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Approved:

JANE KIM

Assistant United States Attorney

Before: HONORABLE KEVIN NATHANIEL FOX
United States Magistrate Judge
Southern District of New York

UNITED STATES OF AMERICA
- v. -
LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," Defendants.
COMPLAINT
Violations of 18 U.S.C. §§ 2320 and 2
COUNTY OF OFFENSE: NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

DAVID B. MONDANARO, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and charges as follows:

COUNT ONE
(Conspiracy to Traffic Counterfeit Goods)

1. From at least in or about November 2014 up to and including in or about October 2015, in the Southern District of New York and elsewhere, LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, knowingly and intentionally did conspire together and with others, known and unknown, to traffic in counterfeit goods and services and did knowingly use a counterfeit mark on and in connection with such goods and services, to wit, CHEN and HUANG agreed to import counterfeit luxury and designer brand goods into the United States.

(Title 18, United States Code, Section 2320.)

COUNT TWO

(Trafficking in Counterfeit Goods)

2. From at least in or about November 2014 up to and including in or about October 2015, in the Southern District of New York and elsewhere, LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, did knowingly and intentionally traffic and attempt to traffic in goods and services, and did knowingly use a counterfeit mark on and in connection with such goods and services, to wit, CHEN and HUANG imported luxury and designer brand counterfeit goods into the United States.

(Title 18, United States Code, Sections 2320 and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), assigned to General Investigations at John F. Kennedy International Airport. I have been an ICE Special Agent for approximately seven years. I have been personally involved in the investigation of this matter, and I base this affidavit on that personal experience, as well as on my conversations with other law enforcement agents, other persons, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Background

4. During the period beginning in or about November 2014 through in or about October 2015, I and other law enforcement agents have been investigating the importation and distribution of counterfeit designer goods from China, including handbags, watches, and sunglasses. During the course of the investigation, law enforcement agents have seized approximately 107 packages of counterfeit goods (the "107 Seized Counterfeit Goods") sent from addresses in China to multiple postal service businesses located across the country, including: Postal Connections, Store Number 225, located at 5231 Simpson Ferry Road, Mechanicsburg, Pennsylvania 17050 ("Postal Service

Business-1"); Postal Connections, Store Number 211, located at 5707 Red Arrow Highway, Stevensville, Michigan 49127 ("Postal Service Business-2"); Postal Connections, Store Number 210, located at 1365 North Railroad Avenue, Staten Island, New York 10306 ("Postal Service Business-3"); A Space Place Storage, located at 21 Hammond Road, Centereach, New York 11720 ("Postal Service Business-4") (collectively, the "Postal Services Businesses").

5. Based on my training and experience, and my participation in this investigation, I know that importers of foreign contraband often direct their shipments to postal service businesses so that the importer does not need to provide a personal address or other identifying information for the contraband to enter the United States.

6. During the period beginning in or about January 2015 through in or about August 2015, I and other law enforcement agents spoke with employees at the Postal Service Businesses. From these interviews and from conversations with other law enforcement agents and others, I have learned the following, among other things:

a. LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," the defendant, would often retrieve packages from Postal Service Business-3 and Postal Service Business-4; many of these packages originated from China.

b. In order to retrieve these packages, CHEN would, at times, present his New York State Driver's License, which was held in the name of "Le Fu Chen," and CHEN would often say that his name was "Tom."

7. On or about January 13, 2015, I spoke with a confidential informant ("CI-1")<sup>1</sup> in connection with this investigation, from whom I learned the following, among other things:

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<sup>1</sup> CI-1 has not been charged with any crime and does not face any criminal liability. CI-1 has not been promised and does not expect or hope to receive monetary or legal benefits for providing information to law enforcement. Information provided by the CI has proved reliable on multiple previous occasions, and has been corroborated by, among other things, seizures of counterfeit goods and physical surveillance.

a. An individual by the name of "Tom" and matching the description of CHEN delivered counterfeit goods to multiple retail locations in New York, New York.<sup>2</sup>

b. "Tom" maintains a warehouse for storing shipments of counterfeit goods at an unidentified location.

#### The Defendants' Residence

8. Based on my review of records from U.S. Customs and Border Protection ("CBP"), the U.S. Department of State, the New York State Department of Motor Vehicles, and private credit bureaus, I have learned that the home address of LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and CHEN's wife, HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, is 15 Elm Street, Roslyn Heights, New York, and that the same address is associated with a gray Toyota Sienna, New York License Plate Number GLM-9232, VIN 5TDKK3DC0ES426588 ("Vehicle-1"), which is registered to CHEN.

