

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO.:</b> <u>09-</u>
<b>v.</b>	:	<b>DATE FILED:</b> <u>November 24, 2009</u>
<b>HASSAN HODROJ</b>	:	<b>VIOLATIONS:</b>
<b>DIB HANI HARB</b>	:	<b>18 U.S.C. § 2339B (conspiring/attempting</b>
<b>HASAN ANTAR KARAKI</b>	:	<b>to provide material support to a Foreign</b>
<b>MOUSSA ALI HAMDAN</b>	:	<b>Terrorist Organization - 3 counts)</b>
<b>HAMZE EL-NAJJAR,</b>	:	<b>18 U.S.C. § 371 (conspiracy - 6 counts)</b>
<b>a/k/a “Hamze Al-Najjar,”</b>	:	<b>18 U.S.C. § 473 (dealing in counterfeit</b>
<b>MOUSTAFA HABIB KASSEM</b>	:	<b>obligations or securities - 1 count)</b>
<b>LATIF KAMEL HAZIME,</b>	:	<b>18 U.S.C. § 1543 (passport fraud - 1 count)</b>
<b>a/k/a “Adanan,”</b>	:	<b>18 U.S.C. § 2314 (transportation of stolen</b>
<b>ALAA ALLIA AHMED MOHAMED,</b>	:	<b>goods - 10 counts)</b>
<b>a/k/a “Alaa Ahmed Mohamed</b>	:	<b>18 U.S.C. § 2320 (trafficking in counterfeit</b>
<b>Abouelnagaa,”</b>	:	<b>goods - 8 counts)</b>
<b>MAODO KANE</b>	:	<b>18 U.S.C. § 1001 (false statements to</b>
<b>MICHAEL KATZ</b>	:	<b>government officials - 2 counts)</b>
	:	<b>18 U.S.C. § 2 (aiding and abetting;</b>
	:	<b>causing)</b>
	:	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**(Conspiring to Provide Material Support to Hizballah)**

**THE GRAND JURY CHARGES THAT:**

From in or about June 2009 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**HASSAN HODROJ  
and  
DIB HANI HARB**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to provide “material support or resources,” as that term is defined in 18

U.S.C. § 2339A(b), including weapons, to a Foreign Terrorist Organization, that is, Hizballah, which was designated by the Secretary of State as a Foreign Terrorist Organization, pursuant to Section 219 of the Immigration and Nationality Act, on or about October 7, 1997, and has remained so designated since that time.

### **OVERT ACTS**

In furtherance of this conspiracy, defendants HASSAN HODROJ and DIB HANI HARB, and others known and unknown to the grand jury committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about June 13, 2009, defendant DIB HANI HARB instructed a cooperating witness (the “CW”) to send him a photograph via electronic mail depicting firearms that the CW could obtain for Hizballah.

2. On or about June 20, 2009, defendant DIB HANI HARB escorted the CW to a meeting with a Hizballah official (“Hizballah Official #1”), in which they discussed a proposed sale of firearms for Hizballah.

3. On or about June 23, 2009, defendants HASSAN HODROJ and DIB HANI HARB met with the CW and agreed to purchase approximately 1,200 Colt M-4 Carbines at a price of approximately \$1,800 per machinegun, and defendant HODROJ instructed the CW to export the machineguns in small shipments from the United States to the Port of Latakia, Syria.

4. On or about August 5, 2009, defendant DIB HANI HARB sent a text message to the CW stating that Hizballah Official #1 called from Iran and emphasized the need for quick delivery of the machineguns.

5. On or about August 30, 2009, defendant HASSAN HODROJ spoke with the CW via telephone about the proposed sale of machineguns for the benefit of Hizballah and the need for caution in executing this important transaction.

All in violation of Title 18, United States Code, Section 2339B.

