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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

July 2010 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLY A.E. DE GREEF (1),
FREDERIC ROLAND

NICOLAS DEPELCHIN (2),

MECA AIRWAYS LTD (3),

MECA OVERSEAS AIRWAYS LTD (4),

Defendants.

Case No. 11CR0912-IEG

I N D I C T M E N T
(Superseding)

Title 18, U.S.C., Sec. 371 -
Conspiracy; Title 50, U.S.C.,
Secs. 1702 and 1705, and Title 31,
C.F.R., Part 560 - Conspiracy
to Export to Embargoed Country;
Title 50, U.S.C., Secs. 1702
and 1705, and Title 31, C.F.R.,
Part 560 - Attempted Export
to Embargoed Country;
Title 18, U.S.C., Sec. 1343 -
Wire Fraud; 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; Title 18, U.S.C.,
Sec. 1001 - False Statements
or Writings; Title 18, U.S.C.,
Secs. 981 and 982, and
Title 28, U.S.C., Sec. 2461(c) -
Criminal Forfeiture

The grand jury charges:

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Count 1

CONSPIRACY TO COMMIT WIRE FRAUD
AND DEFRAUD THE UNITED STATES

INTRODUCTION

1. Defendants MECA AIRWAYS LTD ("MECA") and MECA OVERSEAS AIRWAYS LTD are companies that broker aircraft parts and related goods on behalf of foreign customers; each company has its coordination headquarters in Belgium.

2. Defendant WILLY A.E. DE GREEF ("DE GREEF") is a citizen and resident of Belgium. Defendant DE GREEF operates and manages defendants MECA and MECA OVERSEAS AIRWAYS LTD.

3. Defendant FREDERIC ROLAND NICOLAS DEPELCHIN ("DEPELCHIN") is a citizen and resident of Belgium. Defendant DEPELCHIN operates and manages defendants MECA and MECA OVERSEAS AIRWAYS LTD.

The Iran Trade Embargo

4. The International Emergency Economic Powers Act ("IEEPA"), Title 50, United States Code, Sections 1701-1706, authorizes the President of the United States ("the President") to impose economic sanctions on a foreign country in response to an unusual or extraordinary threat to the national security, foreign policy or economy of the United States when the President declares a national emergency with respect to that threat.

5. On March 15, 1995, the President issued Executive Order No. 12957, finding that "the actions and policies of the Government of Iran constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States" and declaring "a national emergency to deal with that threat." Executive Order No. 12957, as expanded and continued by Executive Orders 12959 and 13059, was in effect at all times relevant to this Indictment.

1 6. Executive Orders 12959 and 13059 (collectively, with
2 Executive Order No. 12957, "Executive Orders"), imposed economic
3 sanctions, including a trade embargo, on Iran. The Executive Orders
4 prohibited, among other things, the exportation, reexportation, sale,
5 or supply, directly or indirectly, to Iran of any goods, technology,
6 or services from the United States or by a United States person. The
7 Executive Orders also prohibited any transaction by any United States
8 person or within the United States that evades or avoids, or has the
9 purpose of evading or avoiding, any prohibition set forth in the
10 Executive Orders.

11 7. Pursuant to the Executive Orders, the United States
12 Secretary of the Treasury promulgated the Iranian Transactions
13 Regulations, 31 C.F.R. Part 560, implementing the sanctions imposed
14 by the Executive Orders. The Iranian Transactions Regulations
15 prohibit, among other things, the export, reexport, sale, or supply,
16 directly or indirectly, of any goods, technology, or services from the
17 United States or by a United States person, wherever located, to Iran
18 or the Government of Iran, without prior authorization or license from
19 the United States Department of the Treasury, Office of Foreign Assets
20 Control. These regulations further prohibit any transactions that
21 evade or avoid or have the purpose of evading or avoiding any of the
22 prohibitions contained in the Iranian Transactions Regulations,
23 including the unauthorized exportation of goods from the United States
24 to a third country if the goods are intended or destined for Iran.

25 8. The Executive Orders and Iranian Transactions Regulations
26 were in effect at all times relevant to this Indictment.

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1 9. At all times relevant to this Indictment, defendants
2 DE GREEF, DEPELCHIN, MECA, and MECA OVERSEAS AIRWAYS LTD did not apply
3 for, receive, or possess a license or authorization from the Office
4 of Foreign Assets Control to export any helicopter or aircraft parts,
5 components or technology to Iran.

6 CONSPIRACY

7 10. Beginning at a date unknown to the grand jury, and
8 continuing to on or about March 9, 2011, within the Southern District
9 of California, and elsewhere, defendants DE GREEF, DEPELCHIN, MECA,
10 and MECA OVERSEAS AIRWAYS LTD did knowingly and intentionally agree
11 and conspire with each other, and with other persons known and unknown
12 to the grand jury, to:

13 a. commit wire fraud by devising, intending to devise,
14 and carrying out a material scheme to defraud and to
15 obtain property by means of materially false and
16 fraudulent pretenses, representations, and promises,
17 and omissions of material fact, and for the purpose of
18 executing this material fraudulent scheme, to
19 knowingly transmit, and cause to be transmitted, by
20 means of wire communications in interstate and foreign
21 commerce, writings, signs, signals and sounds, in
22 violation of Title 18, United States Code,
23 Section 1343; and

24 b. defraud the United States Department of the Treasury
25 and the United States government by interfering with
26 and obstructing a lawful government function, that is,
27 the enforcement of laws and regulations prohibiting
28 the export, reexport, sale, or supply, directly or

1 indirectly, of goods from the United States to Iran
2 without authorization or a license, by deceit, craft,
3 trickery, and dishonest means, in violation of
4 Title 18, United States Code, Section 371.

5 **METHOD AND MEANS OF THE CONSPIRACY**

6 11. The methods and means by which the defendants sought to
7 accomplish the objects of the conspiracy included, among others, the
8 following:

- 9 a. Defendants DE GREEF, DEPELCHIN, MECA, and MECA
10 OVERSEAS AIRWAYS LTD would receive purchase orders and
11 requests from co-conspirators and customers in Iran
12 for U.S.-origin helicopter and fixed-wing aircraft
13 parts.
- 14 b. Defendants DE GREEF, DEPELCHIN, MECA, and MECA
15 OVERSEAS AIRWAYS LTD would purchase from suppliers
16 located in the United States the aircraft parts sought
17 by the co-conspirators and customers in Iran.
- 18 c. Defendants DE GREEF, DEPELCHIN, MECA, and MECA
19 OVERSEAS AIRWAYS LTD would pay suppliers in the
20 United States with international wire transfers.
- 21 d. To obtain the aircraft parts from suppliers,
22 defendants DE GREEF, DEPELCHIN, MECA, and MECA
23 OVERSEAS AIRWAYS LTD would knowingly and intentionally
24 conceal from suppliers that the aircraft parts were
25 intended for, and would be delivered, to Iran.

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1 e. To obtain the aircraft parts from suppliers,
2 defendants DE GREEF, DEPELCHIN, MECA, and MECA
3 OVERSEAS AIRWAYS LTD would falsely represent to
4 suppliers that the aircraft parts were intended for
5 use in locations other than Iran.

6 f. To obtain the aircraft parts from suppliers,
7 defendants DE GREEF, DEPELCHIN, MECA, and MECA
8 OVERSEAS AIRWAYS LTD would provide suppliers with
9 certificates falsely affirming and promising that the
10 aircraft parts would not be diverted or transferred to
11 Iran without authorization from the United States
12 government, thereby causing suppliers to file
13 Shipper's Export Declarations erroneously classifying
14 the shipments as requiring no licenses.

15 g. Defendants DE GREEF, DEPELCHIN, MECA, and MECA
16 OVERSEAS AIRWAYS LTD would cause suppliers and freight
17 forwarders to export the aircraft parts from the
18 United States to Belgium, and would then cause the
19 items to be transshipped, supplied and delivered to
20 Iran.

21 h. Defendants DE GREEF, DEPELCHIN, MECA, and MECA
22 OVERSEAS AIRWAYS LTD would use e-mail and other forms
23 of communication to correspond with suppliers in the
24 United States.

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- 1 i. Through these methods and means, and others,
2 defendants DE GREEF, DEPELCHIN, MECA, and MECA
3 OVERSEAS AIRWAYS LTD caused, and attempted to cause,
4 the exportation and supply of millions of dollars
5 worth of aircraft parts from the United States to
6 Iran.

