

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MISC. NO. 19-3766 JJO

UNITED STATES OF AMERICA

vs.

DIYA SALAME,

Defendant

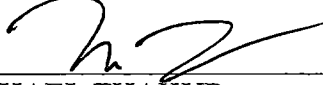
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 14, 2003? ☐ Yes ☒ No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to September 1, 2007? ☐ Yes ☒ No

Respectfully submitted,

ARIANA FAJARDO ORSHAN
UNITED STATES ATTORNEY

By:


MICHAEL THAKUR
Assistant United States Attorney
Court Number A5501474/
Florida Bar No. 1011456
99 Northeast 4th Street
Miami, Florida 33132-2111
(305) 961-9361
michael.thakur@usdoj.gov

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America
v.

Diya Salame,

Defendant(s)

Case No.

19-3766 JJO

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2013 through present in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 1956(h).

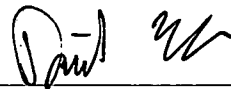
Offense Description

Conspiracy to Commit Money Laundering.

This criminal complaint is based on these facts:

-SEE ATTACHED AFFIDAVIT-

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Daniel McNamara, DEA

Printed name and title

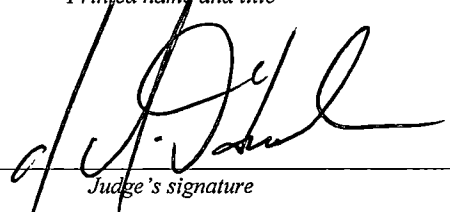
Sworn to before me and signed in my presence.

Date:

10/31/19

City and state:

Miami, Florida



Judge's signature

Hon. John J. O'Sullivan, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

Your Affiant, Daniel McNamara, being duly sworn, deposes and states:

1. I am a Special Agent with the Drug Enforcement Administration (DEA). I have been a Special Agent for over three years and have been employed by the DEA for six years. Prior to becoming a Special Agent, I was an Intelligence Analyst for the DEA. I have received specialized training on the subject of narcotics trafficking and money laundering from the DEA and have been personally involved in investigations concerning the possession, manufacture, distribution, and importation of controlled substances, as well as methods used to finance drug transactions.

2. This affidavit is submitted in support of a criminal complaint against Diya SALAME (hereinafter "SALAME"). As explained below, I respectfully submit that there is probable cause to believe that SALAME engaged in a conspiracy to commit money laundering, based on the specified unlawful activity of operating an unlicensed money transmitter business, in violation of Title 18, United States Code, Section 1960, all in violation of Title 18, United States Code, Section 1956(h).

3. Under Title 18, United States Code, Section 1960, it is unlawful for anyone to knowingly conduct, control, manage, supervise, direct, or own all or part of an unlicensed money transmitting business. The term "money transmitting" "includes transferring funds on behalf of the public by any and all means including but not limited to transfers within this country or to locations abroad by wire, check, draft, facsimile, or courier." 18 U.S.C. § 1960(b)(2). The term "unlicensed money transmitting business" means a money transmitting business which affects interstate or foreign commerce in any manner or degree and which fulfills at least one of the three other listed requirements: (1) "is operated without an appropriate money transmitting license in a State where

such operation is punishable as a misdemeanor or a felony under State law, whether or not the defendant knew that the operation was required to be licensed or that the operation was so punishable;” (2) fails to comply with the money transmitting business registration requirements under section 5330 of title 31, United States Code, or regulations prescribed under such section; or (3) “otherwise involves the transportation or transmission of funds that are known to the defendant to have been derived from a criminal offense or are intended to be used to promote or support unlawful activity.” Section 5330 defines a “money transmitting business” as a business that: (A) provides check cashing, currency exchange, or money transmitting or remittance services, or issues or redeems money orders, travelers’ checks, and other similar instruments or any other person who engages as a business in the transmission of funds, including any person who engages as a business in an informal money transfer system or any network of people who engage as a business in facilitating the transfer of money domestically or internationally outside of the conventional financial institutions system; (B) is required to file reports under section 5313; and (C) is not a depository institution (as defined in section 5313(g)). *Id.* at § 5330(d)(1).

4. The following information is based upon my personal knowledge and information that has been provided to me by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact known to me or other law enforcement officers concerning this investigation.

