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★ MAR 27 2019 ★
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ALB:BTR:CPK
F.# 2018R02390/ OCDETF#NY-NYE-841

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

SUPERSEDING
INDICTMENT

- against -

NADER MOHAMAD FARHAT,
also known as "Diesel,"
MAHMOUD ALI BARAKAT,
MAYNOR MELENDEZ-MENDOZA,
NASEEM BOKHARI,
also known as "Sammy," and
ENAYATULLAH KHWAJA,
also known as "Nat,"

Cr. No. 18-292 (S-1)(JMA)
(T. 18, U.S.C., §§ 982(a)(1), 982(b)(1),
1512(c)(1), 1512(c)(2), 1512(k),
1956(a)(3)(A), 1956(a)(3)(B),
1956(h), 3147, 2 and 3551 et seq.; T.
21, U.S.C., § 853(p))

Defendants.

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THE GRAND JURY CHARGES:

COUNT ONE
(Money Laundering Conspiracy)

1. On or about and between January 1, 2013 and June 13, 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NADER MOHAMAD FARHAT, also known as "Diesel," and MAHMOUD ALI BARAKAT, together with others, did knowingly and intentionally conspire to transport, transmit and transfer one or more monetary instruments and funds from one or more places in the United States to and through one or more places outside the United States, and to one or more places in the United States from and through one or more places outside the United States, (i) with the intent to promote the carrying on of specified unlawful activity, to wit: wire fraud, in violation of Title 18, United States Code, Section 1343, unlicensed money

transmitting, in violation of Title 18, United States Code, Section 1960, and illegal drug trafficking, in violation of Title 21, United States Code, Sections 841 and 960, contrary to Title 18, United States Code, Section 1956(a)(2)(A); and (ii) knowing that the monetary instruments and funds involved in the transportation, transmission and transfer were to represent the proceeds of some form of unlawful activity and knowing that such transportation, transmission and transfer would be designed in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, to wit: wire fraud, in violation of Title 18, United States Code, Section 1343, unlicensed money transmitting, in violation of Title 18, United States Code, Section 1960, and illegal drug trafficking, in violation of Title 21, United States Code, Sections 841 and 960, contrary to Title 18, United States Code, Section 1956(a)(2)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNT TWO
(Money Laundering)

2. On or about between February 23, 2018 and March 12, 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant NADER MOHAMAD FARHAT, also known as “Diesel,” together with others, did knowingly and intentionally conduct and attempt to conduct one or more financial transactions involving property represented by a person at the direction of, and with the approval of, a Federal official authorized to investigate violations of Title 18, United States Code, Section 1956, to be the proceeds of specified unlawful activity and property used to conduct and facilitate specified unlawful activity, to wit: illegal drug trafficking, in

violation of Title 21, United States Code, Sections 841 and 960, with the intent to (i) promote the carrying on of said specified unlawful activity, and (ii) to conceal and disguise the nature, location, source, ownership and control of the property believed to be the proceeds of said specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(3)(A), 1956(a)(3)(B), 2 and 3551 et seq.)

COUNT THREE
(Conspiracy to Obstruct Justice)

3. On or about and between August 2, 2018 and February 7, 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MAHMOUD ALI BARAKAT, MAYNOR MELENDEZ-MENDOZA, NASEEM BOKHARI, also known as “Sammy,” and ENAYATULLAH KHWAJA, also known as “Nat,” together with others, did knowingly, intentionally and corruptly conspire to (a) alter, destroy, mutilate and conceal a record, document and other object, to wit: a statement purportedly from the company Tronix Telecom Inc. to the company Impotadora Y Exportadora Brasil (the “Altered Statement”), with the intent to impair the object’s integrity and availability for use in an official proceeding, and (b) otherwise obstruct, influence and impede an official proceeding, and attempt to do so, in connection with a bail application in United States v. Mahmoud Ali Barakat, Cr. No. 18-292 (JMA), contrary to Title 18, United States Code, Sections 1512(c)(1) and 1512(c)(2).

(Title 18, United States Code, Sections 1512(k) and 3551 et seq.)

COUNT FOUR
(Obstruction of Justice)

4. On or about and between August 2, 2018 and February 7, 2019, both dates being approximate and inclusive, within the Eastern District of New York, the defendants MAHMOUD ALI BARAKAT, MAYNOR MELENDEZ-MENDOZA, NASEEM BOKHARI, also known as “Sammy,” and ENAYATULLAH KHWAJA, also known as “Nat,” together with others, did knowingly, intentionally and corruptly (a) alter, destroy, mutilate and conceal a record, document and other object, to wit: the Altered Statement, with the intent to impair the object’s integrity and availability for use in an official proceeding, and (b) otherwise obstruct, influence and impede an official proceeding, and attempt to do so, to wit: the defendants, together with others, did alter and submit the Altered Statement to the United States District Court for the Eastern District of New York in connection with a bail application in United States v. Mahmoud Ali Barakat, Cr. No. 18-292 (JMA).

(Title 18, United States Code, Sections 1512(c)(1), 1512(c)(2), 3147, 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION FOR COUNTS ONE AND TWO

5. The United States hereby gives notice to the defendants charged in Counts One and Two that, upon their conviction of either such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offenses to forfeit any property, real or personal, involved in such offenses, or any property traceable to such property.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United State Code, Section 853(p))

A TRUE BILL.

Caitlin Ragione
FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: Bridget H. Polde
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136

No. _____

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK
CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

NADER MOHAMAD FARHAT, ALSO KNOWN AS "DIESEL,"
MAHMOUD ALI BARAKAT, MAYNOR MELENDEZ-MENDOZA,
NASEEM BOKHARI, ALSO KNOWN AS "SAMMY,"
AND ENAYATULLAH KHWAJA, ALSO KNOWN AS "NAT,"

Defendants.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 982(a)(1), 982(b)(1), 1512(c)(1), 1512(c)(2),
1512(k), 1956(a)(3)(A), 1956(a)(3)(B), 1956(h), 3147, 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p))

A true bill.

Curtin Raione

Interperson

Filed in open court this _____ day,
of _____ A.D. 20 _____

(Clerk

Bail, \$ _____

Charles P. Kelly, Assistant U.S. Attorney (631) 715-7866