7 OVERT ACTS

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

11 Navigation System Test Set to Iran

- 12 a. On or about January 14, 2010, defendant MECA issued a
13 proforma invoice (10/1857) signed by defendant
14 DEPELCHIN to a customer ("Iranian Customer #1") in
15 Tehran, Iran, for the sale of a NAV402AP navigation
16 test set for the Fokker 50 aircraft.
- 17 b. On or about January 19, 2010, defendant MECA purchased
18 the NAV402AP from a supplier in Tempe, Arizona.
- 19 c. On or about February 4, 2010, defendant MECA sent to
20 the supplier in Tempe, Arizona, an "Export Compliance/
21 End Use/ User Certification" signed by defendant
22 DE GREEF. The certification falsely affirmed and
23 promised that MECA "will not sell, export or reexport
24 any products, technology or software to . . . IRAN[.]"

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1 d. On or about February 11, 2010, after the navigation
2 test set was exported from the United States to
3 Belgium, defendant DEPELCHIN sent an e-mail message to
4 defendant DE GREEF and others advising that the item
5 would be shipped to Orly International Airport in
6 France.

7 e. On or about February 19, 2010, defendant MECA caused
8 a freight forwarder in France to ship the navigation
9 test set to Iranian Customer #1 in Tehran, Iran.

10 Turbine Bypass Valves to Iran

11 f. On or about January 11, 2010, defendant DEPELCHIN sent
12 an e-mail message to a supplier in North Carolina
13 attaching a purchase order for two turbine bypass
14 valves for the Fokker 100 aircraft. The purchase
15 order stated: "End-Use Aircraft: Fokker 100 for
16 Indonesia."

17 g. On or about January 26, 2010, defendant DEPELCHIN sent
18 an e-mail message to the supplier in North Carolina
19 attaching a "Foreign Intermediary Consignee
20 Certification" signed by defendant DE GREEF. The
21 certification listed the end-use country as
22 "Indonesia" and falsely affirmed and promised that
23 MECA would not "export or reexport any products,
24 technology or software directly or indirectly to a
25 nation or entity debarred, suspended, or under embargo
26 by the United States Government or to any restricted
27 country unless otherwise authorized by the United
28 States Government."

1 h. On or about February 22, 2010, after the supplier in
2 North Carolina exported the two turbine bypass valves
3 to Belgium, defendant MECA caused the valves to be
4 shipped from Orly International Airport to Iranian
5 Customer #1 in Tehran, Iran.

6 Fuel Indicator to Iran

7 i. On or about February 12, 2010, defendant MECA issued
8 a proforma invoice (10/1867) to Iranian Customer #1 in
9 Tehran, Iran, for a fuel level indicator, part number
10 3508802-30.

11 j. On or about March 9, 2010, defendant MECA sent a
12 purchase order (10/1503) signed by defendant DEPELCHIN
13 to a supplier in South Carolina for the fuel level
14 indicator.

15 k. On or about May 11, 2010, after the supplier shipped
16 the fuel level indicator to defendant MECA in Belgium,
17 defendant MECA caused the item to be shipped from Orly
18 International Airport to Iranian Customer #1 in
19 Tehran, Iran.

20 Communications Controls to Iran

21 l. On or about November 10, 2009, defendant MECA sent a
22 purchase order (09/1445) to a supplier in Coral
23 Gables, Florida, for two communications controls, part
24 number G4434A.

25 m. On or about November 19, 2009, defendant MECA caused
26 a wire transfer of approximately \$16,154 to the
27 supplier in Coral Gables, Florida, for the purchase of
28 the two communications controls.

1 n. On or about February 24, 2010, in response to a
2 request from the supplier in Coral Gables, Florida,
3 for the address of final destination for the
4 communications controls, defendant DEPELCHIN sent an
5 e-mail message to the supplier providing an address in
6 Belgium.

7 o. On or about March 16, 2010, after the supplier shipped
8 the communications controls to Belgium, defendant MECA
9 caused the two communications controls to be shipped
10 from Orly International Airport in France to another
11 customer ("Iranian Customer #2") in Tehran, Iran.

