

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

v.

COLIN FISHER
_____ /

Case Number:

3:20-cr-74/TKW

FACTUAL BASIS FOR GUILTY PLEA

The defendant admits that if this case were to proceed to trial, the government could prove the following facts. The criminal information is fully incorporated herein as true and accurate:

On or about July 28, 2018, an outbound shipment of a Solar brand gas turbine assembly (“turbine”) with a declared value of approximately \$200,000.00 was detained by the U.S. Department of Commerce/Bureau of Industry & Security (“BIS”) in Mobile, Alabama. The exporter of the turbine was Turbine Resources International, LLC (“TRI”), located in Pensacola, Florida. The turbine was consigned to Company A in Sharjah, United Arab Emirates (“UAE”). The turbine was detained because Company A, to which the turbine was going, is involved in the diversion of turbines to Iran.

Investigation confirmed that Company A is specifically involved in the supply of gas turbines to the Iran Oilfield Supply Kish Company (“IOSK”) in Shiraz, Iran.

IOSK is a company specializing in oil, gas, and petrochemical industries in Iran. The investigation identified Co-conspirator A as a manager of IOSK. The identification of Co-conspirator A's managerial involvement demonstrated how a front company was being utilized to conceal the diversion of turbines from the United States to Iran by first shipping the turbines to the UAE using falsified export documents.

TRI President James Meharg was contacted regarding the detention of the turbine that occurred July 28, 2018. According to Meharg, an individual he knew to be involved in the "turbine business," who has been identified as COLIN FISHER, traveled to the United States (Pensacola) to inspect and purchase the turbine. A review of the export documents demonstrated that the gentlemen, including the defendant, were involved in the sale and attempted export of the turbine (and associated parts) from TRI to Iran via the UAE, and that they utilized multiple email accounts for this transaction.

A review of relevant emails, as well as completed documents and currency transfers, is summarized below:

1. On or about October 25, 2017, Meharg sent an email to COLIN FISHER regarding turbine related projects.

2. On or about October 26, 2017, Meharg sent an email to COLIN FISHER that included information regarding a Solar Mars 90 S turbine that Meharg could sell.

3. On or about November 13, 2017, COLIN FISHER sent an email to Co-conspirator A regarding the availability of Meharg's turbine.

4. On or about January 10, 2018, COLIN FISHER sent an email to Meharg asking if Meharg possessed the turbine because COLIN FISHER had a potential client.

5. On or about January 10, 2018, Co-conspirator A sent an email to COLIN FISHER requesting an offer for the turbine.

6. On or about January 11, 2018, COLIN FISHER sent an email to Meharg asking if the turbine should be offered to the end-user.

7. On or about January 11, 2018, Meharg sent an email to COLIN FISHER that included the attachment of approximately 49 images of turbine parts and components.

8. On or about March 25, 2018, Co-conspirator A sent an email to COLIN FISHER requesting a quote and technical information for a turbine.

9. On or about March 25, 2018, Meharg sent an email to COLIN FISHER that included pricing information for the Solar Mars 90 S turbine.

10. On or about March 25, 2018, COLIN FISHER sent an email to Meharg informing Meharg that they would not need “Solonox,” which is combustion technology, because the turbine was destined for Iran, and that COLIN FISHER had included Meharg in emails with Co-conspirator A.

11. On or about March 29, 2018, COLIN FISHER sent an email to Meharg that included the statement “Jim, To summarize. M90S you will send internal pictures and information from Solar...They may send me to watch removal/crating...”

12. On or about March 29, 2018, Meharg sent an email to COLIN FISHER that included an image of a data plate for a Mars 90 turbine.

13. On or about April 25, 2018, Meharg emailed COLIN FISHER an attached invoice regarding the sale and shipping details for the Solar Mars 90 turbine core engine with a price of \$500,000.00.

14. On or about April 26, 2018, COLIN FISHER sent an email to Meharg regarding initial payment and packaging of the turbine into a container.

15. On or about April 30, 2018, COLIN FISHER sent an email to Meharg regarding the first payment installment for the turbine.

16. On or about May 7, 2018, a payment of \$124,950.00 was received by TRI from a company located in Dubai as the first installment on the turbine.

17. Between on or about May 7, 2018 and May 8, 2018, COLIN FISHER traveled to the United States from the United Arab Emirates to assist Meharg with loading the turbine into a container for export by sea to Company A in Iran.

18. On or about May 22, 2018, Meharg sent an email that included a Shipper's Letter of Instruction ("SLI"). The SLI included a block that stated "I certify that the statements made and all information contained herein are true and correct. I understand that civil and criminal penalties...may be imposed for making false and fraudulent statements herein..." The SLI was signed by MEHARG and dated May 18, 2018.

19. On or about May 22, 2018, an EEI was filed on behalf of TRI for the export of a gas turbine rotor and nozzle assemblies that was exported from TRI to Company A on or about May 28, 2018.

20. On or about May 24, 2018, TRI received a payment of \$124,950.00 from the United Arab Emirates as the second payment installment for the turbine.

23. On or about July 9, 2018, Meharg executed an SLI in relation to the shipment of the turbine and parts stating the value as \$200,000.00. The SLI also included a block that stated "I certify that the statements made and all information contained herein are true and correct. I understand that civil and criminal penalties...may be imposed for making false and fraudulent statements herein..."

24. On or about July 21, 2018, an EEI was filed on behalf of TRI for the

export of the turbine with a declared value of \$200,000, though it had an invoiced value of \$500,000, that was scheduled to be exported from TRI to Company A.

25. Between on or about August 14, 2018, and August 17, 2018, Meharg sent a series of emails attempting to gain the release of the turbine container from detention for export.

26. Between on or about September 11, 2018, and on or about September 23, 2018, Meharg, COLIN FISHER, Co-conspirator A, and others exchanged a series of email communications regarding the potential release of the turbine, shipment details for the export of the turbine to the UAE, and payment for the turbine.

27. On or about January 5, 2020, Meharg (who had since been arrested for the instant crimes) recorded a telephone call between himself and COLIN FISHER regarding the attempted export of the turbine to Iran. During the call, Meharg expressed concern regarding the March 25, 2018, email COLIN FISHER sent to Meharg that listed Iran as the ultimate destination for the turbine. Based upon Meharg's concern, COLIN FISHER established a code word to be used in place of "Iran" on all future communications. The code word COLIN FISHER used was "Irish." COLIN FISHER also indicated that Co-conspirator A was the individual in charge of procuring the turbine. As noted above, Co-conspirator A is the CEO of Company A, an Iranian firm.

COLIN FISHER and Meharg continued, for many months thereafter, to attempt to arrange for the turbine to be smuggled from the United States to Iran via surreptitious means. On or about August 7, 2020, COLIN FISHER was arrested arriving at the Pensacola International Airport traveling into the Northern District of Florida in an attempt to consummate the illicit transaction. COLIN FISHER now admits that he was involved with Meharg and Co-conspirator A, and they worked to export the aforesaid turbine, which ultimately had an end destination of Iran. COLIN FISHER had full knowledge of export control laws in the United States.


Summary of the Elements of the Offenses

Count One


1. The defendant exported, attempted to export, or caused the export of items from the United States,
2. The items the defendant exported, attempted to export, or caused to be exported were controlled for export for the destination country,
3. The defendant failed to obtain a license or other authorization from the Department of Commerce prior to exporting the item; and
4. The defendant did so knowingly and willfully.

Count Two

1. The defendant knowingly exported [attempted to export] merchandise as described in the information,
2. The defendant's exportation was contrary to law; and
3. The defendant knew the exportation of the merchandise was contrary to law or regulation.



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24/8/20
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8/26/20
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