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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY YMT DEPUTY

UNITED STATES OF AMERICA,)
)
)
v.)
)
CHI TONG KUOK,)
aka Edison Kuok)
aka Eddy)
aka Yoko Chong)
aka Yoko Kawasaki)
aka James Kuok)
Defendant.)

No. **'09 MJ 1952**
COMPLAINT FOR VIOLATION OF
Title 22, U.S.C., Sec. 2778(c) and Title 22,
C.F.R., Sec. 127.1(a)(3) - Conspiracy to
Export Defense Articles Without a
License; Title 18, U.S.C., Secs. 371 and
554 - Conspiracy to Smuggle Goods from
the United States; Title 18, U.S.C., Sec.
554 - Smuggling Goods from the United
States; Title 18, U.S.C., Sec.
1956(a)(2)(A) - Money Laundering; Title
18, U.S.C., Sec. 2 - Aiding and Abetting

The complainant being duly sworn states that:

Count 1

Beginning on a date unknown and continuing up to and including the filing date of this Complaint, within the Southern District of California, and elsewhere, defendant CHI TONG KUOK, aka Edison Kuok, aka Eddy, aka Yoko Chong, aka Yoko Kawasaki, aka James Kuok, did knowingly, intentionally, and willfully agree and conspire with other persons known and unknown to cause to be exported defense articles without first obtaining the required license and written approval from the Department of State, Directorate of Defense Trade Controls in violation of Title 22, United States Code, Sections 2778(c), and Title 22, Code of Federal Regulations, Section 127.1(a)(3).

Count 2

1. OBJECT OF THE CONSPIRACY

Beginning on a date unknown and continuing up to and including the filing date of this Complaint, within the Southern District of California, and elsewhere, defendant CHI TONG KUOK, aka Edison Kuok, aka Eddy, aka Yoko Chong, aka Yoko Kawasaki, aka James Kuok, did knowingly, intentionally, and willfully agree and conspire with other persons known and unknown to commit an offense against the United States, to wit: to buy merchandise, articles, and objects, prior to exportation, knowing the same to be intended for exportation

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contrary to laws and regulations of the United States, in violation of Title 18, United States Code, Section 554(a).

2. MANNER AND MEANS

The objects of the conspiracy were to be accomplished, in substance, as follows:

a. Defendant KUOK would use the Internet to find persons and companies offering for sale or able to acquire defense articles on the United States Munitions List, Title 22, Code of Federal Regulations, Chapter I, Subchapter M, Part 121.

b. Defendant KUOK would solicit, induce, or seek to induce such persons and companies to export the defense articles from the United States to Macau, China, without obtaining the required license or approval from the United States Department of State, Directorate of Defense Trade Controls, in violation of Title 22, United States Code, Section 2778 and the International Traffic in Arms Regulations, Title 22, Code of Federal Regulations, Chapter 1, Subchapter M, Parts 120-130.

c. Defendant KUOK or a co-conspirator (hereafter CC-1) would transmit payments to the sellers through Western Union, PayPal, and bank transfers.

d. Defendant KUOK would use multiple aliases and email accounts to conceal his identity and illegal activities.

e. CC-1 would pose as one of KUOK's aliases to conceal KUOK's identity and involvement.

3. OVERT ACTS

In furtherance of the conspiracy and to effect and accomplish the objects thereof, the following overt acts, among others, were committed within the Southern District of California and elsewhere:

a. On or about February 26, 2009, defendant KUOK caused \$2,000 USD to be transferred from a bank account in Macau to a bank account in San Diego, California, as payment for a defense article.

b. On or about March 20, 2009, defendant KUOK caused \$5,000 USD to be sent via Western Union from Macau to an individual in Los Angeles, California, as partial payment for a defense article.

c. On or about March 29, 2009, defendant KUOK caused \$3,000 USD to be sent via Western Union from Macau to an individual in Los Angeles, California, as partial payment for a defense article.

d. On or about April 15, 2009, at the direction of defendant KUOK, CC-1 caused \$1,000 USD to be sent via Western Union from Macau to an individual in Los Angeles, California, as payment for shipping a defense article to Macau.

e. On or about April 29, 2009, at the direction of defendant KUOK, CC-1 caused \$1,700 USD to be sent via Western Union from Macau to the Southern District of California, as payment for a defense article.

f. On or about May 1, 2009, defendant KUOK caused \$1,200 USD to be sent via PayPal to an individual, as partial payment for defense articles.

g. On or about May 6, 2009, defendant KUOK caused \$10,000 USD to be transferred from a bank account in Macau to a bank account in the Southern District of California, as partial payment for defense articles.

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

Count 3

On or about April 29, 2009, within the Southern District of California, and elsewhere, defendant CHI TONG KUOK, aka Edison Kuok, aka Eddy, aka Yoko Chong, aka Yoko Kawasaki, aka James Kuok, did knowingly buy a KG-175 Taclane Encryptor, prior to exportation, knowing the same to be intended for exportation without a license contrary to Title 22, United States Code, Section 2778 and the International Traffic in Arms Regulations, Title 22, Code of Federal Regulations, Chapter 1, Subchapter M, Parts 120-130; all in violation of Title 18, United States Code, Sections 554(a) and 2.

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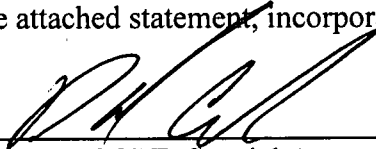
Counts 4-5

On or about the dates set forth below, within the Southern District of California, and elsewhere, defendant CHI TONG KUOK, aka Edison Kuok, aka Eddy, aka Yoko Chong, aka Yoko Kawasaki, aka James Kuok, did transmit and transfer monetary instruments and funds as set forth below to a place in the United States from Macau, China, with the intent to promote the carrying on of specified unlawful activity, to wit, smuggling goods from the United States in violation of Title 18, United States Code, Section 554, and criminal violations of the Arms Export Control Act in violation of Title 22, United States Code, Section 2778(c):

<u>Count</u>	<u>Date</u>	<u>Amount</u>	<u>Method</u>
4	April 29, 2009	\$1,700 USD	Western Union
5	May 6, 2009	\$10,000 USD	Bank transfer

All in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2.

This complaint is based on the attached statement, incorporated herein.



DAVID COLE, Special Agent
U.S. Immigration and Customs Enforcement

SUBSCRIBED and SWORN to before me on June 22, 2009.



UNITED STATES MAGISTRATE JUDGE

STATEMENT OF FACTS

1. I am a special agent with the Department of Homeland Security, U.S. Immigration and Customs Enforcement and have been so employed since September 2007. Before then, I was a United States Border Patrol Agent. I graduated from the Federal Law Enforcement Training Center in Glynco, Georgia. I am currently assigned to an ICE group in San Diego, California that conducts counter-proliferation investigations. In that capacity, I focus on criminal investigations involving, among other things, the illegal export of military and defense articles and "dual use" items (items with both civil and military uses).

2. The following is based on my own investigation, oral or written reports by other law enforcement officers and cooperating witnesses, interviews, database checks, searches, and other investigation. Since this affidavit is for a limited purpose, I have not included every fact I know about this investigation. I set forth only facts necessary to establish foundation for the requested warrant. Conversations and discussions below are set forth in substance unless noted. Dates and times are approximate.

3. In summary, based on investigation below, since at least late 2006, Chi Tong Kuok, with the assistance of others, has illegally acquired or sought to acquire multiple defense articles on the United States Munitions List, 22 C.F.R., Part 121, without obtaining the required licenses or approvals from the Department of State (DoS), Directorate of Defense Trade Controls.

4. In December 2006, a person using the name "Edison Kuok" exchanged emails with a defense industry contact. Based on evidence below, I believe Edison Kuok is Chi Tong Kuok. Kuok said he had a VDC-300 and was seeking various related

components.^{1/} Kuok asked the contact not to notify the manufacturer, any U.S. company, or the U.S. government about his request. He later agreed to provide serial numbers for the VDC-300s in his possession only if the contact said he would not advise "NSA or L-3" (I believe NSA meant National Security Agency and L-3 mean L-3 Communications). The contact thereafter referred Kuok to an undercover agent in San Diego (UC-1).

5. On 2/1/07, "Edison Kuok" emailed UC-1 and said he understood UC-1 could "get software for Viasat data controller [the VDC-300] and other valuable devices." UC-1 responded that he could, but "I just ask that you be very careful and discrete with this business." Over the next few months, Kuok and UC-1 exchanged numerous emails. In sum, Kuok sought the original items and about 42 other items, including the AN/PSN-13 and AN/CYZ-10 (also known respectively as the DAGR and Crazy 10).^{2/} At one point during the email exchanges, on 2/8/07, Kuok asked UC-1 to "keep our contact as top confidential." UC-1 responded, "Keeping things 'top confidential' is the only way I can stay in business. I expect that you will do the same because if the authorities are informed we will certainly be in major trouble." Kuok did not question what UC-1 meant.

6. On 3/7/07, UC-1 emailed Kuok a price quote. On 3/8/07, Kuok emailed UC-1 an order for four items, including two AN/PSN-13s (DAGRs). In May 2007, Kuok requested UC-1's bank routing information, which UC-1 provided. However, Kuok did

^{1/} The VDC-300 is an airborne data controller. According to the manufacturer, the VDC-300 and its components are defense articles on the United States Munitions List (and controlled by the International Traffic in Arms Regulations, 22 C.F.R., Chapter 1, Subchapter M, Parts 120-130).

^{2/} The DoS has certified that several of the items, including the DAGR and Crazy 10, are defense articles on the United States Munitions List.

not transmit payment, and UC-1 received no further emails signed "Edison Kuok" or from the email account that "Edison Kuok" had used.

7. On 10/25/07, UC-1 received an email from a different address signed by "Yoko" (Yoko later signed other emails as "Yoko Chong"). "Yoko" said he^{3/} received UC-1's "contact information from my european friend, he told me you help to buy some DAGR(GPS)." In a subsequent email, Yoko said he wanted the DAGR delivered to Hong Kong.

a. I believe "Yoko"/"Yoko Chong" and "Edison Kuok" are the same person, Chi Tong Kuok. The 10/25/07 email originated in Macau, which is where "Edison Kuok's" emails originated. "Edison Kuok" was also the only potential buyer with whom UC-1 had discussed DAGRs. In addition, in later emails, "Yoko" twice referred to trips he recently took to Japan and South Africa. Those references coincided with trips taken by Chi Tong Kuok. And in May 2009, UC-1 spoke by video conference with "Yoko Chong," who looked like the person depicted in Chi Tong Kuok's passport photo.^{4/} For these reasons, and for clarity, I shall refer to "Yoko"/"Yoko Chong" as Kuok.

8. On 10/29/07, UC-1 emailed Kuok: "These items are export controlled and require a license from the Department of State. The State Department does not grant licenses to export to China (including Hong Kong) so they can not be exported to Hong

^{3/} I use "he," though Yoko will later claim to be a female in emails with a confidential source, as set forth below.

^{4/} As set forth below, Yoko/Yoko Chong also appears to be the same person who later spoke by video conference with a second undercover agent. The person in the latter video conference also looked like the person in Chi Tong Kuok's passport photo, verbally identified himself as "Chi Tong" (after previously identifying himself in emails as "Chi Tong Kuok"), and held his identification card up to the camera for several seconds to identify himself as Chi Tong Kuok (the text on the card was not legible because of the camera's resolution).

Kong legally.” Kuok responded: “I understand that DAGR is export controlled, that is why I contact you to see whether you can help to ship the DAGR out without export license . . . (Someone told me you can help to export anything without export license).”

9. UC-1 and Kuok thereafter exchanged emails for several months in which they discussed various other defense articles, tried to finalize a deal, and negotiated the mechanics of how a sale would occur (e.g., how much Kuok would pay in advance, how the payment would be made, how the delivery would be made, whether UC-1 could supply “hopping” or “fill” data which is the software for the hardware).

10. At several points in these exchanges, Kuok expressed concerns. For example, on 12/3/07, Kuok told UC-1 “we can not provide any end-user information, you should understand that.” On 12/4/07, Kuok questioned UC-1’s suggestion that they speak or meet and “doubt[ed]” that it was “nesscessary [sic]”: “I am not afraid direct contact with you, but basically you need to tell me which side you stand for (NSA; CIA or FBI).” UC-1 denied that he worked for those agencies and requested Kuok’s assurance that “you will not provide my information to any of the agencies that you mistakenly believe that I may work for.” On 12/11/07, after providing his phone number to UC-1, Kuok said, “You are the only one have this phone number outside my country, I have never send it to any other. Please confirm that you will not submit this number to other guys.” On the same day, in a password protected attachment, Kuok cautioned UC-1 “don’t write any thing about the model number and description without encryption on the email and internet, it is very easy track by some inspectors.” In a recorded phone call on the same day, Kuok instructed UC-1 to remove identifiers from the items and only discuss phone numbers and items in encrypted emails. On 12/13/07, Kuok noted that “large amount wire transfer is not safe way for our deal, please consider that.” On 4/29/08—by this

point, Kuok had switched to a different email account—Kuok said he would arrange a meeting “outside your country and my country, maybe in Thailand (but remember don’t bring anything (purchase item) and any other guy along with you, I am afraid to see other guy).” On 7/8/08, Kuok advised UC-1, “I am not prefer to hand over the goods in EU or UK country, as this is very dangerous for me.”^{5/}

11. By August 2008, UC-1 and Kuok appeared to settle on rough terms for Kuok to purchase one AN/CYZ-10 (the Crazy 10) with “hopping data” (the software). For reasons unrelated to this investigation, however, UC-1 broke off contact with Kuok for several months.

12. In September and October 2008, Kuok emailed UC-1 asking if he was “still there.” On 12/15/08, UC-1 responded, “I am still here. What can I do for you?” Kuok briefly questioned where UC-1 had been and whether UC-1 was the same person he spoke to before. UC-1 and Kuok thereafter exchanged several emails in which they further discussed, among other things, the mechanics of a sale. On 1/23/09, Kuok advised UC-1, “I need new email address for future connection . . . I will not talk anything regarding about our business on this email, as this email maybe tracing by someone.” On 1/31/09, Kuok emailed UC-1 from a new address: optima7james@gmail.com. Kuok directed UC-1 to “send reply to this email.” The message was signed “Yoko,” but the sender on the “from” line was listed as “James Kuok” (later emails from the same account listed the sender as “Yoko”).

13. In early February 2009, Kuok made multiple requests for pictures of the AN/CYZ-10 before he sent payment. UC-1 refused. On 2/26/09, Kuok emailed an

^{5/} UC-1 similarly noted, in several emails to Kuok, that UC-1’s or their actions were “illegal[,]” “risky,” “dangerous,” or “suspicio[us].”

attachment showing that \$2,000 USD had been transferred from a company account—the same company “Edison Kuok” had claimed to represent in February 2007—at a bank in Macau to UC-1’s account in San Diego (agents subsequently confirmed the transfer). On 3/6/09, UC-1 emailed Kuok pictures of the AN/CYZ-10 and a cable. On 3/6/09, Kuok directed UC-1 “get more pictures about before filling data and after filling data.” I believe Kuok meant he wanted photos of the AN/CYZ-10 before and after the software had been loaded. In later emails, UC-1 told Kuok that he would provide such photos after Kuok sent the additional funds for UC-1 to pay his “contact” to “fill[] the device” [load the software]. UC-1 and Kuok thereafter exchanged several emails negotiating on this point and others.

14. Meanwhile, on 3/13/09, a confidential source (CS-1) emailed Kuok^{6/} and asked if he was “still intereseted [sic] in the 148.”^{7/} CS-1 said s/he found four 148s for \$12,500. Later that day, Kuok said he would “finish the first two radioes first, after that I can send you otther funding for other mentioned radioes [sic].” Kuok also suggested CS-1 “get

^{6/} CS-1 previously had done business with “Yoko Chong” at the same address that “Chong” used to contact UC-1 in February 2007. At some point during CS-1’s and “Chong’s” communications, Chong switched email accounts and started using the name “Yoko Kawasaki.” CS-1 therefore sent the 3/13/09 email above to “Yoko Kawasaki” (at the time, CS-1 did not know the name “Chi Tong Kuok”). For reasons above, I believe Yoko Chong is Chi Tong Kuok. I therefore believe “Yoko Kawasaki” is also Chi Tong Kuok. More evidence that “Yoko”/“Yoko Kawasaki” is Kuok is set forth below. For these reasons, and for clarity, I shall refer to “Yoko”/“Yoko Kawasaki” as Kuok.

^{7/} “148” referred to a PRC-148 multi-band inter/intra team radio used by the U.S. military. The DoS has certified that the PRC-148 is a defense article on the United States Munitions List.

more information” about the seller if CS-1 did not “know this guy very well . . . as there is a lot of fishing people (uncle sam) on the internet.”^{8/}

15. On 3/16/09, CS-1 emailed Kuok that two 148s would cost \$7500 or \$7000 and suggested Kuok use Western Union to send the payment. On 3/20/09, Kuok emailed an attachment showing that \$5,000 USD had been sent via Western Union to CS-1 in Los Angeles. The sender was listed as “Chi Tong Kuok” at an address in Macau. On 3/29/09, Kuok emailed another attachment showing that \$3,000 USD had been sent via Western Union to CS-1 in Los Angeles. The sender information was the same. (Agents subsequently collected the \$8,000.) On 4/1/09, CS-1 emailed Kuok that the two 148s had been sent via Express Mail and provided a tracking number (no package was actually sent).

16. During the exchanges with CS-1, Kuok sought other items as well, including the “DAGR gps” and “cyz-10.” Kuok also expressed concerns. For example, on 4/4/09, he said “[n]ext week will start to send you new funding, every time is 3000, but can not very often as the this [sic] will make western union staffs feel very strange and track my transaction.” On 4/5/09, he told CS-1 “don’t try to shift to other new equipment source, it will make you unsafe.” Later on that date, he said, “I will consider all method to transfer funding to without anyone know” On 4/6/09, he advised CS-1, “Remember, do write [sic] the complete model number and its name on any email, you country has this system to analyse recognize the word on email [sic].”

^{8/} CS-1 previously sold Kuok other export-controlled defense articles. CS-1 denied knowing, at the time, that s/he could not lawfully sell those items to Kuok in Macau. No representations have been made to CS-1 about whether s/he will be prosecuted for those sales. CS-1 otherwise has no criminal record. Some information provided by CS-1 has been consistent with or corroborated by other investigation. CS-1 has not assisted law enforcement before this investigation. At this time, I and other agents familiar with CS-1 consider him/her reliable.

17. On 4/10/09, Kuok emailed CS-1 that the tracking information for the two PRC-148s showed the parcel was returned to the sender because of an incorrect address. Later on that date, Kuok and CS-1 exchanged instant messages. Kuok questioned what happened and whether CS-1 wrote the correct address. He requested a copy of the shipping receipt. He instructed CS-1 to use another courier. At one point, CS-1 replied, "Your [sic] giving me a hard time and I am doing espionage for you!"

18. On 4/15/09, Kuok emailed an attachment showing that \$1,000 had been sent via Western Union to CS-1 in Los Angeles (agents later collected the money). The sender was listed as "Lai Weng Chong" at an address in Macau. The payment was intended to cover CS-1's expenses in retrieving and re-sending the two PRC-148s. On 4/18/09, CS-1 emailed Kuok: "these items are very black market and could be traced back to me . . . [T]he Chi Tong person and other Chong lady who send me money are unknown to me. This makes me nervous." Later that day, Kuok replied, "Lai Weng Chong is me . . . Chi Tong Kuok is the staff, no relation with him."

19. On 4/20/09, CS-1 told Kuok that Postal Inspectors had examined the package and, as a result, CS-1 did not want to risk shipping the radios again. Later that day, CS-1 said s/he could personally deliver the items to Kuok in another country. CS-1 also told Kuok, "You have told me you are a man and now you say you are a woman. I am very confused now and uncomfortable doing business with you." CS-1 indicated s/he wanted to have a video conference so Kuok could "prove to me you are legitimate." Later that day, Kuok replied, "Yoko actually [sic] is women. I never told you Yoko is man, how can you feel that Yoko is man, and from what source to know that Yoko is man."

20. That night, CS-1 had a video conference with a female who displayed an identification card that read "Lai Weng Chong." The female appeared on video, but used instant messages to communicate instead of audio. The female said she was Yoko (the person CS-1 had been communicating with), and Chi Tong Kuok was "staff." CS-1 indicated he did not believe the female. Shortly after the video conference, CS-1 received an email: "I can feel that everything becoming very strange . . . B/R Yoko - woman."

21. In subsequent emails, Kuok (still signing as Yoko and saying he was a female) and CS-1 continued to negotiate how the radios could be delivered. On 4/22/09, "Yoko" rejected another of CS-1's ideas then wrote: "I really feel very tired to do such business, as my leg is not convenience to walk, I try to find my brother and to see that whether he is will [sic] to contact you, I think he can make you satisfy, since I can not, I am not man . . ." Later that day, "Yoko" she "she" was in the hospital receiving treatment for a broken leg: "I will call my brother to contact you as soon as possible, don't worry about that, but he know nothing about the items." Later that day, "Yoko" warned CS-1 not to tell "her" brother "anything about the items and my business . . . 100% don't." In a subsequent email later that day, "Yoko" said "her" brother's name is James.

22. On 5/1/09, CS-1 had a video conference with "James." "James" looked like the person depicted in Chi Tong Kuok's passport photo.^{2/} I therefore believe "James" is Chi Tong Kuok. Kuok claimed to be unaware of his sister's activities, but said he would help. CS-1 questioned how Kuok could help when he knew nothing about the subject matter. Kuok said he would read about "military radios" and learn. Kuok gave CS-1 an email

^{2/} Based on appearance and voice, he also appeared to be the same person who would appear in the video conferences discussed above in paragraph 7(a) and note 4. For reasons discussed earlier, I believe that person is Chi Tong Kuok.

address to contact him: optima7james@gmail.com (the same address "Yoko Chong" [Kuok] used at one point in communicating with UC-1; see paragraph 12 above).

23. In subsequent emails, mainly to and from "Yoko," CS-1 and Kuok continued to negotiate how the PRC-148s could be delivered.

24. During this period, Kuok also negotiated with a second undercover agent on a different transaction. Earlier in 2009, a company in Arizona had posted for sale on eBay a KG-175 Taclane encryptor.^{10/} A person using a Yahoo! email address and signing as "Eddy" emailed the company multiple times asking them to ship the KG-175 to him in Macau. The company refused each time. For reasons below, I believe "Eddy" is Chi Tong Kuok. For those reasons, and for clarity, I shall refer to Eddy as Kuok.

25. On 4/22/09, at the request of agents, a company representative emailed "Eddy" (Kuok) that he was now willing to sell the KG-175 and ship it overseas.^{11/} In subsequent emails, Kuok indicated he was interested in buying the KG-175 if it came with a particular key. On 4/28/09, an undercover agent (UC-2) assumed the role of the representative and indicated that the name he had been using to that point was an alias. UC-2 provided what he represented to be his true name so Kuok could send the payment. Later that day, Kuok emailed UC-2 the address where he wanted the KG-175 shipped. It was the same address listed for "Chi Tong Kuok" on the Western Union receipts discussed above. Kuok also wrote: "My name is Chi Tong Kuok."

^{10/} The manufacturer has indicated, and the DoS has made a first-level determination, that the KG-175 is a defense article on the United States Munitions List.

^{11/} He explained the prior refusals as based on a company policy, with which he did not agree, prohibiting overseas shipments.

26. On 4/29/09, Kuok emailed an attachment showing that \$1,700 had been sent via Western Union to UC-2 in Imperial County. The sender was listed as "Lai Weng Chong" (at the same address listed for Lai Weng Chong on the Western Union receipt above). Later that day, UC-2 asked if Kuok wanted the device shipped to him or the name and address on the Western Union receipt. Kuok replied, "The name on the application form is my staff, the address is her home, I did gave [sic] her my ID and bring to Western Union, but Wertern [sic] Union did not accept her application when using my ID, so she used her own ID to send you funding." Kuok repeated, "My name is . . . Chi Tong Kuok." He directed UC-2 to send the KG-175 to him. Later that day, UC-2 emailed Kuok a Fed Ex tracking number (no package was actually sent).

27. During the email exchanges with Kuok, Kuok expressed interest in obtaining other items as well, including the PRC-148 (discussed above). Kuok also expressed concerns. For example, on 4/25/09, Kuok emailed from a new address and said this was "my private email . . . no need to consider that someone can hack my email account."^{12/} On 4/27/09, an email was sent to Kuok that read: "Since this transaction is illegal, were [sic] not going to use pay pal, Western Union is better, I don't want this to be tracked back to me . . . I hope that this is for real and your [sic] not the government trying to see how far i would go selling this [sic] things." Kuok replied, "I am also thinking about if you are FBI or something like that." Kuok indicated he wanted to have a video conference and "face to face communicate." And on 4/28/09, Kuok said, "No Paypal [to transmit payment], it is not a good method for sending you money, all transaction is monitoring [sic] by your Government."

^{12/} The server listed after the "@" was the same server as the one "Edison" (Kuok) first used in February 2007 to contact UC-1.

28. On 4/29/09, after UC-2 sent Kuok the tracking number, UC-2 and Kuok spoke on a video conference. As discussed above in note 4, Kuok looked like the person depicted in Chi Tong Kuok's passport photo. He said his name was "Chi Tong," and, as proof, he held an identification card up to the camera for about 20 seconds.^{13/} During the conference, UC-2 showed Kuok several items. At the end, Kuok directed UC-2 to send a price quote.

29. On 4/30/09, UC-2 emailed Kuok a price quote for PRC-148 radios, several accessories, and the key for the KG-175. On 5/1/09, Kuok sent \$1,200 to UC-2 via PayPal, as payment for the KG-175 key. On 5/5/09, Kuok emailed UC-2 a list of other items he was looking for; the list included the "CYZ-10," "PSN 13 GPS" (the DAGR), and the PRC-152.^{14/} On 5/6/09, Kuok instructed UC-2, "When you send the radios [the PRC-148s], remove all label and write it as vintage walkie talkie, thank you." Later that day, Kuok emailed an attachment showing that \$10,000 USD had been transferred from a company account—the same account used to send funds to UC-1 in February 2009 above—at a bank in Macau to UC-1's account in Imperial County (agents subsequently confirmed the transfer).

30. Later that day, UC-2 told Kuok they needed to speak, because "I am a little bit nervous about something that I just found out." UC-2 and Kuok thereafter spoke on a video conference. UC-2 said he received a voicemail that "Customs" stopped the KG-175 package in Alaska and "had some questions." UC-2 said he wanted to consult with Kuok before returning the call. Kuok expressed "disappoint[ment]." Kuok and UC-2 also discussed future

^{13/} He also used "optima7james" as his identification or user name on the video conference, the same email prefix used at one point by "Yoko"/"Yoko Chong" in communicating with UC-1 and by "James" in communicating with CS-1.

^{14/} The PRC-152 is a newer version of the PRC-148 radio. The DoS has certified that the PRC-152 is a defense article on the United States Munitions List.

deliveries. UC-2 said he could bring any items with him to a meeting. Kuok replied, “[N]ot good, very easy to detect in your suitcase . . . Just send by Fed Ex or USPS, it’s okay.”

31. On 5/7/09, UC-2 and Kuok had another video conference. UC-2 said he talked to Customs, which “knew it was a military radio component of some kind.” UC-2 said he denied knowing it was illegal to ship. UC-2 said Customs said he would be fined, confiscated the radio, and said next time he would be arrested. Kuok told UC-2 not to send anything more: “don’t think it’s safe for you.” Kuok also changed his mind about meeting in Thailand, which they had discussed: “Thailand is not a safe place . . . FBI have activity in Thailand, CIA, they have some activity in Thailand, Korea, and Japan.” Kuok said he would “consult with my company to find a safe place” for a meeting and get back to UC-2.