

COPY

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
DEC - 1 2010
CLERK, U.S. DISTRICT COURT
By _____ Deputy

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

UNITED STATES OF AMERICA §
§
v. §
§
HUTHAIFA AHMAD ALBARGHUTHI (01) §
a/k/a Huthaifa Barghuthi §
LOWANA MOHAMMAD AWAD (02) §
a/k/a Lowana Albarguthi §
NAGHAM HASAN BURGOTTI (03) §
a/k/a Nagham Hasan Abdelfattah §
a/k/a Nagham Hasan Burguthi §
MOHAMMAD ARAFEH ABUAWAD (04) §
a/k/a Mohammad Arafah Awad §
a/k/a Mohd Arafah Abuawad §
ADAM MOHAMMAD BARGUTHI (05) §
a/k/a Adham Barguthi §

No. **3 - 10CR - 339 - N**

TO BE FILED UNDER SEAL

INDICTMENT

The Grand Jury Charges:

Count One
Forced Labor Conspiracy
(Violation of 18 U.S.C. § 1594(b) (18 U.S.C. § 1589))

1. Beginning in or around late 2006 and continuing until in or around April 2009, in the Northern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arafah Abuawad, and Adam Mohammad Barguthi** did knowingly combine, conspire, confederate and agree with each other and with others known and unknown to the grand jury to provide and obtain the labor and services of S.H., a Sri Lankan woman, by means

of threats of serious harm to S.H.; by means of abuse and threatened abuse of the law or legal process; and by means of a scheme, plan, and pattern intended to cause S.H. to believe that, if S.H. did not perform such labor or services, that S.H. would suffer serious harm.

In violation of 18 U.S.C. § 1594(b) (18 U.S.C. § 1589).

Count Two
Forced Labor and Attempted Forced Labor
Aiding and Abetting
(Violation of 18 U.S.C. §§ 1589, 1594 and 2)

Beginning in or around late 2006 and continuing until sometime in 2008, in the Northern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arefeh Abuawad, and Adam Mohammad Barguthi**, aiding and abetting each other, attempted to and did knowingly provide and obtain the labor and services of S.H., a Sri Lankan woman, by means of threats of serious harm to S.H.; by means of abuse and threatened abuse of the law or legal process; and by means of a scheme, plan, and pattern intended to cause S.H. to believe that, if S.H. did not perform such labor or services, that S.H. would suffer serious harm.

In violation of 18 U.S.C. §§ 1589, 1594 and 2.

Count Three
Forced Labor and Attempted Forced Labor
Aiding and Abetting
(Violation of 18 U.S.C. §§ 1589, 1594 and 2)

Beginning sometime in 2008 and continuing until in or around April 2009, in the Northern District of Texas, Eastern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Nagham Hasan Burgotti, and Adam Mohammad Barguthi,** aiding and abetting each other, attempted to and did knowingly provide and obtain the labor and services of S.H., a Sri Lankan woman, by means of threats of serious harm to S.H.; by means of abuse and threatened abuse of the law or legal process; and by means of a scheme, plan, and pattern intended to cause S.H. to believe that, if S.H. did not perform such labor or services, that S.H. would suffer serious harm.

In violation of 18 U.S.C. §§ 1589, 1594 and 2.

Count Four
Conspiracy to Harbor for Financial Gain
(Violation of 8 U.S.C. §§ 1324(a)(1)(A)(v and 1324(a)(1)(B)(i))

Between in or around July 2007 and continuing through in or around April 2009, in the Northern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arefeh Abuawad, and Adam Mohammad Barguthi**, knowing and willfully did combine, conspire, and agree together and with others known and unknown to the grand jury, knowing and in reckless disregard of the fact that S.H., an alien, came to, entered, and remained in the United States in violation of law, did conceal, harbor, and shield S.H. from detection in their residence and elsewhere for the purpose of private financial gain.

In violation of 8 U.S.C. §§ 1324(a)(1)(A)(v) and 1324(a)(1)(B)(i).

Count Five
Harboring Alien for Financial Gain
(Violation of 8 U.S.C. §§ 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i))

Between in or around July 2007 and continuing through sometime in 2008, in the Northern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arefeh Abuawad, and Adam Mohammad Barguthi**, knowing and in reckless disregard of the fact that S.H., an alien, came to, entered, and remained in the United States in violation of law, did conceal, harbor, and shield S.H. from detection in their residence and elsewhere for the purpose of private financial gain.

In violation of 8 U.S.C. §§ 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

Count Six
Harboring Alien for Financial Gain
(Violation of 8 U.S.C. §§ 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i))

Between sometime in 2008 and continuing through on or about April 22, 2009, in the Northern District of Texas, Eastern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Nagham Hasan Burgotti, and Adam Mohammad Barguthi**, knowing and in reckless disregard of the fact that S.H., an alien, came to, entered, and remained in the United States in violation of law, did conceal, harbor, and shield S.H. from detection in their residence and elsewhere for the purpose of private financial gain.

In violation of 8 U.S.C. §§ 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

Count Seven
Document Servitude
Aiding and Abetting
(Violation of 18 U.S.C. §§ 1592 and 2)

Between on or about January 23, 2007 and continuing through in or around April 2009, in the Northern District of Texas and elsewhere, defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arefeh Abuawad, and Adam Mohammad Barguthi**, aiding and abetting one another, attempted to and did knowingly conceal, remove, confiscate, and possess the actual and purported passport and immigration documents of an individual known as S.H., a Sri Lankan national, in the course of a violation of 18 U.S.C. § 1589, with the intent to violate 18 U.S.C. § 1589; and to prevent or restrict or attempt to prevent or restrict, without lawful authority, S.H.'s liberty to move or travel, in order to maintain the labor and services of S.H. when S.H. was a victim of a severe form of trafficking in persons.

In violation of 18 U.S.C. §§ 1592, 1589 and 2.

Forfeiture Notice
[18 U.S.C. § 1594(d); 18 U.S.C. § 982(a)(6)]

Upon conviction for either of the offenses alleged in Counts One and Four of this Indictment and pursuant to 18 U.S.C. § 1594(d), defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arefeh Abuawad, and Adam Mohammad Barguthi** shall forfeit to the United States their respective interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the respective offense and any property, real or personal, constituting or derived from, any proceeds they obtained, directly or indirectly, as a result of the respective offense.

Upon conviction for either of the offenses alleged in Counts Two and Three of this Indictment and pursuant to 18 U.S.C. § 982(a)(6), defendants **Huthaifa Ahmad Albarghuthi, Lowana Mohammad Awad, Nagham Hasan Burgotti, Mohammad Arefeh Abuawad, and Adam Mohammad Barguthi** shall forfeit to the United States any conveyance, including any vessel, vehicle, or aircraft used in the commission of the respective offense; any property, real or personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the respective offense; and any property, real or personal, used to facilitate, or intended to be used to facilitate, the commission of the respective offense.

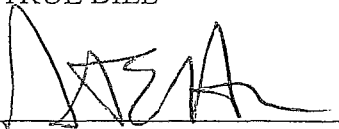
This property includes, but is not limited to, the following:

1. The real property located at 6904 Meadow Bend, Arlington, Texas.

2. The business located at Tobacco Row, 601 West Parker Road #117, Plano, Texas, and all its property and inventory.
3. The business located at Tobacco Row, 4757 West Park Boulevard #102, Plano, Texas, and all its property and inventory.

Pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1), if any of the above-referenced property subject to forfeiture, as a result of any act or omission of any of the defendants, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; 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 subdivided without difficulty, it is the intent of the United States of America to seek forfeiture of any other property of the defendants up to the value of the previously-described property subject to forfeiture.

A TRUE BILL



FOREPERSON

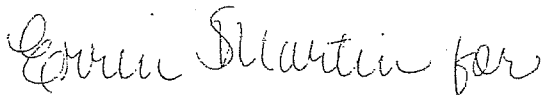
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