

PD

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 17- *Cr 215*
:
: v. : DATE FILED: April 25, 2017
:
: MOHAMMAD N. ALI : VIOLATIONS:
:
: : 18 U.S.C. § 1952 (Use of
: Interstate Facility to Promote and
: Facilitate Bribery Contrary to
: Pennsylvania Law - 1 count)
: 26 U.S.C. § 7206(1) (Making/Subscribing
: a False Income Tax Return - 1 count)
: Notice of Forfeiture

INFORMATION

FILED

THE ACTING UNITED STATES ATTORNEY CHARGES THAT:

APR 25 2017

COUNT ONE
(Use of Interstate Facility to Promote and Facilitate
Bribery Contrary to Pennsylvania Law)

KATE BARKMAN, Clerk
By _____ **Dep. Clerk**

Introduction

1. At all times relevant to Count One of this Information:
 - a. Defendant MOHAMMAD N. ALI owned a business that sold prepaid telephone cards.
 - b. Rufus Seth Williams, charged elsewhere, was the District Attorney for the City and County of Philadelphia, Pennsylvania. As the District Attorney, Williams was in a position to influence, and did influence, actions taken by and on behalf of the District Attorney's Office (the "DAO") and other City and County law enforcement personnel, including with respect to cases handled by the DAO.

c. Person #1 was the subject of a criminal case being prosecuted by the DAO and was a friend of defendant MOHAMMAD N. ALI.

d. Person #2 was Williams's girlfriend.

Defendant MOHAMMAD N. ALI's Unlawful Arrangement with Williams

2. From in or about July 2010 to in or about May 2015, defendant MOHAMMAD N. ALI engaged in an arrangement with Williams pursuant to which defendant ALI would offer, confer, and agree to confer a stream of pecuniary benefits ("benefits") to Williams and Person #2, such as travel, money, and other things of value that were concealed from timely public disclosure by Williams and, as consideration and in exchange for these benefits, Williams would reciprocate by performing and agreeing to perform official acts on behalf of defendant ALI and by violating Williams's legal duties as specific opportunities arose.

**Defendant MOHAMMAD N. ALI Conferred
Valuable Benefits to Williams and Person #2**

3. From in or about July 2010 to in or about May 2015, defendant ALI offered, conferred, and agreed to confer the following valuable benefits to Williams and Person #2 on or about the dates listed below:

DATE	VALUABLE BENEFITS
January 2012	A Louis Vuitton tie for Williams worth approximately \$205, and an iPad for Williams worth approximately \$300.
February 1, 2012 to February 5, 2012	Expenses for Williams and Person #2 to travel to, and stay at, an all-inclusive resort in Punta Cana, Dominican Republic (the "Punta Cana Resort") worth approximately \$4,805, to include "royal service" bracelets that permitted Williams and Person #2 access to a private beach and personal butler services for their luxury suite, round-trip airline tickets for Williams and Person #2 worth approximately \$1,576, and meals and amenities received during such trip.

DATE	VALUABLE BENEFITS
February 24, 2012 to April 24, 2012	A custom sofa for Williams worth approximately \$3,212.
August 22, 2012	A \$502 dinner for Williams and Person #2 at a restaurant in Philadelphia, Pennsylvania.
March 15, 2013	A \$7,000 check for Williams.
October 2013	\$2,000 cash for Williams.
July 2010 to May 2015	A Burberry watch for Williams, a Burberry purse for Person #2, and meals and other valuable benefits for Williams and Person #2.

Defendant MOHAMMAD N. ALI's Requests that Williams Perform Official Acts in Favor of Defendant ALI

4. From in or about July 2010 to in or about May 2015, as consideration and in exchange for these benefits, defendant ALI solicited, requested, and agreed with Williams for Williams to use his official position to assist defendant ALI, to include the following:

DATE	USE OF OFFICIAL POSITION
Between in or about December 2011 and in or about September 2014	To assist defendant MOHAMMAD N. ALI in limiting security screening by law enforcement authorities at the United States border when attempting to return to the United States after foreign travel, to include: (a) Williams's numerous contacts with a Philadelphia police department official, whose responsibilities included supervising security matters at the Philadelphia International Airport ("Police Official #1"), to exert pressure on and advise Police Official #1 in an attempt to cause Police Official #1 to assist defendant ALI with such encounters, and (b) Williams's repeated offers to write an official letter, under Williams's authority as the District Attorney, to another public official on behalf of defendant ALI in an attempt to exert pressure on and advise such public official to assist defendant ALI with such encounters.