**COUNT TWO**

**(Attempting to Provide Material Support to Hizballah)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Overt Acts One through Five of Count One of this Indictment are realleged here.
2. From in or about June 2009 through and including in or about November 2009, in the

Eastern District of Pennsylvania and elsewhere, defendants

**HASSAN HODROJ  
and  
DIB HANI HARB**

attempted, and aided and abetted and willfully caused another, to provide “material support or resources,” as that term is defined in 18 U.S.C. § 2339A(b), including weapons, to a Foreign Terrorist Organization, that is, Hizballah, which was designated by the Secretary of State as a Foreign Terrorist Organization, pursuant to Section 219 of the Immigration and Nationality Act, on or about October 7, 1997, and has remained so designated since that time.

In violation of Title 18, United States Code, Sections 2339B and 2.

**COUNT THREE**

**(Conspiring to Provide Material Support to Hizballah)**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about July 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**DIB HANI HARB,  
HASAN ANTAR KARAKI, and  
MOUSSA ALI HAMDAN**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to provide “material support or resources,” as that term is defined in 18 U.S.C. § 2339A(b), including false documentation and identification and currency and monetary instruments and financial securities, to a Foreign Terrorist Organization, that is, Hizballah, which was designated by the Secretary of State as a Foreign Terrorist Organization, pursuant to Section 219 of the Immigration and Nationality Act, on or about October 7, 1997, and has remained so designated since that time.

**OVERT ACTS**

In furtherance of this conspiracy, defendants DIB HANI HARB, HASAN ANTAR KARAKI, MOUSSA ALI HAMDAN, and others known and unknown to the grand jury committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about September 18, 2008, defendant DIB HANI HARB met with a cooperating witness (the “CW”) and stated that the Islamic Republic of Iran manufactured high-quality counterfeit U.S. currency for the benefit of Hizballah and that, consequently, representatives of Hizballah would need to approve the sale of this type of counterfeit currency.

2. On or about November 25, 2008, defendant MOUSSA ALI HAMDAN met with the CW in Philadelphia to discuss the sale of counterfeit United States currency.

3. On or about December 3, 2008, defendant DIB HANI HARB told the CW via telephone that stolen United States currency had been packaged inside wedding albums and would be mailed the following day to the CW in Philadelphia.

4. On or about February 14, 2009, defendant HASAN ANTAR KARAKI told the CW that the stolen United States currency offered for sale could not be used in Lebanon because it was “blood money” that Hizballah received from Iran.

5. On or about February 24, 2009, defendant HASAN ANTAR KARAKI caused his assistant (“Individual A”) to deliver a sample counterfeit 200-Euro and 100-United-States-dollar notes to the CW.

6. On or about April 25, 2009, defendant DIB HANI HARB met with the CW in Florida to negotiate, among other things, the sale of stolen United States currency, which defendant HARB explained had been acquired in the course of robberies conducted by Hizballah’s supporters and then subsequently smuggled into Lebanon for sale as a fund-raising tool for Hizballah.

7. On or about April 25, 2009, defendant DIB HANI HARB met with the CW in Florida and told the CW, among other things, that Hizballah’s representatives worked 18 to 20 hours a day counterfeiting many currencies, including those of the United States, Kuwait, Saudi Arabia, and the European Union.

8. On or about May 8, 2009, defendant HASAN ANTAR KARAKI instructed the CW via telephone to send photographs for use in fraudulent passports to his home address and

to send the corresponding biographical information for each passport to defendant DIB HANI HARB via facsimile.

9. On or about June 29, 2009, defendants DIB HANI HARB and HASAN ANTAR KARAKI caused to be delivered to the CW in Philadelphia two fraudulent passports — one from the United Kingdom and one from Canada — containing the photographs and biographical information that the CW had earlier supplied to the defendants.

10. On or about September 3, 2009, defendant DIB HANI HARB confirmed to the CW via telephone that he had mailed a package that the CW received in Philadelphia that same day containing approximately \$9,200 counterfeit U.S. currency hidden inside a photo album.

All in violation of Title 18, United States Code, Section 2339B.

**COUNT FOUR**

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**(Conspiracy to Transport Weapons in Interstate Commerce)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. From in or about June 2009 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**HASSAN HODROJ  
and  
DIB HANI HARB**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, for a person who was not a licensed importer, licensed manufacturer, licensed dealer, and licensed collector to transport in interstate or foreign commerce machineguns (as defined in section 5845 of the Internal Revenue Code of 1986), that is, approximately 1,200 Colt M-4 Carbines, in violation of Title 18, United States Code, Sections 922(a)(4).

2. Overt Acts One through Five of Count One of this Indictment are realleged here.

All in violation of Title 18, United States Code, Section 371.



**COUNT FIVE**

**(Conspiracy to Deal in Counterfeit Obligations or Securities)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. From in or about August 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**DIB HANI HARB,  
HASAN ANTAR KARAKI, and  
MOUSSA ALI HAMDAN**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to sell, exchange, transfer, receive, and deliver false, forged, counterfeited, and altered obligations and other securities of the United States, that is, United States currency, with the intent that the same be passed, published, and used as true and genuine, in violation of Title 18, United States Code, Section 473.

2. Overt Acts One, Two, Five, Seven, and Ten of Count Three of this Indictment are realleged here.

All in violation of Title 18, United States Code, Section 371.

**COUNT SIX**

**(Dealing in Counterfeit Obligations or Securities)**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about August 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**DIB HANI HARB,  
HASAN ANTAR KARAKI, and  
MOUSSA ALI HAMDAN**

sold, exchanged, transferred, received, and delivered, and aided and abetted and willfully caused the same, false, forged, counterfeited, and altered obligations and other securities of the United States, that is, approximately \$9,800 in 100-United-States-dollar bills, with the intent that the same be passed, published, and used as true and genuine.

In violation of Title 18, United States Code, Sections 473 and 2.

**COUNT SEVEN**

**(Conspiracy to Commit Passport Fraud)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. From in or about August 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**DIB HANI HARB,  
HASAN ANTAR KARAKI, and  
MOUSSA ALI HAMDAN**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to falsely make, forge, counterfeit, mutilate, and alter passports and instruments purporting to be passports, with intent that the same may be used, in violation of Title 18, United States Code, Section 1543.

2. Overt Acts Eight and Nine of Count Three of this Indictment are realleged here.

All in violation of Title 18, United States Code, Section 371.

**COUNT EIGHT**

**(Passport Fraud)**

**THE GRAND JURY FURTHER CHARGES THAT:**

From in or about August 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**DIB HANI HARB,  
HASAN ANTAR KARAKI, and  
MOUSSA ALI HAMDAN**

falsely made, forged, counterfeited, mutilated, and altered passports and instruments purporting to be passports, that is, one passport from the United Kingdom and one passport from Canada, and aided and abetted and willfully caused this conduct, with intent that the passports may be used.

In violation of Title 18, United States Code, Sections 1543 and 2.

**COUNT NINE**

**(Conspiracy to Transport Stolen Goods)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. From in or about January 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**MOUSSA ALI HAMDAN,  
HAMZE EL-NAJJAR,  
a/k/a “Hamze Al-Najjar,”  
MOUSTAFA HABIB KASSEM, and  
LATIF KAMEL HAZIME,  
a/k/a “Adanan,”**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to transport in interstate and foreign commerce goods and merchandise with a value in excess of \$5,000.00, knowing the same to have been stolen, converted and taken by fraud, in violation of Title 18, United States Code, Sections 2314(a) and 21.

**MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendants MOUSSA ALI HAMDAN, HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” MOUSTAFA HABIB KASSEM, LATIF KAMEL HAZIME, a/k/a “Adanan,” and others known and unknown to the grand jury, participated in the purchase of hundreds of thousands dollars worth of goods and merchandise — namely, cellular telephones, laptop computers, Sony PlayStation 2 systems, and automobiles — from a cooperating witness (the “CW”). The CW represented to the defendants that the goods and merchandise were stolen.

3. The defendants and/or others known or unknown to the grand jury purchased the allegedly stolen goods and merchandise from the CW in either Pennsylvania or New Jersey, and

thereafter caused the goods and merchandise to be transported in interstate and foreign commerce to destinations such as New Jersey, New York, Benin, Lebanon, and Margarita Island, Venezuela.

### **OVERT ACTS**

In furtherance of this conspiracy, defendants MOUSSA ALI HAMDAN, HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” MOUSTAFA HABIB KASSEM, LATIF KAMEL HAZIME, a/k/a “Adanan,” and others known and unknown to the Grand Jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about January 26, 2008, MOUSSA ALI HAMDAN purchased approximately 545 purportedly stolen cellular telephones from the CW in Philadelphia.
2. On or about January 31, 2008, MOUSSA ALI HAMDAN purchased approximately 455 purportedly stolen cellular telephones from the CW in Philadelphia.
3. On or about March 10, 2008, MOUSSA ALI HAMDAN caused the CW to export a purportedly stolen 1998 Nissan Pathfinder to Cotonou, Benin.
4. On or about March 13, 2008, MOUSSA ALI HAMDAN purchased approximately 500 purportedly stolen cellular telephones from the CW in Philadelphia.
5. On or about March 27, 2008, defendant MOUSSA ALI HAMDAN purchased approximately 100 purportedly Sony PlayStation 2 systems from the CW in Philadelphia.
6. On or about July 23, 2008, defendant MOUSSA ALI HAMDAN instructed the CW to ship approximately 200 purportedly stolen Sony PlayStation 2 systems from Philadelphia to defendant HAMDAN’s partner in Margarita Island, Venezuela.
7. On or about August 13, 2008, defendant LATIF KAMEL HAZIME, a/k/a “Adanan,” spoke to the CW about the stolen status of the electronics that HAZIME was trying to

release from government custody in Venezuela.

8. On or about November 13, 2008, defendants MOUSSA ALI HAMDAN, HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” and MOUSTAFA HABIB KASSEM met with the CW in New York, and the CW provided the defendants a sample of purportedly stolen cellular telephones and laptop computer available for sale.

9. On or about November 24, 2008, defendants MOUSSA ALI HAMDAN and MOUSTAFA HABIB KASSEM took possession of approximately 50 purportedly stolen cellular telephones and approximately 50 purportedly stolen laptop computers from the CW in Philadelphia.

10. On or about December 15, 2008, defendants MOUSSA ALI HAMDAN and MOUSTAFA HABIB KASSEM took possession of approximately 112 purportedly stolen cellular telephones and approximately 50 purportedly stolen laptop computers from the CW in Philadelphia.

11. On or about February 16, 2009, MOUSSA ALI HAMDAN caused the CW to export a purportedly stolen 2003 Honda CR-V and a purportedly stolen 2004 Honda CR-V to Beirut, Lebanon.

12. On or about May 27, 2009, defendant MOUSSA ALI HAMDAN took possession of approximately 119 purportedly stolen cellular telephones, approximately 100 purportedly stolen Sony PlayStation 2 systems, and approximately 42 purportedly stolen laptop computers from the CW in Philadelphia.

All in violation of Title 18, United States Code, Section 371.

**COUNTS TEN THROUGH NINETEEN**

**(Transporting Stolen Goods)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs Two and Three of Count Nine of this Indictment are realleged here.

2. On or about each of the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendants

**MOUSSA ALI HAMDAN,  
HAMZE EL-NAJJAR,  
a/k/a "Hamze Al-Najjar,"  
MOUSTAFA HABIB KASSEM, and  
LATIF KAMEL HAZIME,  
a/k/a "Adanan,"**

unlawfully transported in interstate and foreign commerce goods and merchandise with a value in excess of \$5,000.00, as described in the chart below, and aided and abetted and willfully caused the transportation of such goods and merchandise, to locations outside the Commonwealth of Pennsylvania, knowing the goods and merchandise to have been stolen, converted and taken by fraud, each transportation of such goods being a separate count charging the designated defendant(s):

<b>COUNT</b>	<b>DEFENDANT(S)</b>	<b>DATE (on or about)</b>	<b>GOODS &amp; MERCANDISE (approx.)</b>	<b>PURCHASE PRICE BY DEFENDANT(S) (approx.)</b>
<b>10</b>	MOUSSA ALI HAMDAN	January 26, 2008	545 cellular telephones	\$12,000
<b>11</b>	MOUSSA ALI HAMDAN	January 31, 2008	455 cellular telephones	\$11,000
<b>12</b>	MOUSSA ALI HAMDAN	March 10, 2008	1998 Nissan Pathfinder	\$3,000
<b>13</b>	MOUSSA ALI HAMDAN	March 13, 2008	500 cellular telephones	\$12,500



<b>14</b>	MOUSSA ALI HAMDAN	March 27, 2008	100 Sony PlayStation 2 systems	\$8,500
<b>15</b>	MOUSSA ALI HAMDAN LATIF KAMEL HAZIME, a/k/a "Adanan"	July 23, 2008	200 Sony PlayStation 2 systems	\$18,000
<b>16</b>	MOUSSA ALI HAMDAN HAMZE EL-NAJJAR a/k/a "Hamze Al-Najjar" MOUSTAFA HABIB KASSEM	November 13-24, 2008	50 cellular telephones & 50 laptop computers	\$30,000
<b>17</b>	MOUSSA ALI HAMDAN HAMZE EL-NAJJAR a/k/a "Hamze Al-Najjar" MOUSTAFA HABIB KASSEM	December 15, 2008	112 cellular telephones & 50 laptop computers	\$21,740
<b>18</b>	MOUSSA ALI HAMDAN	February 16, 2009	2003 Honda CR-V & 2004 Honda CR-V	\$12,000
<b>19</b>	MOUSSA ALI HAMDAN	May 27, 2009	119 cellular telephones, 100 Sony PlayStation 2 systems, & 42 laptop computers	\$25,080

In violation of Title 18, United States Code, Sections 2314, 21, and 2.

**COUNT TWENTY**

**(Conspiracy to Traffic in Counterfeit Goods)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. From in or about January 2008 through and including in or about November 2009, in the Eastern District of Pennsylvania and elsewhere, defendants

**MOUSSA ALI HAMDAN,  
HAMZE EL-NAJJAR,  
a/k/a “Hamze Al-Najjar,”  
MOUSTAFA HABIB KASSEM,  
ALAA ALLIA AHMED MOHAMED,  
a/k/a “Alaa Ahmed Mohamed Abouelnagaa,”  
MAODO KANE, and  
MICHAEL KATZ**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to intentionally traffic in counterfeit goods, in violation of Title 18, United States Code, Sections 2320(a) and 21.

**MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendants MOUSSA ALI HAMDAN, HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” MOUSTAFA HABIB KASSEM, ALAA ALLIA AHMED MOHAMED, a/k/a “Alaa Ahmed Mohamed Abouelnagaa,” MAODO KANE, and MICHAEL KATZ, and others known and unknown to the grand jury, participated in the purchase of several thousand dollars worth of counterfeit goods and/or goods represented to be counterfeit — namely, Nike® shoes and Mitchell & Ness® sports jerseys— from a cooperating witness (the “CW”).

## OVERT ACTS

In furtherance of this conspiracy, defendants MOUSSA ALI HAMDAN, HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” MOUSTAFA HABIB KASSEM, ALAA ALLIA AHMED MOHAMED, a/k/a “Alaa Ahmed Mohamed Abouelnagaa,” MAODO KANE, and MICHAEL KATZ, and others known and unknown to the Grand Jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about January 26, 2008, defendant MOUSSA ALI HAMDAN purchased approximately 50 pairs of counterfeit Nike® shoes from the CW in Philadelphia.
2. On or about January 31, 2008, defendant MOUSSA ALI HAMDAN purchased approximately 250 pairs of counterfeit Nike® shoes from the CW in Philadelphia.
3. On or about March 13, 2008, defendant MOUSSA ALI HAMDAN purchased approximately 300 pairs of counterfeit Nike® shoes from the CW in Philadelphia.
4. On or about March 25, 2008, defendant MOUSSA ALI HAMDAN purchased approximately 400 pairs of counterfeit Nike® shoes from the CW in Philadelphia.
5. On or about July 24 and 28, 2008, defendants MOUSSA ALI HAMDAN, ALAA ALLIA AHMED MOHAMED, a/k/a “Alaa Ahmed Mohamed Abouelnagaa,” MAODO KANE, and MICHAEL KATZ took possession of a total of approximately 1,572 pairs of counterfeit Nike® shoes and approximately 334 counterfeit Mitchell & Ness® sports jerseys from the CW in Philadelphia.
6. On or about November 5, 2008, defendant HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” provided approximately \$2,000 cash to the CW in Philadelphia in payment for their co-defendants’ July 2008 purchases of counterfeit goods.

7. On or about November 8, 2008, defendants HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” and MOUSTAFA HABIB KASSEM met the CW in Philadelphia to take possession of counterfeit Nike® shoes.

8. On or about November 13, 2008, defendants MOUSSA ALI HAMDAN, HAMZE EL-NAJJAR, a/k/a “Hamze Al-Najjar,” and MOUSTAFA HABIB KASSEM met the CW in Staten Island, New York, to take possession of counterfeit Nike® shoes.

9. On or about May 27, 2009, defendant MOUSSA ALI HAMDAN met the CW in Philadelphia to take possession of approximately 1,000 pairs of counterfeit Nike® shoes.

All in violation of Title 18, United States Code, Section 371.

**COUNTS TWENTY-ONE THROUGH TWENTY-SEVEN**

**(Trafficking in Counterfeit Goods)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraph Two of Count Twenty of this Indictment are realleged here.
2. On or about each of the dates listed below, in the Eastern District of

Pennsylvania and elsewhere, defendants

**MOUSSA ALI HAMDAN,  
HAMZE EL-NAJJAR,  
a/k/a “Hamze Al-Najjar,”  
MOUSTAFA HABIB KASSEM,  
ALAA ALLIA AHMED MOHAMED,  
a/k/a “Alaa Ahmed Mohamed Abouelnagaa,”  
MAODO KANE, and  
MICHAEL KATZ**

intentionally trafficked and attempted to traffic in goods, and aided and abetted and willfully caused the trafficking of such goods, specifically, Nike<sup>®</sup> shoes and sports jerseys bearing the mark of Mitchell & Ness<sup>®</sup>, as described below, which were counterfeit and/or represented to be counterfeit, and knowingly used on and in connection with such goods counterfeit marks, that is spurious marks identical to and substantially indistinguishable from the shape and imprints found on genuine Nike<sup>®</sup> shoes and Mitchell & Ness<sup>®</sup> sports jerseys, which marks were in use and were registered for those products by that company on the principal register of the United States Patent and Trademark Office, the use of which counterfeit marks was likely to cause confusion, to cause mistake and to deceive, each transaction being a separate count charging the designated defendant(s):

<b>COUNT</b>	<b>DEFENDANT(S)</b>	<b>DATE (on or about)</b>	<b>COUNTERFEIT GOODS (approx.)</b>
21	MOUSSA ALI HAMDAN	January 26, 2008	50 pairs of Nike® shoes
22	MOUSSA ALI HAMDAN	January 31, 2008	250 pairs of Nike® shoes
23	MOUSSA ALI HAMDAN	March 13, 2008	300 pairs of Nike® shoes
24	MOUSSA ALI HAMDAN	March 25, 2008	400 pairs of Nike® shoes
25	MOUSSA ALI HAMDAN ALAA ALLIA AHMED MOHAMED, a/k/a "Alaa Ahmed Mohamed Abouelnagaa," MAODO KANE MICHAEL KATZ	July 24-28, 2008	1572 pairs of Nike® shoes & 334 Mitchell & Ness® sports jerseys
26	MOUSSA ALI HAMDAN HAMZE EL-NAJJAR a/k/a "Hamze Al-Najjar" MOUSTAFA HABIB KASSEM	November 8-13, 2008	1,940 pairs of Nike® shoes
27	MOUSSA ALI HAMDAN	May 27, 2009	1,000 pairs of Nike® shoes

In violation of Title 18, United States Code, Sections 2320(a), 21, and 2.

