

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
U.S. Department of Justice)
Asset Forfeiture and Money Laundering Section)
Criminal Division)
1400 New York Avenue, N.W.)
Washington, DC 20530)

Plaintiff,)

v.)

No. _____

ALL ASSETS HELD IN THE NAME OF)
ZASZ TRADING AND CONSULTING PTE LTD,)
ACCOUNT NUMBER 1093101397,)
AT UNITED OVERSEAS BANK, SINGAPORE)
AND PROCEEDS TRACEABLE THERETO)

**VERIFIED COMPLAINT
FOR FORFEITURE IN REM**

ALL ASSETS HELD IN THE NAME OF)
ZULFIKAR ALI, ACCOUNT NUMBER 017453746,)
AT STANDARD CHARTERED BANK, SINGAPORE)
AND PROCEEDS TRACEABLE THERETO)

AND)

ALL ASSETS HELD IN THE NAME OF)
FAZEL SELIM, ACCOUNT NUMBER 0174001770)
AT STANDARD CHARTERED BANK, SINGAPORE)
AND PROCEEDS TRACEABLE THERETO)

Defendants in rem)

VERIFIED COMPLAINT FOR FORFEITURE IN REM

Plaintiff, United States of America, through its undersigned attorneys, respectfully brings
this complaint against the above captioned assets and alleges as follows:

I. NATURE OF THE ACTION AND DEFENDANTS IN REM

This is an action *in rem* to enforce the provisions of Title 18, United States Code,

Sections 981(a)(1)(A) and 981(a)(1)(C) in order to condemn and forfeit to the exclusive use and benefit of the United States of America the following properties (the “Defendant Properties”):

- (1) All assets held in the name of ZASZ Trading and Consulting Pte Ltd. (“Defendant ZASZ”), Account number 1093101397 held at the United Overseas Bank, Singapore;
- (2) Up to and including \$762,000 plus interest of the assets held in the name of Zulfikar Ali (“Defendant Ali”), Account number 017453746 at Standard Chartered Bank, Singapore; and
- (3) Up to and including \$226,249 plus interest of the assets held in the name of Fazel Selim (“Defendant Selim”), Account number 0174001770 at Standard Chartered Bank, Singapore.

The Defendant Properties totaling approximately USD \$2,988,249 are subject to forfeiture in the United States insofar as they were involved in a series of U.S. Dollar transactions derived from or traceable to offenses constituting “specified unlawful activities”, to wit bribery of a foreign public official (Title 18 U.S.C.A. § 1956(c)(7)(B)(iv)), conspiracy to bribe a foreign official, extortion (Title 18 U.S.C.A. § 1956(c)(7)(A) and Title 18 U.S.C.A. § 1951), conspiracy to commit extortion, foreign extortion (Title 18 U.S.C.A. § 1956(c)(7)(B)(ii)), conspiracy to commit foreign extortion, Foreign Corrupt Practices Act (“FCPA”) violations (Title 18 U.S.C.A. § 1956(c)(7)(D) and Title 15 U.S.C.A. § 78dd et seq.), conspiracy to commit FCPA violations, and money laundering activities (Title 18 U.S.C.A. § 1956) associated with Arafat Rahman a.k.a. “Koko” (hereinafter referred to as “Koko”) who is the son of former Bangladeshi Prime Minister Khaleda Zia (“Zia”). These funds were illegally

transported through the United States and/or laundered through financial institutions in the United States.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 (district courts have original jurisdiction of all civil cases commenced by the United States) and 1355(a) (district courts have original jurisdiction of any action for forfeiture).

2. Venue is proper in the District of the District of Columbia pursuant to 28 U.S.C. §§1355(b)(2) which provides in relevant part that:

Whenever property subject to forfeiture under the laws of the United States is located in a foreign country, or has been detained or seized pursuant to legal process or competent authority of a foreign government, an action or proceeding for forfeiture may be brought . . . in the United States District Court for the District of Columbia.

Because the defendant properties are located in Singapore, a foreign country, and have been, or will be, detained pursuant to legal process or assistance from the competent authorities of Singapore, venue is appropriate in the District Court for the District of Columbia.

3. Upon the filing of this Complaint, Plaintiff will seek the issuance of warrants of arrest *in rem* for the Defendant Properties located in certain bank accounts in Singapore, and will transmit the warrants of arrest *in rem* to the appropriate legal authorities in Singapore pursuant to Section 16(2) of the Mutual Legal Assistance in Criminal Matters Act (Chapter 190A), or in accordance with such other relevant provisions of United States and Singapore law.

III. STATUTORY BACKGROUND

4. The Defendant Properties are subject to forfeiture pursuant to the following:

(a) Pursuant to Title 18, United States Code, Section 981(a)(1)(A), any property, real

or personal, involved in a transaction or attempted transaction in violation of federal money laundering laws, Title 18, United States Code, Section 1956, or traceable to such property, is subject to forfeiture to the United States of America.

- (b) Pursuant to Title 18, United States Code, Section 981(a)(1)(C) any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting “specified unlawful activity” (as defined in 18 U.S.C. §1956(c)(7)), including but not limited to 18 U.S.C.A. §§1956(c)(7)(A), 1956(c)(7)(B)(ii), (iv) and 1956 (c)(7)(D).

IV. FACTUAL OVERVIEW

5. Khaleda Zia was the Prime Minister of Bangladesh from March 1991 through March 1996, and again from October 2001 through October 2006. Sheikh Hasina was the Prime Minister from June 1996 through July 2001. During this time, Bangladesh was recognized as one of the most corrupt governments in the world by Transparency International. *See*, Transparency International Bangladesh, http://www.ti-bangladesh.org/index.php?page_id=216.

6. In January 2008, the Department of Justice and the Federal Bureau of Investigation began an investigation into allegations of corruption and money laundering by several high ranking officials of the Bangladesh Government and members of their families.

7. Working with investigating officers from the National Coordination Committee against Grievous Offenses (“NCCAGO”) and with law enforcement in other countries, it was determined that Bangladeshi government officials and several members of their families received bribe payments from corporations seeking government contracts to conduct business in Bangladesh. A majority of these bribes were paid in, or funded with, U.S. dollars and were

transacted through U.S. financial institutions.

8. As a result of interviews and analysis of financial records, it was determined that “Koko” received bribes from several companies, including Siemens Bangladesh Limited (“Siemens”) and China Harbor Engineering Company (“China Harbor”). As the Prime Minister’s Son, Koko in most cases was paid “protection money” to ensure that he did not use his influence to obstruct the award process.

9. On December 15, 2008, Siemens Aktiengesellschaft (“Siemens AG”) and three subsidiaries—including Siemens Bangladesh Ltd—pleaded guilty in this Court to violations of the Foreign Corrupt Practices Act and agreed to pay a \$450 million dollar criminal fine in connection with bribes paid to secure government contracts in Bangladesh and Venezuela. With respect to Bangladesh, the company admitted to paying bribe payments to secure a government contract to provide a digital cellular mobile phone network in Bangladesh (the “BTTB Project”). *See, United States v. Siemens Bangladesh Limited*, Cr. No. 08-369-RJL (D.D.C. Dec. 15, 2008); *United States v. Siemens Aktiengesellschaft*, Cr. No. 08-367 (D.D.C. Dec. 15, 2008).

SIEMENS

10. In 2000, the Bangladesh Telephone Telegraph Board (“BTTB”) conducted the first of four open tenders for the BTTB project. Siemens bid was rejected from the first tender for technical non-compliance but the tender was subsequently canceled so the contract went unawarded. In or about 2001, a second tender was issued but canceled due to a change in government. In or about 2003 a third and fourth tender was issued. Siemens was initially disqualified from those tenders. Ultimately, however, the third tender was split into two tenders and awarded to Siemens and Huawei Technologies Co. Ltd, China. The Siemens portion of the

contract award (project package 1) was valued at \$40,887,106 USD. The Huawei portion of the contract award (project package 2) was valued at \$35,174,291 USD. The investigation revealed that at least USD \$5.3 million were paid in bribes by Siemens.¹

11. The current investigation has revealed, and Siemens has admitted, that from 2001 to 2006, Siemens facilitated its bribery scheme by engaging local “business consultants” whose sole function was to launder bribe money and pay various Bangladeshi officials and family members bribes in exchange for favorable treatment regarding the BTTB project. Such bribes included payments to Koko.

12. The two business consultants hired by Siemens to facilitate bribes relevant to the Defendant Properties were Fazel Selim (“Selim”) and Zulfikar Ali (“Ali”). Both Selim and Ali were interviewed by U.S. law enforcement and the Government has reviewed records of their accounts that were used to facilitate the bribe payments. The review of these bank records revealed that the bribe payments were routed through intermediary accounts in Austria in the name of Hasberger Seitz & Partner and through Cyprus in the name of IBF Business Services Germany, to distance Siemens and Siemens AG from the payments to Selim and Ali. In excess of \$3,200,000 has been traced from accounts funded by Siemens for purposes of bribe payments to the accounts owned by Selim and Ali at Standard Chartered Bank, Singapore. Defendant Ali account received \$1,408,285 of this money and Defendant Selim account received \$1,808,284, with approximately USD \$200,000 being withheld as fees by the two financial institutions.

13. During his interview, Selim confirmed that he was aware of the bribes being paid

¹ Siemens independent investigation was able to track approximately USD \$5.3mm worth of bribe payments. However, certain witnesses when interviewed claimed the amount was closer to USD \$12mm.

to officials in Bangladesh and that he paid such bribes at the direction of a Siemens' executive. According to Selim, the executive told Ali and Selim which Government officials were to receive bribe payments and how much to pay them. Both Ali and Selim confirmed that they had no discretion regarding who to pay and how much to pay them. Ali likewise confirmed that he knew Bangladeshi officials and their family members were taking bribes in connection to the BTTB project. Specifically, Ali stated that Bangladeshi officials supported the BTTB tender because they thought the Siemens contract would be a personally profitable. Ali confirmed that he knew the money he was paid by Siemens was to be used to pay bribes to assist Siemens winning the bid and that both he and Siemens knew that if relatives such as Koko were not paid money they could, by virtue of their position as son of the Prime Minister, kill the project.

14. A review of bank records for the Defendant accounts held by Selim and Ali at Standard Chartered Bank, Singapore, revealed that between November 2004 and August 2006, Selim received incoming wire transfers into his Standard Chartered account 0174001770 totaling more than \$580,170 from the Siemens controlled account in the name of Hasberger Seitz & Partner, Austria, received transfers totaling \$828,114 from the Siemens controlled IBF Business Services account in Cyprus and received approximately \$400,000 from another Siemens account in Zurich. During the same time frame, Ali received incoming transfers to his Standard Chartered Bank account 017453746 totaling \$580,170 from the Siemens controlled account in the name of Hasberger Seitz & Partner, Austria, and received transfers totaling \$828,115 from the Siemens controlled IBF Business Services account in Cyprus. As noted above, both Ali and Selim admitted that these funds were used to pay Selim and Ali for their help in facilitating the scheme as well as funding bribe payments to officials and their family members in Bangladesh.

15. When asked directly about payments Ali made to Koko, Ali stated that Koko has approached him and demanded bribes in connection with the BTTB project. Ali stated that he complained to Md Gias Uddin Mamoon² ("Mamoon") about Koko demanding money regarding the BTTB contract. According to Ali, Mamoon told him that he could not control Koko. Ali stated that if the extortion money was not paid to Koko, Koko could harm the Siemens' chance of being awarded the BTTB project.

16. Ali further stated that it was a local Siemens executive who instructed Ali to wire transfer \$180,000 USD to a U.S. dollar account in Singapore in the name of ZASZ for the benefit of Koko. Ali stated that three days after these instructions were given, he was called by the local executive who wanted to see if the transfer had been completed. Ali told him that he had not completed the transfer yet because he wanted to make sure that the ZASZ bank account belonged to Koko. Ali informed the Siemens executive that he did not want to get in trouble if he sent the money to the wrong account. Ali stated that he called a cousin of Shaifur Rahman Babu (Babu) to confirm the account information. Babu is the son of the former Finance Minister and was involved in promoting the tender awarded to Huawei. Ali stated that Babu confirmed that the ZASZ bank account belonged to Koko. Ali then transferred \$180,000 to this account. A review of Ali's bank statements reveal that on August 18, 2005, Ali transferred \$180,000 in funds he received from Siemens to the Defendant ZASZ Trading and Consulting account #1093101397 at United Overseas Bank in Singapore. Ali confirmed in his interview that this payment was made to ensure that Koko did not block Siemens' bid for the BTTB contract.

² Mamoon is a powerful businessman in Bangladesh, who is believed to accept bribes for Koko's brother, Tariq Rahman.

17. The investigation has revealed that ZASZ is a Singapore company created at the direction of Koko by Lim Siew Cheng of Henry Noon & Co Management Consultants firm ("Mr. Lim") which also established the Defendant account at United Overseas Bank at the instruction of Koko.

CHINA HARBOR ENGINEERING COMPANY

18. In 2003 China Harbor Engineering Company ("China Harbor") was bidding on a tender to build the largest new mooring container terminal in Bangladesh. The contract was valued at approximately \$131,000,000. This project was referred to as the Chittagong Port Project (the "Chittagong Project"). The investigation reveals that similar to the BTTB project, payments were made to Koko to influence the bidding process and to ensure that Koko would not obstruct the award of the project to China Harbor.

19. The investigation conducted in Bangladesh revealed that China Harbor was awarded the Chittagong Project and, based on a Memorandum of Understanding (MOU) between China Harbor, Mr Zullur Rahaman and Adnanul Islan Chowdhury dated December 5, 2004, China Harbor agreed to pay no less than 1,900,00,000 taka (19 crore taka) to Bangladesh representatives for winning the NCT Project, and to "Mr AKM Musa Kajol,.... for payment to other officials." AKM Musa Kajol is a Director for GATCO (Global Agro Trade (Private) Company Ltd), a company in Bangladesh dealing with container handling. Kajol has been charged in Bangladesh with corruption in connection with this project. The investigation has revealed that a portion of this money was used to pay Koko in connection with this project and the son of the former Inland Marine Minister has confessed that he and Koko received bribe payments from China Harbor.

20. Payments to Koko in connection with the Chittagong Project were sent to Koko via wire transfer in or about May 2005, when two incoming wire transfers of approximately \$626,828 and \$565,349 were made from China Harbor to the Defendant ZASZ account in Singapore owned by Koko.

21. In August, 2005, the Defendant ZASZ account in Singapore (owned by Koko) received another wire transfer of approximately \$564,658 from China Harbor.

22. There is approximately USD \$2,000,000 in the Defendant ZASZ account at United Overseas Bank. The Siemens and China Harbor bribe payments to Koko into the Defendant ZASZ account total USD \$1,936,835. Mr. Lim has stated in an interview that there were no other transfers into the ZASZ account. The remainder of the account is interest from the deposited funds and thus directly traceable to the underlying criminal proceeds.

23. The total payments by Siemens into the Defendant Zulfikar Ali account by Siemens for purposes of paying bribes to Bangladesh officials total USD \$1,408,285.

24. The total payments by Siemens into the Defendant Fazel Selim account by Siemens for purposes of paying bribes to Bangladesh officials total USD \$1,808,284.

MOVEMENT OF FUNDS

25. Each of the transfers listed above are believed to have been conducted in U.S. dollars through financial institutions located in the United States. FBI Special Agent LaPrevotte, the primary investigator for this case, has worked international money laundering cases for the past nine (9) years. Based on her experience and training, she has stated that with very few exceptions, when funds are transferred from one bank located outside of the United States to another bank, also located outside of the United States, the funds will move from the originating

bank to their US correspondent bank to the correspondent bank for the receiving foreign bank.

Special Agent LaPrevotte knows that the correspondent banks that handle the US dollar accounts for the foreign banks listed in this complaint are located in the United States. Therefore, each of the transfers listed in this complaint would have moved through banks located within the United States on their way to the beneficiary banks in Singapore.

FIRST CLAIM FOR RELIEF

26. Plaintiff repeats the allegations of paragraphs 1 through 25 as if fully set forth herein.

27. Pursuant to Title 18, United States Code, Section 981(a)(1)(A), any property, real or personal, involved in a transaction or an attempted transaction in violation of Title 18, United States Code, Section 1956, and any property traceable to such property, is subject to forfeiture to the United States of America.

28. Title 18 United States Code, Section 1956(c)(7)(D) provides that Title 15 United States Code, Section 78dd et seq. is a specified unlawful activity.

29. Defendant Property ZASZ was involved in transactions or attempted transactions in violation of Title 18, United States Code, Section 1956(a)(1)(A) in that (1) USD \$180,000 of the Defendant Property ZASZ was the proceeds of an unlawful activity to wit, violations of the Foreign Corrupt Practices Act, Title 15 United States Code, Section 78dd et seq.; (2) Siemens and Koko knew that the funds involved in the financial transactions were the proceeds of an unlawful activity; and (3) the financial transactions were conducted with the intent to promote the carrying on of a specified unlawful activity, to wit, violation of the Foreign Corrupt Practices Act.

30. As a result of the foregoing, up to and including \$180,000 of the Defendant Property ZASZ plus interest and any property traceable thereto are subject to forfeiture to the United States.

SECOND CLAIM FOR RELIEF

31. Plaintiff repeats the allegations of paragraphs 1 through 30 as if fully set forth herein.

32. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting a “specified unlawful activity” and any property traceable to such property, is subject to forfeiture to the United States of America.

33. Title 18 United States Code, Section 1956(c)(7)(D) provides that Title 15 United States Code, Section 78dd et seq. is a specified unlawful activity.

34. The Defendant Property ZASZ was involved in transactions in violation of Title 15, United States Code, Sections 78dd in that (1) the Defendant Properties were the proceeds of an unlawful activity to wit, Foreign Corrupt Practices Act violations and conspiracy to commit Foreign Corrupt Practices Act violations.

35. As a result of the foregoing, Defendant Property ZASZ and any property traceable thereto are subject to forfeiture to the United States.

THIRD CLAIM FOR RELIEF

36. Plaintiff repeats the allegations of paragraphs 1 through 35 as if fully set forth herein.

37. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real

or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting a “specified unlawful activity” and any property traceable to such property, is subject to forfeiture to the United States of America.

38. Pursuant to 18 U.S.C. §§1956(c)(7) and 1961(1), the unlawful taking or obtaining of property from another by wrongful use of fear or under color of official right in violation of 18 U.S.C. § 1951 constitutes “specified unlawful activity” for purposes of 18 U.S.C. §981(a)(1)(C).

39. The Defendant Property ZASZ was involved in transactions in violation of Title 18, United States Code, Sections 1951 in that (1) the Defendant Property ZASZ was the proceeds of an unlawful activity to wit, extortion and conspiracy to commit extortion; and (2) Koko and/or his associates affected or conspired to affect commerce or the movement of an article or commodity in commerce by extortion, including by obtaining property from another, with his consent, induced by wrongful use of fear or under color of official right, in violation of 18 U.S.C. §§ 1951 et seq.

40. As a result of the foregoing, the Defendant Property ZASZ and any property traceable thereto are subject to forfeiture to the United States.

FOURTH CLAIM FOR RELIEF

41. Plaintiff repeats the allegations of paragraphs 1 through 40 as if fully set forth herein.

42. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting a “specified unlawful activity” and any property traceable to such property, is subject to forfeiture to the United States of America.

43. Pursuant to 18 U.S.C. §§1956(c)(7)(B)(ii) offense of foreign extortion constitutes a “specified unlawful activity” for purposes of 18 U.S.C. § 981(a)(1)(C).

44. Koko and/or his associates committed an offense against a foreign nation of extortion in that Koko caused or intended to cause companies seeking to do business with the Government of Bangladesh to transfer money to accounts controlled by him in Singapore in violation of Bangladesh law. Section 383 of the Bangladeshi Penal Code provides that “[w]hoever intentionally puts any person in fear of any injury to that person, or to any other, and thereby dishonestly induces the person so put in fear to give donation or subscription of any kind or to deliver to any person any property or valuable security or anything signed or sealed which may be converted into a valuable security commits “Extortion””. Bangladesh law further clarifies that injury need not be physical injury but may be injury to reputation or some other fiscal injury.

45. As a result of the foregoing, the Defendant Property ZASZ and any property traceable thereto are subject to forfeiture to the United States.

FIFTH CLAIM FOR RELIEF

46. Plaintiff repeats the allegations of paragraphs 1 through 45 as if fully set forth herein.

47. Pursuant to Title 18, United States Code, Section 981(a)(1)(A), any property, real or personal, involved in a transaction or an attempted transaction in violation of Title 18, United States Code, Section 1956, and any property traceable to such property, is subject to forfeiture to the United States of America.

48. Title 18 United States Code, Section 1956(c)(7)(D) provides that Title 15 United

States Code, Section 78dd et seq. is a specified unlawful activity.

49. Defendant Property Ali was involved in transactions or attempted transactions in violation of Title 18, United States Code, Section 1956(a)(1)(A)(I) in that (1) USD \$1,408,285 of the Defendant Property Ali was the proceeds of an unlawful activity to wit, violations of the Foreign Corrupt Practices Act, Title 15 United States Code, Section 78dd et seq.; (2) Siemens and Koko knew that the funds involved in the financial transactions were the proceeds of an unlawful activity; and (3) the financial transactions were conducted with the intent to promote the carrying on of a specified unlawful activity, to wit, violation of the Foreign Corrupt Practices Act.

50. The investigation reflects that of the total amount deposited into the account, approximately \$762,000 was not disbursed from the Defendant Ali account for the payment of bribes.

51. As a result of the foregoing, up to and including \$762,000 plus interest of the Defendant Property Ali and any property traceable thereto are subject to forfeiture to the United States.

SIXTH CLAIM FOR RELIEF

52. Plaintiff repeats the allegations of paragraphs 1 through 51 as if fully set forth herein.

53. Pursuant to Title 18, United States Code, Section 981(a)(1)(A), any property, real or personal, involved in a transaction or an attempted transaction in violation of Title 18, United States Code, Section 1956, and any property traceable to such property, is subject to forfeiture to the United States of America.

54. Title 18 United States Code, Section 1956(c)(7)(D) provides that Title 15 United States Code, Section 78dd et seq. is a specified unlawful activity.

55. Defendant Property Selim was involved in transactions or attempted transactions in violation of Title 18, United States Code, Section 1956(a)(1)(A)(I) in that (1) \$1,808,284 of the of the Defendant Property Selim was the proceeds of an unlawful activity to wit, violations of the Foreign Corrupt Practices Act, Title 15 United States Code, Section 78dd et seq.; (2) Siemens and Koko knew that the funds involved in the financial transactions were the proceeds of an unlawful activity; and (3) the financial transactions were conducted with the intent to promote the carrying on of a specified unlawful activity, to wit, violation of the Foreign Corrupt Practices Act.

56. The investigation reflects that of the total amount deposited into the account, approximately \$226,249 was not disbursed from the Defendant Ali account for the payment of bribes.

57. As a result of the foregoing, up to and including \$226,249 plus interest of the Defendant Property Selim and any property traceable thereto are subject to forfeiture to the United States.

SEVENTH CLAIM FOR RELIEF

58. Plaintiff repeats the allegations of paragraphs 1 through 57 as if fully set forth herein.

59. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting a “specified unlawful activity” and any property traceable to such property, is subject

to forfeiture to the United States of America.

60. Title 18 United States Code, Section 1956(c)(7)(D) provides that Title 15 United States Code, Section 78dd et seq. is a specified unlawful activity.

61. The Defendant Properties Ali and Selim were involved in transactions in violation of Title 15 United States Code, Section 78dd et seq. in that the Defendant Properties were transferred to the accounts controlled by Ali and Selim with the intention that they be used to further violations of the Foreign Corrupt Practices Act.

62. The FBI has ascertained that approximately \$762,000 in the Defendant Ali account and \$226,249 in the Defendant Selim account were not distributed for the payment of bribes.

63. As a result of the foregoing, (1) up to and including \$226,249 plus interest of the Defendant Property Selim and any property traceable thereto; and (2) up to and including \$762,000 plus interest of the Defendant Property Ali and any property traceable thereto, are subject to forfeiture to the United States.

EIGHTH CLAIM FOR RELIEF

64. Plaintiff repeats the allegations of paragraphs 1 through 63 as if fully set forth herein.

65. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting a “specified unlawful activity” and any property traceable to such property, is subject to forfeiture to the United States of America.

66. Pursuant to 18 U.S.C. §1956(c)(7)(B)(iv) the offenses of bribery of a public

official constitute “specified unlawful activity” for purposes of 18 U.S.C. § 981(a)(1)(C).

67. Selim, Ali and/or their associates committed offenses against a foreign nation of bribery of a public official. Bribery and graft are offenses under the penal code of Bangladesh.

68. The FBI has ascertained that approximately \$762,000 in the Defendant Ali account and \$226,249 in the Defendant Selim account were not distributed for the payment of bribes.

69. Defendant Selim and Ali accounts, which were acquired through transactions involving and/or transferred through United States financial institutions, are property that constitute or are derived from proceeds traceable to acts against a foreign nation of bribery of a public official and are, therefore, subject to forfeiture to the United States in accordance with 18 U.S.C. § 981(a)(1)(C).

70. As a result of the foregoing, (1) up to and including \$226,249 plus interest of the Defendant Property Selim and any property traceable thereto; and (2) up to and including \$762,000 plus interest of the Defendant Property Ali and any property traceable thereto, are subject to forfeiture to the United States.

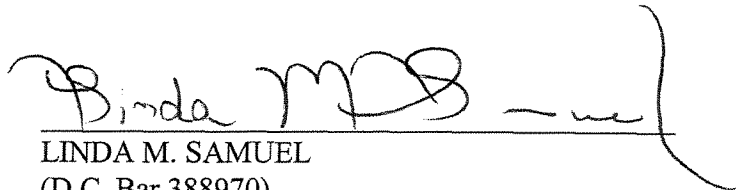
WHEREFORE, Plaintiff requests:

- (1) That a Warrant of Arrest *In Rem*, in the form submitted with this Verified Complaint, be issued to the United States Attorney General or to any duly authorized law enforcement officer;
- (2) That the Court direct any and all persons having any claim to the Defendant Properties to file and serve their Verified Claims and Answers as required by 18 U.S.C. § 983(a)(4) and the Supplemental Rules for Certain Admiralty and Maritime Claims, or suffer default thereof;
- (3) That the Attorney General or his duly authorized representative submit a formal request to the proper authorities of the Government of Singapore requesting that they arrest, detain and or restrain the Defendant Properties during the pendency of this proceeding or until further order of this Court;
- (4) That the Defendant Properties be forfeited and condemned to the use and benefit of the United States of America; and
- (5) That Plaintiff be awarded its costs and disbursements in this action and such other and further relief as this Court deems proper and just.

Dated: January 6, 2009

Respectfully submitted,

RICHARD WEBER, Chief
Asset Forfeiture and
Money Laundering Section

A handwritten signature in cursive script, appearing to read "Linda M. Samuel", written over a horizontal line.

LINDA M. SAMUEL

(D.C. Bar 388970)

Deputy Chief

FREDERICK REYNOLDS

(TEXAS BAR #24003453)

Trial Attorney

Asset Forfeiture and Money Laundering Section

U.S. Department of Justice

Criminal Division

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VERIFICATION

I, Debra LaPrevotte, Special Agent, Federal Bureau of Investigation, am the Agent assigned to this case. I have read the contents of the foregoing Complaint for Forfeiture In Rem, and I declare and verify under penalty of perjury that the foregoing is true and correct.

A handwritten signature in cursive script, appearing to read "Debra LaPrevotte", written over a horizontal line.
Special Agent LaPrevotte