PROBABLE CAUSE

5. From at least as early as 2013 through the present, SALAME conspired with money launderers in South America, the United States, and elsewhere to facilitate the illicit movement of money through his bank accounts in South Florida and his cell phone businesses,

Future Connections and Global Depot, both located in Miami, Florida. Neither SALAME, nor any of his co-conspirators, had a license, as required by law, to operate a money transmitter business in the State of Florida or elsewhere in the United States.

6. SALAME received millions of dollars in third-party wires sent by intermediaries he knew were engaging in money transmitting for a fee, unrelated to the sale or purchase of goods from SALAME, to obscure the true origin of the funds. SALAME and his co-conspirators created false invoices to conceal the fact that no legitimate goods were being sold to the third-party companies or entities from which SALAME was receiving money.

7. Among the third-party wires that SALAME received that were unconnected to any sale of goods were more than \$245,000 in wires from construction and flooring companies in the United States that, based on law enforcement surveillance and attempted interviews, do not appear to be engaged in any legitimate business. In the case of one purported construction company located in New Jersey, the owner of the account admitted to law enforcement that he was paid by another person to use his bank account to transmit money. This construction company's account sent at least \$95,000 to SALAME from 2016 to 2018 and at least \$200,000 to two other SALAME co-conspirators in the United States. In total, over \$5.5 million has been identified as originating from "construction" company payments to businesses identified in this investigation as belonging to SALAME or his co-conspirators.

8. SALAME also received large, round number deposits into his account from companies outside the United States that were unrelated to SALAME's cell phone business, which is indicative of a money laundering scheme. On April 25, 2016, for instance, SALAME received into his Future Connections Citi bank account a \$200,000 deposit from a construction company in Mexico. SALAME also received over \$100,000 between January and February 2017 into his

Future Connections Chase bank account from a beverage company in Brazil.

Money laundered through FARHAT network

9. One of SALAME's principal co-conspirators was Nader Mohamad FARHAT, the leader of an extensive money laundering organization in the Tri-Border Area of South America, a region where the borders of Brazil, Argentina and Paraguay converge. FARHAT was charged by Superseding Indictment with conspiracy to commit money laundering and substantive money laundering counts in the Southern District of Florida in case number 17-20865-CR-Ruiz(s) and was also charged with money laundering in the Eastern District of New York in case number 18-cr-292. FARHAT was arrested in Paraguay on or about May 17, 2018, and was extradited to the United States in June 2019. FARHAT's cases are currently pending in both districts.

10. The FARHAT investigation began in or around 2013, when a Mexico-based money launderer instructed a DEA confidential source (hereinafter "CS1") to deliver over \$500,000 in cash that had been picked up in Detroit, minus commission, to a FARHAT associate in Miami, Florida. As a result, DEA began an undercover investigation into FARHAT and his network. As part of that investigation, from 2014 to 2015, approximately \$600,000 in purported drug proceeds were delivered to FARHAT or persons directed by FARHAT to receive funds on his behalf in South Florida and Paraguay. During a recorded meeting at FARHAT's business, Unique Cambios, in Ciudad Del Este, Paraguay in September 2015, CS1 told FARHAT that the CS works with "narco money" and that "all the money is laundered." FARHAT proposed that CS1 receive cash in Miami - a million dollars every 15 days. FARHAT said that he charges 1.5% for money leaving from Ciudad Del Este; 2% for money leaving from Asuncion, Paraguay; and 3.5% for cash received in the United States or Brazil. The money would be routed to China or the United States. FARHAT and CS1 discussed where FARHAT could receive cash outside of the United States and

Paraguay, and FARHAT mentioned Dubai and Lebanon. An undercover agent (hereinafter "UC"), posing as an associate of CS1, subsequently delivered \$250,000 in \$100 bills to FARHAT in a black backpack. FARHAT opened the bag and quickly counted the bundles of U.S. currency handed to him. FARHAT then wired the money from Brazil to the UC account in installments.

Delivery of purported drug money to SALAME

11. In December 2015, at the direction of the DEA, CS1 contacted FARHAT to deliver \$125,000 in Miami, Florida, for FARHAT to launder the purported drug proceeds for CS1. On December 14, 2015, FARHAT provided CS1 the name and phone number of "Dia," later identified as Diya SALAME, as the person to receive the delivery of cash in Miami.

