

**SEALED**

**FILED IN OPEN COURT**

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

**APR 17 2012**

**Holding a Criminal Term  
Grand Jury Sworn in on November 12, 2010**

**CLERK, U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.: 11-137 (CKK)</b>
	:	
<b>v.</b>	:	<b>VIOLATIONS:</b>
	:	
<b>BAHRAM MAHMOUDI MAHMOUD ALILOU,</b>	:	<b>18 U.S.C. § 371</b>
also known as	:	<b>(Conspiracy)</b>
<b>BAHRAM MAHMOUDI</b>	:	
also known as	:	<b>50 U.S.C. § 1705</b>
<b>BAHRAM ARAN,</b>	:	<b>(International Emergency</b>
	:	<b>Economic Powers Act Violation)</b>
<b>SHAHIN GOLSHANI,</b>	:	
	:	<b>31 C.F.R. Part 560</b>
<b>MODERN TECHNOLOGIES (FZC),</b>	:	<b>(Iranian Transaction Regulations)</b>
also known as	:	
<b>MODERN TECHNOLOGIES</b>	:	<b>18 U.S.C. § 554</b>
	:	<b>(Smuggling Goods)</b>
<b>ASGHAR MAHMOUDI,</b>	:	
	:	<b>22 U.S.C. § 2778</b>
	:	<b>(Arms Export Control Act</b>
<b>Defendants.</b>	:	<b>Violation)</b>
	:	
	:	<b>22 C.F.R. Part 127.1</b>
	:	<b>(International Traffic in Arms</b>
	:	<b>Regulations)</b>
	:	
	:	<b>18 U.S.C. § 1001</b>
	:	<b>(False Statements)</b>
	:	
	:	<b>18 U.S.C. § 2</b>
	:	<b>(Aiding and Abetting)</b>
	:	
	:	<b>18 U.S.C. § 981(a)(1)(c)</b>
	:	<b>28 U.S.C. § 2461(c)</b>
	:	<b>(Criminal Forfeiture)</b>

Case: 1:11-cr-00137  
Assigned To : Kollar-Kotelly, Colleen  
Assign. Date : 4/17/2012  
Description: SUPERSEDING INDICTMENT (B)  
Case Related To: 11cr137 (CKK)

**INDICTMENT**

The Grand Jury charges that:

## COUNT ONE

At all times material to this Indictment:

### INTRODUCTION

1. Defendant BAHRAM MAHMOUDI MAHMOUD ALILOU, also known as BAHRAM ARAN (hereinafter "ARAN"), was a citizen of Iran and resident of Azerbaijan. Defendant ARAN was an owner and managing director of ARAN MODERN DEVICES KISH COMPANY (hereinafter "AMD"), a company located in Iran, which procured goods on behalf of Iranian customers. Defendant ARAN also conducted business as an employee of defendant MODERN TECHNOLOGIES(FZC). As part of his responsibilities, Defendant ARAN procured U.S.-origin goods for Iranian customers.

2. Defendant ASGHAR MAHMOUDI (hereinafter "MAHMOUDI"), was a citizen and resident of Iran. Defendant MAHMOUDI was an owner and managing director of AMD, a company located in Iran, which procured goods on behalf of Iranian customers. As part of his responsibilities, Defendant MAHMOUDI procured U.S.-origin goods for Iranian customers.

3. Defendant SHAHIN GOLSHANI (hereinafter "GOLSHANI") was a resident of the United Arab Emirates ("U.A.E."). Defendant GOLSHANI was the General Manager of defendant MODERN TECHNOLOGIES (FZC). As part of his responsibilities, defendant GOLSHANI received U.S.-origin goods from the United States and elsewhere, and then shipped those goods to customers located in Iran.

4. Defendant MODERN TECHNOLOGIES (FZC), also known as MODERN TECHNOLOGIES, (hereinafter "MODERN TECHNOLOGIES") was a company that procures U.S.-origin goods on behalf of foreign customers. Defendant MODERN TECHNOLOGIES was

located in the U.A.E., with a mailing address of No. 29, Building Y, SAIF-Zone, Sharjah, U.A.E., P.O. Box 8032.

The Iran Trade Embargo and the Iranian Transactions Regulations

5. The International Emergency Economic Powers Act (“IEEPA”), 50 U.S.C. §§ 1701-1706, authorizes 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.

6. 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, was in effect at all times relevant to this Indictment.

7. Executive Orders Nos. 12959 and 13059 (collectively, with Executive Order No. 12957, “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.

8. 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 Regulations, 31 C.F.R. Part 560, implementing the sanctions imposed by the Executive Orders.

9. 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, obtained through the Office of Foreign Assets Control (“OFAC”), 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.

10. At no time did the defendants ARAN, MAHMOUDI, GOLSHANI, MODERN TECHNOLOGIES, or their co-conspirators receive or possess a license or authorization from OFAC to export goods, technology, or services, of any description, to Iran.

#### The Arms Export Control Act

11. The Arms Export Control Act (“AECA”), 22 U.S.C. § 2778, authorized the President of the United States to control the export of “defense articles” by designating items, such as certain military aircraft components, on the United States Munitions List (“Munitions List”), which is codified at 22 C.F.R. Part 121.

12. The AECA and its attendant regulations, the International Traffic in Arms Regulations

("ITAR"), 22 C.F.R. Parts 120-130, required a person to apply for and obtain an export license from the United States Department of State, Directorate of Defense Trade Controls ("DDTC"), located in the District of Columbia, before exporting from the United States arms, ammunition, or articles of war, which are all classified as defense articles under 22 U.S.C. §§ 2778(b)(2) and 2794(3), and 22 C.F.R. Parts 120.1 and 121.1. In the application for an export license, the exporter is required to state, among other things, the nature of the defense article to be exported, the end recipient of the defense article, and the purpose for which the defense article is intended.

13. The defense articles which are subject to such licensing requirements are designated on the Munitions List. Those designations are made by the State Department with concurrence of the Defense Department under 22 U.S.C. § 2778(a)(1) and 22 C.F.R. Section 120.2.

14. Category VIII(h) of the Munitions List includes military aircraft parts. The Landing Gear Assembly for the F-5E/F Fighter Jet is a defense article under Category VIII(h) of the Munitions List.

15. At no time did the defendants ARAN, MAHMOUDI, GOLSHANI, MODERN TECHNOLOGIES, or their co-conspirators apply for, receive, or possess a license or authorization from the DDTC to export defense items and services to Iran.

## **B. THE CONSPIRACY**

16. Known members of the conspiracy included the following individuals: (1) an Iranian citizen and businessman ("Co-conspirator A"), who owned and operated another Iranian supply company; (2) a dual Iranian and Canadian citizen, residing in Canada ("Co-conspirator B"), who owned and operated a Canadian trading company; and (3) an entity located in Iran ("Entity A"), which procured U.S.-origin goods.

17. Beginning as early as in or around August 2005, the exact date being unknown to the

Grand Jury, and continuing through in or around February 2009, in the District of Columbia and elsewhere, the defendants,

**BAHRAM ARAN,  
ASGHAR MAHMOUDI,  
SHAHIN GOLSHANI  
and  
MODERN TECHNOLOGIES,**

did knowingly and willfully combine, conspire, confederate, and agree with each other, and with others known and unknown to the Grand Jury, to commit offenses against the United States, that is,

(a) to defraud 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 by deceit, craft, trickery, and dishonest means, in violation of Title 18, United States Code, Section 371.

(b) to export, attempt to export, and cause the exportation of U.S.-origin 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 OFAC, 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

(c) to attempt to export and cause the exportation from the United States to a place outside thereof, that is Iran, defense articles, that is, military aircraft parts, which were designated as defense articles on the United States Munitions List, without first obtaining from the DDTC a license or written authorization for such export, in violation of Title 22, United States Code, Section 2778(b)(2); and Title 22, Code of Federal Regulations, Parts 121.1, 123.1, and 127.1.

### OBJECTS OF THE CONSPIRACY

18. The objects of the conspiracy were:

- A. to supply entities in Iran with U.S.-origin goods, including defense articles on the Munitions List;
- B. 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;
- C. to make a financial profit for the defendants and their co-conspirators;
- D. to evade the prohibitions and licensing requirements of IEEPA and the Iranian Transactions Regulations; and
- E. to evade the prohibitions and licensing requirements of AECA and the ITAR.

### MANNER AND MEANS OF THE CONSPIRACY

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

- A. Defendants ARAN, MAHMOUDI, and GOLSHANI, and other co-conspirators began planning and acting outside of the United States to acquire goods from inside the United States.
- B. Defendants ARAN, MAHMOUDI, and GOLSHANI, and other co-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.
- C. Defendants ARAN and MAHMOUDI, and other co-conspirators used companies outside of Iran, including defendant MODERN TECHNOLOGIES, to solicit purchase orders for

U.S.-origin goods to companies located in the United States on behalf of other co-conspirators and customers in Iran.

D. Defendants ARAN and MAHMOUDI, and other co-conspirators used companies outside of Iran, including defendant MODERN TECHNOLOGIES, to place orders and purchase U.S.-origin goods from companies located in the United States on behalf of other co-conspirators and customers in Iran.

E. Defendants ARAN and MAHMOUDI, and other co-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 U.S.-origin goods.

F. Defendants ARAN, MAHMOUDI, and GOLSHANI, and other co-conspirators intentionally concealed from companies, shippers, and freight forwarders located in the United States that the ultimate end-use and end-users of the purchased U.S.-origin goods were in Iran.

G. Defendants ARAN, MAHMOUDI, and GOLSHANI, and other co-conspirators intentionally caused companies in the United States to submit false information to the United States government in applications for an export license.

H. Defendant ARAN, MAHMOUDI, and GOLSHANI, and other co-conspirators caused shipments of U.S.-origin goods to be made from the United States to third countries and then caused the U.S.-origin goods to be transshipped to Iran.

I. Defendants ARAN, MAHMOUDI, and GOLSHANI, and other co-conspirators caused the U.S.-origin goods to be exported from the United States to individuals and entities in Iran without obtaining a license from OFAC, located in the District of Columbia.

J. Defendants ARAN, MAHMOUDI, and GOLSHANI, and other co-conspirators



caused the U.S.-origin goods to be exported from the United States to individuals and entities in Iran without obtaining a license from the DDTC, located in the District of Columbia.

20. The commodities in which the co-conspirators traded, were items with known military and nuclear applications, including:

- A. A Maxicam 3002 camera with a reduced gating time;
- B. A Nose Landing Gear Assembly for the F-5E/F Fighter Jet; and
- C. A MSS-1000 Meteorological Sensor System.

21. 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 pursuant to Title 18, United States Code, Sections 3237(a) and 3238.

#### **OVERT ACTS**

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

#### **MAXICAM 3002 Camera to Iran**

(1) On or about September 6, 2006, defendant ARAN sent an e-mail to a representative of a company located in Virginia ("Virginia company"), regarding purchasing a Maxicam 3002 camera with certain specifications, including a reduced gating time of 3,5 or 10 nanoseconds. Defendant ARAN also asked the Virginia company representative six questions regarding the Maxicam 3002. In the e-mail, defendant ARAN represented that he worked for defendant MODERN TECHNOLOGIES.

(2) On or about September 6, 2006, defendant ARAN sent an e-mail to a representative of Isfahan Optics Industry, located in Isfahan, Iran, communicating the answers provided by the Virginia company representative to the six questions about the Maxicam 3002.

(3) On or about September 18, 2006, defendant ARAN sent an e-mail to the Virginia company representative, requesting a formal ProForma Invoice for the Maxicam 3002, with a Generation III intensifier and 3 to 5 nanosecond gating. Defendant ARAN again represented that he worked for defendant MODERN TECHNOLOGIES.

(4) On or about September 19, 2006, defendant ARAN sent an invoice from AMD to the Optic Research Center of Isfahan for the Maxicam 3002 for 721,680,000 Iranian Rial (the equivalent of approximately \$78,529).

(5) On or about October 3, 2006, a representative of AMD received an e-mail from a representative of the Optic Industrial Company of Isfahan, attaching a draft of a contract between AMD as the seller and the Optic Industrial Company of Isfahan as the buyer for the purchase of the Maxicam 3002.

(6) On or about October 13, 2006, defendant ARAN caused a letter to be sent to defendant GOLSHANI, requesting that defendant GOLSHANI send a completed and signed end-user form to the Virginia company.

(7) On or about October 28, 2006, defendant ARAN sent an e-mail to defendant GOLSHANI, requesting that GOLSHANI forward him documents regarding the Maxicam 3002.

(8) On or about October 28, 2006, defendant GOLSHANI responded to the e-mail from defendant ARAN, attaching a purchase order from defendant MODERN TECHNOLOGIES to the Virginia company for the Maxicam 3002 and a completed BIS-711 form, a Statement of

Ultimate Consignee and Purchaser. The BIS-711 stated that the ultimate consignee of the camera was "System Dizayners Co", in Baku, Azerbaijan, for "analysis of Smoke attack [sic] and power plant pollution."

(9) On or about October 30, 2006, defendant ARAN sent the Virginia company a purchase order for one Maxicam 3002 from Modern Technologies, along with the BIS-711 form that defendant GOLSHANI had sent to ARAN a few days before.

(10) On or about January 23, 2007, defendant ARAN sent a letter in Farsi and English on AMD letterhead to the Optic Research Center of Isfahan. The letter stated that after many exchanges of correspondence and telephone calls, he had heard that the United States Department of Defense had denied the export license, and that the United States Department of Commerce would most likely not overrule that decision.

(11) On or about February 15, 2007, in response to an e-mail from a Virginia company representative stating that the export license had been denied, defendant ARAN sent an e-mail to the Virginia company stating that the customer was going to purchase the item from another company, but also asking "if there is any condition exists [sic] to purchase this item:(Sell this item through some other companies, sell it without Export License, Sell it with another name,...) Please let me know to do so." The Virginia company responded that it would not engage in an illegal transaction.

(12) On or about February 19, 2007, Co-conspirator A sent an e-mail to Co-conspirator B, asking Co-conspirator B to quote a price for the Maxicam 3002 from the Virginia Company.

(13) On or about February 23, 2007, defendant ARAN and Co-conspirator A caused

Co-Conspirator B to issue an invoice for the Maxicam 3002 , which stated that the Maxicam 3002 would be shipped to defendant MODERN TECHNOLOGIES in Sharjah, U.A.E.

(14) On or about February 23, 2007, defendant ARAN sent an e-mail to Co-conspirator A, providing information about the options needed with the Maxicam 3002.

(15) On or about February 24, 2007, defendant ARAN caused a letter written in Farsi to be sent on AMD letterhead to Co-conspirator A, advising that the Maxicam 3002 had been approved for purchase.

(16) On or about February 26, 2007, defendant ARAN sent a letter on AMD letterhead to a representative of the Optic Research Center of Isfahan. The letter, written in Farsi, stated that AMD had gone through another channel to purchase the camera, and that it should be delivered within five weeks.

(17) On or about March 21, 2007, Co-conspirator B paid \$30,000 by check to the Virginia company as a down-payment for the Maxicam 3002.

(18) On or about March 27, 2007, Co-conspirator B wired \$11,000 to the Virginia company as a final payment for the Maxicam 3002.

(19) On or about March 28, 2007, Co-conspirator B caused the Maxicam 3002 to be shipped from the United States to himself in Vancouver, Canada.

(20) On or about March 29, 2007, Co-conspirator B shipped the Maxicam 3002 from Vancouver, Canada, to defendant MODERN TECHNOLOGIES in Sharjah, U.A.E.

(21) On or about April 4, 2007, defendant MAHMOUDI requested that defendant GOLSHANI send the Maxicam 3002 to his attention at an address in Tehran, Iran, accompanied by an invoice listing the value of the Maxicam 3002 as \$100.

(22) On or about April 7, 2007, defendant GOLSHANI shipped the Maxicam 3002 to defendant MAHMOUDI in Tehran, Iran.

(23) On or about April 8, 2007, defendant GOLSHANI sent an invoice to defendant MAHMOUDI and AMD in Tehran, Iran, for the Maxicam 3002, with a value of \$100.

(24) On or about April 14, 2007, defendant ARAN sent specifications for the Maxicam 3002 to a representative of Isfahan Optics Industry.

(25) On or about May 27, 2007, defendant ARAN sent an e-mail to Co-conspirator B, with the subject line "Maxicam3002 Malfuction! [sic]," containing questions about the Maxicam 3002 that ARAN had received from the representative of the Optic Research Center of Isfahan; Co-conspirator B forwarded the questions on to the Virginia company.

(26) On or about May 30, 2007, defendant ARAN forwarded the answers he received from Co-conspirator B to the representative of the Optic Research Center of Isfahan.

(27) On or about June 9, 2007, defendant ARAN sent an e-mail to a representative of the Optic Research Center of Isfahan, stating that he would inform him of "any news" from the Virginia company regarding ongoing issues with the operation of the Maxicam 3002.

(28) On or about July 18, 2007, defendants ARAN and GOLSHANI caused a power supply for the Maxicam 3002 to be shipped from defendant MODERN TECHNOLOGIES in Sharjah, U.A.E., to Co-conspirator B in Canada, to be returned to the Virginia company for repair.

(29) On or about July 29, 2007, defendant ARAN sent an e-mail to Co-conspirator B, asking to be notified when Co-conspirator B received the power supply from defendant MODERN TECHNOLOGIES.

(30) On or about October 5, 2007, Co-conspirator B shipped the repaired power

supply for the Maxicam 3002 to defendant MODERN TECHNOLOGIES, in Sharjah, U.A.E.

(31) On or about October 15, 2007, defendant ARAN caused a letter, written in Farsi, to be sent to defendant GOLSHANI, requesting that defendant GOLSHANI send the repaired power supply for the Maxicam 3002 to Iran.

(32) On or about October 20, 2007, defendant GOLSHANI sent an e-mail to defendant ARAN, attaching an airway bill for the repaired power supply, which showed that defendant MODERN TECHNOLOGIES had sent the power supply to Tehran, Iran.

(33) On or about January 22, 2008, defendant ARAN sent an e-mail to Co-conspirator B, requesting a CD and catalog for the Maxicam 3002.

(34) On or about February 12, 2008, defendant ARAN sent an e-mail to a representative of the Optic Research Center of Isfahan, attaching a letter, on AMD letterhead, addressed to Isfahan Optics Industries, located in Isfahan, Iran, which letter, written in Farsi, acknowledged problems with the Maxicam 3002 and stated that AMD was arranging for installation and operation training to be given to Isfahan Optics Industries.

(35) On or about May 21, 2008, defendant ARAN sent a letter on AMD letterhead to the Optic Research Institute of Isfahan, which letter, written in Farsi and signed by defendant MAHMOUDI, stated that measures had been taken to send a specialist from Canada to the United States for training on the installation and operation of the Maxicam 3002 and that the specialist would then travel to Iran to correct the problems.

(36) On or about June 27, 2008, defendant ARAN sent a letter to Co-conspirator B, which letter, written in Farsi and signed by defendant MAHMOUDI, requested that Co-conspirator B inform him of the timing for the training regarding the installation and operation of the Maxicam

3002.

(37) On or about February 9, 2009, defendant ARAN sent an e-mail to Co-conspirator B, transmitting technical questions about the Maxicam 3002 that defendant ARAN had received from a representative of the Optic Research Center of Isfahan.

(38) On or about February 9, 2009, defendant ARAN sent an e-mail to a representative of the Virginia Company, identifying himself as "Bahram Aran from Modern Technologies Co.," and falsely stating that he had been able to purchase the Maxicam 3002 camera through an intermediary company, but was having problems with the camera, and asking the same technical questions defendant ARAN had sent to Co-conspirator B.

(39) Defendants ARAN, MAHMOUDI, GOLSHANI, MODERN TECHNOLOGIES and their co-conspirators failed to apply for, receive, or possess a license from OFAC, located in the District of Columbia, to export the Maxicam 3002 from the United States to Iran.

**Attempted Purchase of Nose Landing Gear Assembly for the F-5E/F Fighter Jet**

(40) On or about January 22, 2007, Co-conspirator B submitted a purchase order to a company then located in California ("California Company") for a Nose Landing Gear Assembly for the F-5E/F Fighter Jet (hereinafter "F-5 Landing Gear") for \$42,200.

(41) On or about that same date, Co-conspirator B sent Co-conspirator A an Invoice for F-5 Landing Gear for \$105,800, which was addressed to Co-conspirator A and defendant MODERN TECHNOLOGIES.

(42) On or about January 24, 2007, Co-conspirator B submitted a letter to the California Company, stating that he had some research projects in Canada, and confirming that the F-5 Landing Gear would be used "completely for researching [sic] purpose."

(43) On or about January 29, 2007, Co-conspirator B submitted a false end-user certificate, stating that the F-5 Landing Gear, according to a contract with defendant MODERN TECHNOLOGIES, would be used by the Yemen Air Force and Air Defense.

(44) On or about February 5, 2007, Co-conspirator B made a payment of \$10,500 as a down-payment for the F-5 Landing Gear.

(45) On March 7, 2007, Co-conspirator B caused the California Company to apply for a license to export the F-5 Landing Gear to the Yemen Air Force through defendant MODERN TECHNOLOGIES. The license was subsequently denied.