**COUNT TWENTY-EIGHT**

**(Trafficking in Counterfeit Goods and Services)**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about March 28, 2008, in the Eastern District of Pennsylvania and elsewhere,  
defendant

**MOUSSA ALI HAMDAN**

intentionally trafficked and attempted to traffic in goods and services, and aided and abetted such conduct, and knowingly used counterfeit marks on and in connection with such goods and services, which marks were in use and were registered on the principal register of the United States Patent and Trademark Office, that is, approximately 2,727 counterfeit DVD's purporting to contain movies including "Letters From Iwo Jima," "Shooter," "Casino Royale," "Rocky Balboa," and "All the King's Men."

In violation of Title 18, United States Code, Sections 2320 and 2.

**COUNTS TWENTY-NINE AND THIRTY**

**(False Statements to Government Officials)**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. The United States Department of Commerce is part of the Executive Branch of the United States government and, among other things, regulates exports from the United States.

2. The Department of Commerce uses a Shipper's Export Declaration Commerce Form (SED) to compile official export statistics for the United States and for export control purposes. An SED must be filed with the Department of Commerce for shipments with a value in excess of \$2,500 that are exported from the United States. The SED must list, among other things, the shipper, the recipient, and the approximate value of the shipment. In addition, a receipt or airway bill describing the contents of a shipment must accompany each SED filed with the Department of Commerce.

\_\_\_\_\_ 3. On or about each of the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

**MOUSSA ALI HAMDAN**

in a matter within the jurisdiction of the Department of Commerce, knowingly and willfully falsified, concealed, and covered up material facts by trick, scheme, and device, and made materially, false, fictitious, and fraudulent statements and representations, and made and used false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, and willfully caused another to do the same, that is, as described in the chart below, defendant HAMDAN caused others, including a cooperating witness (the "CW"), to submit materially false information to the Department of Commerce in connection with exports of



purportedly stolen Sony Play Station 2 systems from the United States to Margarita Island, Venezuela, each transaction being a separate count charging defendant MOUSSA ALI HAMDAN:

<b>COUNT</b>	<b>DATE (approx.)</b>	<b>GOODS (approx.)</b>	<b>VALUE ON SED (approx.)</b>	<b>PRICE PAID BY HAMDAN (approx.)</b>	<b>RETAIL VALUE (approx.)</b>
<b>29</b>	March 27, 2008	100 Sony Play Station 2 systems	\$6,000	\$8,500	\$12,999
<b>30</b>	July 23, 2008	200 Sony Play Station 2 systems	\$11,600	\$18,000	\$25,998

In violation of Title 18, United States Code, Sections 1001 and 2.

**COUNT THIRTY-ONE**

**(Conspiracy to Commit Passport Fraud)**

**THE GRAND JURY FURTHER CHARGES THAT:**

**THE CONSPIRACY**

1. From in or about May 2009 through and including October 2009, in the Eastern District of Pennsylvania and elsewhere, defendant

**MOUSSA ALI HAMDAN**

conspired and agreed with others known and unknown to the grand jury to commit offenses against the United States, that is, to falsely make, forge, counterfeit, mutilate, and alter a passport and instrument purporting to be a passport, with intent that the same may be used, in violation of Title 18, United States Code, Section 1543.

**MANNER AND MEANS**

2. In or about May 2009, defendant MOUSSA ALI HAMDAN offered to obtain a fraudulent passport for a cooperating witness (the "CW") from defendant HAMDAN's co-conspirators in Margarita Island, Venezuela. The CW subsequently supplied passport photographs and a fake name, signature, and pedigree information to the conspirators for use in creating the fraudulent passport.

**OVERT ACTS**

In furtherance of this conspiracy, defendant MOUSSA ALI HAMDAN, and others known and unknown to the Grand Jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about June 1, 2009, defendant MOUSSA ALI HAMDAN instructed the CW to send pedigree information and photographs to a co-conspirator via electronic mail for use in creating a fraudulent passport.

2. On or about August 21, 2009, defendant MOUSSA ALI HAMDAN informed the CW that the fraudulent passport was ready in Venezuela for delivery to the CW.