DATE	USE OF OFFICIAL POSITION
Between in or about February 2012 and in or about September 2012	To assist defendant MOHAMMAD N. ALI's associate, Person #1, in connection with a criminal case and matter under investigation by the DAO, to include obtaining a more favorable plea offer for Person #1.

The Charge

5. On or about the dates listed below, in the Eastern District of Pennsylvania, and elsewhere, defendant

MOHAMMAD N. ALI

and Rufus Seth Williams, charged elsewhere, knowingly and intentionally did use, and cause, procure, and induce the use of, facilities in interstate and foreign commerce, as set forth below, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity – namely, bribery contrary to 18 Pa. C. S. § 4701 – and, thereafter, performed and attempted to perform acts to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of the unlawful activity, as set forth below:

COUNT	USE OF FACILITY IN INTERSTATE AND FOREIGN COMMERCE	SUBSEQUENT ACTS
ONE	On or about August 22, 2012, defendant ALI paid approximately \$502 by use of a credit card transaction in interstate commerce for the expenses in connection with dinner with Rufus Seth Williams and Person #2 at a restaurant in Philadelphia.	<p>(a) On or about September 18, 2012, in Philadelphia, defendant ALI exchanged the following text messages with Williams regarding Williams providing official assistance to Person #1:</p> <p style="margin-left: 40px;">(i) Defendant ALI sent a text message to Williams, stating: "Boss man, sorry to bother you, remember a few months back I asked you if you can help with a case for a friend of my</p>

COUNT	USE OF FACILITY IN INTERSTATE AND FOREIGN COMMERCE	SUBSEQUENT ACTS
		<p>friends at [a Philadelphia] night club! They been asking me, and to be honest I was shy to ask you!!! He has a court tomorrow an he is looking at 1.5-3 years In Jail plus 6 years probation! Is there anything you can do for him.... he regret it badly and he was begging me if he can get 1 year or so, so he can be in Philly prison not out of state. Believe me I feel bad asking you! Thank u Seth. This is his case info: [Case Number]. Feb 17th suppression hearing. [Person #1].”¹</p> <p>(ii) Defendant ALI received a text message from Williams, asking: “Was he already found guilty?”</p> <p>(iii) Defendant ALI sent a text message to Williams, stating: “Yes he was! He pleaded guilty! And they gave him till tomorrow to take the deal which is 1.5 to 3 + 6 years probation.”</p> <p>(iv) Defendant ALI received a text message from Williams, stating: “If he pleaded guilty, and from the sentence it seems that there is a mandatory sentence. There is very little I can do the day before without it looking extremely suspicious...”</p> <p>(v) Defendant ALI sent a text message to Williams, stating: “Sorry Seth he just texted me, I’ll text you what he just sent me: No not yet. My trial date is tomorrow. [Assistant District Attorney] offered me 1.5-3</p>

¹ All of the text messages quoted in this information bear the same spelling, punctuation, and grammar as found in the originals of these records.

COUNT	USE OF FACILITY IN INTERSTATE AND FOREIGN COMMERCE	SUBSEQUENT ACTS
		<p>years. I am trying to get a slightly better offer. 11.5-23 months. I have a very strong case for dismissal but if I don't get it I probably will get 5 yrs...." and "So he didn't plead guilty yet!"</p> <p>(vi) Defendant ALI received a text message from Williams, stating: "It seems like he has the possibility of having it thrown out or continued ... if it gets continued I will then ask for the file and see what can be done to make it a county sentence..."</p> <p>(vii) Defendant ALI sent a text message to Williams, stating: "Thank you Seth! I appreciate it. Ill let him know. Sorry again Seth."</p> <p>(viii) Defendant ALI received a text message from Williams, stating: "In the future always give me at least a week to help a friend ... I have no problem looking into anything... I can't promise I will drastically change anything once it has gotten to the trial stage but I can always look into it[.]"</p> <p>(ix) Defendant ALI sent a text message to Williams, stating: "You know I was hesitating to ask!!! I know you would help me but I wasn't sure if it's something that can bring suspicion, and this is the last thing I want To do to a friend like you Seth! I care about you, I want to see you the next mayor and the next governor and maybe the next president :)"</p> <p>(b) On or about March 15, 2013, in Philadelphia, defendant ALI attended a</p>

COUNT	USE OF FACILITY IN INTERSTATE AND FOREIGN COMMERCE	SUBSEQUENT ACTS
		<p>meeting with Williams and Police Official #1 at which Williams asked Police Official #1 to assist defendant ALI in connection with security screening by law enforcement authorities at the United States border when attempting to return to the United States from foreign travel. Specifically, Williams asked Police Official #1 to assist defendant ALI in avoiding secondary screening on the occasions that defendant ALI reentered the United States at the Philadelphia International Airport upon returning from overseas trips.</p> <p>(c) On or about March 15, 2013, immediately after their meeting with Police Official #1 in Philadelphia, defendant ALI gave a \$7,000 check to Williams, which Williams deposited into his account at a financial institution.</p> <p>(d) From on or about February 24, 2014, to on or about February 28, 2014, defendant ALI received the following text messages from Williams regarding Williams's agreement to draft and send an official letter in an effort to influence the conduct of law enforcement officials conducting screenings of defendant ALI upon defendant ALI's return flights from abroad:</p> <p>(i) "Give me the information of the Homeland Security folks that were running the investigation so I can send a letter."</p>

COUNT	USE OF FACILITY IN INTERSTATE AND FOREIGN COMMERCE	SUBSEQUENT ACTS
		<p>(ii) "No, I want to send a letter to whomever the people in [the public official's] office spoke with at Homeland Security."</p> <p>(iii) "I need the info...case number, agent anything so I can write a letter to the correct person of supervisory authority."</p> <p>(iv) "I want there to be a letter in your file from the D.A. of Philadelphia."</p> <p>(v) "So get me whatever info you think I need. Thanks."</p> <p>(vi) "[defendant ALI]...I still want the info so I can send the letter."</p> <p>(vii) "That plus the exact agency and agent that conducted the original investigation."</p>

In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

COUNT TWO
(Making/Subscribing a False Income Tax Return)

On or about October 14, 2013, in the Eastern District of Pennsylvania, defendant

MOHAMMAD N. ALI

willfully made and subscribed a United States personal income tax return, Form 1040, for the calendar year 2012, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Internal Revenue Service, which defendant ALI did not believe to be true and correct as to every material matter, in that the income tax return reported taxable income of approximately \$497,810, when in fact, as defendant ALI well knew, he failed to report additional taxable income of approximately \$246,504.

In violation of Title 26, United States Code, Section 7206(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Sections 1952(a)(3), set forth in Count One of this Information, defendant

MOHAMMAD N. ALI

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constituted and was derived from proceeds traceable to the commission of such offense.

2. If any of the property subject to forfeiture, as a result of any act or omission of defendant ALI:

- (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 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other

property of defendant ALI up to the value of the property subject to forfeiture.

Pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C).

JEFF B. SESSIONS
Attorney General of the United States

A handwritten signature in black ink, appearing to read "Jeff B. Sessions".

WILLIAM E. FITZPATRICK
Acting United States Attorney
for the District of New Jersey
Acting Under Authority Conferred by 28 U.S.C. § 515

PDIN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INFORMATION

DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar. *17an 215*Address of Plaintiff: 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4476Post Office: Philadelphia County: PhiladelphiaCity and State of Defendant: Feasterville, PennsylvaniaCounty: Bucks Register number: N/APlace of accident, incident, or transaction: Eastern District of PennsylvaniaPost Office: Philadelphia County: Philadelphia

RELATED CASE, IF ANY:

Criminal cases are deemed related when the answer to the following question is "yes".

Does this case involve a defendant or defendants alleged to have participated in the same action or transaction, or in the same series of acts or transactions, constituting an offense or offenses?

YES/NO: Yes

Case Number: 17-CR-137Judge: DIAMOND

CRIMINAL: (Criminal Category - FOR USE BY U.S. ATTORNEY ONLY)

1. Antitrust
2. Income Tax and other Tax Prosecutions
3. Commercial Mail Fraud
4. Controlled Substances
5. Violations of 18 U.S.C. Chapters 95 and 96 (Sections 1951-55 and 1961-68) and Mail Fraud other than commercial
6. General Criminal

(U.S. ATTORNEY WILL PLEASE DESIGNATE PARTICULAR CRIME AND STATUTE CHARGED TO BE VIOLATED AND STATE ANY PREVIOUS CRIMINAL NUMBER FOR SPEEDY TRIAL ACT TRACKING PURPOSES)

18 U.S.C. § 1952 – 1 count, 26 U.S.C. § 7206(1) – 1 count, Notice of forfeitureDATE: April 25, 2017

 ROBERT A. ZAUZMER
 VINEET GAURI
 Assistant United States Attorneys

File No. 2010R00455

U.S. v. Mohammad N. Ali