

ATTACHMENT B

From on or about April 18, 2005 to on or about June 18, 2007, in Union County, in the District of New Jersey and elsewhere, the defendant,

KHAWAR GARDAZI, a/k/a "Sunny,"

for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money and property from Nicholas Quenue and others by means of materially false and fraudulent pretenses, representations, and promises, did knowingly and willfully cause writings, signs, signals, pictures, and sounds to be transmitted by means of wire communications in interstate and foreign commerce, to wit, by placing telephone calls in interstate and foreign commerce for the purpose of fraudulently obtaining the proceeds of Nicholas Quenue's estate.

<u>COUNT</u>	<u>APPROX DATE</u>	<u>NATURE OF WIRE TRANSMISSION</u>
4	01 /15 /07	Telephone call placed to R.W. in New Jersey by defendant Khawar Gardazi in Lahore, Pakistan regarding the death of Nicholas Quenue.
5	03/03 /07	Telephone call placed to P.Q. in France by defendant Khawar Gardazi in South Africa regarding the death of Nicholas Quenue.

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

ATTACHMENT A

From on or about April 18, 2005 to on or about June 18, 2007, in Union County, in the District of New Jersey and elsewhere, the defendant,

KHAWAR GARDAZI, a/k/a "Sunny,"

for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money and property from Nicholas Quenue and others by means of materially false and fraudulent pretenses, did knowingly and wilfully cause to be placed in a post office and authorized depository for mail matter to be sent and delivered by the U.S. Postal Service according to the directions thereon, the matters and things set forth below:

<u>COUNT</u>	<u>APPROX DATE</u>	<u>LOCATION/NATURE OF MAILING</u>
1	12/05/06	Envelope sent to Thrift Savings Plan in Birmingham, Alabama containing a change of beneficiary form for Nicholas Quenue's federal Thrift Savings Plan.
2	12/06/06	Envelope sent to Federal Employees Group Life Insurance program in Jersey City, New Jersey containing a change in beneficiary form for Nicholas Quenue's Federal Employees Group Life Insurance policy.
3	05/03/07	Envelope sent to T.D. in Red Bank, New Jersey containing the Gardazi Trust documents.

All in violation of Title 18, United States Code, Sections 1341 and 2.

ATTACHMENT C

I, MICHAEL A. SCIMECA, a Special Agent with the Federal Bureau of Investigation, having conducted an investigation and having discussed this matter with other federal and state law enforcement officers, have knowledge of the following facts:

1. In or about 2005, Nicholas Queneu met defendant KHAWAR GARDAZI. Queneu was 51 years of age and in good health. GARDAZI was 29 years old. According to friends, shortly after they met, GARDAZI moved into Queneu's home and the two men began living together as a couple.
2. The investigation has revealed that between on or about April 18, 2005 and on or about June 18, 2007, defendant KHAWAR GARDAZI has engaged in a scheme to defraud Nicholas Queneu out of significant assets owned by Queneu.
3. For instance, on or about April 18, 2005, defendant KHAWAR GARDAZI caused Nicholas Queneu to place GARDAZI's name on the deed to Queneu's residence. Prior to that time, the residence was owned solely by Queneu. The residence has a value of approximately \$500,000.
4. The investigation has revealed that on or about December 5, 2006, Nicholas Queune and defendant KHAWAR GARDAZI met with an attorney. According to the attorney, the purpose of the visit was for the attorney to draw up the will of Nicholas Queune which established the Gardazi Trust, which was to receive Queneu's real property and death benefits upon Queneu's death. GARDAZI was the sole beneficiary and the executor of the Gardazi Trust. The attorney stated that the trust process was being orchestrated by GARDAZI.
5. Records show that on or about December 5, 2006, Nicholas Queune completed and mailed a change of beneficiary form for his federal Thrift Savings Plan ("TSP") naming the Gardazi Trust as the sole beneficiary of his TSP.
6. On or about December 6, 2006, Nicholas Queune completed and mailed a change of beneficiary form for his Federal Employees Group Life Insurance policy naming the Gardazi Trust as the sole beneficiary of the policy, which was worth, at that time, approximately \$152,000.
7. On or about January 6, 2007, Nicholas Queneu and defendant KHAWAR GARDAZI boarded a Pakistan International Airlines flight from JFK International Airport to Lahore, Pakistan. Prior to his departure, Queneu told several friends about his fears that he might not return from the trip.

8. An immigration check has revealed that on or about January 7, 2007, Nicholas Quenue arrived at the Allama Iqbal International Airport in Lahore, Pakistan. There is no record of Quenue ever leaving the country thereafter to return to the United States.

9. On or about January 15, 2007, defendant KHAWAR GARDAZI placed a telephone call from Lahore Pakistan to New Jersey, and spoke to a co-worker of Quenue's ("R.W."). GARDAZI advised R.W. of Quenue's death and stated that Quenue had died of cardio pulmonary arrest while the two men were in Lahore, Pakistan. GARDAZI, however, did not notify the U.S. Consulate in Lahore, Pakistan, the French Consulate (Quenue was a French citizen and a U.S. citizen), or Pakistani authorities of Quenue's death. GARDAZI also told R.W. that Quenue's body had been cremated in Pakistan.

10. On or about January 17, 2007, defendant KHAWAR GARDAZI flew back to the United States accompanied by his mother.

11. Immediately after returning to the United States, defendant KHAWAR GARDAZI telephoned the law firm of the attorney who had drawn up the Gardazi Trust (the "Law Firm") and scheduled an appointment to meet with the attorney.

12. On or about January 18, 2007, defendant KHAWAR GARDAZI met with the attorney. At that meeting, GARDAZI produced the death certificate of Nicholas Quenue and asked the attorney to start probate proceedings on Quenue's will. The death certificate, which was a photocopy, bore no seals, original stamps or signatures and purported to be signed by a "Dr. Wahid Bano." The attorney advised GARDAZI that the death certificate had no legal value and that, as Quenue was a U.S. citizen and a French citizen, only the American or French Embassies could issue a certificate confirming Quenue's death.

13. On or about January 24, 2007, after being notified of Nicholas Quenue's death by a former work colleague of Quenue's, his brother "P.Q." flew from France to the United States. While in the United States, P.Q. spoke with law enforcement about investigating the circumstances surrounding his brother Nicholas's death.

14. On or about March 3, 2007, P.Q. received a telephone call to his home in France, from defendant KHAWAR GARDAZI, who was calling from South Africa. During the call, GARDAZI admitted that while in Pakistan he and Quenue had quarreled, he shoved Quenue, who struck his head and died. P.Q. wanted to know where his brother's body was, but GARDAZI refused to tell him. GARDAZI then proposed that if P.Q. was willing to call off the police investigation, he would be willing to give up his claim to Quenue's assets.

15. The investigation has confirmed that the death certificate which defendant KHAWAR GARDAZI proffered to the Law Firm was fraudulent. Although the death certificate was purportedly signed by a "Dr. Whalid Bano" in Lahore, Pakistan, Pakistani authorities have confirmed that there is no medical doctor by that name and the Lahore medical boards have likewise advised there is no doctor by that name. The investigation has further confirmed that there are no crematories in Lahore.

16. On or about April 3, 2007, defendant KHAWAR GARDAZI's brother, "H.A." picked up the Gardazi Trust paperwork from the Law Firm.

17. On or about April 24, 2007, defendant KHAWAR GARDAZI telephoned a second law firm located in Red Bank, New Jersey and stated that he was looking to retain an attorney to assist in the probate of an estate.

18. On or about May 3, 2007, acting at defendant KHAWAR GARDAZI's instruction, "T.D.," an attorney at the second law firm received the Gardazi Trust documents that had been mailed to him by the Law Firm. T.D. informed GARDAZI via telephone and an appointment was made.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**

v. :

KHAWAR GARDAZI, a/k/a "Sunny" : Case No. 07-3088

I, MICHAEL A. SCIMECA, being duly sworn, state the following is true and correct to the best of my knowledge and belief. From on or about April 18, 2005 to on or about June 18, 2007, in Union County, in the District of New Jersey and elsewhere, defendant KHAWAR GARDAZI:

SEE ATTACHMENT A

In violation of Title 18, United States Code, Section 1341 and 2,;

From on or about April 18, 2005 to on or about June 18, 2007, in Union County, in the District of New Jersey and elsewhere, defendant KHAWAR GARDAZI:

SEE ATTACHMENT B

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

I further state that I am a Special Agent of the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT C

Continued on the attached pages and made a part hereof.

MICHAEL A. SCIMECA, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
June __, 2007, at Newark, New Jersey

HON. PATTY SHWARTZ
U. S. MAGISTRATE JUDGE
