

ORIGINAL

FLORENCE T. NAKAKUNI #2286
United States Attorney
District of Hawaii

LESLIE E. OSBORNE, JR. #3740
Chief, Criminal Division
Room 6100, PJKK Federal Building
300 Ala Moana Blvd.
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
E-mail: Les.Osborne@usdoj.gov

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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DENNIS MCINERNEY
Chief, Fraud Section
United States Department of Justice

MARK W. PLETCHER #34615 (Colorado)
EMILY W. ALLEN #234961 (California)
Trial Attorneys, U.S. Department of Justice
Criminal and Antitrust Divisions
1400 New York Avenue, 4th Floor
Washington, DC 20010
Telephone: (202) 307-6186
Facsimile: (202) 514-7021
E-mail: mark.pletcher@usdoj.gov

Attorneys for
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

CR 10-00333 SOM

UNITED STATES OF AMERICA,	)	CR. NO. _____
)	
	)	<u>Count One</u> : 18 U.S.C. § 371
vs.	)	(Conspiracy)
)	
(1) CHARLES O. FINCH,	)	<u>Count Two</u> : 18 U.S.C. § 201(b)(2)
	)	(Bribery)
(2) GARY M. CANTEEN,)	
	)	<u>Count Three</u> : 18 U.S.C. § 201(b)(1)
	)	(Bribery)
(3) ASSAD JOHN RAMIN,)	
a/k/a Assadullah Ramin)	
a/k/a Asadullah Rameen	)	<u>Count Four</u> : 18 U.S.C. § 1956(h)
	)	(Money Laundering Conspiracy)

(4) TAHIR RAMIN,)	
	)	<u>Count Five:</u> 18 U.S.C. § 1956
and	)	(Money Laundering)
)	
(5) AZ CORPORATION,	)	<u>Count Six:</u> 18 U.S.C. § 1956
a/k/a Aria Zameen Ltd.	)	(Money Laundering)
a/k/a Aria Zamin)	
a/k/a AZ Kabul Corporation	)	<u>Criminal Forfeiture:</u>
	)	18 U.S.C. §§ 981(a)(1)(C), 982
Defendants.	)	28 U.S.C. § 2461(c)

INDICTMENT

The Grand Jury charges that, at all times relevant herein:

BACKGROUND

1. From in or about September 2004 until at least in or about April 2009, the United States Department of Defense (DOD) operated a military base at Bagram Airfield, Afghanistan (Bagram).

2. Defendant CHARLES O. FINCH (FINCH), a Sergeant with the United States Army's 725th Logistical Task Force (LTF), was deployed to Bagram in or about January 2004 and assigned as the Noncommissioned Officer In Charge (NCOIC) of Operations Support, where he served until in or about January 2005.

3. In his capacity as NCOIC, FINCH had responsibility for trucking and transportation or "line haul" services at Bagram. FINCH coordinated line haul services into and out of Bagram, which required gathering requests for the transportation of supplies and other provisions from in and around Bagram to various forward-

operating bases in Afghanistan and assigning those requests to various private contracting firms that held line haul blanket purchase agreements (BPA) at Bagram. A BPA is an indefinite delivery/indefinite quantity procurement vehicle by which DOD agrees to pay a contractor a specified price for a particular good or service. As NCOIC, FINCH participated in evaluating, recommending, and facilitating the award of line haul BPAs at Bagram.

4. Defendant GARY M. CANTEEN (CANTEEN) was deployed to Bagram in or about February 2004 with the Army's 725th LTF, where he served as the First Sergeant and had overall supervisory responsibility for approximately forty (40) enlisted soldiers, including FINCH. CANTEEN served in this capacity until in or about February 2005. While stationed at Bagram, CANTEEN and FINCH shared living quarters with one other soldier. During the relevant period, CANTEEN co-owned a t-shirt and souvenir shop named Da Spot, Inc. (Da Spot), in Honolulu, Hawaii.

5. Defendant ASSAD JOHN RAMIN (JOHN RAMIN) and defendant TAHIR RAMIN are brothers who owned and operated military contracting businesses, including defendant AZ CORPORATION (AZ), which provided Bagram with services that included, among other things, line haul transportation.

6. AZ was awarded a line haul BPA at Bagram at least as early as June 12, 2003 (DABM16-03-A-0414), which was canceled on or about June 23, 2004. AZ provided no line haul services to the United States military from June 23, 2004, until on or about October 15, 2004, when it was awarded a new line haul BPA (W913TY-05-A-0005).

7. Whenever this Indictment refers to any act, deed, or transaction of any company, it means that the company engaged in the act, deed, or transaction by or through its officers, directors, employees, agents or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs. Various individuals not made defendants in this Indictment participated as co-conspirators in the offenses charged herein and performed acts and made statements in furtherance thereof.

COUNT ONE
18 U.S.C. § 371
(Conspiracy)

8. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

9. Beginning in or about September 2004 and continuing until in or about April 2009, the exact dates being unknown by the

grand jury, in Afghanistan, the District of Hawaii, and elsewhere,
defendants

CHARLES O. FINCH,
GARY M. CANTEEN,
ASSAD JOHN RAMIN, A/K/A Assadullah Ramin, A/K/A Asadullah Rameen,
TAHIR RAMIN,
and
AZ CORPORATION, A/K/A Aria Zameen Ltd., A/K/A Aria Zamin,
A/K/A AZ Kabul Corporation,

and others known and unknown did knowingly and unlawfully combine,
conspire, confederate, and agree:

(a) to defraud the United States by impairing,
impeding, and defeating the lawful functions of the DOD;

(b) to commit an offense against the United States,
namely bribery, by directly and indirectly, corruptly
demanding, seeking, receiving, accepting, and agreeing to
receive and accept things of value, that is, among other
things, money, in return for being influenced in the
performance of official acts, and in return for being induced
to do and omit to do acts in violation of official duty,
including recommending and facilitating the award of DOD line
haul BPA W913TY-05-A-0005 to AZ and allowing AZ to collect
payments therefrom, in violation of 18 U.S.C. § 201(b)(2)(A)
and (C); and

(c) to commit an offense against the United States,

namely bribery, by directly and indirectly, corruptly giving, offering, and promising a thing of value, that is, among other things, money, to a public official with intent to influence official acts and with intent to induce such public official to do and omit to do acts in violation of lawful duty, including recommending and facilitating the award of DOD line haul BPA W913TY-05-A-0005 to AZ and thereby allowing AZ to collect payments therefrom, in violation of 18 U.S.C. § 201(b)(1)(A) and (C).

THE PURPOSE OF THE CONSPIRACY

10. It was the purpose and object of the conspiracy for the defendants and their co-conspirators to enrich themselves by impairing, impeding, and defeating the proper procurement of contracts at Bagram by recommending and facilitating the award of a DOD line haul BPA to AZ, and thereby allowing AZ to collect payments therefrom, all in return for money.

MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that:

11. JOHN RAMIN, TAHIR RAMIN, and AZ would agree to pay FINCH a designated amount of money in return for his recommending and facilitating the award of a DOD line haul BPA to AZ.

12. FINCH and CANTEEN would designate a bank account in the

name of a third party to receive the payment.

13. JOHN RAMIN, TAHIR RAMIN, and AZ would wire and cause to be wired money to the designated bank account.

14. CANTEEN would withdraw money from the designated bank account and remit a portion to FINCH.

15. FINCH would recommend and facilitate the award of line haul BPA W913TY-05-A-0005 to AZ.

16. JOHN RAMIN, TAHIR RAMIN, and AZ would submit invoices of performance and collect payments from DOD pursuant to line haul BPA W913TY-05-A-0005.

17. In order to conceal the illegal scheme, upon questioning by law enforcement, FINCH and CANTEEN would implement a coordinated cover story to falsely explain the purpose of the funds wired to the designated bank account and the receipt of those funds by FINCH.

OVERT ACTS

18. In furtherance of the conspiracy and in order to accomplish its purpose and object, the following overt acts, among others, were committed by the defendants and others in Afghanistan, the District of Hawaii, and elsewhere:

19. In or about September 2004, FINCH and JOHN RAMIN agreed that FINCH would receive \$50,000 in return for recommending and

facilitating the award of DOD line haul BPA W913TY-05-A-0005 to AZ.

20. On or about September 7, 2004, FINCH emailed TAHIR RAMIN with the address for a branch of First Hawaiian Bank in Pearl City, Hawaii, where Da Spot held its bank account.

21. On or about September 21, 2004, JOHN RAMIN wired \$50,000, less fees, through Commerzbank AG, Germany to a bank account controlled by AZ in the United States.

22. On or about September 24, 2004, TAHIR RAMIN emailed Person A with the account number and related information for Da Spot's bank account at First Hawaiian Bank in Pearl City ("the Da Spot account"). TAHIR RAMIN directed Person A to send a \$50,000 payment to the Da Spot account.

23. On or about September 27, 2004, JOHN RAMIN, TAHIR RAMIN, and AZ caused \$50,000 to be wired to the Da Spot account in Hawaii.

24. On or about October 12, 2004, FINCH drafted a memorandum recommending that AZ be awarded a DOD line haul BPA.

25. On or about October 15, 2004, AZ was awarded line haul BPA W913TY-05-A-0005.

26. On or about November 5, 2004, CANTEEN's wife withdrew \$25,000 from the Da Spot bank account.

27. On or about February 4, 2005, CANTEEN purchased an official bank check, payable to FINCH, in the amount of \$24,000, with funds from the Da Spot bank account.

28. On or about February 4, 2005, FINCH cashed the \$24,000 official bank check.

29. On or about December 24, 2005, JOHN RAMIN signed a DOD voucher accepting payment to AZ of \$1,471,975 as payment for line haul services performed pursuant to BPA W913TY-05-A-0005.

30. In or about August 2008, upon questioning by law enforcement, FINCH and CANTEEN each falsely explained the nature and source of the funds wired to the Da Spot account as part of a coordinated cover story.

31. In or about April 2009, upon questioning by law enforcement, CANTEEN again falsely explained the nature and source of the funds wired to the Da Spot account as part of a coordinated cover story.

(All in violation of Title 18, United States Code, Section 371.)

COUNT TWO

18 U.S.C. § 201(b)(2)(A) and (C)
(Bribery)

32. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

33. Beginning at least in or about September 2004 and continuing through at least in or about February 2005, in Afghanistan, the District of Hawaii, and elsewhere, defendant

CHARLES O. FINCH,

as a public official, directly and indirectly did corruptly demand, seek, receive, accept, and agree to receive and accept things of value, that is, \$50,000, in return for being influenced in the performance of official acts, and in return for being induced to do and omit to do acts in violation of official duty, that is, recommending and facilitating the award of DOD line haul BPA W913TY-05-A-0005 to AZ, and thereby allowing AZ to collect payment therefrom.

(All in violation of Title 18, United States Code, Section 201(b)(2)(A) and (C), and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238.)

COUNT THREE

18 U.S.C. § 201(b)(1)(A) and (C)
(Bribery)

34. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

35. Beginning at least in or about September 2004 and continuing through at least in or about February 2005, in Afghanistan, the District of Hawaii, and elsewhere, defendants

ASSAD JOHN RAMIN, A/K/A Assadullah Ramin, A/K/A Asadullah Rameen,
TAHIR RAMIN,
and
AZ CORPORATION, A/K/A Aria Zameen Ltd., A/K/A Aria Zamin,
A/K/A AZ Kabul Corporation,

directly and indirectly, did corruptly give, offer, and promise something of value to a public official, that is, \$50,000 to FINCH, with intent to influence an official act and with intent to induce such public official to do and omit to do an act in violation of lawful duty, that is, FINCH's recommending and facilitating the award of DOD line haul BPA W913TY-05-A-0005 to AZ, and thereby allowing AZ to collect payment therefrom.

(All in violation of Title 18, United States Code, Section 201(b)(1)(A) and (C), and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238.)

COUNT FOUR

18 U.S.C. § 1956(h)
(Money Laundering Conspiracy)

36. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

37. Beginning in or about September 2004 and continuing until in or about April 2009, in Afghanistan, the District of Hawaii, and elsewhere, defendants,

CHARLES O. FINCH,
GARY M. CANTEEN,
ASSAD JOHN RAMIN, A/K/A Assadullah Ramin, A/K/A Asadullah Rameen,

TAHIR RAMIN,
and
AZ CORPORATION, A/K/A Aria Zameen Ltd., A/K/A Aria Zamin,
A/K/A AZ Kabul Corporation,

and others known and unknown did knowingly and unlawfully
conspire to conduct and attempt to conduct financial transactions
affecting interstate and foreign commerce, which in fact involved
the proceeds of specified unlawful activity, to wit, bribery,
knowing that the transaction was designed in whole and in part to
conceal and disguise the nature, location, source, ownership and
control of the proceeds of said specified unlawful activity and
knowing that the property involved in the financial transactions
represented the proceeds of some form of unlawful activity, in
violation of Title 18, United States Code, Section
1956(a) (1) (B) (i).

THE PURPOSE OF THE CONSPIRACY

38. It was the purpose and object of the conspiracy for the
defendants and their co-conspirators to conceal and disguise the
nature, location, source, ownership, and control of the proceeds
of a \$50,000 bribe paid to FINCH by AZ, JOHN RAMIN and TAHIR
RAMIN, by depositing those proceeds in the bank account of a
business owned and controlled by CANTEEN and then paying FINCH a
portion of those funds, and by falsely explaining the nature,
location, source, ownership, and control of the funds.

MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that:

39. JOHN RAMIN, TAHIR RAMIN, and AZ would agree to pay FINCH a designated amount of money in return for his recommending and facilitating the award of a DOD line haul BPA to AZ.

40. FINCH and CANTEEN would designate a bank account in the name of a third party to receive the money, in order to conceal and disguise the nature, location, source, ownership, and control of the payment.

41. JOHN RAMIN, TAHIR RAMIN, and AZ would wire money to associates in the United States and direct those associates, in turn, to wire the money to the designated bank account, in order to disguise the nature, location, source, ownership, and control of the payment.

42. CANTEEN would withdraw money, in cash and by official bank check, from the designated bank account, and remit a portion back to FINCH.

43. FINCH would deposit cash into various bank accounts he controlled.

44. In order to conceal the illegal scheme, upon questioning by law enforcement, FINCH and CANTEEN would implement a coordinated cover story to falsely explain the nature,

location, source, ownership, and control of the funds wired to the designated bank account.

(All in violation of Title 18, United States Code, Section 1956(h).)

COUNT FIVE

18 U.S.C. § 1956(a)(1)(B)(i)
(Money Laundering)

45. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

46. In or about September 2004, in Afghanistan, the District of Hawaii, and elsewhere, defendants,
ASSAD JOHN RAMIN, A/K/A Assadullah Ramin, A/K/A Asadullah Rameen,
TAHIR RAMIN,
and
AZ CORPORATION, A/K/A Aria Zameen Ltd., A/K/A Aria Zamin,
A/K/A AZ Kabul Corporation,

conducted, caused to be conducted, and attempted to conduct a financial transaction affecting interstate and foreign commerce, to wit, the wire transfer of \$50,000 from Chase Bank business checking account number 791-5022718-65, controlled by Aria Zameen Ltd, to First Hawaiian Bank account number 121301015, controlled by CANTEEN, which in fact involved the proceeds of specified unlawful activity, to wit, bribery, knowing that the transaction was designed in whole and in part to conceal and disguise the

nature, location, source, ownership and control of the proceeds of said specified unlawful activity, and knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity.

(All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.)

COUNT SIX

18 U.S.C. § 1956(a)(1)(B)(i)
(Money Laundering)

47. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

48. In or about September 2004 in the District of Hawaii, defendants

GARY M. CANTEEN
and
CHARLES O. FINCH

conducted and attempted to conduct a financial transaction affecting interstate and foreign commerce, to wit, CANTEEN having purchased a \$24,000 official bank check numbered 07105167 from the First Hawaiian Bank, made payable to FINCH, did transfer that check to FINCH, which in fact involved the proceeds of specified unlawful activity, to wit, bribery, knowing that the transaction was designed in whole and in part to conceal and disguise the

nature, location, source, ownership and control of the proceeds of said specified unlawful activity, and knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity.

(All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.)

CRIMINAL FORFEITURE

18 U.S.C. §§ 981(a)(1)(C), 982, and
28 U.S.C. § 2461(c)

51. Paragraphs 1 through 7 of this Indictment are incorporated by reference as if fully stated herein, and the following is further alleged:

52. Upon conviction of the offenses in violation of 18 U.S.C. § 371, set forth in Count One of this Indictment, and upon conviction of the offenses in violation of 18 U.S.C. § 201, set forth in Counts Two and Three of this Indictment, defendants convicted of each respective Count shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the respective offenses. Upon conviction of the offenses in violation of 18 U.S.C. § 1956, set forth in Counts Four, Five, and Six of this Indictment, defendants convicted of these Counts shall forfeit to the United

States, pursuant to 18 U.S.C. § 982, any property, real or personal, involved in such offense, or any property traceable to such property.

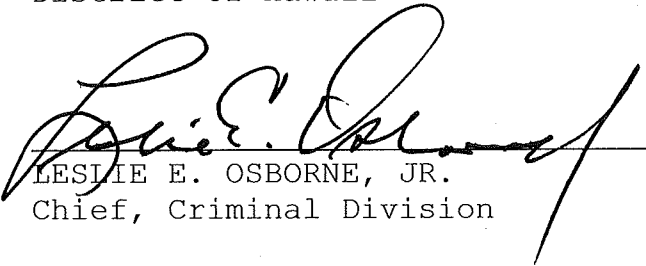
53. If any of the property described above, as a result of any act or omission of the defendants: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

(All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982, and Title 28, United States Code, Section 2461(c).)

DATED: June 8, 2010, at Honolulu, Hawaii.
A TRUE BILL:

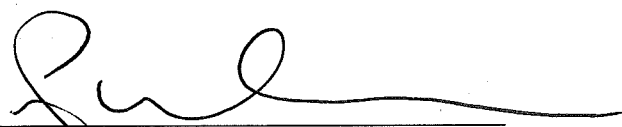
/s/ Foreperson
FOREPERSON

FLORENCE T. NAKAKUNI
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Chief, Fraud Section
United States Department of Justice

By: 
MARK W. PLETCHER
EMILY W. ALLEN
Trial Attorneys, U.S. Department of Justice.
Criminal and Antitrust Divisions