12. On December 14, 2015, a DEA Task Force Officer (TFO) acting in an undercover capacity (UC) placed a telephone call to Diya SALAME. During this telephone call, the UC confirmed arrangements for SALAME to receive \$125,000 in United States currency from the UC as arranged by FARHAT. The UC and SALAME agreed to meet at a bar/restaurant in Doral, Florida, in order to conduct the money exchange. The delivery of the \$125,000 to SALAME was to be the first step in a money laundering transaction whereby FARHAT would instruct a United States-based associate to receive funds and FARHAT would order a wire transfer into a Miami, Florida-based account minus the commission FARHAT charged.

13. At approximately 3:25 PM on December 14, 2015, SALAME called the UC to indicate that he had arrived at the location. Agents observed SALAME sitting in the parking lot inside a white BMW that was registered to Global Depot Incorporated, a company for which SALAME is listed as the Registered Agent.

14. At approximately 3:39 PM the UC arrived at the location and parked near SALAME's vehicle. After the UC greeted SALAME, the UC returned to the UC's vehicle and retrieved a blue

bag containing the \$125,000 USC. The UC then returned to the driver side door of SALAME's vehicle and handed the bag directly to SALAME. The UC told SALAME, "\$125,000," and SALAME responded by asking the UC if they needed to count the money in question. The UC informed SALAME that the UC did not need to count the money.

15. Agents observed SALAME leave the parking lot of the bar/restaurant and drive to the parking lot located in front of Future Connections, Inc., located at that time at 1608 NW 84th Avenue, Miami, Florida. SALAME was observed exiting the driver-side door of his vehicle with the blue bag which was handed to him by the UC. SALAME placed the blue bag in the trunk of his vehicle and entered the front door of Future Connections, Inc.

16. The next day, on December 15, 2015, SALAME received a WhatsApp message in Arabic from a FARHAT associate in Paraguay saved in SALAME's phone as "Tony PY." The FARHAT associate told SALAME that he was sending SALAME money through FARHAT. SALAME asked in Arabic, "how much?" The FARHAT associate responded, "125k."

17. On December 17, 2015, FARHAT sent a WhatsApp message confirming that FARHAT was to send two wire transfers totaling "121250."

18. On October 20, 2017, during a noncustodial interview with the FBI, SALAME denied ever receiving large sums of United States currency. When FBI agents asked SALAME again whether he ever received bulk cash, SALAME conceded that he had received what he stated was "\$80,000" in Miami, Florida, from an individual sent on behalf of Nader FARHAT. SALAME claimed to FBI agents that the funds were owed to SALAME by SALAME's brother for motor vehicles SALAME sent from the United States to Paraguay, and that SALAME's brother had given the funds to FARHAT in Paraguay to transmit to SALAME in Miami. Asked why FARHAT did not wire transfer the funds directly into SALAME's account, SALAME replied that SALAME did

not want “personal funds” deposited into his business account. When asked whether he deposited any of the bulk cash into his bank account, SALAME at first claimed that he did not deposit any of it and just kept the currency at his house to use as needed. When asked again if any of the cash had been deposited into an account, SALAME admitted that he deposited between \$20,000 \$30,000 into his bank account. SALAME stated that he did not deposit the funds all at one time but broke up the deposits over multiple transactions of approximately \$8,000, \$5,000, \$3,000, and \$2,000.

19. SALAME described FARHAT to FBI agents as a “broker,” “dispachante,” or money mover who receives money from individuals and wire transfers the money to other accounts for a fee. SALAME stated that several of SALAME’s customers from Paraguay utilized FARHAT to send SALAME funds for goods SALAME shipped to them in Paraguay. SALAME indicated that FARHAT was just an intermediary who transferred funds and that SALAME did not actually do business with FARHAT.

WhatsApp Communication between SALAME and FARHAT

20. On February 9, 2017, during a noncustodial meeting with the FBI, SALAME gave FBI agents consent to search his telephone, which had the same number that he used in 2015 during the pick-up of purported drug proceeds.

21. A review of the WhatsApp conversation between SALAME and a telephone number SALAME identified as belonging to FARHAT revealed that, from August 30, 2016, through February 7, 2017, SALAME received at least \$3,759,286 in third-party wires from FARHAT, divided into 36 transactions. The receipt of each of the 36 transactions was documented by SALAME and sent to FARHAT as screen shots of notifications that SALAME received at his email address dia@futureconnections.net from his bank.

22. SALAME frequently requested that FARHAT provide him the name of the company corresponding to third-party wires so that SALAME could generate fake invoices to create the appearance that he was sending actual goods to those companies. On September 15, 2016, for example, SALAME stated to FARHAT, "I need company info please" "To send product under this week." Again the following day SALAME stated to FARHAT, "I need company info please" "I need to make invoices from where the money came from." On November 2, 2016, SALAME informed FARHAT, "Ya man they are not putting the company's names on the wire." On November 15, 2016, SALAME told FARHAT, "Look what I sent u on skype" "I need u to put that name on wire please." On December 28, 2016, SALAME told FARHAT, "I need u to put deferent names on wires please" "Importador FG about 500k, Importador TENUG 80109 that's Bilal, Miami cell 155110, And than u have RN reparacao u can always put that company when we done with everything."

23. SALAME's communications with FARHAT also provided details of the informal money transfer system that associates used within their network to send money while concealing the origin of the funds. On October 7, 2016, for instance, SALAME told FARHAT via WhatsApp, "Moustafa is gonna give u 15k that's replace the \$15k u gave my brother." "So you can send it to me." On multiple occasions, SALAME asked FARHAT, "How much I'm getting today u know?"

24. Through his WhatsApp messages, SALAME made clear that he worked with FARHAT as his exclusive money transmitter for wires from Paraguay but that SALAME also worked with other money transmitters from different countries. On December 7, 2016, for instance, SALAME asked FARHAT via WhatsApp, "46709 did that come from u." FARHAT responded, "Hmm R u receiving from other?" SALAME responded, "U mean from py [Paraguay]? From py only u. I receive from customers all over but py only u." FARHAT stated, "Good. Then

this wire from me.” On December 28, 2016, SALAME sent a screenshot of a wire transfer and asked FARHAT, “From u right.” FARHAT responded, “U have to stop asking me this question. All u’re wires must be from me.” SALAME responded, “Haha no some come from others.”

Communication with other co-conspirators

25. In February 2017, during a non-custodial interview with law enforcement, SALAME consented to a search of his phone. Agents found a contact in SALAME’s phone that agents identified as belonging to a known FARHAT and SALAME co-conspirator who resides in South Florida (hereinafter “Co-conspirator 1”) . In a WhatsApp chat on May 13, 2016, Co-conspirator 1 asked SALAME, “can you send me \$64,637 from Bilal today? I need to send a wire today.” SALAME responded, “Give me until noon just spoke with Nedar [FARHAT] he told me that is spoke [supposed to] receive something today [sic].” During the investigation, agents have reviewed numerous communications between FARHAT and his co-conspirators related to money laundering. The aforementioned communication between Co-conspirator 1 and SALAME regarding money transmission is similar to other messages between FARHAT and his co-conspirators regarding illicit money movement through third-party accounts.

26. In or around March 2016, in a WhatsApp group chat written in Spanish that included SALAME, SALAME’s girlfriend at the time, and an Argentinean money transmitter, SALAME’s girlfriend spoke on behalf of SALAME and told the Argentinean money transmitter that they had received the quote that he had sent for money transmission but that they needed a false invoice in the name of the U.S.-based financial institution that would be transferring them the money from Argentina. On or about March 23, 2016, SALAME’s girlfriend explained that they needed such a forged document to make it seem as if this U.S.-based financial institution, which is known by law enforcement to have assisted in the laundering of millions of dollars, had “bought something” from

Future Connections, which is SALAME's company. She further requested that the false invoice be emailed from the U.S. financial institution to SALAME's email address, dia@futureconnection.net. The Argentinean money transmitter responded that he would make sure that the U.S. financial institution emailed that invoice to SALAME. Approximately 30 minutes later, SALAME's girlfriend stated over the WhatsApp group chat that SALAME had requested a change in plans and that he wanted the money returned from the U.S. financial institution and replaced with a monetary transfer from outside the United States. Based on my experience in the investigation, other FARHAT co-conspirators in the U.S. also seemed similarly concerned that wires from U.S. financial institutions would raise suspicion about the nature of the funds and invite potential scrutiny of their finances. When the Argentinean money transmitter indicated that SALAME's request would be too complicated to implement for this transaction, SALAME's girlfriend stated that it would be fine and the Argentinean money transmitter acknowledged that in the future he knew that SALAME preferred not to receive wires from within the U.S. On or about March 29, 2016, on the same WhatsApp group chat, SALAME responded that he had received the invoice. A review of SALAME's Future Connections' Citi bank account confirmed that SALAME did receive wires transfer from the discussed U.S. financial institution on March 7, 2016, in the amounts of \$30,000 and \$60,000 and on March 8, 2016, in the amount of \$57,000.