12 Helicopter Switches to Iran

13 p. On or about June 22, 2009, defendant DEPELCHIN sent an
14 e-mail message to a supplier in Florida attaching an
15 End User Certificate signed by defendant DE GREEF.
16 The certificate falsely stated and promised that
17 defendant MECA would not export or reexport any of the
18 supplier's products to Iran unless otherwise
19 authorized by the United States government.

20 q. On or about May 21, 2010, defendant MECA purchased
21 four Bell helicopter switches (part numbers 384178-091
22 and 384178-103) from the same supplier in Florida.

23 r. On or about June 22, 2010, after receiving the four
24 Bell helicopter switches in Belgium and then
25 forwarding them to Orly International Airport in
26 France, defendant MECA caused the four switches to be
27 shipped from France to Iranian Customer #2 in Tehran,
28 Iran.

Fuel Cells and Other Aircraft Parts

- s. On or about September 13, 2010, after receiving a request from Iranian Customer #2 in Iran, defendant DEPELCHIN sent an e-mail to an individual within the Southern District of California asking for a price quote for a helicopter fuel cell (part number 212-360-601-101).
- t. On or about October 18, 2010, defendant DEPELCHIN sent an e-mail to the individual within the Southern District of California attaching a purchase order for the fuel cell at a total cost of \$20,160.80.
- u. On or about October 18, 2010, defendant MECA sent a proforma invoice (10/1903) to Iranian Customer #2 in Tehran, Iran, for the fuel cell.
- v. On or about October 25, 2010, defendant DE GREEF sent an e-mail to the individual within the Southern District of California attaching an End User Certificate signed by defendant DE GREEF. The certificate falsely represented and promised that MECA would not export or reexport any supplied products to Iran unless otherwise authorized by the United States government.
- w. On or about October 26, 2010, defendant DEPELCHIN sent an e-mail message to an individual within the Southern District of California attaching a purchase order for 45 line items of aircraft parts for a total cost of \$55,618.33.

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1 x. On or about November 2, 2010, defendant MECA caused a
2 wire transfer of approximately \$76,024 to a bank
3 account within the Southern District of California to
4 pay for the fuel cell (part number 212-360-601-101)
5 and the 45 line items of parts.

6 y. On or about December 6, 2010, defendant DEPELCHIN sent
7 an e-mail message to an individual within the Southern
8 District of California attaching a purchase order
9 (10/1599) for another fuel cell (part number 212-360-
10 601-101) with a total cost of \$20,160.80.

11 z. On or about December 10, 2010, defendant DE GREEF sent
12 an e-mail message to the individual within the
13 Southern District of California advising that "we have
14 instructed our banker Barclays today to pay yr PF #
15 101206-18G [the sales order for the fuel cell] PLS
16 follow up and set goods asap with UPS[.]"

17 aa. On or about December 13, 2010, defendant MECA caused
18 a wire transfer of approximately \$20,160 to a bank
19 account within the Southern District of California to
20 pay for the fuel cell (part number 212-360-601-101).

21 bb. On or about December 22, 2010, defendant DEPELCHIN
22 sent an e-mail message to the individual within the
23 Southern District of California attaching a purchase
24 order (10/1612) for 91 line items at a total cost of
25 \$60,094.19.

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

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Count 2

CONSPIRACY TO EXPORT TO EMBARGOED COUNTRY

13. The allegations in Paragraphs 1 through 9 and 11 through 12 are incorporated and re-alleged by reference in this Count.

14. Beginning on a date unknown to the grand jury and continuing through on or about March 9, 2011, within the Southern District of California, and elsewhere, defendants WILLY A.E. DE GREEF, FREDERIC ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS LTD did knowingly and willfully agree and conspire with each other, and with other persons known and unknown to the grand jury, to:

- a. export and cause the exportation, sale, and supply, indirectly, of aircraft parts from the United States to Iran in violation of the embargo imposed upon that country by the United States, without having first obtained the required licenses or authorizations from the Office of Foreign Assets Control, United States Department of the Treasury, in violation of Title 31, Code of Federal Regulations, Part 560.204; and
- b. engage in transactions within the United States that evade and avoid, and have the purpose of evading and avoiding, the prohibition against exporting, reexporting, selling and supplying, directly and indirectly, aircraft parts from the United States to Iran without having first obtained the required

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1 licenses or authorizations from the Office of Foreign
2 Assets Control, United States Department of Treasury,
3 in violation of Title 31, Code of Federal Regulations,
4 Part 560.203.