9. On or about May 7, 2015, I and other law enforcement agents conducted surveillance of a single-family residence located at 15 Elm Street, Roslyn Heights, New York ("Residence-1"), and observed the following:

a. At approximately 8:45 a.m., CHEN and HUANG emerged from Residence-1.<sup>3</sup> CHEN entered Vehicle-1, which was parked on the street in front of Residence-1, and CHEN appeared to shift objects around and inside Vehicle-1. HUANG, meanwhile, remained outside the front passenger door of Vehicle-1. CHEN passed one or more objects to HUANG through the front-passenger door of Vehicle-1. HUANG then entered Vehicle-1, and CHEN and HUANG drove away from Residence-1.

b. After CHEN and HUANG drove away from Residence-1, I and other law enforcement agents examined the vicinity of the street where Vehicle-1 had been parked. Several parcels of

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<sup>2</sup> When shown a photograph of CHEN, CI-1 identified CHEN as "Tom."

<sup>3</sup> I knew the man I observed to be CHEN because on or about April 14, 2015, I interviewed CHEN at John F. Kennedy International Airport when CHEN returned from China using his own name and passport. I knew the woman I observed to be HUANG because I had reviewed photographs of HUANG maintained in her ICE immigration file that were originally taken when HUANG registered for various immigration-related documents.

trash awaiting collection were located in the vicinity of the street where Vehicle-1 had been parked. In addition to these parcels, which had been present on the street before CHEN and HUANG entered and drove away in Vehicle-1, we observed a large woven fiber bag ("Bag-1") that had not been present among the other trash waiting for collection before CHEN and HUANG drove away in Vehicle-1.

c. At approximately 9:00 a.m., I and other law enforcement agents recovered Bag-1 and the other trash awaiting collection outside Residence-1.

10. Later in the day on or about May 7, 2015, I and other law enforcement agents examined the contents of Bag-1 and the remaining trash collected from the sidewalk outside Residence-1. The contents of Bag-1 included, among other things:

a. A sheet of stickers bearing the "Ray-Ban" trademark of the size and design suitable to be placed on boxes or tags for sunglasses;

b. A page from a notice of a seizure by CBP dated January 1, 2015;

c. A sheet of paper showing the designs and types of various designer handbag brands, such as "Gucci" and "Louis Vuitton";

d. Shipping labels that had been cut from the packages to which they were originally affixed; and

e. Shipping invoices.

11. Based on a comparison of the shipping labels and the invoices found in Bag-1 to the 107 Seized Counterfeit Goods, and my review of other law enforcement records, I have learned the following, among other things:

a. Two shipping labels and two invoices from Bag-1 reflected a recipient, "Long Xiang, 112-08 14th Ave, College Point, NY 11355," and stated that the shipped goods were 40 units of "Metal Shelf." In or about January 2015, law enforcement authorities seized three shipments addressed to the same recipient purportedly containing metal shelves. In fact, the seized shipments contained 1,200 pairs of counterfeit Coach and Michael Kors sunglasses.

b. Eleven shipping labels and 33 invoices from Bag-1 reflected a recipient, "Jerry," "Jerry Kim," or "JJD," at "625 Jersey Ave Unit 8, New Brunswick, NJ 08901," and stated that the shipped goods were 40 units of "Metal Shelf." From in or about August 2014 to in or about January 2015, law enforcement seized 32 shipments addressed to the same address and recipient. Many of these shipments purportedly contained metal shelves. In fact, the seized shipments contained various counterfeit designer goods.

c. An invoice from Bag-1 reflected a recipient, "Jerry, 142-41 Roosevelt Ave, Flushing, NY," and stated that the shipped goods were 40 units of "Metal Frame." In or about April 2014, law enforcement seized two shipments addressed to the same recipient, one of which also purportedly contained metal frame. In fact, the seized shipments contained various counterfeit designer goods, including counterfeit Ray-Ban sunglasses.

d. Two invoices from Bag-1 reflected a recipient, "Kingman, 195 Bay 19th Fl3, Brooklyn NY," and stated that the shipped goods were 40 units of "Metal Shelf." In or about November and December 2014, law enforcement seized four shipments addressed to the same recipient purportedly containing shelving. In fact, the shipments contained counterfeit Ray-Ban sunglasses.

#### The Identified Business Headquarters

12. Based on my review of records, including receipts for seized counterfeit goods, and my conversations with other law enforcement agents, I know that the previous business location for various corporate entities used by or associated with LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, was identified as 1201 Broadway, Room #811, New York, New York. On or about December 19, 2014, approximately 27,024 counterfeit goods were seized from this location.

13. Based on my review of documents and records, and my conversations with other law enforcement agents, I have learned the following, among other things:

a. On or about May 20, 2015, a possible business location for various corporate entities used by or associated with LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, was identified as located at 844 Sixth Avenue, New York, New York ("Headquarters-1").

b. The corporate entities associated with Headquarters-1 include "Elegance Eyewear," a company for which HUANG is the President.

c. HUANG pays rent for three suites located within Headquarters-1: Suites 504, 505, and 506.

d. Suite 504 has a sign on the door of the suite listing "Elegance Eyewear," "Cindy," and a phone number for "Cindy."

14. I have reviewed GPS tracking data for Vehicle-1 collected during the period from on or about May 20, 2015 through the present pursuant to a court-authorized warrant (the "GPS Tracking Data"). Based on the GPS Tracking Data and my conversations with other law enforcement agents, I have learned the following, among other things:

a. Between on or about May 20, 2015, and on or about September 19, 2015, Vehicle-1 traveled to and parked near Headquarters-1 at least 70 times.

b. Vehicle-1 has only traveled to Headquarters-1 during business hours -- that is, between 10:00 a.m. and 6:00 p.m.

#### The Identified Storage Facility

15. Based on the GPS Tracking Data and my conversations with other law enforcement agents, I have learned the following, among other things:

a. Between on or about May 20, 2015, and on or about September 19, 2015, Vehicle-1 traveled to at least one storage location. Specifically, between on or about May 20, 2015, and on or about September 19, 2015, on at least 38 occasions, Vehicle-1 traveled to a storage facility located at Extra Space Storage, 100 South Bayles Avenue, Port Washington, New York ("Storage Facility-1").

b. From on or about May 20, 2015, to on or about September 19, 2015, approximately two or three times a week, Vehicle-1 traveled in the following pattern: (1) from Residence-1; (2) to or to the vicinity of Headquarters-1; (3) to Storage Facility-1; and then (4) back to Residence-1.

c. In addition, on or about September 23, 2015, at approximately 6:00 p.m., Vehicle-1 visited Storage Facility-1.

d. Based on law enforcement surveillance of Vehicle-1, I know that HAI FAN HUANG, a/k/a "Cindy Huang," the defendant, exited Vehicle-1 at Residence-1 at approximately 8:00 p.m. on or about September 23, 2015.

16. Documentary records and conversations with Storage Facility-1 employees indicate the following:

a. LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, currently pay for and use six storage units (Units B082, B092, B093, B094, E788, B100) at Storage Facility-1, which range in size from 10 feet by 10 feet to 10 feet by 25 feet.

b. Three of these six storage units used and paid for by CHEN and HUANG are listed under another individual's name ("CC-1").<sup>4</sup>

c. An employee of Storage Facility-1 ("Witness-1") told law enforcement agents that CHEN has had shipping containers delivered to Storage Facility-1 in the past and has used workers at Storage Facility-1 to unload the contents of these shipping containers into his storage units.

17. On at least one occasion, on or about August 12, 2015, law enforcement agents observed LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," the defendant, retrieving packages from Storage Facility-1.

18. Based on flight manifests for LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," I have learned that CHEN departed from the United States to China on September 16, 2015, and returned to the United States from China on October 4, 2015.

#### Postal Service Business-5

19. Based on my conversation with an employee ("Witness-2") of Postal Service Business-1, and my review of payment records from Postal Service Business-1, I have learned the following, among other things:

a. Postal Service Business-1 was forwarding international packages or shipments to a "Tom" or a "Danny Chen" at 3370 Prince Street, CA6 S64, Flushing, New York 11354, which

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<sup>4</sup> New York Police Department ("NYPD") records indicate that CC-1 has been arrested multiple times by the NYPD for trafficking in counterfeit goods.



is the same address as a company known as "Yi Yi Mailboxes" ("Postal Service Business-5").

b. "Tom" or "Danny Chen" maintains an account at Postal Service Business-1 to pay Postal Service Business-1 to forward international packages or shipments to Postal Service Business-5. This account is paid for via money orders mailed to Postal Service Business-1 from "Danny" at #504 at Headquarters-1.

c. At least five international packages or shipments have been received by Postal Service Business-1 and then sent by Postal Service Business-1 to Postal Service Business-5.<sup>5</sup>

20. Based on the GPS Tracking Data, I know that at approximately 6:55 p.m., on or about August 7, 2015, Vehicle-1 drove to and stopped in front of Postal Service Business-5, and from at least on or about May 20, 2015, to on or about August 7, 2015, Vehicle-1 had never previously stopped at Postal Service Business-5.

#### Executed Search Warrants

21. On or about October 15, 2015, pursuant to court-authorized search warrants, I and other law enforcement agents conducted a search of the six identified storage units at Storage Facility-1, the three identified business suites at Headquarters-1, Residence-1, and Vehicle-1. Based on my conversations with other law enforcement agents and my participation in this search, I know the following:

a. More than 130,000 counterfeit goods were found in the storage units used and rented by LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, at Storage Facility-1. These counterfeit goods included luxury and designer watches and sunglasses.

b. A variety of luxury and designer brand labels were found in the storage units used and rented by CHEN and HUANG.

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<sup>5</sup> According to FedEx.com, these five shipments were delivered to Postal Service Business-5 on or about 10:06 a.m. on August 7, 2015.

c. At least 492 pairs of counterfeit sunglasses were found in the business suites used and rented by CHEN and HUANG at Headquarters-1.

WHEREFORE, deponent respectfully requests that LE FU CHEN, a/k/a "Tom Chen," a/k/a "Danny Chen," and HAI FAN HUANG, a/k/a "Cindy Huang," the defendants, be imprisoned or bailed, as the case may be.



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DAVID B. MONDANARO  
Special Agent  
Department of Homeland Security  
Immigration and Customs Enforcement

Sworn to before me this  
15th day of October, 2015



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HONORABLE KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK