

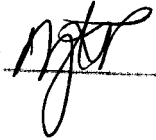
CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
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ORIGINAL

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

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DEPUTY CLERK



SEALED

UNITED STATES OF AMERICA

v.

No.

BORNA FAIZY (01)

a/k/a "Brad"

TOURAJ GHAVIDEL (02)

a/k/a "Brent Dell"

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SEALED INDICTMENT

The Grand Jury Charges:

Count One

Conspiracy to Illegally Export to Iran

(Violation of 50 U.S.C. § 1705(a) and (c), and 31 C.F.R. §§ 560.203 and 560.204)

At all times material to this Indictment:

A. Introduction

1. The defendants, **Borna Faizy, a/k/a "Brad,"** and **Touraj Ghavidel, a/k/a "Brent Dell,"** both citizens of the United States, were corporate officers and owners and operators of Signal Microsystems, d/b/a "Techonweb.com," a business located on Addison Road in Addison, Texas, which is in the Dallas Division of the Northern District of Texas. Signal Microsystems, d/b/a "Techonweb.com," was engaged in the business of domestic and international computer sales.

The International Emergency Economic Powers Act and
the Iranian Transactions and Sanctions Regulations

2. The International Emergency Economic Powers Act (“IEEPA”), 50 U.S.C. §§ 1701-1707, 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 declared a national emergency with respect to that threat. Pursuant to the authority under the IEEPA, the President and the executive branch have issued orders and regulations governing and prohibiting certain transactions with Iran by U.S. persons or involving U.S.-origin goods.

3. 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 No. 12959 and 13059 and Presidential Notice of March 10, 2004, was in effect at all times relevant to this Indictment.

4. On May 6, 1995, the President issued Executive Order No. 12959 and imposed economic sanctions, including trade restrictions, against Iran. The Executive Order prohibits, among other things, the exportation, re-exportation, sale, or supply, directly or indirectly, to Iran of any goods, technology, or services from the United States

or by a United States person. The Executive Order also prohibits any transaction within the United States or by any United States person that evades or avoids, or has the purpose of evading or avoiding, any prohibition on trade with Iran. On August 17, 1997, the President issued Executive Order No. 13059, reiterating and renewing the previous trade restrictions, which continued and was in effect at all times relevant to this Indictment.

Office of Foreign Assets Control

5. To implement the restrictions on trade with Iran contained in the Executive Orders, the United States Department of the Treasury, through the Office of Foreign Assets Control (“OFAC”), issued the Iranian Transactions and Sanctions Regulations (“ITSR”) (31 C.F.R. Part 560).¹ The ITSR prohibit, among other things, the export, re-export, sale, or supply, directly or indirectly, from the United States or by a United States person wherever located, to Iran or the Government of Iran, or the financing of such export, re-export, sale, or supply, of any goods, technology, or services, without prior authorization from the Secretary of the Treasury. These regulations further prohibit any transactions that evade or avoid or have the purpose of evading or avoiding any of the prohibitions contained in the ITSR, including the unauthorized exportation of goods from the United States to a third country if the goods are intended or destined for Iran. *See* 31

¹On October 22, 2012, OFAC changed the heading of 31 C.F.R. Part 560 from the Iranian Transactions Regulations (“ITR”) to the Iranian Transactions and Sanctions Regulations (“ITSR”), amended the renamed ITSR, and reissued them in their entirety. *See* 77 Fed. Reg. 64,664 (Oct. 22, 2012). For the sake of clarity, all references herein to the ITSR shall mean the regulations in 31 C.F.R. Part 560 in effect at the time of the activity, regardless of whether such activity occurred before or after the regulations were renamed.

C.F.R. Part 560.203 and 560.204. The Executive Orders described above, the ITSR, and IEEPA were in effect at all times relevant to this Indictment.

6. The term “United States person” as used in the ITSR included any United States citizen or permanent resident alien and any person in the United States.

7. Computers were goods and technology subject to the ITSR, and accordingly, such items could not be exported or transshipped to Iran by a United States person without first obtaining authorization from OFAC.

8. At no time did the defendants, **Borna Faizy, a/k/a “Brad,”** and **Touraj Ghavidel, a/k/a “Brent Dell,”** apply for, receive, or possess a license or authorization from OFAC to export goods, technology, or services, of any description, to Iran, nor did Signal Microsystems, d/b/a “Techonweb.com.”

Export and Shipping Records

9. Pursuant to United States law and regulation, exporters and shippers or freight-forwarders are required to file certain forms and declarations concerning exports of goods and technology from the United States. Typically, those filings are completed through the submission of a Shipper’s Export Declaration (“SED”) or the submission of Electronic Export Information (“EEI”) via the Automated Export System (“AES”). AES is administered by the United States Department of Commerce, specifically, the Census Bureau. SEDs and EEIs are official documents submitted to the Department of Commerce in connection with exports from the United States.

10. An essential and material part of the SED or EEI is information concerning the ultimate consignee (commonly known as “end-user”) and the country of ultimate destination of the export (commonly known as “end-use”). In many cases, the identity of the ultimate consignee determines whether the goods may be exported: (a) without any specific authorization from the United States Government; (b) with the specific authorization or a license from the United States Department of Commerce, the United States Department of State, or the United States Department of the Treasury; or (c) whether the goods may not be exported from the United States.

11. The SED or EEI is a statement to the United States Government that the transaction occurred as described. The SED or EEI is used by the United States Bureau of Census to collect trade statistics and by the United States Department of Commerce, Bureau of Industry and Security, for export control purposes.

B. The Conspiracy

12. Beginning as early as in or about 2005, the exact date being unknown to the Grand Jury, and continuing through in or about January 2012, in the Dallas Division of the Northern District of Texas, and elsewhere, the defendants, **Borna Faizy, a/k/a “Brad,”** and **Touraj Ghavidel, a/k/a “Brent Dell,”** both citizens of the United States, acting individually and as corporate officers and owners and operators of Signal Microsystems, d/b/a “Techonweb.com,” did knowingly and willfully combine, conspire, confederate and agree with others known and unknown to the Grand Jury to export and

cause the exportation of computers and computer equipment from the United States to Iran in violation of the prohibitions imposed upon that country by the United States Government, without having first obtained the required authorizations or licenses from OFAC, in violation of 50 U.S.C. § 1705 (IEEPA), and 31 C.F.R. §§ 560.203 and 560.204 (ITSR).

C. Objects of the Conspiracy

13. The objects of the conspiracy were:

- a. to acquire computers from U.S. companies to supply to end-users in Iran;
- b. to conceal from United States companies and the United States Government that the computers were destined for end-users in Iran;
- c. to make a financial profit for the defendants, **Borna Faizy, a/k/a "Brad,"** and **Touraj Ghavidel, a/k/a "Brent Dell,"** and other conspirators;
- d. to conceal and redistribute financial profits arising from the unlawful exports for the benefit of **Faizy** and **Ghavidel**, and other conspirators; and
- e. to evade the regulations, prohibitions, and licensing requirements of the ITSR.

D. Manner and Means of the Conspiracy

14. In furtherance of the conspiracy, the defendants, **Borna Faizy, a/k/a "Brad,"** and **Touraj Ghavidel, a/k/a "Brent Dell,"** along with unindicted

coconspirators and persons known and unknown to the Grand Jury, communicated with business owners and individuals in Iran who desired to buy computers, and made agreements to sell computers to buyers in Iran. It was part of the conspiracy that the scheme's participants would and did:

- a. Agree to export computers from the United States to Iran without the authorization of, or license from OFAC, in violation of the ITSR, 31 C.F.R. §§ 560.203 and 560.204, and the IEEPA, 50 U.S.C. §§ 1701-1707.
- b. Obtain computers from various suppliers in the United States and elsewhere for delivery to Signal Microsystems in Addison, Texas, sell the computers to customers in Iran, and ship the computers from the United States into Iran through freight-forwarding companies in Dubai, United Arab Emirates ("UAE"), including, among others, Companies A, B, C, D, and E, known to the Grand Jury.
- c. Communicate with coconspirators through electronic mail, instant messaging, and other forms of electronic communication, using fictitious names and coded language to obscure the true identities and locations of the ultimate consignees and end-users.
- d. Create, or cause others, including international shippers or freight-forwarders, to create invoices, SEDs or EEIs, and other documents that falsely identified the ultimate consignees of the shipments as parties in Dubai, UAE.

- e. Submit or cause to be submitted false SEDs or EEIs to the United States government.
- f. Actively recruit additional Iranian customers by marketing their computer business to business owners and individuals in Iran.
- g. Sell and ship approximately \$12 million worth of computers from the United States to customers in Iran, including Customer 1, an unindicted coconspirator known to the Grand Jury and who was related to **Faizy** by marriage, Customers 2, 3, 4, 5, and 6, unindicted coconspirators known to the Grand Jury, and others in Iran known and unknown to the Grand Jury.
- h. Arrange with Iranian customers for payments to be made to **Faizy** and **Ghavidel** through financial institutions in the Middle East, including Dubai, UAE, by wire transfers into bank accounts **Faizy** and **Ghavidel** held in the United States.

E. Overt Acts

15. In furtherance of the conspiracy, and to effect the objects thereof, the defendants, **Borna Faizy, a/k/a "Brad,"** and **Touraj Ghavidel, a/k/a "Brent Dell,"** both citizens of the United States, and unindicted coconspirators known and unknown to the Grand Jury, committed the following overt acts, among others, in the Dallas Division of the Northern District of Texas, and elsewhere:

- a. In or about 2008 and 2009, **Faizy** and **Ghavidel** attended a computer trade show known as "GITEX" in Dubai, UAE, to recruit Iranian customers and obtain

business cards from potential Iranian customers, individuals known and unknown to the Grand Jury, including Customers 4 and 5, the business cards of which **Faizy** kept at his desk in his Signal Microsystems office.

**Illegal Exportation of 58 Units of Computer Equipment
from the United States to Iran, through the UAE**

b. On or about May 2, 2008, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of 58 units of computer equipment was the UAE.

**Illegal Exportation of 153 Units of Computer Equipment
from the United States to Iran, through the UAE**

c. On or about December 8, 2009, during an online chat session with Customer 2, **Faizy** agreed to sell 153 units of computer equipment to Customer 2 for \$140,529.35.

d. On or about December 8, 2009, **Faizy** and **Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$140,529.35, for the purchase of 153 units of computer equipment for Customer 2.

e. On or about December 14, 2009, Customer 2 caused a wire transfer of \$122,449.00 from UAE Exchange Center in Dubai, UAE, to Signal Microsystems as partial advance payment for the 153 units of computer equipment.

f. On or about December 15, 2009, during an online chat session with Customer 2, **Faizy** confirmed the receipt of Customer 2's \$122,449 partial payment.

g. On or about December 16, 2009, during an online chat session with Customer 2, **Faizy** confirmed the receipt of Customer 2's second wire transfer for \$18,094.13 by posting the details of the wire transfer from UAE Exchange Center.

h. On or about December 17, 2009, **Faizy** and **Ghavidel** shipped 153 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 2 in Iran through freight-forwarding Company A in Dubai, UAE.

i. On or about December 17, 2009, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 153 units of computer equipment was the UAE.

**Illegal Exportation of 92 Units of Computer Equipment
from the United States to Iran, through the UAE**

j. On or about November 30, 2009, during an online chat session with Customer 3 in Iran, **Faizy** agreed to sell 34 units of computer equipment to Customer 3 for \$35,856.80.

k. On or about December 1, 2009, during an online chat session with Customer 3, **Faizy** agreed to sell Customer 3 an additional 19 units of computer equipment.

l. On or about November 30, 2009, **Faizy and Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$75,848.40, for the purchase of 92 units of computer equipment.

m. On or about December 14, 2009, Customer 3 caused a wire transfer of \$77,792.40 from Commercial Bank of Dubai in Dubai, UAE, to Signal Microsystems, with a sender reference number of 7437200346JS, as advance payment for the 92 units of computer equipment.

n. On or about December 14, 2009, during an online chat session with Customer 3, **Ghavidel** confirmed the receipt of \$77,792.40 by posting details of the wire transfer from Commercial Bank of Dubai, including the sender reference number of 7437200346JS.

o. On or about December 20, 2009, **Faizy and Ghavidel** shipped 92 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 3 in Iran through freight-forwarding Company B in Dubai, UAE.

p. On or about December 20, 2009, **Faizy and Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 92 units of computer equipment was the UAE.

**Illegal Exportation of 92 Units of Computer Equipment
from the United States to Iran, through the UAE**

- q. On or about December 21, 2009, **Faizy and Ghavidel** prepared or caused to be prepared a Techonweb invoice, number 663376 in the amount of approximately \$93,158.00, for the purchase of 92 units of computer equipment.
- r. On or about January 6, 2010, during an online chat session between Customer 3 and **Faizy**, Customer 3 confirmed that he paid \$92,000 for merchandise ordered from **Faizy and Ghavidel**.
- s. On or about January 8, 2010, **Faizy and Ghavidel** shipped 92 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 3 in Iran through freight-forwarding Company B in Dubai, UAE.
- t. On or about January 8, 2010, **Faizy and Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 92 units of computer equipment was the UAE.
- u. On or about January 11, 2010, **Ghavidel** corresponded by email with Customer 3 concerning Techonweb invoice number 663376, which reflected the sale of 92 units of computer equipment.

**Illegal Exportation of 194 Units of Computer Equipment
from the United States to Iran, through the UAE**

v. On or about January 26, 2010, **Faizy** and **Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$184,681.30, for the purchase of 194 units of computer equipment.

w. On or about January 30, 2010, **Faizy** and **Ghavidel** shipped at least 194 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 4 in Iran through freight-forwarding Company C in Dubai, UAE.

x. On or about January 30, 2010, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 194 units of computer equipment was the UAE.

y. On or about February 1, 2010, Customer 4 caused a wire transfer of \$59,973.00 from Abu Dhabi Commercial Bank in Dubai, UAE, to Signal Microsystems as partial payment for the 194 units of computer equipment.

z. On or about February 15, 2010, during an online chat session with Customer 4, **Faizy** asked Customer 4 if Customer 4 received the "194 units."

**Illegal Exportation of 87 Units of Computer Equipment
from the United States to Iran, through the UAE**

aa. On or about February 16, 2010, **Faizy** and **Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$101,510.65, for the purchase of 87 units of computer equipment.

bb. On or about February 22, 2010, Customer 5 caused a wire transfer of \$101,483.00 from Abu Dhabi Commercial Bank in Dubai, UAE, to Signal Microsystems, with a sender reference number of 8946300053FS, as advance payment for the 87 units of computer equipment.

cc. On or about February 23, 2010, during an online chat session with Customer 5, **Faizy** confirmed the receipt of \$101,483.00 by posting details of the wire transfer from Abu Dhabi Commercial Bank, including the sender reference number of 8946300053FS.

dd. On or about February 24, 2010, **Faizy** and **Ghavidel** shipped 87 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 5 in Iran through freight-forwarding Company D in Dubai, UAE.

ee. On or about February 24, 2010, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 87 units of computer equipment was the UAE.

**Illegal Exportation of 127 Units of Computer Equipment
from the United States to Iran, through the UAE**

ff. On or about February 22, 2010, **Faizy** and **Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$140,344.55, for the purchase of 129 units of computer equipment.

gg. On or about February 23, 2010, Customer 4 caused a wire transfer of \$149,265.00 from Abu Dhabi Commercial Bank in Dubai, UAE, to Signal Microsystems as advance payment for the 129 units of computer equipment.

hh. On or about February 23, 2010, **Faizy** forwarded to **Ghavidel** Customer 4's email concerning the defendants' receipt of Customer 4's wire transfer.

ii. On or about February 25, 2010, during an online chat session with Customer 4, **Ghavidel** confirmed the receipt of Customer 4's payment for the computer equipment.

jj. On or about March 2, 2010, **Faizy** and **Ghavidel** shipped 127 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 4 in Iran through freight-forwarding Company C in Dubai, UAE.

kk. On or about March 2, 2010, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 127 units of computer equipment was the UAE.

**Illegal Exportation of 65 Units of Computer Equipment
from the United States to Iran, through the UAE**

- ll. On or about April 7, 2010, **Faizy** and **Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$60,201.75, for the purchase of 65 units of computer equipment for Customer 2.
- mm. On or about April 12, 2010, Customer 2 caused a wire transfer of \$60,201.00 from UAE Exchange Center in Dubai, UAE, to Signal Microsystems as advance payment for the 65 units of computer equipment.
- nn. On or about April 13, 2010, during an online chat session with Customer 2, **Faizy** confirmed the receipt of Customer 2's payment.
- oo. On or about April 14, 2010, **Faizy** and **Ghavidel** shipped 65 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 2 in Iran through freight-forwarding Company A in Dubai, UAE.
- pp. On or about April 14, 2010, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 65 units of computer equipment was the UAE.

**Illegal Exportation of 50 Units of Computer Equipment
from the United States to Iran, through the UAE**

qq. On or about June 2, 2010, **Faizy** and **Ghavidel** prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$55,497.50, for the purchase of 50 units of computer equipment.

rr. On or about June 10, 2010, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 50 units of computer equipment was the UAE.

**Illegal Exportation of 178 Units of Computer Equipment
from the United States to Iran, through the UAE**

ss. On or about March 14, 2011, **Faizy** and **Ghavidel**, prepared or caused to be prepared a Techonweb invoice, in the amount of approximately \$168,645.10, for the purchase of 178 units of computer equipment.

tt. On or about March 17, 2011, Customer 5 caused a wire transfer of \$169,118.00 from Abu Dhabi Commercial Bank in Dubai, UAE, to Signal Microsystems, with a sender reference number of 2715500076JS, as advance payment for the 178 units of computer equipment.

uu. On or about March 18, 2011, during an online chat session with Customer 5, **Faizy** confirmed the receipt of \$169,118.00 by posting details of the wire

transfer from Abu Dhabi Commercial Bank, including the sender reference number of 2715500076JS.

vv. On or about March 23, 2011, **Faizy** and **Ghavidel** shipped 178 units of computer equipment from Techonweb.com in Addison, Texas, to Customer 5 in Iran through freight-forwarding Company E in Dubai, UAE.

ww. On or about March 23, 2011, **Faizy** and **Ghavidel** submitted or caused to be submitted an SED to the United States Department of Commerce that falsely stated that the country of ultimate destination for the shipment of the 178 units of computer equipment was the UAE.

All in violation of 50 U.S.C. § 1705(a) and (c), and 31 C.F.R. §§ 560.203 and 560.204.

Counts Two through Ten

Illegal Export and Attempted Export of Goods to Iran
(Violation of 50 U.S.C. § 1705(a) and (c), 31 C.F.R. §§ 560.203 and 560.204,
and 18 U.S.C. § 2)

16. The allegations in Paragraphs 1 through 15 of this Indictment are incorporated and re-alleged by reference herein.

17. On or about the dates listed as to each count below, in the Dallas Division of the Northern District of Texas, and elsewhere, the defendants, **Borna Faizy, a/k/a “Brad,”** and **Touraj Ghavidel, a/k/a “Brent Dell,”** both citizens of the United States, aided and abetted by each other, and by others known and unknown to the Grand Jury, did willfully export, attempt to export, and cause to be exported the goods set out in Counts Two through Ten from the United States to Iran without first obtaining the required license and authorization from OFAC:

Count	Approx. Date of Export	Approx. Number & Description of Goods Exported	Approx. Value of Goods	Ultimate End-user/ Customer	Ultimate Destination
2	12/17/2009	153 units of computer equipment	\$140,529	2	Iran
3	12/20/2009	92 units of computer equipment	\$75,848	3	Iran
4	1/8/2010	92 units of computer equipment	\$93,158	3	Iran
5	1/30/2010	194 units of computer equipment	\$180,025	4	Iran
6	2/24/2010	87 units of computer equipment	\$101,510	5	Iran
7	3/2/2010	127 units of computer equipment	\$140,344	4	Iran

Count	Approx. Date of Export	Approx. Number & Description of Goods Exported	Approx. Value of Goods	Ultimate End-user/ Customer	Ultimate Destination
8	4/14/2010	65 units of computer equipment	\$60,201	2	Iran
9	6/10/2010	50 units of computer equipment	\$55,497	6	Iran
10	3/23/2011	178 units of computer equipment	\$168,645	5	Iran

All in violation of 50 U.S.C. § 1705(a) and (c), 31 C.F.R. §§ 560.203 and 560.204, and 18 U.S.C. § 2.

Count Eleven

False Statement to a Federal Agency
(Violation of 18 U.S.C. § 1001)

18. On or about April 19, 2011, in the Dallas Division of the Northern District of Texas, the defendant, **Borna Faizy, a/k/a "Brad,"** did knowingly make and cause to be made materially false, fictitious and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation ("FBI"), the U.S. Department of Commerce, and Homeland Security Investigations ("HSI"), which are departments or agencies of the United States, by falsely stating to Federal law enforcement agents during an interview at Signal Microsystems in Addison, Texas, that his company, Signal Microsystems, d/b/a "Techonweb.com," did not solicit or do any business with customers in Iran and, therefore, did not knowingly ship computers to Iran, either directly or indirectly.

In violation of 18 U.S.C. § 1001.

Count Twelve
False Statement to a Federal Agency
(Violation of 18 U.S.C. § 1001)

19. On or about April 19, 2011, in the Dallas Division of the Northern District of Texas, the defendant, **Touraj Ghavidel, a/k/a “Brent Dell,”** did knowingly make and cause to be made materially false, fictitious and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation (“FBI”), the U.S. Department of Commerce, and Homeland Security Investigations (“HSI”), which are departments or agencies of the United States, by falsely stating to Federal law enforcement agents during an interview at Signal Microsystems in Addison, Texas, that his company, Signal Microsystems, d/b/a “Techonweb.com,” did not solicit or do any business with customers in Iran and, therefore, did not knowingly ship computers to Iran, either directly or indirectly.

In violation of 18 U.S.C. § 1001.

Notice of Forfeiture

(19 U.S.C. § 1595a(d); 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

Upon conviction for any of the offenses alleged in Counts One through Ten of this Indictment, the defendants, **Borna Faizy, a/k/a “Brad,”** and **Touraj Ghavidel, a/k/a “Brent Dell,”** shall forfeit to the United States, pursuant to 19 U.S.C. § 1595a(d) and 28 U.S.C. 2461(c), any merchandise exported or sent from, or attempted to be exported or sent from, the United States contrary to law; the proceeds or value of that merchandise; and any property used to facilitate the exporting or sending of such merchandise, the attempted exporting or sending of such merchandise, or the receipt, purchase, transportation, concealment, or sale of such merchandise prior to exportation.

Upon conviction for any of the offenses alleged in Counts One through Ten of this Indictment, the defendants, **Borna Faizy, a/k/a “Brad,”** and **Touraj Ghavidel, a/k/a “Brent Dell,”** shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the respective offense.

This property includes, but is not limited to, the following:

- a. Sixteen (16) Sony Vaio Laptops, Model VPCS135FX/S; ninety-six (96) Sony Vaio Laptops, Model VPCEA4DGX/BJ; forty-nine (49) Sony Vaio Laptops, Model VPCF13UFX/B; sixty-five (65) Sony Vaio Laptops, Model VPCEA4CGX/BJ; Twenty-Five (25) Sony Vaio Laptops, Model VPCF215FX/BI; and thirty-five (35) Sony Vaio Laptops, Model VPCF13UFX/B, seized by the Department of Homeland Security on April 19, 2011 and May 10, 2011.
- b. Thirteen (13) Sony Notebooks, Model VPCEH24FX/B; fifteen (15) Sony Notebooks, Model VPCEG23FX/B; seven (7) Sony Notebooks, Model

VPCSA3AFX/B1; eight (8) Sony Notebooks, Model VPCEG23GX/B1; twelve (12) Sony Notebooks, Model VPCEH27FX/B; five (5) Sony Notebooks, Model VPCSE13FC/B; twelve (12) Sony Notebooks, Model VPCF23YFX/B; seven (7) Sony Notebooks, Model VPCF232FX/B; one (1) Sony Notebook, Model VPCSA3AFX/B; one (1) Sony Notebook, Model VPCFH24FX/B; and five (5) SS T-shirts seized by the Department of Homeland Security on January 24, 2012.

- c. The proceeds traceable to the offense (commonly referred to as a “money judgment”).

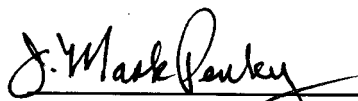
Pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), if any of the property described above, as a result of any act or omission of a defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of that defendant up to the value of the forfeitable property described above.

A TRUE BILL



FOREPERSON

SARAH R. SALDAÑA
UNITED STATES ATTORNEY



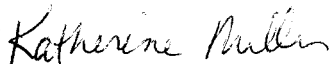
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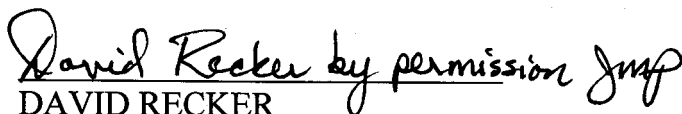
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

BORNA FAIZY (01)
a/k/a "Brad"
TOURAJ GHAVIDEL (02)
a/k/a "Brent Dell"

SEALED INDICTMENT

50 U.S.C. § 1705(a) and (c), 31 C.F.R. §§ 560.203 and 560.204
Conspiracy to Illegally Export to Iran

50 U.S.C. § 1705(a) and (c), 31 C.F.R. §§ 560.203 and 560.204, and 18 U.S.C. § 2
Illegal Export and Attempted Export of Goods to Iran

18 U.S.C. § 1001
False Statement to a Federal Agency

19 U.S.C. 1595a(d), 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C. § 2461(c)
Forfeiture Notice

12 Counts

A true bill rendered

DALLAS



FOREPERSON

Filed in open court this 5th day of March 2013.

Clerk

Warrants to be Issued

UNITED STATES DISTRICT/MAGISTRATE JUDGE

No Criminal matter pending