5 All in violation of Title 50, United States Code, Sections 1702 and
6 1705(b).

7 Count 3

8 ATTEMPTED EXPORT TO EMBARGOED COUNTRY

9 15. On or about November 2, 2010, within the Southern District
10 of California, and elsewhere, defendants WILLY A.E. DE GREEF, FREDERIC
11 ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS
12 LTD did knowingly and willfully attempt to export, sale, and supply,
13 and cause the exportation, sale, and supply, indirectly, of a fuel
14 cell, part number 212-360-601-101, from the United States to Iran,
15 without having first obtained the required authorizations from the
16 Office of Foreign Assets Control, United States Department of the
17 Treasury, in violation of Title 50, United States Code, Sections 1702
18 and 1705(b), and Title 31, Code of Federal Regulations, Parts 560.203
19 and 560.204, and Title 18, United States Code, Section 2.

20 Count 4

21 ATTEMPTED EXPORT TO EMBARGOED COUNTRY

22 16. On or about December 13, 2010, within the Southern District
23 of California, and elsewhere, defendants WILLY A.E. DE GREEF, FREDERIC
24 ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS
25 LTD did knowingly and willfully attempt to export, sale, and supply,
26 and cause the exportation, sale, and supply, indirectly, of a fuel
27 cell, part number 212-360-601-101, from the United States to Iran,
28 without having first obtained the required authorizations from the

1 Office of Foreign Assets Control, United States Department of the
2 Treasury, in violation of Title 50, United States Code, Sections 1702
3 and 1705(b), and Title 31, Code of Federal Regulations, Parts 560.203
4 and 560.204, and Title 18, United States Code, Section 2.

5 Counts 5 through 11

6 WIRE FRAUD

7 17. Beginning on a date unknown to the grand jury and continuing
8 through on or about February 16, 2011, within the Southern District
9 of California, and elsewhere, defendants WILLY A.E. DE GREEF, FREDERIC
10 ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS
11 LTD did devise and intend to devise a material scheme to defraud and
12 to obtain property by materially false and fraudulent pretenses,
13 representations, promises, and omissions of material fact, as
14 described in paragraphs 11 and 12 of Count 1.

15 18. On or about the dates set forth below, within the Southern
16 District of California, and elsewhere, defendants WILLY A.E. DE GREEF,
17 FREDERIC ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS
18 AIRWAYS LTD, for the purpose of executing the above-described material
19 scheme to defraud and to obtain property by materially false and
20 fraudulent pretenses, representations, and promises, and omissions of
21 material fact, knowingly transmitted and caused to be transmitted, in
22 interstate and foreign commerce, by means of wire communications, the
23 writings, signs, signals, pictures, and sounds set forth below:

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<u>Count</u>	<u>Date</u>	<u>Communication</u>
5	10/18/2010	E-mail message attaching purchase order for a fuel cell, p/n 212-360-601-101
6	10/25/2010	E-mail message attaching End-User Certification.
7	10/26/2010	E-mail message attaching purchase order for 45 line items of aircraft parts with a total cost of \$55,618
8	11/02/2010	Wire transfer of approximately \$76,024
9	12/06/2010	E-mail message attaching purchase order for a fuel cell, p/n 212-360-601-101
10	12/13/2010	Wire transfer of approximately \$20,160
11	12/22/2010	E-mail message attaching purchase order for 91 line items of aircraft parts

All in violation of Title 18, United States Code, Section 1343, and Title 18, United States Code, Section 2.

Count 12

SMUGGLING GOODS FROM THE UNITED STATES

19. On or about November 2, 2010, defendants WILLY A.E. DE GREEF, FREDERIC ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS LTD did fraudulently and knowingly attempt to export and send from the United States merchandise, articles and objects, to wit: a fuel cell, part number 212-360-601-101, contrary to laws and regulations of the United States, that is, without having first obtained the required authorizations from the Office of Foreign Assets Control, United States Department of the Treasury, in violation of Title 50, United States Code, Sections 1702 and 1705(b), and Title 31,

1 Code of Federal Regulations, Parts 560.203 and 560.204; all in
2 violation of Title 18, United States Code, Section 554, and Title 18,
3 United States Code, Section 2.

4 Count 13

5 SMUGGLING GOODS FROM THE UNITED STATES

6 20. On or about December 13, 2010, defendants WILLY A.E. DE
7 GREEF, FREDERIC ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA
8 OVERSEAS AIRWAYS LTD did fraudulently and knowingly attempt to export
9 and send from the United States merchandise, articles and objects, to
10 wit: a fuel cell, part number 212-360-601-101, contrary to laws and
11 regulations of the United States, that is, without having first
12 obtained the required authorizations from the Office of Foreign Assets
13 Control, United States Department of the Treasury, in violation of
14 Title 50, United States Code, Sections 1702 and 1705(b), and Title 31,
15 Code of Federal Regulations, Parts 560.203 and 560.204; all in
16 violation of Title 18, United States Code, Section 554, and Title 18,
17 United States Code, Section 2.

18 Count 14

19 MONEY LAUNDERING

20 21. On or about November 2, 2010, within the Southern District
21 of California, defendants WILLY A.E. DE GREEF, FREDERIC ROLAND NICOLAS
22 DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS LTD did
23 knowingly and willfully transfer and transmit funds, that is,
24 approximately \$76,024 in United States dollars, from a place outside
25 the United States, that is, Belgium, to a place in the United States,
26 that is, San Diego, California, with the intent to promote the
27 carrying on of specified unlawful activity, that is, wire fraud, in
28 violation of Title 18, United States Code, Section 1343, and

1 exporting, selling and supplying, and causing the exportation, sale
2 and supply, of aircraft parts from the United States to Iran without
3 first obtaining the required authorizations from the Office of Foreign
4 Assets Control, United States Department of the Treasury, in violation
5 of Title 50, United States Code, Sections 1702 and 1705; all in
6 violation of Title 18, United States Code, Section 1956(a)(2)(A), and
7 Title 18, United States Code, Section 2.

8 Count 15

9 MONEY LAUNDERING

10 22. On or about December 13, 2010, within the Southern District
11 of California, defendants WILLY A.E. DE GREEF, FREDERIC ROLAND NICOLAS
12 DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS LTD did
13 knowingly and willfully transfer and transmit funds, that is,
14 approximately \$20,160 in United States dollars, from a place outside
15 the United States, that is, Belgium, to a place in the United States,
16 that is, San Diego, California, with the intent to promote the
17 carrying on of specified unlawful activity, that is, wire fraud, in
18 violation of Title 18, United States Code, Section 1343, and
19 exporting, selling and supplying, and causing the exportation, sale
20 and supply, of aircraft parts from the United States to Iran without
21 first obtaining the required authorizations from the Office of Foreign
22 Assets Control, United States Department of the Treasury, in violation
23 of Title 50, United States Code, Sections 1702 and 1705, all in
24 violation of Title 18, United States Code, Section 1956(a)(2)(A), and
25 Title 18, United States Code, Section 2.

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Count 16FALSE STATEMENTS

23. On or about January 19, 2011, within the Southern District of California, defendant WILLY A.E. DE GREEF, in a matter within the jurisdiction of the Department of Homeland Security, Immigration and Customs Enforcement, a department and agency of the United States, did knowingly and willfully make false, fictitious and fraudulent statements and representations as to material facts in that he did represent and state to Immigration and Customs Enforcement Special Agent M. Murphy that Meca Airways does not supply any goods to Iran and does not engage in any dealings with Iran, whereas in truth and fact, as defendant then and there well knew, those statements and representations were false, fictitious and fraudulent when made; in violation of Title 18, United States Code, Section 1001.

Count 17FALSE STATEMENTS

24. On or about March 9, 2011, within the Southern District of California, defendant WILLY A.E. DE GREEF, in a matter within the jurisdiction of the Department of Homeland Security, Immigration and Customs Enforcement, a department and agency of the United States, did knowingly and willfully falsify, conceal, and cover up by trick, scheme and device material facts, and did make and use a false writing and document knowing the same to contain materially false, fictitious and fraudulent statements and entries, in that he did send electronic mail and an attached letter to Immigration and Customs Enforcement Special Agent M. Murphy stating that the intended end-user of the aircraft components referenced in the letter was a particular company in Indonesia, whereas in truth and fact, as defendant then and there

1 well knew, those writings, documents, statements and representations
 2 were false, fictitious and fraudulent when made and used; in violation
 3 of Title 18, United States Code, Section 1001.