(46) On or about April 25, 2007, defendant GOLSHANI sent an e-mail to defendant MAHMOUDI and Co-conspirator A, stating that he urgently needed a copy of the contract referred to in the end-user certificate submitted to the California Company, and all correspondence sent to the California Company. Defendant Golshani further stated,

“My quastion[sic] is WHY you have mentioned Modern Technologies as BUYER? Why didn't you mention [Co-conspirator B's Canadian company] as Buyer. One more thing. All the information should be sent through [the Canadian company's] email, We do not want anything at any other [sic] email header. It's easy to find the server which you are using to send emails or false addresses!!!

(47) On or about April 26, 2007, defendant GOLSHANI sent an e-mail to defendant MAHMOUDI and Co-conspirator A, stating that he was still waiting to receive the requested information.

(48) On or about May 2, 2007, defendant ARAN sent an e-mail to Co-conspirator A, requesting that Co-conspirator B write a letter from Co-conspirator B's Canadian company to defendant MODERN TECHNOLOGIES, stating that the Canadian company had sent a quote on defendant MODERN TECHNOLOGIES' behalf to the Yemen Ministry of Defense for aircraft parts



used by the Yemen Air Force.

(49) Defendants ARAN, MAHMOUDI, GOLSHANI, and MODERN TECHNOLOGIES, and their co-conspirators failed to apply for, receive, or possess, or caused others to fail to apply for, receive, or possess a license from the DDTC, located within the District of Columbia, to export the F-5 Landing Gear from the United States to Iran.

**Meteorological Sensor System to Iran**

(50) On or about July 29, 2008, defendant ARAN sent an e-mail to a company located in Colorado ("Colorado company"), requesting a quote for one Meteorological Sensor System MSS-1000 (hereinafter "MSS-1000"). Defendant ARAN represented in the e-mail that he was with defendant MODERN TECHNOLOGIES, in Sharjah, U.A.E.

(51) That same day, July 29, 2008, the Colorado company responded to defendant ARAN with a price quote for the MSS-1000. Defendant ARAN forwarded the price quote to defendant MAHMOUDI.

(52) On or about August 15, 2008, defendant ARAN sent an invoice on defendant AMD letterhead to defendant MAHMOUDI. The invoice was addressed to Entity A in Iran for the MSS-1000 at base price of \$7,105, with a list of costs for additional options.

(53) On or about September 9, 2008, defendant ARAN sent an e-mail to the Colorado company indicating that he would like to order the MSS-1000.

(54) On or about September 15, 2008, defendant ARAN e-mailed the Colorado company a question about the computer connection for the MSS-1000 that defendant ARAN had received from a representative of Entity A.

(55) On or about September 24, 2008, defendant ARAN e-mailed defendant

MAHMOUDI and a representative of Entity A with the answer from the Colorado company about the MSS-1000.

(56) On or about September 25, 2008, at the request of a representative of Entity A, defendant ARAN sent an e-mail to the Colorado company, requesting that the company mail the operations manual for the MSS-1000.

(57) On or about September 26, 2008, defendant ARAN sent the operations manual for the MSS-1000 to defendant MAHMOUDI and a representative of Entity A.

(58) On or about October 15, 2008, defendant ARAN placed an order with the Colorado company for one MSS-1000.

(59) On or about October 15, 2008, defendant ARAN caused the Colorado company to issue a proforma invoice to defendant MODERN TECHNOLOGIES, for one MSS-1000 with compass heading and carrying case, with shipping and handling to Sharjah, U.A.E. for \$5,365.

(60) On or about October 20, 2008, defendant ARAN sent an e-mail to a representative of Entity A, confirming that he had ordered the MSS-1000.

(61) On or about October 28, 2008, defendant ARAN caused the Colorado company to issue a revised proforma invoice to defendant MODERN TECHNOLOGIES adding to the MSS-1000 order one 10 meter power cable and one 10 meter output cable, at no extra cost.

(62) On or about October 29, 2008, defendant ARAN sent an e-mail to defendant MAHMOUDI, attaching several invoices in Farsi on AMD letterhead. One of the invoices was to Entity A for one 10 meter power cable and one 10 meter output cable for \$830.

(63) On or about October 30, 2008, defendant ARAN caused a wire transfer of \$1,065 to be made to the Colorado company as a down-payment for the MSS-1000.

(64) On or about January 20, 2009, defendant ARAN sent an e-mail to the Colorado company, advising them that he had asked a friend in the United States to transfer the amount of \$4,300 for full payment of the MSS-1000, and requesting that the Colorado company “ship our requested items with shown price of under US\$2000 or lower.”

(65) On or about January 26, 2009, defendant ARAN caused a wire transfer of \$4,300 to be made to the Colorado company as final payment for the MSS-1000.

(66) On or about January 27, 2009, defendant ARAN caused the Colorado company to ship the MSS-1000 to defendant MODERN TECHNOLOGIES in Sharjah, U.A.E.

(67) On or about January 29, 2009, defendant ARAN sent an e-mail to defendant GOLSHANI, asking him to ship the MSS-1000 from Sharjah to Iran.

(68) On or about January 31, 2009, defendant GOLSHANI responded to defendant ARAN’s e-mail, confirming that defendant MODERN TECHNOLOGIES had received the MSS-1000, and stating that it would take a day or two to prepare the paperwork to send to Iran. Defendant GOLSHANI also asked if AMD should be the consignee.

(69) Defendants ARAN, MAHMOUDI, GOLSHANI, and MODERN TECHNOLOGIES, and their co-conspirators failed to apply for, receive, or possess a license from OFAC, located in the District of Columbia, to export the MSS-1000 from the United States to Iran.

**(Conspiracy to Defraud the United States Government and to violate IEEPA and AECA, in violation of Title 18, United States Code, Section 371; Title 50, United States Code, Section 1705; Title 31, Code of Federal Regulations, Sections 560.203 and 560.204; Title 22, United States Code, Section 2778(b)(2); and Title 22, Code of Federal Regulations, Parts 121.1, 123.1, and 127.1.)**

**COUNTS TWO THROUGH FOUR**  
**(Exports to Embargoed Country)**

23. The allegations in Paragraphs 1 through 10, 16, and 20 through 22 are incorporated and re-alleged by reference in this Count.

24. On or about the dates listed as to each count below, in the District of Columbia and elsewhere, the listed defendants, did knowingly and willfully export, attempt to export, and cause to be exported materials set out in Counts Two through Four of the Indictment from the United States to Iran, without having first obtained the required licenses from OFAC, located in the District of Columbia.

<b><u>COUNT</u></b>	<b><u>DEFENDANTS</u></b>	<b><u>DATE OF EXPORT</u></b>	<b><u>ITEM DESCRIPTION</u></b>	<b><u>DESTINATION</u></b>
2.	<b>Bahram Aran, Shahin Golshani, and Modern Technologies</b>	March 28, 2007	MAXICAM 3002	Iran
3.	<b>Bahram Aran, Asghar Mahmoudi, Shahin Golshani, and Modern Technologies</b>	October 2, 2007	MAXICAM 3002 Power Supply	Iran
4.	<b>Bahram Aran, Asghar Mahmoudi, Shahin Golshani, and Modern Technologies</b>	January 27, 2009	MSS-1000	Iran

**(Unlawful Exports or Attempted Exports of U.S.-Origin Goods to Iran, in violation of Title 50, United States Code, Section 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)**

**COUNTS FIVE THROUGH SEVEN**  
**(Smuggling)**

25. The allegations in Paragraphs 1 through 10, 16, and 20 through 22 of this Indictment are incorporated and re-alleged by reference herein.

26. On or about the dates listed as to each count below, within the District of Columbia and elsewhere, the listed defendants, 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 Five through Seven, contrary to laws and regulations of United States, specifically 50 U.S.C. § 1705, 31 C.F.R. §§ 560.203 and 560.204, and 15 C.F.R. § 764.2(a), (b), (k):

<b><u>COUNT</u></b>	<b><u>DEFENDANTS</u></b>	<b><u>DATE OF EXPORT</u></b>	<b><u>ITEM DESCRIPTION</u></b>	<b><u>DESTINATION</u></b>
5.	<b>Bahram Aran, Shahin Golshani, and Modern Technologies</b>	March 28, 2007	MAXICAM 3002	Iran
6.	<b>Bahram Aran, Asghar Mahmoudi, Shahin Golshani, and Modern Technologies</b>	October 2, 2007	MAXICAM 3002 Power Supply	Iran
7.	<b>Bahram Aran, Asghar Mahmoudi, Shahin Golshani, and Modern Technologies</b>	January 27, 2009	MSS-1000	Iran

**(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.)**

**COUNT EIGHT**  
**(Attempted Export of Defense Article)**

27. The allegations in Paragraphs 1 through 4, 11 through 16, and 20 through 22 are

incorporated and re-alleged by reference in this Count.

28. Beginning on or about January 29, 2007 and continuing through May 2, 2007, beginning outside of the jurisdiction of any particular State or district, and later within the District of Columbia, and elsewhere, the defendants,

**BAHRAM ARAN,  
ASGHAR MAHMOUDI,  
SHAHIN GOLSHANI,  
and  
MODERN TECHNOLOGIES,**

willfully attempted to export and cause to be exported defense articles on the Munitions List, that is, one (1) Nose Landing Gear Assembly for the F-5E/F Fighter Jet, to Iran, without having first obtained the required licenses or authorizations from the DDTC, located in the District of Columbia, in violation of Title 22, United States Code, Section 2778(b)(2), Title 22, Code of Federal Regulations, Part 127.1, and Title 18, United States Code, Section 2.

**(Attempted Export of Defense Article, in violation of 22 U.S.C. § 2778(b)(2); 22 C.F.R. Part 127.1; and Aiding and Abetting and Causing an Act to be Done, in violation of 18 U.S.C. § 2.)**

**COUNT NINE  
(False Statement)**

29. Paragraphs 1 through 15 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

30. On or about October 30, 2006, in the District of Columbia and elsewhere, the defendants,

**BAHRAM ARAN,  
SHAHIN GOLSHANI,  
and  
MODERN TECHNOLOGIES,**

in a matter within the jurisdiction of the United States Department of Commerce, Bureau of Industry

and Security, located in the District of Columbia, did knowingly and willfully falsify, conceal, and cover up and cause to be falsified, concealed, and covered up, by a trick, scheme, and device, material facts and made and caused to be made false, fictitious and fraudulent statements and representations as to a material fact, and made and used a false writing and document knowing the same to contain a false, fictitious and fraudulent entry, by creating and causing the maintenance for inspection by the United States Department of Commerce, Bureau of Industry and Security, a false and fictitious "BIS-711," Statement by Ultimate Consignee and Purchaser, which stated that the ultimate consignee was System Dizayners, an entity located in Baku, Azerbaijan, when the defendants there and then knew well that these statements were false and the ultimate destination for said goods was Iran, in violation of 18 United States Code, Sections 1001 and 2.

**(False Statement, in violation of 18 U.S.C. § 1001; and Aiding and Abetting and Causing an Act to be Done, in violation of 18 U.S.C. § 2.)**

**COUNT TEN  
(False Statement)**

31. Paragraphs 1 through 15 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

32. On or about January 29, 2007, in the District of Columbia and elsewhere, the defendants,

**BAHRAM ARAN,  
SHAHIN GOLSHANI,  
and  
MODERN TECHNOLOGIES,**

in a matter within the jurisdiction of the United States Department of State, located in the District of Columbia, did knowingly and willfully falsify, conceal, and cover up and cause to be falsified, concealed, and covered up, by a trick, scheme, and device, material facts and made and caused to

be made false, fictitious and fraudulent statements and representations as to a material fact, and made and used a false writing and document knowing the same to contain a false, fictitious and fraudulent entry, by creating and causing the maintenance for inspection by the United States Department of State a false and fictitious "DSP-5," Application for License for Permanent Export of Unclassified Defense Articles and Related Unclassified Technical Data, which stated that the foreign end-user was the Yemen Air Force in the Republic of Yemen, when the defendants there and then knew well that these statements were false and the ultimate destination for said goods was Iran, in violation of 18 United States Code, Sections 1001 and 2.

**(False Statement, in violation of 18 U.S.C. § 1001; and Aiding and Abetting and Causing an Act to be Done, in violation of 18 U.S.C. § 2.)**

**FORFEITURE ALLEGATIONS  
(As to Counts One through Eight)**

1. The violations alleged in Count One through Count Eight of this Indictment are re-alleged 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 Count One through Count Eight of this Indictment, defendants shall forfeit to the United States any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly, as the result of the offenses alleged in Count One through Count Eight. The property to be forfeited includes, but is not limited to, the following:

Money Judgment

a sum of money of at least \$56,865, 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 Count One through Count Six of this Indictment.



By virtue of the commission of the felony offenses charged in Count One through Count Eight of this Indictment, any and all interest that defendants have 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, as a result of any act or omission of the defendants, the property identified above:

- (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 defendants 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

GRAND JURY 10-1  
George E. Hestry  
FOREPERSON  
04/17/2012

*Harold E. Mark*

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 Cozter 4-18-12  
Deputy Clerk