

# The United States Attorney's Office Southern District of Florida

## Press Release

### MUNITIONS DEALER ARRESTED AND CHARGED IN CONSPIRACY TO EXPORT MILITARY AIRCRAFT PARTS TO IRAN

April 6, 2009

R. Alexander Acosta, United States Attorney for the Southern District of Florida, David Kris, Assistant Attorney General for National Security, Michael Johnson, Special Agent in Charge, U.S. Department of Commerce, Office of Export Enforcement, Anthony V. Mangione, Special Agent in Charge, U.S. Immigration and Customs Enforcement, Office of Investigations, Amie R. Tanchak, Resident Agent in Charge, U.S. Department of Defense, Defense Criminal Investigative Service, and James M. Foster, Special Agent in Charge, U.S. Department of State, Diplomatic Security Service, announced that defendant Baktash Fattahi was arrested in California, on April 3, 2009, on charges of conspiring to export military aircraft parts to Iran. Federal agents arrested Fattahi at his apartment in Lancaster, California. He remains in federal custody in California and will be removed to Miami to face the charges in the Indictment.

Baktash Fattahi, an Iranian National and a legal U.S. resident, and ten other defendants were indicted on April 2, 2009, by a federal grand jury sitting in Miami, FL, with conspiring to violate the International Emergency Economic Powers Act, the United States Iran Embargo, and the Arms Export Control Act for their participation in a conspiracy to export U.S.-made military aircraft parts to Iran. Also charged in the Indictment were defendants Amir Hosein Atabaki, an Iranian national, Mohammad Javad Mohammad Esmail, an Iranian national, Abbas Haider, an Indian citizen residing in Dubai, Mohammed Javid Yahya Saboni, an Iranian national residing in Dubai, Reza Zahedi Pour, an Iranian national, Mahdi Electronic Trading Co, an Iranian business, Planet Commercial Brokerage, a Dubai business, Raht Aseman Co, Ltd, an Iranian business, Sahab Phase, an Iranian business, and Sea Speed UAE, a Dubai business.

The Arms Export Control Act (AECA) prohibits the export of military items designated as "defense articles" on the U.S. Munitions List (USML) without a license or authorization from the Department of States, Directorate of Defense Trade Controls (DDTC).

The U.S. Iran Embargo (the Embargo) prohibits the exportation from the U.S. to Iran of any goods, technology, or services, with limited exceptions, unless authorized by the Department of Treasury, Office of Foreign Assets Controls (OFAC). The Embargo is enforced through the International Emergency Economic Powers Act (IEEPA).



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According to the Indictment, the defendants conspired to and did export thirteen different types of aircraft parts designated as defense articles on the USML from the U.S. to Iran by way of Dubai, United Arab Emirates. Among the aircraft parts the defendants are alleged to have obtained and illegally shipped to buyers in Iran are parts for the F-5 ("Tiger") Fighter Jet, the Bell AH-1 ("Cobra") Attack Helicopter, the CH-53 Military Helicopter, the F-14 ("Tomcat") Fighter Jet, and the UH-1 ("Huey") Military Helicopter. All of these aircraft are known to be used primarily, if not exclusively, by the Iranian military. Moreover, all of the military parts exported by the defendants are manufactured in the U.S., are designed exclusively for military use, and have been designated by the U.S. Department of State as "defense articles" on the USML, thus requiring registration and licensing with the DDTC. None of the defendants are registered or had the required license to ship defense articles to Iran.

According to the Indictment, defendants in Iran sent orders by email to a co-conspirator in Novato, California, for specific aircraft parts. The co-conspirator in California then requested quotes, usually by e-mail, from another co-conspirator in Plantation, FL, and made arrangements with that co-conspirator in Plantation for the sale and shipment of the parts to one of several defendants in Dubai. From Dubai, the parts were then shipped on to Iran.

If convicted, the defendants face statutory maximum sentences ranging from ten (10) years' imprisonment to twenty (20) years' imprisonment, and face fines of up to \$1 million.

Mr. Acosta commended the U.S. Department of Commerce, Office of Export Enforcement, U.S. Immigration and Customs Enforcement, Office of Investigations, and the U.S. Department of Defense, Defense Criminal Investigative Service, and the U.S. Department of State, Diplomatic Security Service, for their work on this investigation. Acosta also thanked the Office of Foreign Assets Control (OFAC) and the U.S. Department of State, Directorate of Defense Trade Controls, for their assistance in this matter. The case is being prosecuted by Assistant U.S. Attorney Melissa Damian.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at [www.usdoj.gov/usao/fls](http://www.usdoj.gov/usao/fls) <<http://www.usdoj.gov/usao/fls>> . Related court documents and information may be found on the website of the District Court for the Southern District of Florida at [www.flsd.uscourts.gov](http://www.flsd.uscourts.gov) <<http://www.flsd.uscourts.gov>> or on <http://pacer.flsd.uscourts.gov> <<http://pacer.flsd.uscourts.gov>> .