4 CRIMINAL FORFEITURE ALLEGATION 1

5 25. As a result of the commission of one or more of the felony
 6 offenses alleged in Counts 1 through 13 of this Indictment, in
 7 violation of Title 18, United States Code, Sections 371, 554, 1343,
 8 and Title 50, United States Code, Sections 1702 and 1705, and
 9 Title 31, Code of Federal Regulations, Parts 560.203 and 560.204,
 10 defendants WILLY A.E. DE GREEF, FREDERIC ROLAND NICOLAS DEPELCHIN,
 11 MECA AIRWAYS LTD, and MECA OVERSEAS AIRWAYS LTD shall forfeit to
 12 the United States pursuant to Title 18, United States Code,
 13 Section 981(a)(1)(C), and Title 28, United States Code,
 14 Section 2461(c), any property, real and personal, which constitutes
 15 or is derived from proceeds traceable to the commission of the
 16 offenses alleged in Counts 1 through 13 of this Indictment, including
 17 but not limited to a sum of money representing the proceeds obtained
 18 as a result of the offenses.

19 26. If any of the above-described forfeited property, as a
 20 result of any act or omission of a defendant,

- 21 a. cannot be located upon the exercise of due diligence;
- 22 b. has been transferred or sold to, or deposited with, a
- 23 third person;
- 24 c. has been placed beyond the jurisdiction of the Court;
- 25 d. has been substantially diminished in value; or
- 26 e. has been commingled with other property which cannot
- 27 be subdivided without difficulty;

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1 it is the intent of the United States, pursuant to Title 21,
 2 United States Code, Section 853(p), made applicable herein by
 3 Title 28, United States Code, Section 2461(c), to seek forfeiture of
 4 any other property of said defendant up to the value of the said
 5 property described above as being subject to forfeiture.

6 CRIMINAL FORFEITURE ALLEGATION 2

7 27. As a result of the commission of the offenses alleged in
 8 Counts 14 and 15 of this Indictment, defendants WILLY A.E. DE GREEF,
 9 FREDERIC ROLAND NICOLAS DEPELCHIN, MECA AIRWAYS LTD, and MECA OVERSEAS
 10 AIRWAYS LTD shall forfeit to the United States, pursuant to Title 18,
 11 United States Code, Section 982(a)(1), any and all property, real and
 12 personal, involved in the charged offenses, or any property traceable
 13 to those offenses, including, but not limited to, \$96,184 in
 14 United States dollars.

15 28. If any of the above-described forfeited property, as a
 16 result of any act or omission of a defendant,

- 17 a. cannot be located upon the exercise of due diligence;
- 18 b. has been transferred or sold to, or deposited with, a
- 19 third person;
- 20 c. has been placed beyond the jurisdiction of the Court;
- 21 d. has been substantially diminished in value; or
- 22 e. has been commingled with other property which cannot
- 23 be subdivided without difficulty;

24 //

25 //

26 //

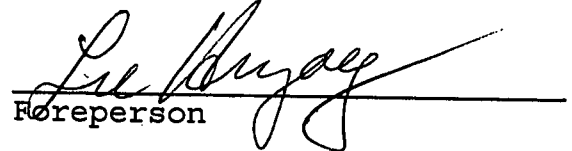
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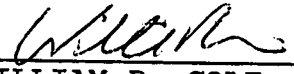
1 it is the intent of the United States, pursuant to Title 21,
2 United States Code, Section 853(p), made applicable herein by
3 Title 28, United States Code, Section 2461(c), to seek forfeiture of
4 any other property of said defendant up to the value of said property
5 described above as being subject to forfeiture.

6 DATED: May 17, 2011.

7 A TRUE BILL:

8 
9 Foreperson

10 LAURA E. DUFFY
11 United States Attorney

12 By: 
13 WILLIAM P. COLE
14 Assistant U.S. Attorney