

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

AUG 14 2019

Clerk, U.S. District Court
Texas Eastern

UNITED STATES OF AMERICA

§
§
§
§
§
§

(SEALED)

v.

No. 4:19CR 207
Judge Mazzant

HANS DE GEETERE (1)

EDDY JOHAN COOPMANS (2)

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 18 U.S.C. § 371
(Conspiracy To Smuggle Goods Out Of
The United States In Violation of 18
U.S.C. § 554)

Introduction

At all times relevant to this Indictment:

1. The United States of America protected its national security by controlling the export of particular items and articles.
2. Defendant **Hans De Geetere** was a citizen of Belgium who resided in Belgium.
3. Defendant **Eddy Johan Coopmans** was a citizen of Belgium and of the United States who resided in Florida.

4. A person known to the grand jury as “**UC1**” was an undercover law enforcement official who posed as an individual who sold goods that would be smuggled out of the United States in violation of the laws and regulations of the United States.

5. A person known to the grand jury as “**LE1**” was a law enforcement official who witnessed a meeting between defendant **Hans De Geetere** and United States regulatory officials.

6. A person known to the grand jury as “**SR**” was a citizen of the United States who was born in Pakistan and resided in New Jersey. On March 9, 2016, law enforcement officials encountered **SR** in Texas as he conspired to smuggle goods out of the United States in violation of the laws and regulations of the United States. After that encounter, **SR** agreed to cooperate with law enforcement officials. As part of his cooperation, **SR** posed as an individual who brokered deals between buyers and sellers of goods that would be smuggled out of the United States in violation of the laws and regulations of the United States.

7. **Hasa-Invest nv** was a company in Belgium that was controlled by defendant **Hans De Geetere**.

8. **H&G Business Solutions, Inc.** was a company in Florida that was controlled by defendant **Eddy Johan Coopmans**.

9. **Goliad Metropolitan Importation LLC** was a company in the Eastern District of Texas that was controlled by undercover law enforcement officials who posed as sellers of goods that would be smuggled out of the United States in violation of the laws and regulations of the United States.

10. **Tech Search Team** was a company in Oklahoma that was controlled by undercover law enforcement officials who posed as sellers of goods that would be smuggled out of the United States in violation of the laws and regulations of the United States.

11. The **Field Programmable Gate Array Circuits (“FPGA Circuits”)** were items subject to the laws and regulations of the United States. Specifically, they were goods on the Commerce Control List and subject to the International Emergency Economic Powers Act and Export Administration Regulations. It was illegal to export **FPGA Circuits** to Russia without a license from the Department of Commerce.

12. The **Short Wave Infrared Surveillance Cameras (“SWIR Cameras”)** were items subject to the laws and regulations of the United States. Specifically, prior to December 31, 2016, they were defense articles on the United States Munitions List and subject to the Arms Export Control Act and the International Traffic in Arms Regulations. After December 31, 2016, they were goods on the Commerce Control List and subject to the International Emergency Economic Powers Act and Export Administration Regulations. It was illegal to export **SWIR Cameras** to China without a license from the Department of State or the Department of Commerce.

A. The Conspiracy

13. From on or about March 9, 2016, through February 27, 2018, in the Eastern District of Texas and elsewhere, defendants **Hans De Geetere** and **Eddy Johan Coopmans**, knowingly and willfully conspired and agreed together and with each other and with other persons known and unknown to commit an offense against the United States,

that is to fraudulently and knowingly smuggle, export and send from the United States articles, merchandise, and objects that is, **FPGA Circuits** and **SWIR Cameras**, contrary to a law and a regulation of the United States, in violation of Title 18 United States Code, Section 554.

B. The Manner and Means of the Conspiracy

14. It was the purpose of the conspiracy for defendants **Hans De Geetere** and **Eddy Johan Coopmans** to export **FPGA Circuits** to Russia and to export **SWIR Cameras** to China in violation of the laws and regulations of the United States.

15. To facilitate their illegal scheme, defendants **Hans De Geetere** and **Eddy Johan Coopmans** communicated with individuals whom the defendants believed could obtain **FPGA Circuits** and **SWIR Cameras**, agreed to pay those individuals amounts of money above the normal purchase price for **FPGA Circuits** and **SWIR Cameras**, and wired partial payment to those individuals for **FPGA Circuits** and **SWIR Cameras**. The amount of the funds that the defendants sent as partial payment to these individuals was approximately \$1,217,100 USD.

16. To cover up their illegal scheme, defendants **Hans De Geetere** and **Eddy Johan Coopmans** took various actions to hide their illegal intent. For example, they caused false and misleading statements to be made to legitimate companies that sold **FPGA Circuits** and **SWIR Cameras**. Additionally, the defendants caused false and misleading statements to be made to government officials who regulated the export of **FPGA Circuits** and **SWIR Cameras**.

17. Defendants **Hans De Geetere** and **Eddy Johan Coopmans** engaged in these activities knowing that the required government authorization had not been obtained.

C. Overt Acts

As part of the conspiracy, the defendants caused the following acts to be committed:

18. From on or about March 9, 2016, to on or about February 27, 2018, defendants **Hans De Geetere** and **Eddy Johan Coopmans** used the WhatsApp Messenger application, various email accounts, and various cell phones to communicate with **UC1** and **SR**.

19. On or about August 31, 2016, defendant **Eddy Johan Coopmans** met with **SR** in Jacksonville, Florida and discussed the purchase, unlawful export, and smuggling of **FPGA Circuits**. During the meeting, defendant **Eddy Johan Coopmans** indicated that the **FPGA Circuits** would be illegally exported to Russia and used by the Roscosmos State Corporation for Space Activities, the state corporation responsible for the space flight and cosmonautics program for the Russian Federation.

20. On or about September 20, 2016 and continuing to on or about October 20, 2016, defendant **Hans De Geetere** sent funds from a bank account controlled by **Hasa-Invest nv** to a bank account controlled by **H & G Business Solutions, Inc.** Defendant **Eddy Johan Coopmans** sent funds from the **H & G Business Solutions, Inc.** account to a bank account controlled by **Goliad Metropolitan Importation LLC** or a bank account controlled by **Tech Search Team**. These funds were partial payment for **FPGA Circuits** or **SWIR Cameras**. These transfers are described in further detail below:

| Approximate Date Range of Transactions | Money Transferred from Hasa-Invest nv to H & G Business Solutions, Inc. | Money Transferred from H & G Business Solutions to Payee Accounts (indicated in parentheses) | Purpose of Transactions |
|---|--|---|--------------------------------|
| 9/20/16 to 9/21/16 | \$103,450 | \$103,500 (Goliad Metropolitan Importation LLC) | FPGA Circuits |
| 9/15/16 to 10/11/16 | \$771,100 | \$505,200 (Tech Search Team) | FPGA Circuits |
| | | \$265,900 (Goliad Metropolitan Importation LLC) | |
| 10/12/16 to 10/13/16 | \$292,470 | \$292,500 (Goliad Metropolitan Importation LLC) | FPGA Circuits |
| 10/19/16 to 10/20/16 | \$49,550 | \$50,000 (Goliad Metropolitan Importation LLC) | SWIR Cameras |

21. On or about September 28, 2016, defendants **Hans De Geetere** and **Eddy Johan Coopmans** met with UC1 in Belgium and discussed the purchase and smuggling of **SWIR Cameras**. During the meeting, defendant **Eddy Johan Coopmans** indicated that the **SWIR Cameras** would be illegally exported to China so they could be reverse engineered.

22. On or about December 13, 2016, defendant **Eddy Johan Coopmans** and **SR** discussed the purchase and smuggling of **SWIR Cameras**. During the conversation, they discussed false and misleading statements that would be made to hide their illegal activity from government officials who regulate the export of **SWIR Cameras**.

23. On or about November 16, 2017, defendant **Hans De Geetere** caused false and misleading information to be communicated to a company in New Jersey in an attempt to procure **SWIR Cameras** that defendants **Hans De Geetere** and **Eddy Johan Coopmans** intended to illegally export to China.

24. On or about February 27, 2018, defendant **Hans De Geetere** met with United States regulatory officials in Belgium. During the meeting, defendant **Hans De Geetere** made false and misleading statements in an attempt to hide his and defendant **Eddy Johan Coopmans**' intentions regarding the illegal export of **SWIR Cameras** to China. **LE1** attended the meeting and heard the statements.

All in violation of 18 U.S.C. § 371.

Count Two

Violation: 18 U.S.C. § 1956(h)
(Conspiracy To Launder Monetary
Instruments In Violation of 18 U.S.C.
§ 1956(a)(2)(A))

25. Paragraphs 1 through 24 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

26. From on or about March 9, 2016, through February 27, 2018, in the Eastern District of Texas and elsewhere, defendants **Hans De Geetere** and **Eddy Johan Coopmans** knowingly combined, conspired, and agreed together and with each other and with other persons known and unknown to transport, transmit, transfer, monetary instruments and funds to a place in the United States from or through a place outside the United States with the intent to promote the carrying on of specified unlawful activity, to

wit: smuggling, contrary to Title 18 United States Code, Section 554, all in violation of Title 18 United States Code, Section 1956(a)(2)(A).

Count Three

Violations: 18 U.S.C. § 2 and
22 U.S.C. § 2778(b)(1)(A)(1); 22 C.F.R.
§ 127.1(e)
(Illegal Export of Defense Articles)

27. Paragraphs 1 through 22 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

28. From on or about March 9, 2016 through December 31, 2016, in the Eastern District of Texas and elsewhere, defendants **Hans De Geetere** and **Eddy Johan Coopmans** aided and abetted by each other, knowingly and willfully solicited the export of and attempted to export a defense article, specifically **SWIR Cameras** described in Count One of this Indictment, without having first obtained from the United States Department of State a license or written authorization for such export.

All in violation of 18 U.S.C. § 2 and 22 U.S.C. § 2778(b)(1)(A)(1); 22 C.F.R. § 127.1(e).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461

As the result of committing the offenses alleged in this Indictment, the defendants shall forfeit to the United States:

a. Any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of any offense constituting a “specified unlawful activity” (as defined in 18 U.S.C. § 1956(c)(7)), or a conspiracy to commit such offense, and any property, real or personal, involved in a violation of 18 U.S.C. § 1956(h), or any property traceable to such property.

b. A money judgment in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is property constituting, or derived from, proceeds obtained directly or indirectly, as the result of the offense alleged in this Indictment.

c. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendants-

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to all property, both real and personal owned by the defendants.

By virtue of the commission of the offenses alleged in this Indictment, any and all interest the defendants have in the above-described property is vested in and forfeited to the United States.

A TRUE BILL



GRAND JURY FOREPERSON

JOSEPH D. BROWN
UNITED STATES ATTORNEY



G.R. JACKSON
Assistant United States Attorney



Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

| | | |
|--------------------------|---|----------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| v. | § | No. 4:19CR 207 |
| | § | Judge Mazzant |
| HANS DE GEETERE (1) | § | |
| EDDY JOHAN COOPMANS (2) | § | |

NOTICE OF PENALTIES

Count One

VIOLATION: 18 U.S.C. § 371

PENALTY: Imprisonment of not more than 5 years
and/or a fine of not more than \$ 250,000 or twice the
pecuniary gain or loss and a term of supervised release of not
more than 3 years.

SPECIAL ASSESSMENT: \$100.00

Count Two

VIOLATION: 18 U.S.C. § 1956(h)

PENALTY: Imprisonment of not more than 20 years
and/or a fine of not more than \$ 250,000 or twice the
pecuniary gain or loss, and a term of supervised release of not
more than 3 years.

SPECIAL ASSESSMENT: \$100.00

Count Three

VIOLATIONS: 18 U.S.C. § 2 and 22 U.S.C. § 2778(b)(1)(A)(1)

PENALTY: Imprisonment of not more than 20 years
and/or a fine of not more than \$1,000,000 and
a term of supervised release of not more than 3 years.

SPECIAL ASSESSMENT: \$100.00