-user as Neon Makina Ltd., Kazim Dirik Mahallesi, 282/2 Sok No 5, 35040 Bornova, Izmir. The end-user statement also falsely states that the "items are for use on analysis of hospital waste water for recovery actions."
- S. Based on the information provided by defendant BÜKEY, Company C produced a DDTC Application/License for Permanent Export of Unclassified Defense Articles and Related Unclassified Technical Data. The application lists defendant OZONE as the foreign consignee and Neon Makina Ltd. as the foreign end-user. The application also indicates that the item is subject to the USML, Category number XIV(f).
- T. Included in the DDTC Application was a DSP-83, U.S. Department of State Nontransfer and Use Certificate, dated February 8, 2013, which was signed by

BÜKEY and a person indicating they were acting on behalf of Neon Makina, Ltd. The signature block for the “Certification of foreign government” (item 8) was falsely identified as Dankim Kimya in İzmir, Turkey. The “Name of foreign end-user” (item 3) was falsely listed as Neon Makina Ltd., and the “Country of ultimate destination” (item 4) was falsely listed as Turkey. On the DSP-83, the “Certification of foreign consignee” (item 6), which defendant BÜKEY signed, states the following:

We certify that we are importing the articles/data listed in item 5 for delivery [RAZR-ASY-4000 RAZOR EX BioDetection System] to the end-user in item 3. Except as specifically authorized by prior written approval of the U.S. Department of State, we will not re-export, resell, or otherwise dispose of any of the articles/data (1) outside the country in item 4 above [Turkey], or (2) to any person, including the end-user, if there is reason to believe that it will result, directly or indirectly, in disposition of the articles/data contrary to the representations made in this certificate by any party. We further certify that all of the facts contained in this certificate are true and correct to the best of our knowledge and belief and we do not know of any additional facts that are inconsistent with this certificate. We will promptly send a supplemental certificate to the U.S. applicant in item 2 [Company C] disclosing any change of facts or intentions set forth in this statement.

- U. On or about February 12, 2013, defendant PAIDAR sent defendant BÜKEY an e-mail with the following text: “Also inform for E2 and Raz if you have new news.” Defendant BÜKEY responded: “3. Razor. Everything OK. All docs prepared. Payment made. Waiting for delivery date.”
- V. The U.S. Department of State, Application/License for Permanent Export of Unclassified Defense Articles and Related Unclassified Technical Data was approved and issued on February 27, 2013, with license number 050434994. This Application/License was issued to Company C for the export of the RAZR-ASY-4000 RAZOR EX BioDetection System. This Application/License lists the

foreign end-user as Neon Makina Ltd. and the foreign consignee as defendant OZONE.

- W. On or about May 6, 2013, DDTC revoked Application/License number 050434994 because a pre-shipment check by the U.S. Embassy in Turkey, which included an interview of BÜKEY, could not verify the bona fides of the transaction. Company C subsequently cancelled the order, halted the export, and refunded the down payment to defendant OZONE on May 10, 2013. The item was never shipped to defendant BÜKEY.

**(In violation of 18 U.S.C. § 371; 50 U.S.C. § 1705; 22 U.S.C. § 2778; 31 C.F.R. Part 560; and 22 C.F.R. Parts 120-130)**

**COUNT TWO – ATTEMPTED UNLAWFUL EXPORT OF DEFENSE ARTICLES**

**TO IRAN**

27. The allegations in Paragraphs 1 through 26 of this Indictment are incorporated and re-alleged by reference herein.

28. On or about October 18, 2012 to on or about May 10, 2013, within the District of Columbia and elsewhere, defendants PAIDAR, BÜKEY, OZONE, and FARAZAN, did willfully attempt to export defense articles, namely a RAZR-ASY-4000 RAZOR EX BioDetection System, to Iran without first obtaining the required license from the DDTC, located in the District of Columbia.

**(In violation of 22 U.S.C. § 2778 and 22 C.F.R. Parts 120-130)**

**COUNT THREE- SMUGGLING**

29. The allegations in Paragraphs 1 through 26 of this Indictment are incorporated and re-alleged by reference herein.

30. Between in or about October 18, 2012, through in or about May 10, 2013, defendants PAIDAR, FARAZAN, BÜKEY, and OZONE, fraudulently and knowingly attempted to export from the United States, a RAZR-ASY-4000 RAZOR EX BioDetection System, knowing, prior to exportation, that it was intended for exportation contrary to U.S. law and regulation.

**(In violation of 18 U.S.C. § 2(b) and 18 U.S.C. § 554)**

**COUNT FOUR – CONSPIRACY TO LAUNDER MONETARY INSTRUMENTS**

31. The allegations in Paragraphs 1 through 26 of this Indictment are incorporated and re-alleged by reference herein.

32. Between in or around July 2012, through in or around May 2013, defendants PAIDAR, FARAZAN, BÜKEY, OZONE, and persons known and unknown to the Grand Jury, willfully combined, conspired, confederated, and agreed with each other, within the District of Columbia and elsewhere, to violate Title 18, United States Code, Section 1956(a)(2)(A), by transporting, transmitting, and transferring, or attempting to transport, transmit, and transfer monetary instruments and funds from places outside of the United States, that is Turkey and elsewhere, to and through a place inside the United States, with the intent to promote the carrying on of a specified unlawful activity; that is, violations of the IEEPA, ITSR, AECA, and ITAR, and other U.S. export control violations.

**(In violation of 18 U.S.C. §§1956 (a)(2) and 1956(h))**

**COUNT FIVE – FALSE STATEMENTS**

33. The allegations in Paragraphs 1 through 26 of this Indictment are incorporated and re-alleged by reference herein.

34. On or about January 31, 2013, defendants PAIDAR and BÜKEY did willfully and knowingly make and use, and cause to be made and used, a false writing and document, knowing the same to contain a materially false, fictitious, and fraudulent statement and entry in a matter within the jurisdiction of DDTC, which is located in the District of Columbia, by producing and submitting an End-User Statement, which listed the ultimate consignee of a shipment containing a RAZR-ASY-4000 RAZOR EX BioDetection System as defendant OZONE in Turkey, and the ultimate end-user of the shipment as Neon Makina Ltd. in İzmir, Turkey, when defendants PAIDAR and BÜKEY there and then knew that these statements were false.

**(In violation of 18 U.S.C. § 2(b) and 1001(a))**

**COUNTS SIX TO NINE- ATTEMPTED UNLAWFUL EXPORTS TO IRAN**

35. From on or about December 1, 2015 to date, defendant PAIDAR has been in contact with U.S. persons and has sought to acquire, and has acquired, U.S.-origin goods to be exported to Iran in violation of the IEEPA and the ITSR.

36. Since December 1, 2015, defendant PAIDAR has had communications with a person he believed to be a U.S. exporter, but was in fact an undercover U.S. law enforcement agent (“UCA”). PAIDAR has sought the UCA’s assistance in obtaining various U.S.-origin goods.

37. Many of the U.S.-origin items identified by PAIDAR to the UCA were export restricted to Iran under the ITSR and IEEPA, and required the issuance of an export license from OFAC, located in the District of Columbia, prior to any export to Iran. One or more of the items contained radioactive components.

38. At no time did PAIDAR obtain, or request others to obtain, a valid license from the United States government to export these items from the United States to Iran.

39. On or about the dates listed below, defendant PAIDAR attempted to unlawfully export items from the United States to Iran in violation of IEEPA and the ITSR:

COUNT	DATE(S)	ITEM
6	From Between June 2016 to December 2016	Gamma ray projectors with radioactive isotopes and depleted uranium protective shielding
7	Between June 2016 to December 2016	Thermal imaging night vision cameras/lenses
8	On or about September 2017	Oscor green spectrum analyzer
9	On or about February 2018	Optical emission spectrometers

(In violation of 50 U.S.C. § 1705 and 31 C.F.R. Part 560)

*Dana McDowell*

A TRUE BILL  
FOREPERSON

*Jessie K. Lee* 10AC

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 *[Signature]*  
Deputy Clerk

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