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30910

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

04 - 809 10

Plaintiff,

Criminal No.: ARTHUR J. TARNOW

vs.

HONORABLE
MAGISTRATE JUDGE MONA K. MAJZOUB

D-1 ABBAS MOHAMAD KOURANI, *no mag #*

VIOLATIONS:

D-2 MOHAMAD MOHMOUD RIZK, *no mag #*

18 U.S.C. § 371

D-3 KHALIL MOHMOUD SALEH, *no mag #*

31 U.S.C. § 5313

31 U.S.C. § 5316

31 U.S.C. § 5324

Defendants.

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FILED

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(18 U.S.C. § 371 and 31 U.S.C. §§ 5313, 5316 and 5324 --
Conspiracy to Structure Transactions to Evade Currency Reporting Requirements and
to Evade Reports on Exporting Monetary Instruments)

D-1 ABBAS MOHAMAD KOURANI,

D-2 MOHAMAD MOHMOUD RIZK,

D-3 KHALIL MOHMOUD SALEH.

1. From in or before March of 1999 and continuing until on or after November 9, 1999,
in the Eastern District of Michigan, and elsewhere, ABBAS MOHAMAD KOURANI, MOHAMAD
MOHMOUD RIZK and KHALIL MOHMOUD SALEH, together and with others

known and unknown to the Grand Jury, did conspire to commit certain offenses against the United States as follows:

(a) knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structured and assisted in structuring transactions with a domestic financial institution, in violation of 31 U.S.C. § 5324(3);

(b) knowingly and for the purpose of evading the reporting requirements of section 5316 of Title 31, United States Code, and the regulations promulgated thereunder, transported and were about to transport monetary instruments of more than ten thousand dollars (\$10,000) at one time, from a place in the United States to or through a place outside the United States, without filing a Report of International Transportation of Currency or Monetary Instruments (Customs Form 4790), as required by 31 Code of Federal Regulations, Section 103.23, and did so as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period.

MANNER AND MEANS

2. As part of the conspiracy, ABBAS MOHAMAD KOURANI, MOHAMAD MOHMOUD RIZK, KHALIL MOHMOUD SALEH and others used large quantities of U.S. currency to purchase more than \$119,500.00 in cashier's checks and money orders and to make \$105,000.00 in cash deposits at certain financial institutions located in the Eastern District of Michigan. In order to conceal those transactions, ABBAS MOHAMAD KOURANI, MOHAMAD MOHMOUD RIZK, KHALIL MOHMOUD SALEH conducted and caused others to conduct those

deposits and purchases of money orders and cashier's checks in a manner that avoided the filing of a Currency Transaction Report (CTR) with the Internal Revenue Service.

3. As part of the conspiracy, ABBAS MOHAMAD KOURANI and MOHAMAD MOHMOUD RIZK and others sent and caused others to send over \$400,000.00 in money orders, cashiers checks and other negotiable instruments from locations in the Eastern District of Michigan to locations in Panama and Lebanon. In order to conceal the transfer and the attempted transfer of the subject funds from the United States to Panama and Lebanon, ABBAS MOHAMAD KOURANI and MOHAMAD MOHMOUD RIZK and others concealed the subject cashier's checks, money orders and negotiable instruments and thereby evaded the filing of a Report of International Transportation of Currency or Monetary Instruments with the United States Customs Service.

OVERT ACTS

4. In executing the conspiracy alleged in Paragraph One, one or more of the defendants committed the following overt acts:

5. On or about March 6, 1999, defendant MOHAMAD MOHMOUD RIZK established the corporation Mediterranean International, Inc., 10415 West Warren, Dearborn, Michigan with the Corporations, Securities and Development Bureau of the State of Michigan.

6. On or about March 30, 1999, defendant MOHAMAD MOHMOUD RIZK opened Michigan National Bank commercial account number 5302835847, in the name Mediterranean International, Inc., 6100 Mcad, Dearborn, Michigan.

