

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO: 05-60238-CR-COHN**

UNITED STATES OF AMERICA

vs.

**SHAHRAZAD MIR GHOLIKHAN,
aka Farideh Fahimi,**

Defendants.

**GOVERNMENTS STATEMENT OF FACTS
IN SUPPORT OF PRE-TRIAL DETENTION REQUEST**

Comes Now the United States of America, by and through the undersigned Assistant United States Attorney and files the Governments Statement of Facts in Support of Pre-Trial Detention Request.

Brief Statement of the Facts of the Case:

Between June 24, 2002, and May 13, 2004, Hamid Reza KARGAR, an Iranian national living in Tehran and doing business as TEHRAN NARA COMPANY, contacted a confidential source working for the Department of Homeland Security, Immigration and Customs Enforcement (DHS/ICE) and stated that he wished to purchase approximately 3,500 units of night vision, generation III goggles. KARGAR stated that the night vision goggles would be shipped to Iran via Dubai, United Arab Emirates and that he did not have a certified end user's certificate due to the embargo in Iran. KAGAR further stated that he knew that the shipping the night vision goggles was illegal, however he nevertheless, requested price quotes, sample units, and provided telephone fax numbers to the confidential source in an attempt to obtained the night vision goggles for a customer in Iran. KAGAR offered to wire transfer \$9,750 to the confidential

source as payment for a sample unit of night vision goggles.

On May 13, 2004, the confidential source received an email message from an individual who identified himself as Mahmoud SEIF. In the email message, SEIF indicated that all technical negotiations and correspondence regarding the sale of night vision goggles and military equipment would be conducted with Hamid KARGAR. On May 18, 2004, the confidential source received a facsimile which indicated that, on May 16th, KARGAR directed the manager of the National Bank of Dubai to wire transfer \$10,500 from account 148202870 to an undercover bank account in the United States that the confidential source had previously provided to KARGAR. The facsimile letterhead showed the NOOR AL FATH GENERAL TRADING COMPANY, L.L.C. as the company requesting the wire transfer. On May 19, 2004, the confidential source telephonically contacted KARGAR who confirmed his knowledge of the wire transfer and identified the NOOR AL FATH GENERAL TRADING COMPANY as his client for the sample of the night vision, generation III goggles destined for Iran.

On October 15, 2004, a woman identified as Farideh FAHIMI contacted the confidential source and stated that Hamid KARGAR was no longer working on behalf of NOOR AL FATH GENERAL TRADING COMPANY. FAHIMI stated that she and her company were working on behalf of the Iranian Government. FAHIMI stated she still wanted the sample night vision, generation III goggle and an additional 39 night vision, generation III goggles. In addition, FAHIMI advised the confidential source that Mahmoud Seif was the owner of NOOR AL FATH GENERAL TRADING COMPANY and that he is working inside the government of Iran. FAHIMI stated that SEIF and KARGAR had differences and SEIF would no longer be using KARGAR as the broker for their business. Farideh FAHIMI was later determined to be an alias used by SHAHRAZAD MIR GHOLIKHAN.

The confidential source notified SHAHRAZAD MIR GHOLIKHAN a.k.a. Farideh FAHIMI that the night vision, generation III goggles were a controlled technology and that an End Use Certificate showing the final destination would be needed. SHAHRAZAD MIR GHOLIKHAN stated she understood this. The confidential source advised SHAHRAZAD MIR GHOLIKHAN that there was an embargo against Iran and even with the End Use Certificate, the night vision, generation III goggles could not go to Iran. SHAHRAZAD MIR GHOLIKHAN responded to the confidential source that KARGAR told her they could get the End use Certificate for Dubai and would then deliver the units to Iran. The confidential source advised SHAHRAZAD MIR GHOLIKHAN that you are not allowed to transfer it to a third country and SHAHRAZAD MIR GHOLIKHAN stated that she was already aware of this fact. The confidential source advised SHAHRAZAD MIR GHOLIKHAN that the deal was illegal and did not want to expose his company. SHAHRAZAD MIR GHOLIKHAN responded again that the items were for the Government of Iran who was the client in the deal. SHAHRAZAD MIR GHOLIKHAN stated she had purchased a plane ticket to meet the confidential source in Vienna, Austria on October 18, 2004. This meeting which was originally scheduled by KARGAR, was postponed by the confidential source until after November 16, 2004. SHAHRAZAD MIR GHOLIKHAN stated that SEIF would accompany her to Vienna and receive the sample night vision, generation III goggles and take it out of Austria to Iran.

On October 19 2004, SHAHRAZAD MIR GHOLIKHAN notified the confidential source that she had spoken with SEIF and that SEIF would take the product himself and be responsible for it. On November 8, 2004, SHAHRAZAD MIR GHOLIKHAN telephonically contacted the DHS/ICE undercover agents and stated that the meeting in Austria was still on and wanted to discuss the final arrangements for the meeting.

On November 24, 2004, SHAHRAZAD MIR GHOLIKHAN faxed the confidential source information indicating she and SEIF would be in Vienna, Austria from November 29, 2004 to December 2, 2004 and would be staying at the Le Meridien Hotel. On November 29, 2004, SHAHRAZAD MIR GHOLIKHAN and Mahmoud SEIF traveled to Vienna, Austria and checked into a room at the Le Meridien Hotel. SHAHRZAD MIR GHOLIKHAN assumed the identity of Farideh FAHIMI during this transaction. On November 30, 2004, SEIF and SHAHRAZAD MIR GHOLIKHAN met with the DHS/ICE confidential source and the undercover officer from the Austrian BVT Police at a hotel in downtown Vienna, Austria. Officers of the Austrian BVT Police recorded the meeting. During the meeting, they discussed the purchase of a sample pair of night vision goggles and provided the confidential source with a shopping list of equipment they wanted to purchase. At the conclusion of the meeting, SEIF and SHAHRAZAD MIR GHOLIKHAN departed the hotel and were arrested by the Austrian Police after they took possession of the night vision goggles. Both subjects were subsequently questioned by the Austrian Police. SEIF stated that the woman arrested with him was not Farideh FAHIMI but SHAHRZAD MIR GHOLIKHAN, his former wife. He stated that SHAHRAZAD MIR GHOLIKHAN assumed FAHIMI'S identity during the transaction. SEIF stated that the real FAHIMI is an employee of his company in Tehran.

On November 30, 2004 and December 1, 2004, SHAHRZAD MIR GHOLIKHAN was interviewed by the Austrian BVT Police pursuant to her arrest for violation of the Austrian Export laws. SHAHRAZAD MIR GHOLIKHAN stated that NOOR AL FATH is owned by SEIF and is involved in procuring things used by the Iranian police and military. SEIF owns TEHRAN MARA an Iranian company that deals with office machines which employs 150-160 employees according to SHAHRAZAD MIR GHOLIKHAN. SHAHRAZAD MIR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was provided as set forth in the Notice of Electronic filing.

s/Michael Walleisa

MICHAEL WALLEISA

Assistant United States Attorney