3. On or about August 21, 2009, a co-conspirator sent defendant MOUSSA ALI HAMDAN via electronic mail a photograph of the fraudulent passport created for the CW.

All in violation of Title 18, United States Code, Section 371.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Section 2339B set forth in this indictment, defendants

**HASSAN HODROJ,  
DIB HANI HARB,  
HASAN ANTAR KARAKI, and  
MOUSSA ALI HAMDAN**

shall forfeit to the United States of America all assets foreign and domestic, including, but not limited to:

- (a) the sum of \$5,000,000 U.S. currency (forfeiture money judgment);
- (b) all accounts with TD Bank including, but not limited to, account # 7857945989, and account # 7856856740;
- (c) real property located at 2828 Cornell Street, Dearborn, Michigan;
- (d) all assets of MAH Auto, including, but not limited to, TD account # 7857579069, and the inventory of vehicles (and keys) located at 1370 Richmond Avenue, Staten Island, New York City;
- (e) a BMW X5 (and keys), VIN WBAFA53541LP26033, (Michigan license plate BTV4740);
- (g) a Land Rover Range Rover Sport (and keys), VIN SALMF11494A157946; and
- (h) all accounts with Bank Audi, Beirut, Lebanon, including, but not limited to, account # 813364.

2. As a result of the violations of Title 18, United States Code, Sections 371, 473, 1543, 2314, and 2320 set forth in this indictment, defendants

**HASSAN HODROJ,  
DIB HANI HARB,  
HASAN ANTAR KARAKI,  
MOUSSA ALI HAMDAN,  
HAMZE EL-NAJJAR,  
a/k/a “Hamze Al-Najjar,”  
MOUSTAFA HABIB KASSEM,  
ALAA ALLIA AHMED MOHAMED,  
a/k/a “Alaa Ahmed Mohamed Abouelnagaa,”  
MAODO KANE, and  
MICHAEL KATZ**

shall forfeit to the United States of America

(a) Any property constituting, or derived from, proceeds the person obtained directly or indirectly, as a result of a violation of Title 18, United States Code, Section 473; and all counterfeits of any coins or obligations or other securities of the United States or of any foreign government, or any articles, devices, and other things made, possessed, or used in violation of Title 18, United States Code, Section 473, or any material or apparatus used or fitted or intended to be used, in the making of such counterfeits, articles, devices or things, found in the possession of any person without authority from the Secretary of the Treasury or other proper officer.

(b) Any conveyance, including any vessel, vehicle, or aircraft used in the commission of a violation of Title 18, United States Code, Section 1543; and 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 a violation of Title 18, United States Code, Section 1543; or that is used to facilitate, or is intended to be used to facilitate, the commission of a violation of Title 18, United States Code, Section 1543.

(c) Any property, real or personal, which constitutes or is derived from proceeds traceable to any offence constituting “specified unlawful activity,” i.e., transportation of stolen property, or a conspiracy to commit such offense, including but not limited to:

- 1) the sum of \$250,000 U.S. currency (forfeiture money judgment).

(d) Any article, the making or trafficking of which is, prohibited under Title 18, United States Code, Section 2320; any property used, or intended to be used, in any manner or part of commit or facilitate, the commission of an offense under Title 18, United States Code, Section 2320; and any property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of an offense under Title 18, United States Code, Section 2320, including but not limited to:

- 1) the sum of \$300,000 U.S. currency (forfeiture money judgment);
- 2) 5512 pairs of counterfeit Nike shoes;
- 3) 334 Mitchell & Ness® sports jerseys; and
- 4) approximately 2,727 counterfeit DVD’s purporting to contain movies including “Letters From Iwo Jima,” “Shooter,” “Casino Royale,” “Rocky Balboa,” and “All the King’s Men.”

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;

- (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 which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Sections 982(b)(1) and 2323(b)(2), which incorporate Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Sections 492, 981(a)(1)(C) & (G), 982(a)(2)(B) & (a)(6)(A), and 2323(b)(1).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**MICHAEL L. LEVY**  
**UNITED STATES ATTORNEY**