27. In or around November 2016, SALAME sent WhatsApp messages to a Paraguayan associate to coordinate a money transfer in Lebanon. SALAME provided the name and number of the person that was seeking cash in Lebanon and SALAME's associate provided the name and number of the money supplier in Lebanon. SALAME sent repeated messages to his associate to ensure that the money transfer took place. On or about November 10, 2016, SALAME communicated with the same associate over WhatsApp and indicated that FARHAT would be

sending \$30,000. In audio messages communicated in Arabic over WhatsApp that day, SALAME discussed that he would take a 1% fee, or approximately \$300, for the \$30,000 transfer.

28. SALAME frequently communicated with the director of Nasa Electronics, a Miami-based business that SALAME had previously led, about the movement of money for a fee between their companies. In WhatsApp communications between SALAME and the Nasa Electronics officer/director, they discussed percentages that SALAME would charge as commission to move money back and forth between their companies in a process they called a “rotation.”

29. On December 15, 2015, for example, the Nasa Electronics officer/director stated in a WhatsApp message to SALAME, “I got 250k. Want to rotate with future [connections]?” SALAME responded, “Send me the 140 plus the 2% for global [depot] and I will return 135 or 130 back. And send the balance to future [connections] and I will return all of that back.” Although the Nasa Electronics officer/director complained to SALAME that SALAME was both charging 2% for the money transmission and sending back \$10,000 less than he received, he agreed to the transaction and then sent SALAME a WhatsApp message indicating, “U should have them, 142800 to global and 100k to future.” SALAME acknowledged receipt of the money and responded, “I sent u 102 [\$102,000] so it’s not an even number u know what I mean.” The Nasa Electronics officer/director responded, “Yeah.” SALAME’s indication that he did not want to transmit the same amount he had just received from Nasa Electronics showed SALAME’s awareness that such pass-through transactions would raise suspicion that they were laundering money.

30. On December 18, 2015, SALAME sent a WhatsApp message to the Nasa Electronics officer/director and stated, “100k coming your way in 30 minutes and U have from now till the 28th to send back with 2% fee.”

31. On March 16, 2016, the Nasa Electronics officer/director alerted SALAME that he had received \$400,000. SALAME instructed him, "Send me \$337,451. Tomorrow 10 o'clock I will send like 330 back. On wire put inv#1350 & #1356."

32. On November 7, 2016, SALAME sent a WhatsApp message to the Nasa Electronics officer/director and stated, "A note to remind u that on the 20th of this month there \$4130 to collect that's the 1% on the 413 [\$413,000] that we just did rotation on. I know u will forget and u will be lost thats why Im sending this." In that message, SALAME was reminding the Nasa Electronics officer/director that he would be collecting on his 1% fee for transferring him the \$413,000.

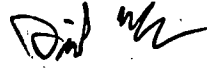
33. On or about February 7, 2017, SALAME communicated with an associate he listed in his phone as "Mazen PY" and encouraged him to use their network for money transmission. This associate asked SALAME about sending wires from Paraguay to the United States and SALAME responded, "I can have u put money with Nedar" [FARHAT]. Mazen PY indicated that he had been working with China for the last five years and asked SALAME how much FARHAT charged for the wires. SALAME responded, "1.5," meaning that FARHAT charges 1.5% commission to transmit money. SALAME further stated, "When ever u ready I'm here for u," meaning that he would assist in the transmission of money.

CONCLUSION

34. Based on the foregoing, I submit there is probable cause to believe that Diya SALAME conspired to commit money laundering, based on the specified unlawful activity of operating an unlicensed money transmitter business, in violation of Title 18, United States Code, Section 1960,

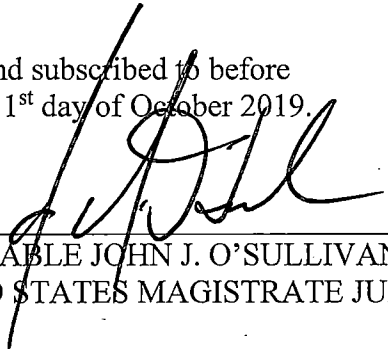
all in violation of Title 18, United States Code, Section 1956(h).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Daniel McNamara, Special Agent
Drug Enforcement Administration

Sworn and subscribed to before
me this 31st day of October 2019.



HONORABLE JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE