IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	**Case No. 1:12-cr-00278 (RMC)**
	:	
v.	:	
	:	
OMIDREZA KHADEMI,	:	
	:	
Defendant	:	
	:	

GOVERNMENT'S SENTENCING MEMORANDUM

Introduction

Defendant Omidreza Khademi has pled guilty to one count of conspiring to violate the embargo against Iran and to defraud the United States, arising out of his trafficking in sonar systems, underwater acoustic transducers, laptop computers, and other high technology components. Between 2010 and 2011, the defendant orchestrated export shipments worth over $145,000 in violation of U.S. and international export controls. Significantly, he performed these acts on behalf of two entities that the world community, through the United Nations, has designated and sanctioned as being part of Iran's nuclear proliferation efforts. Such activities are egregious and implicate both the national security and the foreign policy of the United States. Khademi's offenses are serious and warrant a significant sentence.

The Probation Office has determined – and the parties agree – that the defendant's Guideline offense level is 26 and that his Criminal History Category is I, thus making the appropriate sentencing range 63-78 months. One of the conditions of the defendant's plea agreement was, however, that should he accept responsibility for his actions prior to sentencing, the government would agree to a 3-level reduction pursuant to U.S.S.G. § 3E.1(a). The

defendant has satisfactorily demonstrated that he accepts responsibility and saved the government and the court time and resources by pleading guilty in a timely fashion. The government believes the § 3E1.1(a) reduction is appropriate. The parties have also agreed to a two-level reduction for the defendant's mitigating role, pursuant to USSG § 3B1.2. Consequently, the applicable adjusted offense level is 21, with a sentencing range of 37-46 months. Additionally, pursuant to the findings of the Presentencing Report, if the Court imposes a sentence of more than one year, at least one year of supervised release must also be imposed. The resulting sentencing range (37-46 months) fully comports with the factors set forth in 18 U.S.C. § 3553(a). It properly accounts for the seriousness of the crime and would also serve as a real deterrent against others in defendant's position who might think of taking advantage of open global trade to divert products to sanctioned destinations. Furthermore, it would promote respect for this nation's export laws and national security controls, and it would be consistent with the sentences that other defendants have received for similar criminal conduct.

Due to the severity of the defendant's crimes and the scope of the conspiracy, the government seeks a sentence at the high end of the sentencing range – *viz.*, 46 months.

Background

Khademi deceitfully conspired to violate a strategic export control regime – the International Emergency Economic Powers Act ("IEEPA"), 50 U.S.C. §§ 1701-1706, and the related restrictions that the Department of the Treasury enforces through the Iranian Transactions Regulations ("ITR"), 31 C.F.R. § 560. The ITSR specifically governs the export of articles through an intermediate country when the intended end-user resides in Iran. The primary goal of Khademi's export scheme was to supply items to clients in Iran without obtaining the proper

licenses to do so. These clients themselves were individually subject to international sanctions due to their place in Iran's nuclear weapons program

The deceitful and willful character of the defendant's behavior is evident from his numerous overt acts in furtherance of the conspiracy. First and foremost, the defendant simply made no attempt to comply with U.S. law by applying for appropriate permits from the Office of Foreign Asset Control ("OFAC") within the Department of the Treasury. Furthermore, he systematically made discrete efforts to evade United States export law. He failed to provide required end-user certification requested by the U.S.-based manufacturer. He assisted his coconspirators in solving logistical problems related to shipment with full knowledge that the goods could not be legally transshipped from the United Arab Emirates. He negotiated price schemes for his services which included discounts for bulk orders. Knowing that his conconspirators had fraudulently misrepresented the items' end uses and end user to their American suppliers, Khademi nonetheless followed their plans to the letter.

The government, after a careful review of the defendant's records, has prepared a summary of his illegal shipments through Hong Kong and the United Arab Emirates ("U.A.E.") to Iran. Through his own actions, the actions of his conspirators for which he is liable, and those of his company, Omid General Trading Company, in Dubai, U.A.E., between February 2010 and September 2011, Khademi transshipped a PCI Analog Board, Breakout board, Cables, 21 laptop computers, a side scan sonar system, and an underwater acoustic transducer to Iran in violation of U.S. export law. The shipments' combined values sum to approximately $146,000. Several of these items, including the laptop computers and the acoustic transducer, have extensive military applications. The American supplier of the acoustic transducer specifically informed the defendant's coconspirator that it was "a military type unit with no commercial sales," and the co-

conspirator forwarded that e-mail to Khademi. Khademi's behavior demonstrates his complete disregard for United States and international prohibitions on proliferators of weapons of mass destruction..

Argument

I. Legal Standards

In United States v. Booker, 543 U.S. 220 (2005), the Supreme Court ruled that the Guidelines are no longer mandatory. In the remedy portion of the opinion, however, the Court also made it clear that, in determining the appropriate sentence for a defendant, the district court judge must calculate and consider the applicable guidelines range, refer to the pertinent Sentencing Commission policy statements, and bear in mind the need to avoid unwarranted sentencing disparities. Although the judge must also weigh the factors enunciated in 18 U.S.C. § 3553(a), "it is important to bear in mind that Booker/Fanfan and section 3553(a) do more than render the Guidelines a body of casual advice to be consulted or overlooked at the whim of a sentencing judge." United States v. Crosby, 397 F.3d 103, 113 (2d Cir. 2005). As one member of this Court has held, "Booker requires judges to engage in a two-step analysis to determine a reasonable sentence." United States v. Doe, 413 F. Supp.2d 87, 90 (D. D.C. 2006) (Bates, J.). The Fourth Circuit also addressed the proper method of analysis by a trial court, writing:

> [A] district court shall first calculate (after making the appropriate findings of fact) the range prescribed by the guidelines. Then, the court shall consider that range as well as other relevant factors set forth in the guidelines and those factors set forth in [18 U.S.C.] § 3553(a) before imposing sentence.

United States v. Hughes, 401 F.3d 540, 546 (4th Cir. 2005).

After Booker, in resolving issues under the guidelines, the Court continues to use a preponderance of the evidence standard, and consideration of acquitted or uncharged conduct remains appropriate. United States v. Dorcely, 454 F.3d 366, 372 (D.C. Cir.), cert. denied, 127

S. Ct. 691 (2006). See also In re Fashina, 486 F.3d 1300, 1305 (D.C. Cir. 2007) (preponderance of the evidence standard).

When weighing the § 3553(a) factors as part of its calculus of an appropriate sentence, the Court should consider not only the nature and circumstances of the offense and the history and characteristics of the defendant, but also the applicable sentencing objectives – that is, that the sentence (1) reflect the seriousness of the offense; (2) promote respect for the law; (3) provide just punishment; (4) afford adequate deterrence; (5) protect the public; and (6) effectively provide the defendant with needed educational or vocational training and medical care. See 18 U.S.C. § 3553(a)(1) and (2). In addition, the sentence should reflect "the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct." 18 U.S.C. § 3553(a)(6).

II. An Analysis of the Factors Enunciated in 18 U.S.C. § 3553(a) Demonstrates that a Significant Period of Incarceration Is Appropriate

A. The Nature and Circumstances of the Offense

1. The Nature and Circumstances of the Offense

The Sentencing Commission has reflected the seriousness of the violations here by assigning a high base offense level to all export crimes implicating the United States' national security and non-proliferation interests. Significantly, some courts have correctly recognized that the nature of the goods being exported is immaterial in that "any violation of the embargo inherently" involves the United States' national security. United States v. Hanna, 661 F.3d 271 (6th Cir. 2011) (emphasis added) (defendant's shipment of telecommunications and navigation equipment to Iraq in violation of the IEEPA warranted the enhanced Base Offense Level of 26 under U.S.S.G. § 2M5.1); see also United States v. Min, 2000 WL 1576890, **2 (S.D.N.Y. 2000) (defendant's violation of embargo against North Korea warranted application of U.S.S.G.

§ 2M5.1(a)(1) because "[t]he nature of the goods, innocuous or other, is not controlling"). Indeed, courts have previously considered and affirmed this application of the law and Sentencing Guidelines in the context of the unlawful shipment of fairly innocuous goods, many of which have no direct military application. See, e.g., United States v. Elashyi, 554 F.3d 480, 508-09 (5th Cir. 2008) (defendants convicted of illegally exporting computer equipment to Libya and Syria in violation of IEEPA were properly given Base Offense Level of 26 because conduct involved evasion of national security controls); United States v. McKeeve, 131 F.3d 1, 14 (1st Cir.1997) (export of computer equipment to Libya was evasion of national security controls).

This Court should give considerable weight to the Sentencing Commission's determinations regarding the gravity of the offense in fashioning the sentence. Its determinations are consistent with those of the Executive Branch of the United States Government, which has expertise in these matters. See United States v. Martinez, 904 F.2d 601 (11th Cir. 1990) ("Questions concerning what perils our nation might face at some future time and how best to guard against those perils are delicate, complex, and involve large elements of prophecy. They are and should be undertaken only by those directly responsible to the people whose welfare they advance or imperil.") The Executive Branch has determined as a matter of foreign and national security policy that the threat posed by the government of Iran is so severe that a complete trade embargo is necessary to protect the interests of the United States. Congress has acted in kind, recognizing repeatedly the threat posed by Iran. See Iran Freedom Support Act, PL 109-293 (HR 6198) September 30, 2006; *see also* Iran Sanctions, Accountability, and Divestment Act of 2010, P.L. 111-195 (HR 2194) July 1, 2010.

Since March 2006, the United States has significantly increased the penalties for the illegal export of goods from the United States to Iran. Previously, IEEPA carried a maximum

sentence of 10 years of imprisonment for individuals and an effective fine of $10,000. In March 2006, however, the criminal penalties under the IEEPA were increased to a maximum sentence of 20 years of imprisonment for individuals and fine of $50,000 per violation. On October 16, 2007, criminal penalties were yet again increased such that each violation became punishable by up to 20 years of imprisonment and a $1,000,000 fine. In the same manner, Congress increased the civil penalties associated with export violations concerning Iran.[1]

Therefore, since March 2006, in direct response to the elevated threat Iran poses to the national security of the United States, the Congress and Executive Branch have enhanced the criminal and civil penalties associated with unlawful exportation of goods to Iran, regardless of their nature. This is significant in two respects. First, it should give the Court some indication that aggressive enforcement of the sanctions and embargo against Iran is extremely important in keeping with the Congress' and Executive Branch's (including the United States Sentencing Commission's) more recent intent in addressing the crime. Second, sentences imposed for unlawful export activities under IEEPA occurring after March 2006 are likely to be more instructive than sentences addressing similar criminal conduct occurring before March 2006. Here, Khademi's criminal conduct occurred after the Congress and Executive Branch enhanced the related penalties.

Also, pursuant to Application Note 2 to § 2M5.1, in fashioning an appropriate sentence, the Court may and should consider four factors: (1) the degree to which the violation threatened a security interest of the United States; (2) the volume of commerce involved; (3) the extent of planning and sophistication; and (4) whether there were multiple occurrences.

[1] In March 2006, civil penalties increased from $10,000 to $50,000, per violation. Then again, in October 2007, the civil penalties increased from $50,000 to $250,000 or twice the amount of the transaction, whichever was greater.

In this case, an analysis of the four factors in the context of the extensive unlawful export scheme carried out by Khademi militates in favor of imposing a significant sentence.

To begin, several of the items that the defendant exported to Iran had multiple applications, but the underwater acoustic transducer that the defendant has admitted to shipping to Iran in 2011, is designed for military purposes only. The defendant was well aware of this fact, because he was forwarded email correspondence between the U.S. company representative selling the item and co-conspirator A, in which the representative stated, "This is a military type unit with no commercial sales." The defendant's repeated claim that he was ignorant that his co-conspirators were seeking items for the government of Iran or for military use – and that he believed a "military type unit" was actually intended for "business or educational purposes," Def. Mem. at 9 – strains credulity.

The defense seeks mitigation in regards to the defendant's shipment of the underwater acoustic transducer by claiming that this item "is classified by BIS as EAR99." Defendant's Sentencing Memorandum at 19. However, in making this claim the defense does not cite a BIS determination; it cites an email that it received from Lubell Labs, the Ohio company that manufactured the Underwater Acoustic Transducer that Khademi illegally shipped to Iran with his co-conspirators in September 2011. Exhibit 5 to Defendant's Sentencing Memorandum.

The government has received an assessment from a BIS Licensing Officer who determined that the accurate Export Control Classification Number (ECCN) for the Underwater Acoustic Transducer is 6A991, which covers "marine or terrestrial acoustic equipment, not elsewhere specified, capable of detecting or locating underwater objects or features or positioning surface vessels or underwater vehicles; and specifically designed components not elsewhere specified." Items classified as 6A991 items *are* controlled and would require a license

for export to Iran. Thus, the defendant's claim that an Acoustic Underwater Transducer is just "a low technology consumer good" "not subject to controls under the Export Administration Regulations" is absolutely false. The Court should not credit Khademi's claim that he did not understand that he was shipping items with clear military applications to Iran in violation of U.S. law.

Moreover, proliferation procurement networks permit rogue states to circumvent international opprobrium by relying on criminal conspiracies like Khademi's to obtain restricted items. They pose a serious threat to global security. Both of the companies for which Khademi procured devices during the scheme were listed by the European Union (EU) on May 23, 2011, as entities involved in the procurement of materials for the Iranian nuclear program. Council Implementing Regulation Number 503/2011 stipulates that EU member states must freeze all funds and economic resources held by all persons or organizations listed therein (under the auspices of Council Regulation Number 961/2010, repealed and replaced by 267/2012). Inclusion in this list means that the relevant entity has been designated by the United Nations Security Council or Sanctions Committee pursuant to UNSCR 1737 (2006), UNSCR 1803 (2008) or UNSCR 1929 (2010) as individuals "being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or the development of nuclear weapons delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means." Paragraph 12, UNSCR 1737

These sanctions are particularly condemning evidence, serving to highlight Khademi's culpability and the egregiousness of his conduct. The European Union and the United Nations, both of which are august, transparent, and well-respected international bodies, singled out

Khademi's coconspirators for punishment as elements of the globally ostracized Iranian nuclear program. The defendant claims that because he formed relationships with these individuals six years before they were sanctioned by the EU, he cannot possibly have suspected that they were involved in any serious wrongdoing. Defendant's Sentencing Memorandum at 10. Moreover, the defendant even claims that because half of his conduct occurred before the entities were listed, their motives may not be imputed to him. *Id*. This argument is fallacious to the point of incrimination. If half of his conduct occurred before the entities were listed, half also occurred after their listing. For at least half of the acts constituting the Khademi's criminal conspiracy, he knew or had reason to know he was cooperating with individuals condemned as supporters of the Iranian nuclear regime. Moreover, the coconspirators' unlawful nuclear procurement efforts did not begin once they were sanctioned; the sanctions represented the international community's ongoing recognition of those contemptuous activities. It is preposterous to assert, as the defendant does, that in the six years he spent working with his "friends" before the EU officially vilified them for their conduct during those years, he had no idea of their nuclear endeavors. Id.

The defendant tries to minimize his conduct by clinging to the notion that the items at issue are EAR99. Specifically, in its memorandum, at 19, the defense writes that "items designated as EAR99 by BIS [Department of Commerce, Bureau of Industry Security] generally consist of low-technology consumer goods, and are not subject to controls under the Export Administration Regulations," citing to the BIS website. This is somewhat misleading, because EAR99 items *are* still subject to Export Administration Regulations. Indeed, while the BIS website refers to EAR99 items as "low technology consumer goods," it further advises, "if you plan to export an EAR99 item to an embargoed country, to an end-user of concern, or in support of a prohibited end-use, you may be required to obtain a license." Here, Khademi sent products

to an embargoed country (Iran) and to two internationally sanctioned entities. If the goods also had been subject to specific controls, his conduct merely would have been more egregious.

The defendant seeks mitigation by showing that the laptops and computer board he exported are now authorized for shipment to Iran by the executive branch of the United States government through the issuance by the U.S. Department of Treasury of General License D on May 30, 2013. Defendant's Sentencing Memorandum at 18-20. This fact is of no moment. The shipments were plainly illegal at the time they were made – which was over two and a half years before the issuance of General License D – and no evidence whatsoever has been proffered by the defendant to show that he was motivated to commit his crimes so that Iranian citizens could communicate freely with one another under a repressive regime. The defendant alleges that he understood that some of the goods would likely be sent to a chain of automobile service centers, not to underground pro-democracy political groups. However, he knew that the ultimate end-user for the analog input board, breakout board and cable was the University of Tehran, a public university funded by the government of Iran. This university therefore is an arm of the regime that the General License is meant to subvert. The United States State Department describes Iran as an "active state sponsor of terrorism." Then U.S. Secretary of State Condoleezza Rice elaborated stating, "Iran has been the country that has been in many ways a kind of central banker for terrorism in important regions like Lebanon through Hezbollah in the Middle East, in the Palestinian Territories, and we have deep concerns about what Iran is doing in the south of Iraq." Greed, not democratic heroism, motivated the defendant to commit his crimes, and he should not be permitted to benefit from a shift in U.S. trade policy wholly unrelated to his case.

B. The History and Characteristics of the Offender

Khademi is typical of many white-collar offenders. He is highly educated, diligent, and ambitious. In light of those qualities, the ease with which he succumbed to temptation and put personal interests ahead of respect for the law is hard to fathom. The defendant's incarceration has been, and will certainly continue to be, a hardship to his family. The government has sympathy for them. There is, however, nothing that indicates that the burden on the family of this offender will be any different from the burden the family of any white collar offenders bears or, for that matter, the burden borne by the family of a violent criminal.

In short, the defendant's personal history and family situation do not provide uniquely mitigating circumstances.

C. The Need To Promote Respect for the Law, To Provide Just Punishment, To Afford Adequate Deterrence, and To Protect the Public

Deterrence and promoting respect for the law should be the principal goal of the Court's sentence here. Sentences in white-collar cases, arguably more so than in any other area in criminal law, can have a real deterrent effect. A strong sentence will serve as a true warning to anyone tempted to ignore the export laws. Through its punishment of Khademi in this case, the Court can send the message that export violations, particularly those with national security implications, are – as Congress, the President, and the Guidelines intended them to be – grave matters that warrant real punishment.

D. The Need To Provide the Defendant with Educational or Vocational Training

The defendant does not need such training. In any event, the other factors bearing on the seriousness of the offenses and the need for strong deterrence outweigh this element in fashioning a just sentence.

E. The Need To Avoid Unwarranted Sentence Disparities Among Defendants with Similar Records Who Have Been Found Guilty of Similar Conduct

The starting point in the Court's analysis under § 3553(a)(6) is the sentences of "defendants with similar records who have been found guilty of similar conduct." 18 U.S.C. § 3553(a)(6). A comparison of the government's recommended sentence for Khademi with the sentences in other recent prosecutions underscores the reasonableness of the 48-month sentence that the government proposes.

Just last month, the Honorable Richard J. Leon, District Court Judge for the District of Columbia, sentenced a defendant, Arsalan Shemirani, to 48 months in an export case (*U.S. v. Shemirani*, Crim. No. 12-CR-0075 (RJL)). Shemirani had entered a cooperation plea agreement in which he pled guilty to one count of conspiring under 18 U.S.C. § 371 to violate the IEEPA. Shemirani had conspired to purchase U.S.-origin products from U.S. suppliers and to export or cause the export of those products from the U.S. to Iran via Canada and Hong Kong. Unlike the instant case, there were no known specific sanctioned entities involved. Shemirani's guideline imprisonment range was 46 to 57 months. The government filed a motion for a downward departure under 5K due to the substantial assistance he provided under the plea agreement. Judge Leon sentenced Shemirani to 48 months.

Other courts have recognized that conduct substantially similar to Khademi's ought to be treated firmly. In *United States v. Mohammad Reza Haijan*, 08:12-cr-00177 (M.D. Fla.), the defendant pleaded guilty to one count of conspiring under 18 U.S.C. § 371 to violate IEEPA for exporting computers and computer related equipment to Iran, and was sentenced to 48 months' incarceration. In *United States v. Laura Wang-Woodford*, 03-cr-0070 (E.D.N.Y.), the defendant pleaded guilty to one count of conspiring to violate IEEPA for her involvement in shipping aircraft component parts to Iran through other countries, and was sentenced to 46 months' incarceration, which was the upper range of the stipulated 37-46 months contained in the parties' plea agreement. *See also United States v. David McKeeve*, 131 F.3d 1 (1st Cir. 1997) (51 month sentence in an IEEPA prosecution for sending computer products to Libya in violation of embargo).[2] In *United States v. Michael Edward Todd*, 05:10-cr-0058-1 (M.D. Ga.), the defendant pleaded guilty to one count of conspiring under 18 U.S.C. § 371 to violate IEEPA and the Arms Export Control Act for exporting military aircraft equipment to Iran, and was sentenced to 35 months imprisonment. The 35-month sentence took into account the defendant's substantial assistance in the lure and arrest of a co-defendant. Michael Todd's co-defendant, who also assisted in the lure and arrest of an Iranian procurement agent, was sentenced to 56 months imprisonment. *See United States v. Hamid Seifi*, 05:10-cr-0058-3 (M.D. Ga).

In *United States v. Parthasarathy Sudarshan*, Crim No. 08-307 (RMU), the Honorable Ricardo M. Urbina, District Court Judge for the District of Columbia, sentenced defendant Sudarshan to 35 months in an export case, pursuant to a cooperation plea agreement. Sudarshan had pled guilty to one count of conspiring under 18 U.S.C. § 371 to violate the IEEPA, the Export Administration Regulations, the Arms Export Control Act, and the International Traffic

[2] Significantly, McKeeve used the pre-2001 version of § 2M5.1(a)(1) and § 2M5.2(a)(1), which had a base offense level of 22. The sentences would undoubtedly be higher today, with the higher base offense level of 26.

in Arms Regulations ("ITAR"). Like defendant Khademi – who conspired to ship goods to entities that the United Nations has designated and sanctioned as being part of Iran's nuclear proliferation efforts – Sudarshan conspired to violate the Department of Commerce's Entity List restrictions by shipping U.S. technology to entities that were known for their central role in India's missile development efforts. Sudarshan's guideline imprisonment range was 70-87 months, but his offense of conviction had a statutory cap of 60 months. The government filed a motion for a downward departure under 5K due to the substantial assistance that Sudarshan provided under the plea agreement, and Judge Urbina sentenced Sudarshan to 35 months.[3]

As the Court knows, Khademi and the government have jointly agreed to forfeit $4,400 as part of pleading guilty in this case. In reaching this negotiated forfeiture amount, the government determined that it constituted a sufficient monetary penalty against the defendants, and is therefore not seeking the imposition of any additional criminal fine against him, consistent with an application of the various factors set forth in 18 U.S.C. § 3572. Moreover, the Government submits that the agreed-to criminal forfeiture is also sufficient to reflect the seriousness of the offense, promote respect for the law, provide just punishment, afford adequate deterrence, and protect the public from further crimes by the defendant. *See* § 3553(a)(2)(A)-(C).

[3] Mr. Sudarshan received a four-level leadership enhancement pursuant to his plea agreement, and thus, his combined offense level was higher than that of defendant Khademi. However, unlike the defendant, Mr. Sudarshan pleaded guilty under a cooperation plea agreement, and the sentence that the government allocuted for in Mr. Sudarshan's case also reflected the fact that he had provided substantial assistance to the government, which defendant Khademi did not do.

Conclusion

For the foregoing reasons, the Court should sentence defendant Khademi to 46 months of incarceration.

Respectfully submitted,

RONALD C. MACHEN, JR.
UNITED STATES ATTORNEY
D.C. Bar No. 415793

By: _____
Mona N. Sahaf
Assistant United States Attorney
National Security Section
D.C. Bar No. 497854
United States Attorney's Office
555 Fourth Street, N.W. (11th Floor)
Washington, DC 20530
(202) 252-7080
Mona.Sahaf@usdoj.gov

Anthony Asuncion
Assistant United States Attorney
National Security Section
D.C. Bar No. 420822
United States Attorney's Office
555 Fourth Street, N.W. (11th Floor)
Washington, DC 20530
(202) 252-7080
Anthony.Asuncion@usdoj.gov

CLIFFORD I. RONES
Senior Trial Attorney
Md. Bar No. 8506010284
Counterespionage Section
United State Department of Justice
(202) 233-2092
Clifford.Rones@usdoj.gov

Certificate of Service

I, Mona N. Sahaf, certify that I caused to be served a copy of the foregoing Government's Sentencing Memorandum by electronic means on counsel of record for defendant this 10th day of September, 2013.

_____
Mona N. Sahaf
Assistant U.S. Attorney