7. Between July 26, 1999 and July 30, 1999, ABBAS MOHAMAD KOURANI, MOHAMAD MOHMOUD RIZK and KHALIL MOHMOUD SALEH deposited and caused to be deposited \$105,000.00 in United States Currency into the Mediterranean International Inc. account at Michigan National Bank, a domestic financial institution. For the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a) and the regulations prescribed under that section, ABBAS MOHAMAD KOURANI, MOHAMAD MOHMOUD RIZK and KHALIL MOHMOUD SALEH knowingly structured, and caused to be structured, those deposits into amounts of less than \$10,000.00 each, as follows:

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
07/26/99	\$8,900.00	07/29/99	\$7,500.00
07/26/99	\$9,000.00	07/29/99	\$7,500.00
07/27/99	\$8,100.00	07/30/99	\$5,000.00
07/27/99	\$9,000.00	07/30/99	\$6,000.00
07/28/99	\$7,500.00	07/30/99	\$9,000.00
07/28/99	\$8,800.00	07/30/99	\$9,200.00
		07/30/99	\$9,500.00

8. On or about July 24, 1999, MOHAMAD MOHMOUD RIZK and others sent and caused to be sent a package containing more than \$10,000.00 in monetary instruments from a location in the Eastern District of Michigan to a location in Panama. Among other items, the subject package

contained six business checks issued from the Mediterranean International Inc. account, with a total value of \$125,000.00. Each of those six checks had the payee line left blank and each was signed by MOHAMAD MOHMOUD RIZK. No Report of International Transportation of Currency or Monetary Instruments (Customs Form 4790), as required by 31 Code of Federal Regulations, Section 103.23, was filed with respect to that transportation of more than \$10,000 in monetary instruments from the United States to Panama.

9. On or about July 27, 1999, MOHAMAD MOHMOUD RIZK and others sent and caused to be sent a package containing more than \$10,000.00 in monetary instruments from a location in the Eastern District of Michigan to a location in Panama. Among other items, the subject package contained six business checks issued from the Mediterranean International Inc. account, with a total value of \$149,000.00. Each of those six checks had the payee line left blank and each was signed by MOHAMAD MOHMOUD RIZK. No Report of International Transportation of Currency or Monetary Instruments (Customs Form 4790), as required by 31 Code of Federal Regulations, Section 103.23, was filed with respect to that transportation of more than \$10,000 in monetary instruments from the United States to Panama.

10. Between September 28, 1999 and October 1, 1999, ABBAS MOHAMMED KOURANI and others used U.S. currency to purchase in excess of \$84,500.00 in money orders at location in the Eastern District of Michigan issued by Travelers Express, Security Express, Western Union and Michigan National Bank, each of which was then a domestic financial institution. For the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a) and

the regulations prescribed under that section, ABBAS MOHAMAD KOURANI and others knowingly structured, and caused to be structured, purchase of the more than \$84,500.00 in money orders.

11. Between September 29, 1999 and October 1, 1999, ABBAS MOHAMAD KOURANI sent and caused to be sent three packages, each containing more than \$10,000.00 in monetary instruments, from a location in the Eastern District of Michigan to a location in Lebanon. No Report of International Transportation of Currency or Monetary Instruments (Customs Form 4790), as required by 31 Code of Federal Regulations, Section 103.23, was filed with respect to any of those packages and the attempted transportation of more than \$10,000 in monetary instruments from the United States to Lebanon by ABBAS MOHAMAD KOURANI.

12. On or about October 9, 1999, ABBAS MOHAMAD KOURANI traveled from the Eastern District of Michigan to Jordan and thereafter to Lebanon.

13. On or about November 9, 1999, KHALIL MOHMOUD SALEH falsely stated to identified agents of the Internal Revenue Service - Criminal Investigation division and the Federal Bureau of Investigation that he (SALEH) did not know any person named MOHAMAD RIZK.

All in violation of Title 18, United States Code, Section 371 and Title 31, United States Code, Sections 5313, 5316 and 5324.

FORFEITURE

1. The allegations contained in Count One of this Indictment are hereby repeated, realleged, and incorporated by reference herein as though fully set forth at length for the purpose of alleging forfeiture pursuant to the provisions of Title 31, United States Code, Section 5317(c)(1).

2. That as a result of the foregoing violations of 31 U.S.C. §§ 5313, 5316 and 5324, the United States shall, upon conviction of one or more of the defendants herein, seek to forfeit any property, real or personal of that defendant involved in such offense, or any property traceable to such property, pursuant to 31 U.S.C. § 5317(e)(1).

3. If any of the above described property, as a result of any act or omission of any defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or disposed with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

the United States shall seek to forfeit any other property of that defendant up to the value of any property set forth in paragraph 2 of this Section.

THIS IS A TRUE BILL

Dated: November 4, 2004

FOREPERSON

11-4-04

CRAIG S. MORFORD
United States Attorney

Bruce C. Judge for
ROBERT W. DONALDSON
Assistant United States Attorney
Chief, Controlled Substances Unit

Bruce C. Judge
BRUCE C. JUDGE
Assistant United States Attorney