

Approved: Michael D. Neff  
MICHAEL D. NEFF / LOUIS A. PELLEGRINO  
Assistant United States Attorneys

Before: THE HONORABLE BARBARA MOSES  
United States Magistrate Judge  
Southern District of New York

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: **SEALED COMPLAINT**  
UNITED STATES OF AMERICA :  
: Violations of  
- v. - : 18 U.S.C. §§ 201, 1343,  
: 1349, and 2  
SINA MOAYEDI, :  
: COUNTY OF OFFENSE:  
Defendant. : NEW YORK  
:  
- - - - - x

SOUTHERN DISTRICT OF NEW YORK, ss.:

CHRISTOPHER D. SWENSON, being duly sworn, deposes and says that he is a Special Agent with the United States Department of State - Office of Inspector General ("State-OIG"), and charges as follows:

**COUNT ONE**  
**(Wire Fraud)**

1. From at least in or around 2014 up to and including in or around September 2020, in the Southern District of New York and elsewhere, SINA MOAYEDI, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, and aided and abetted the same, to wit, MOAYEDI repeatedly falsely represented to the United States Department of State (the "State Department") that his construction company, Montage, Inc. ("Montage"), had employees who were qualified to do the work Montage was bidding for, and that Montage was female-owned, in order to induce the State Department to award Montage millions of dollars' worth of construction contracts for overseas United

States embassies and consulates, when in truth and fact, at least several of Montage's employees did not possess the necessary qualifications for the work at issue, and MOAYEDI, who is male, owned and controlled Montage, and he sent and received, and caused others to send and receive, interstate financial wires, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Sections 1343 & 2.)

**COUNT TWO**  
**(Wire Fraud Conspiracy)**

2. From at least in or about 2014, up to and including in or about September 2020, in the Southern District of New York and elsewhere, SINA MOAYEDI, the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

3. It was a part and an object of the conspiracy that SINA MOAYEDI, the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, knowingly would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, MOAYEDI engaged in a scheme whereby he and others repeatedly falsely represented to the State Department that his construction company, Montage, had employees who were qualified to do the work Montage was bidding for, and that Montage was female-owned, in order to induce the State Department to award Montage millions of dollars' worth of construction contracts for overseas United States embassies and consulates, when in truth and fact, at least several of Montage's employees did not possess the necessary qualifications for the work at issue, and MOAYEDI, who is male, owned and controlled Montage, and he sent and received, and caused others to send and receive, interstate financial wires, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Section 1349.)

**COUNT THREE**  
**(Bribery of A Public Official)**

4. During at least in or about 2016 and 2017, SINA MOAYEDI, the defendant, unlawfully and knowingly, directly and indirectly, corruptly gave, offered, and promised things of value to a public official ("Insider-1"), the defendant, an engineer in the State Department's Overseas Building Operations, to influence Insider-1 to commit and aid in committing and to collude in, and allow, and to make opportunity for the commission of a fraud on the United States, and to induce Insider-1 to do an act and omit to do an act in violation of Insider-1's official duty, to wit, MOAYEDI paid at least approximately \$60,000 in cash, with the intent to induce Insider-1 to disclose confidential information to which Insider-1 had access by virtue of Insider-1's position at the State Department, and to secure an unfair advantage to MOAYEDI's company in bidding for a multi-million construction contract in Bermuda.

(Title 18, United States Code, Sections 201(b)(1)(A), (B) & 2.)

The bases for my knowledge and for the foregoing charge are, in part and among other things, as follows:

5. I am a Special Agent with State-OIG. I have been employed as a Special Agent with the State Department for over seven years, including approximately three years with State-OIG. I have conducted complex, multinational investigations and have made arrests for complex financial crimes involving money laundering, identity theft, wire fraud, visa fraud, and bank fraud. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, including my examination of reports and records, interviews I have conducted, and conversations with other law enforcement officers and other individuals. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, unless noted otherwise.

## RELEVANT ENTITIES AND INDIVIDUALS

6. *Montage, Inc.*: Montage is a U.S.-based business incorporated in 1986, which is primarily involved in worldwide Government construction projects, including embassies, military posts, consulates, and similar overseas properties owned and operated by the United States Government. Montage has performed over \$220 million dollars in contracting work for the U.S. Government, including for the Department of Defense, the Department of Justice/Federal Bureau of Investigation, the State Department, the Department of the Interior, the Department of Agriculture, NASA, the EEOC, and the Department of Veterans Affairs.

7. Since approximately 2014, Montage appears to have focused primarily on competing for and obtaining contracts with the State Department. During that period, the State Department has awarded Montage approximately six overseas U.S. Embassy/Consulate construction project contracts totaling \$100 million in locations including Ecuador, Spain, Sudan, the Czech Republic, and Bermuda. A review of bank records shows that, during the time period relevant to this Complaint, Montage routed several hundred wire transfer payments through the Southern District of New York to support its business operations abroad. Montage operates out of two corporate headquarters in the Washington, D.C. area.

8. *SINA MOAYEDI*: SINA MOAYEDI, the defendant, is the founder of Montage. Although MOAYEDI has made various different representations about his role at Montage, I respectfully submit, based on the information below and the investigation, that MOAYEDI in fact owns Montage, has always controlled Montage, and makes all material decisions on Montage's behalf.

9. *Insider-1*: Insider-1 is employed in the State Department's Overseas Building Operations ("OBO"), which, according to OBO's website, "directs the worldwide overseas building program for the Department of State and the U.S. Government community serving abroad."

## OVERVIEW

10. Since in or around June 2018, I have been investigating government contract fraud and associated misconduct related to Montage. This investigation has revealed that Montage and its principals have engaged in a wide range of fraudulent practices, including, among other things, making

misrepresentations about ownership, financial condition, personnel, having the qualifications necessary to complete construction projects, and whether the architect of record had in fact approved architectural plans, in order to secure approximately \$100 million in construction contracts.

11. With respect to ownership specifically, Montage and SINA MOAYEDI, the defendant, have repeatedly represented that Montage is a woman-owned company, when in truth and fact, MOAYEDI -- who founded Montage -- controls Montage and makes all material decisions on Montage's behalf. Based on my familiarity with the rules and regulations of the bidding process for State Department contracts, I believe that MOAYEDI and Montage made this misrepresentation in order to falsely induce the State Department to award Montage lucrative construction contracts. Specifically, among other things, businesses that are "certified" as woman-owned business have the ability to compete for contracts (or portions of contracts) that are specifically set aside for women-owned businesses.

12. With respect to qualifications, Montage and SINA MOAYEDI, the defendant, have repeatedly misrepresented, and significantly overstated, the qualifications of Montage employees. MOAYEDI made these misrepresentations in order to, among other things, meet State Department and contractual requirements for minimum experience in certain key positions.

13. Another aspect of the fraud scheme was the payment of bribes, by SINA MOAYEDI, the defendant, to Insider-1 in at least 2016 and 2017, in exchange for confidential State Department bidding information relating to a particular multimillion dollar contract in Bermuda, for which Montage was then bidding. For this Bermuda project, Insider-1 oversaw the State Department panel which evaluated all bids. In connection with the bidding process for the Bermuda project, Insider-1 informed MOAYEDI, in sum and substance, that: his bid was low, compared to other bidders; Montage could raise its bid by \$300,000 and would still be the lowest bidder; and he should kick back 20%, or \$60,000, to Insider-1 in return for this information. Shortly thereafter, Montage increased its bid by nearly \$1 million. In a letter accompanying the revised bid, MOAYEDI falsely represented to the State Department that Montage's revised bid was attributable to "an arithmetic error in our estimate worksheets." Montage was ultimately awarded the contract for the Bermuda project, worth approximately \$6.3 million.

## **MOAYEDI'S FRAUD SCHEME**

### Misrepresentations Regarding Montage's Ownership

14. Based on my review of publicly available information, I am aware that it is advantageous to a company, when bidding for federal government contracts, to be owned by an individual from a socially or economically disadvantaged community. In fact, certain contracts (or portions of contracts) are "set aside" and exclusively available to such companies.

15. Based on my review of State Department records, I am aware that between approximately 2014 and 2017, Montage was awarded six U.S. embassy/consulate construction projects with the State Department, worth a total of approximately \$100 million.

16. Based on my review of various documents, as set forth below, as well as my interviews of various current and former employees of Montage, I believe that SINA MOAYEDI, the defendant, has conspired with others to mislead the State Department about Montage's true ownership in order to secure an advantage in securing State Department contracts. MOAYEDI's and Montage's conflicting representations include the following:

a. Based on my review of Maryland Secretary of State records for Montage, I learned that (1) MOAYEDI was listed as the President of Montage from inception through on or about October 15, 2014, and (2) on or about October 15, 2014, MOAYEDI sold 51% of Montage to a particular woman ("W-1"). This submission to the Maryland Secretary of State contains a signature for both MOAYEDI and W-1.

b. Based on my review of a bid package that Montage submitted to the State Department on or about August 25, 2014 for a construction project in Guayaquil, Ecuador, I am aware that Montage claimed several times to be a "woman-owned business," including listing this claim as its first qualification for the bid. MOAYEDI digitally signed this submission, certifying that it was true.

i. Based on my review of State Department records, I am aware that on or about September 30, 2014, the State Department awarded this contract -- which was to rehabilitate certain existing buildings and to construct a new

Marine Security Guard residence ("MSGR")<sup>1</sup> at the United States Consulate in Guayaquil, Ecuador -- to Montage. This contract's value was approximately \$17 million.

c. Based on my review of a bid package that Montage submitted to the State Department on or about September 9, 2014 -- specifically for a construction project in Copenhagen, Denmark -- I am aware that Montage claimed again to be a "woman-owned business."

i. Based on my review of State Department records, I am aware that a prerequisite to compete for the Copenhagen, Denmark contract (and certain other contracts) was a requirement that the bidder be woman-owned. Moreover, I am aware that on or about September 24, 2014, the State Department awarded the Copenhagen, Denmark contract to Montage. This contract's value was approximately \$4.4 million.

d. In 2016, Montage applied to renew a line of credit with its primary bank ("Bank-1"). While conducting routine due diligence, a commercial lender at Bank-1 emailed MOAYEDI at sinam@MONTAGEinc.com, stating: "Hi Sina, I was preparing/collecting documentation for the renewal of Montage line of credit and came across the attached filing from Maryland State website . . . that [W-1] owns 51% of Montage. However, the company's 2014 Tax return form 1125E indicates you are 100% owner. Can you please clarify and provide us with the ownership structure of the company?" In his response, dated on or about August 1, 2016, MOAYEDI wrote in relevant part (emphasis added):

**I am the sole owner and President of Montage and have always been.** The document you have sent is an error and we are going to correct it this week. [W-1] is a family friend and like my daughter and I had considered at one point to have her follow in my footsteps but we never proceeded with this. We will go to Baltimore and make the correction this week.

e. According to Maryland Secretary of State records, two days later, on or about August 3, 2016, Montage filed a corporate amendment stating: "[w-1] sold the 51 % of the shares

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<sup>1</sup> U.S. Marine Corps detachments are responsible for providing worldwide security at American embassies, American consulates, and other official U.S. Government overseas offices such as NATO.

of Montage, Inc. to Sina Moayedi." This document was signed by only MOAYEDI, not by W-1 as well.

f. I reviewed the historical System for Award Management ("SAM") website run by the U.S. Government General Services Administration. Registration in the SAM database is required for companies wishing to compete for Government Contracts, and SAM collects a variety of information provided by companies in order to properly classify the socio-economic status of a company. My review found that Montage registered as a minority-owned, woman-owned, Hispanic-American business in 2013, 2014, 2015, 2016, 2017, 2018, and 2019. In 2013, W-1 was listed as the owner, but no title for her was listed. From approximately 2014 to 2019, W-1 was listed as the owner and President of the company. In 2020, Montage no longer listed W-1 as the owner of the company, and MOAYEDI was again listed as the owner and President of the company.

g. Based on my review of W-1's SF-86 security clearance forms,<sup>2</sup> I learned, among other things, that:

i. W-1 claimed she worked only part-time at Montage from 2008 through 2014 on nights and weekends, but is "still on the books full-time because it is her family business, but she only physically works part-time" as the HR (i.e., Human Resources) administrator.

ii. W-1 then claimed to have been "on-leave" from Montage from December 2012 through 2013 because "there was no business." W-1, in fact, claimed Washington, D.C. unemployment benefits in 2013.

iii. On or about April 14, 2014, W-1 stated in her SF-86 interview that she actually had had a full-time position at a competing construction company ("Construction Company-1") since January 2014. She further admitted that Construction Company-1 "was unaware she has a [security] clearance and works for Montage, and she doesn't want them to know and there is no need to inform them because she doesn't need a clearance to work at [Construction Company-1]."

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<sup>2</sup> Standard Form 86 (SF 86) is a standardized U.S. government questionnaire that individuals complete in order for the government to collect information for "conducting background investigations, reinvestigations, and continuous evaluations of persons under consideration for, or retention of, national security positions."



h. Based on my review of MOAYEDI's SF-86 security clearance forms in 2016, I learned, among other things, that MOAYEDI claimed to be the Vice President of Montage. For example, during a September 28, 2016, interview, MOAYEDI stated that he was the President from 2009-2011 but then W-1 purchased the majority of the company in 2012 and is "now the President of the company." This statement directly conflicted with the statement MOAYEDI had signed and filed with the Maryland Secretary of State, in which he told the state that W-1 had sold 51% of MONTAGE back to him.

i. MOAYEDI and W-1 have made a variety of further conflicting statements regarding who controls Montage, including signed statements and statements under oath. Among other examples, in a sworn civil deposition taken on or about November 13, 2019, MOAYEDI claimed that W-1 had been the president of MONTAGE "ever since" 2002.

17. Based on my interviews of a longtime Montage senior employee ("CW-1"),<sup>3</sup> I am aware, among other things, that SINA MOAYEDI, the defendant, has enlisted at least three different individuals, over the lifespan of Montage, to claim to be the owner of Montage. One person was an African American male, another was a Hispanic female, and the third was W-1, who is also a Hispanic female.

18. Based on my interviews of various current and former Montage employees, I am aware, among other things, that W-1 has never performed executive functions at Montage nor made managerial decisions. In addition, certain Montage employees had never even heard of W-1. The greatest involvement that W-1 appears to have had at Montage was as a part-time facility security officer, with the responsibility to ensure compliance with government recordkeeping requirements for, among other things, classified information.

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<sup>3</sup> CW-1 admitted that he engaged in multiple financial frauds at the direction of SINA MOAYEDI, the defendant. CW-1 is cooperating with the Government in the hopes of obtaining leniency. To date, the information that CW-1 provided has been extensive, relevant, and reliable, corroborated by independent evidence, including but not limited to other witnesses and corporate financial documents.

19. In or around September 2020, I interviewed a longtime Montage executive who is a relative of W-1, who stated, in substance and in part, that:

a. W-1 came on as the president/owner of Montage in 2014. W-1 was brought on so that Montage could get more work as a woman-owned company.

b. W-1 did not come in (*i.e.*, to the office) every day; SINA MOAYEDI, the defendant, was still in charge of day-to-day operations.

c. W-1 was still in charge of security and some personnel, while serving as the titular president of Montage.

20. In or around October 2020, another law enforcement agent and I interviewed W-1. W-1 stated the following, in substance and in part:

a. W-1 was then employed at another company (*i.e.*, not Montage), which was located in Virginia.

b. Prior to assuming that position, W-1 had been employed at a federal contracting office (*i.e.*, not Montage).

c. Before that, W-1 was employed part-time at Montage as a facility security consultant.

d. In or around 2013 or 2014, SINA MOAYEDI, the defendant, hit a rough patch. He contacted W-1 and asked her to be president of Montage in order to allow the company to secure government contracts designated for woman-owned businesses. W-1 asked what her compensation would be. There were discussions for about six months, but she ultimately never took a leadership position at Montage, and never signed anything to take such a position. W-1 was surprised to learn that she was still listed as Montage's President with the Maryland Secretary of State.

21. Accordingly, for the foregoing reasons, I believe that SINA MOAYEDI, the defendant, is "the sole owner and President of Montage and ha[s] always been," and that he listed W-1 as the owner for the purpose of conferring woman-owned business status on Montage, which would and did afford Montage benefits when seeking contracts with the State Department.

Misrepresentations Regarding Montage Employees' Qualifications

22. Based on my review of State Department records, I am aware that State Department construction contracts typically contain mandatory requirements concerning the requisite skills, training, and job experiences regarding the principal individuals employed by the firm awarded the contract. As part of the bidding process, bidders are required to disclose the qualifications of their employees to the State Department in order to allow the State Department to assess the bids.

23. Based on my discussions with officials at the State Department, interviews with witnesses, conversations with other agents, and my review of documents and materials relating to this case, I also know that Montage also violated its contracts by intentionally deceiving the State Department regarding the qualifications of many of its key individuals employed on State Department projects.

24. For example, on or about October 2, 2018, I interviewed a former employee of Montage that served as an office assistant ("OA-1") to SINA MOAYEDI, the defendant. OA-1 was employed by Montage during approximately 2014 to 2016. OA-1 stated, in substance and part, that during OA-1's employment, MOAYEDI directed OA-1 to engage in such activities as counterfeiting a Washington, D.C. business license, and misrepresenting the dollar value of projects completed in bid submissions to the United States Government. OA-1 also stated that Montage kept a "bank" of resumes it used to fill contractual requirements that belonged to individuals who had never worked at Montage during the claimed period, if at all. OA-1 further informed me that, while at Montage, OA-1 was instructed to modify certain submittals by changing their submission numbers.

25. On or about October 3, 2018, I interviewed another former employee of Montage ("Former Employee-1"). Former Employee-1 was employed by Montage during a period of approximately 2014 to 2015. Former Employee-1 stated that SINA MOAYEDI, the defendant, conspired with him to falsely claim that he (Former Employee-1) met United States Government contractual requirements by fraudulently claiming that he had worked for Montage for a longer period of time than was true and by delineating responsibilities that Former Employee-1 had never had. MOAYEDI informed Former Employee-1, in substance, that this was to meet State Department and contractual requirements governing minimum experience in certain key positions.

26. Based on information derived from witness interviews, I reviewed resumes submitted by Montage for various State Department projects. Department requirements referenced in the contract specify certain levels of experience in order to serve as "key personnel" (*i.e.*, personnel whom the State Department has deemed critical to the safe, successful, and timely completion of a project). For example, a typical State Department contract requires that the Project Manager have a minimum five years of professional employment as an engineer or architect managing comparable work, as well as a bachelor's degree in architecture or engineering. In the course of my review, I identified numerous deficiencies regarding the resumes of key personnel submitted to the State Department for the Guayaquil, Ecuador project.

a. For example, Montage submitted an individual for the key role of Project Controls Engineer and Site Health Project Manager. In the claimed experience for this individual, it stated that he was employed at Montage since 2008 and had "inspected emergency egress and life/safety issues" and conducted "inspections of asbestos containment." In fact, this individual had only been employed at Montage for approximately one year, and served in an office staff capacity, performing none of those duties.

b. To take another example, I reviewed defendant SINA MOAYEDI's resume, which had been submitted to the State Department as part of the quality control plan for a \$15 Million project awarded to Montage in 2016 for compound security upgrades at the United States Embassy in Madrid, Spain (the "MOAYEDI Resume"). The MOAYEDI Resume claimed that MOAYEDI had earned a master's degree in Architecture from The Catholic University of America in 1982. But I cross-referenced this claimed experience with MOAYEDI's SF-86 security clearance paperwork, and found that MOAYEDI had not actually earned this degree until 2014.

c. Finally, one Montage employee's resume claimed that he had earned a bachelor's Degree in Civil Engineering and also claimed years of full-time complex work in the construction field in various capacities over several years. Neither representation was true. In fact, this individual testified at a deposition that they did not graduate; and this individual's SF-86 security clearance application noted that this individual had actually sold meat as a door-to-door salesman, was a landscaper, and built swimming pools for several years during

the period that they had claimed years of full-time complex work in the construction field.

**SINA MOAYEDI BRIBED A GOVERNMENT INSIDER**

27. On or about September 23 and 24, 2020, I, along with other Special Agents, executed a series of judicially authorized search warrants relating to Montage. During the search of one Montage office space in Maryland, I introduced myself to SINA MOAYEDI, the defendant, and explained, in substance and part, that agents were present to execute a search warrant. MOAYEDI was also advised, in substance and part, that he was not under arrest -- and that he was free to stay or free to go, and free to call his attorney. MOAYEDI requested to speak with counsel, and I facilitated his request by retrieving his counsel's phone number. Another agent and I informed MOAYEDI that he should consult with his attorney, and that the investigative team would be willing to listen if he had information he wished to convey to us at a later time. I specifically stated that if MOAYEDI, for example, had information about a Government insider, that it would be something we would be very interested to hear. MOAYEDI's demeanor and expression changed immediately, as he raised his head and made direct eye contact with me, stating in substance, "I think I understand what you're asking: You want to know if I'm paying someone in the State Department?"

Interview of CW-1

28. On or about October 9, 2020, I and an SDNY Special Agent interviewed CW-1, who as noted above, was a longtime Montage senior employee. During this interview, I read CW-1 an email in which another individual blamed CW-1 for Montage's problems, including an allegation that CW-1 had embezzled from Montage and then manipulated records to cover up the embezzlement. Upon learning that numerous Montage employees were blaming CW-1 for Montage's problems, CW-1 reported that Montage and SINA MOAYEDI, the defendant, were engaged in widespread deception and fraud, and implicated himself in a number of Montage's schemes. For instance, CW-1 noted that Montage kept four different sets of books and records, depending on to whom Montage submitted these financials -- e.g., the Internal Revenue Service, Bank-1, and bonding companies.<sup>4</sup> In support of these claims, CW-1 produced a partial set of Montage

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<sup>4</sup> Generally, all State Department projects require a bond or a surety, the cost of which was borne by the contractor, and was intended to guarantee satisfactory completion of the project.

records with separate "tabs," and showed us how the tabs separated each set of Montage's fraudulent books and records as outlined above.

29. During this October 2020 interview, CW-1 also revealed, in substance, that SINA MOAYEDI, the defendant, had cultivated a career employee at the State Department, and CW-1 believed that CW-1 had assisted MOAYEDI in paying that person bribes in exchange for intelligence regarding Government contracts. CW-1 stated that he did not recall the insider's name, but did recall that she was MOAYEDI's female "Iranian friend" in the State Department, who had assisted MOAYEDI and Montage in successfully bidding and being awarded at least one State Department project that CW-1 was aware of. CW-1 recalled that CW-1 had met the insider at a pre-bid conference in Slovenia a few years ago and believed her to be a State Department project manager or project director. CW-1 also recalled that the insider helped MOAYEDI with the attainment of a State Department project "in the Caribbean," which CW-1 believed was possibly Bermuda. CW-1 also reported that he understood that the insider had met with MOAYEDI in Virginia and had informed MOAYEDI that Montage was the lowest bidder on this project, but had substantial room to upward revise its bid while still winning the project. The insider proposed that Montage upward revise its bid by \$300,000, kicking 20% or \$60,000 back to the insider as a "commission." CW-1 stated that MOAYEDI agreed to this arrangement, and requested that CW-1 accept a Montage check from MOAYEDI in connection with this scheme. CW-1 reported that he then cashed the check and provided the funds to a third party ("Intermediary-1"), for delivery to the insider. In order to hide the reason for the payments, CW-1 reported that he understood that the State Department insider was supposed to provide Intermediary-1 with a Persian rug worth about \$2,000 in case "anyone asked" about the exchange.

#### State Department Records

30. Montage appears to have won the Hamilton, Bermuda contract by employing this method. Specifically, I reviewed the State Department's 2016 procurement records for the Compound Security Upgrade ("CSU") project in Hamilton, Bermuda, and confirmed that there were approximately five offerors (*i.e.*, bidders) whose proposals were technically acceptable, including Montage's; one of these offerors (*i.e.*, competitor bidders) is based in the Southern District of New York. On or about September 19, 2016, the State Department sent qualified offerors a letter with an opportunity to submit final bids. As CW-1 had

reported, on or about September 21, 2016, Montage submitted a final bid of \$6,307,320, which was nearly \$1 million higher than its original bid of \$5,389,500. Moreover, SINA MOAYEDI, the defendant, sent the State Department a letter accompanying Montage's revised proposal; MOAYEDI explained, "We reviewed our proposal and upon further inspection we discovered that there was an arithmetic error in our estimate worksheets . . . ." I believe this representation was false, and that the true reason for Montage's revised bid was its awareness, due to confidential bidding information MOAYEDI obtained from Insider-1, that it could upward revise its bid and still be awarded the project. And as CW-1 had reported, despite this large increase, Montage was still the lowest bidder and was awarded the Bermuda project.

31. Based on my review of State Department travel records for employees who had traveled to Slovenia, I identified a pre-bid construction conference that occurred in January 2016, in Ljubljana, Slovenia. I cross-referenced the approximate date range with international travel by CW-1, and confirmed that CW-1 was also out of the country during that period. Of the two female State Department employees identified as attending this pre-bid conference, only one worked for Overseas Building Operations ("OBO"), which, according to OBO's website, "directs the worldwide overseas building program for the Department of State and the U.S. Government community serving abroad." This person was Insider-1.

32. Based on my review of State Department records for Insider-1, I learned that she is employed as an engineer in the State Department's OBO Project Development and Coordination Division, European division. In connection with overseas construction projects, the State Department has a Technical Evaluation Panel (TEP) consider all aspects of an offeror's plan to execute the project. The TEP has the power to disqualify an offeror. Insider-1 oversaw the TEP for the Hamilton, Bermuda project awarded to Montage.

33. Based on my review of defendant Insider-1's U.S. Passport applications from approximately February 2015 and January 2020, I learned, among other things, that (1) Insider-1's country of birth was Iran, thus corroborating another detail provided by CW-1, and (2) Insider-1 supplied a consistent cellphone number on both U.S. Passport applications (the "Insider-1 Personal Cellphone Number"). Records from her cellphone company also confirm that she is the subscriber for the Insider-1 Personal Cellphone Number.

### Cellphone Analysis

34. Based on my review of documents and records -- including toll records for the Insider-1 Personal Cellphone Number; toll records for the known cellphone number of SINA MOAYEDI, the defendant, from at least 2014 until September 2020, based on among other things subscriber information; and information on MOAYEDI's iPhone, which was seized pursuant to a judicially authorized warrant in September 2020 and which confirmed MOAYEDI's cellphone number -- I learned the following, among other things:

a. On or about September 19, 2016 -- the precise date on which the State Department opened a window for offerors to submit final bids for the Bermuda project -- there was an approximately four-minute phone call between MOAYEDI's cellphone and the Insider-1 Personal Cellphone Number.

b. Throughout December 2016, and through January, February, and March 2017, Insider-1 had repeated phone contacts with Intermediary-1, the man suspected of being a "middleman" between MOAYEDI, CW-1, and Insider-1.<sup>5</sup>

c. On or about April 1, 2017, the Insider-1 Personal Cellphone Number called Intermediary-1's cellphone. After that call, Intermediary-1 called MOAYEDI's cellphone. There were then two additional calls between Intermediary-1 and Insider-1's cellphones, all on the same day.

d. MOAYEDI's iPhone, which was seized in September 2020, listed both Insider-1 and Intermediary-1 in his Contacts. The Insider-1 contact included both the Insider-1 Personal Cellphone Number and an additional phone number which I know to be her desk phone at the State Department, and listed her "organization" as "Obo," which I believe denotes the State Department's OBO division.

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<sup>5</sup> I know Intermediary-1's cellphone number in part because it is listed on his SF-86 form from 2009 as well as in his U.S. Passport application from 2012. In addition, Intermediary-1's cellphone number is also listed in MOAYEDI's iPhone, which was seized in September 2020.



### Financial Analysis

35. Based on my analysis of various financial records, including Montage's records from its primary bank (Bank-1) and Intermediary-1's (or his entities') bank records, I learned the following, among other things:

a. Between approximately July 2013 and January 2017, Montage made at least 20 payments to Intermediary-1 personally or to two entities under his control. These 20 payments totaled approximately \$119,122.90.<sup>6</sup> The payments from Montage to Intermediary-1 (or the two entities under his control) included three large, round-dollar payments in December 2016 and January 2017: \$25,000 on or about December 9, 2016; \$10,000 on or about January 6, 2017; and \$20,000 on or about January 11, 2017. All three of these checks appear to have been signed by SINA MOAYEDI, the defendant, on behalf of Montage.

b. On or about March 9, 2017, a check was written from Intermediary-1's company to Intermediary-1 personally in the amount of \$5,000. The memo line of this check reads: "May-Montage". I believe this refers to the bribe payments at issue involving Insider-1 and MOAYEDI's company, Montage.

c. On or about March 16, 2017, another check was written from Intermediary-1's company to Intermediary-1 personally, this one in the amount of \$9,000. The memo line of this check reads: "May/Montage". I believe this again refers to the bribe payments at issue involving Insider-1 and MOAYEDI.

36. Based on my review of cellphone records, I am aware that Intermediary-1's cellphone number and the Insider-1 Personal Cellphone Number exchanged at least approximately 14 phone calls between December 2016 and April 2017. This included a phone call from Intermediary-1 to Insider-1 on or about March 9, 2017, which was the same day as the \$5,000 "May-Montage" check.

37. From my review of bank records, I have learned that during the December 2016 to April 2017 timeframe, Insider-1 opened a new bank account at a particular bank ("Bank-2") and began making cash deposits, as well as deposited at least three thousand dollars in one hundred dollar bills in her State

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<sup>6</sup> Some of these payments theoretically could have been salary payments to Intermediary-1, who is believed to have worked at Montage for at least some of this period.

Department Credit Union account. Periodically throughout 2017, Insider-1 continued depositing cash deposits of several thousand dollars in round one-hundred dollar bill increments, in her Bank-2 and her State Department Credit Union accounts; all of Insider-1's known cash deposits in this period were under \$10,000, the amount that triggers a bank's filing of a Currency Transaction Report, which can lead to scrutiny of an individual's transactions.

38. I have reviewed the SF-86 security clearance application by Insider-1 from in or around 2020. Based on that review, I am aware that she did not disclose her relationship with or conduct involving SINA MOAYEDI, the defendant, or Intermediary-1.

Insider-1's Admissions - May 20, 2021

39. I am aware, from my personal participation, that a judicially authorized search warrant was executed at the residence of Insider-1, on or about May 20, 2021. On that date, Insider-1 was informed, in substance, that she was not in custody, she was free to go, and she was not required to speak with law enforcement agents. She then participated in a voluntary interview with myself and an SDNY Special Agent on her back porch, and she made the following statements, in substance and part:

a. At first, Insider-1 claimed to have sold a large green rug to SINA MOAYEDI, the defendant, for about \$60,000, but she said that the payment for the rug came from MOAYEDI's friend.

b. Insider-1 met MOAYEDI in or around 1996 through a friend of a friend of her ex-husband.

c. Insider-1 explained that MOAYEDI's friend paid her in person in cash, in three separate \$20,000 transactions. The first \$20,000 transaction was handed to her near a particular intersection in Bethesda, Maryland, which she identified. The \$20,000 in cash (for this first transaction) was in an envelope with no writing on it. The next two \$20,000 transactions took place at her Washington, D.C. residence.

d. Insider-1 used the \$60,000 to pay bills; she paid down her American Express bill with the first \$20,000 payment. Insider-1 stated that \$60,000 is not a lot of money in the Washington, D.C. area.

e. Insider-1 rents certain properties to tenants, and she claimed all of her rental income on her taxes. However, she did not claim the \$60,000 payment for the rug on her taxes or on her State Department financial disclosure form.

f. MOAYEDI used to call Insider-1 repeatedly on her work phone number, and she often told him not to call her. In the instance of the Bermuda project, however, Insider-1 did speak with Insider-1. MOAYEDI asked her, in substance, "How am I doing on the Hamilton project?" Insider-1 responded, in substance, "I don't know about how much, but you are low."

g. Insider-1 agreed with agents' assessment that the exchange of the rug was really just to cover the exchange of information to Montage.

WHEREFORE, I respectfully request that an arrest warrant be issued for SINA MOAYEDI, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.

*s/ Christopher D. Swenson by the Court by permission*

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CHRISTOPHER D. SWENSON  
Special Agent  
United States Department of State - OIG

Sworn to me through the transmission  
of this Affidavit by reliable electronic means  
(telephone), pursuant to Federal Rules of Criminal  
Procedure 41(d)(3) and 4.1, this 28th day of May, 2021



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THE HONORABLE BARBARA MOSES  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK