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Department of Justice Press Release

For Immediate Release
February 19, 2010

United States Attorney's Office
Southern District of Florida
Contact: (305) 961-9000

Seven Charged with Illegal Export of Electronics to U.S.-Designated Terrorist Entity in Paraguay

Jeffrey H. Sloman, United States Attorney for the Southern District of Florida; Anthony V. Mangione, Special Agent in Charge, U.S. Immigration and Customs Enforcement (ICE) Office of Investigations; John V. Gillies, Special Agent in Charge, Federal Bureau of Investigation (FBI), Miami Field Office; Harold Woodward, Director of Field Operations, U.S. Customs and Border Protection (CBP); Michael Johnson, Special Agent in Charge, Department of Commerce (DOC); Adam J. Szubin, Director, Department of the Treasury's, Office of Foreign Assets Control (OFAC); and Michael Fithen, Special Agent in Charge, U.S. Secret Service, Miami Field Office, announced the indictment of four individuals and three Miami businesses on charges involving the export of electronics to a U.S. designated terrorist entity in

Samer Mehdi, 37, of Paraguay; Khaled T. Safadi, 56, of Miami, FL; Ulises Talavera, 46, of Miami, FL; Emilio Jacinto Gonzalez-Neira, 43, of Paraguay; Cedar Distributors, Inc. (Cedar), a Miami-based freight forwarding company owned by defendant Safadi; Transamerica Express of Miami, Inc. (Transamerica), a Miami-based freight forwarding company owned by defendant Talavera; and Jumbo Cargo, Inc. (Jumbo), a Miami-based freight forwarding company owned by defendant Gonzalez-Neira, were indicted on charges of conspiracy, 18 U.S.C. § 371, violating the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. §§ 1701-1706, and smuggling electronic goods from the United States to Paraguay, 18 U.S.C. § 554. The Indictment also seeks the forfeiture of an amount equal to the value of the electronics that were illegally exported. If convicted, the individual defendants face up to 20 years' imprisonment on the IEEPA charges, 10 years' imprisonment on the smuggling charges, and five years' imprisonment on the conspiracy charge. The companies each face up to five years' probation on all charges, and fines of up to \$1,000,000 on the IEEPA charges, and \$250,000 on the smuggling and conspiracy charges, respectively.

On Feb. 18, 2010, ICE special agents along with agents and officers of CBP, FBI, DOC, OFAC, and the Secret Service, executed arrest and search warrants as a result of this criminal investigation. Cedar owner Khaled Safadi and Transamerica owner Ulises Talavera were arrested in Doral, FL, Jumbo owner Emilio Gonzalez-Neira was arrested in Sunny Isles, FL, and Jomana Import Export owner Samer Mehdi is still at large. Safadi, Talavera and Gonzalez-Neira had their initial appearances today. Gonzalez-Neira was held in pre-trial detention, and Safadi and Talavera are being held in pre-trial detention pending their bond hearings, which are scheduled for Monday,

March 1, 2010, at 10:00 a.m.

This investigation was initiated in 2007 by ICE, FBI, CBP, and DOC, as part of the Joint Terrorism Task Force (JTTF). According to the allegations in the Indictment, from at least as early as March 2007 through and continuing to at least January 2008, freight-forwarders Talavera, through Transamerica, and Gonzalez-Neira, through Jumbo, exported Sony brand electronics, including Playstation 2 consoles and digital cameras, to defendant Samer Mehdi, owner of Jomana Import Export, an electronics business located within the Galeria Page, a shopping center in Ciudad del Este, Paraguay. Safadi, through Cedar, was a distributor of the electronics to the freight-forwarders.

Since December 6, 2006, the shopping center known as Galeria Page in Ciudad del Este, Paraguay, has been designated as a Specially Designated Global Terrorist (SDGT) entity by OFAC, pursuant to Executive Order 13224. Consequently, any transaction or dealing by a U.S. person with Galeria Page, including any transaction or dealing with an entity within Galeria Page, is prohibited. The OFAC designation banned trade with Galeria Page and all tenants located therein. At all relevant times to the Indictment, it is alleged that the defendants were aware that shipping to Galeria Page was prohibited.

To conceal the true destination of the prohibited shipments, the defendants created fake invoices that contained false addresses and also listed fictitious ultimate consignees on the required Shippers Export Declarations (SEDs), and other necessary export paperwork. Locations referenced in these false documents, as well as corresponding emails, ensured that the electronics would reach the prohibited intended destination. Additionally, wire transfer payments from Mehdi in Paraguay to the U.S.-based distributors were routed through various facilities to mask their true origin.

On September 23, 2001, pursuant to his authority under IEEPA, then President George W. Bush issued Executive Order 13224, and declared a national emergency to deal with the threat of acts of terrorism and threats of terrorism committed by foreign terrorists. The Executive Order empowered the U.S. Secretary of State to designate individuals or entities as having committed or as posing a significant risk of committing acts of terrorism that threaten the national security, foreign policy, or economy of the United States. The Order also authorized the U.S. Secretary of the Treasury to designate certain individuals or entities as owned or controlled by, acting for or on behalf of, or providing support to, foreign terrorists. Executive Order 13224 blocked the property interests of such designated entities and persons, known as SDGTs. This Executive Order was in effect at all times relevant to this Indictment.

To implement Executive Order 13224, the U.S. Department of Treasury, through the OFAC, issued regulations that, among other things, prohibited any transactions or dealings in blocked property, or any transactions with an SDGT by a U.S. person in the absence of a specific license granted by OFAC. No such licenses were granted to the defendants here.

U.S. Attorney Jeffrey H. Sloman stated, "The U.S. Attorney's Office, along with our law enforcement partners, will continue to vigorously enforce OFAC regulations and federal laws designed to shut down financing to individuals or entities that pose a potential threat to our national security."

"This international ICE-led multi-jurisdictional investigation demonstrates

ICE's mission to identify, investigate, disrupt, and dismantle criminal organizations that support designated terrorist entities and participate in the illicit trade of commodities that support terrorist activities and ultimately threaten the national security of the United States," said Anthony V. Mangione, special agent in charge of the ICE Office of Investigations in Miami.

FBI Special Agent in Charge John V. Gillies, stated, "The tri-border region is an area of concern to the FBI and our law enforcement partners both in the United States and overseas. We will continue our efforts to safeguard our national security and economic interests, including investigations of violations of our export laws that harm the United States."

Harold Woodward Director of Field Operations for Customs and Border Protection stated "The changing face of terrorists and other criminal groups pose an increased area of concern for CBP and by fostering relationships with other law enforcement and intelligence agencies and foreign governments we improve the total security of global trade and travel. Dismantling these criminal organizations plays a major role in insuring the safety of our homeland."

"OFAC will continue to pursue aggressive enforcement actions against domestic and foreign entities that conduct business with terrorist-linked entities through the United States," said OFAC Director Adam J. Szubin.

Mr. Sloman commended the investigative efforts of ICE's Office of Investigations in Miami, FBI, CBP, DOC, OFAC, U.S. Secret Service, U.S. Citizenship and Immigration Services, U.S. State Department, Office of the ICE Attaché Buenos Aires and Office of the ICE Attaché Brasilia, and the cooperation of the Paraguayan and Brazilian governments. ICE's Intellectual Property Rights (IPR) Center and Trade Transparency Unit assisted in the investigation. The case is being prosecuted by Assistant U.S. Attorneys Allyson Fritz and Russell Koonin, and Department of Justice Trial Attorney Mariclaire Rourke.

An Indictment is only an accusation and a defendant is presumed innocent until and unless proven guilty.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at www.usdoj.gov/usao/fls. Related court documents and information may be found on the website of the United States District Court for the Southern District of Florida at www.flsd.uscourts.gov or <http://pacer.flsd.uscourts.gov>.

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