

ORIGINAL

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U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT

MAY 19 2009

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

JAMES N. HATTELL, Clerk
By: *Angela L. Smith*
Deputy Clerk

UNITED STATES OF AMERICA	:	CRIMINAL INDICTMENT
	:	NO.
v.	:	1:09CR0241
	:	
1. SCOTT AHN	:	
	:	
2. WON AHN	:	
	:	
3. ALPHADIO BAH	:	
	:	
4. MOUSSA BARADJI,	:	
	:	
5. BADEMBA BARRY,	:	
	:	
6. MAMADOU SADIO BARRY,	:	
	:	
7. AMADOU DIALLO,	:	
a/k/a "Dee",	:	
	:	
8. IBRAHIM DIALLO,	:	
a/k/a "Ten Ten,"	:	
	:	
9. OUMAR DIAN DIALLO,	:	
	:	
10. SULAIMAN JALLOH,	:	
	:	
11. CHARLES NDHLOVU,	:	
a/k/a "Soul,"	:	
	:	
12. SEDIKEY SANKANO, and	:	
	:	
13. MAMADOU ALIOU SIMAKHA,	:	
a/k/a "Badou,"	:	
	:	
Defendants.	:	

THE GRAND JURY CHARGES THAT:

Count One

At all times material to this Indictment:

The Defendants and others

1. Defendant ALPHADIO BAH, a/k/a "Alpha Tiam," manufactured and distributed counterfeit labels and counterfeit trademarks for pirated music CDs and DVDs movies, and leased facilities for the manufacture of counterfeit CDs, DVDs and accompanying artwork, in the Metropolitan Warehouses, Unit #B-10-E, 675 Metropolitan Parkway, Atlanta, Georgia.

2. Defendants SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou", produced and distributed counterfeit music CDs and DVD movies in and out of various locations throughout metropolitan Atlanta in the Northern District of Georgia.

3. Defendants SCOTT AHN and WON AHN imported blank CDs, DVDs, jewel cases, and other disc-related media from Asia, established a blank media supply store at 666 Metropolitan Parkway, Atlanta, Georgia, and organized their business to cater to the needs of their weekly customers, whom they knew to be disc duplicators involved exclusively or almost exclusively in the counterfeiting of music CDs and DVD movies.

The Conspiracy

4. From in or before September 2007, through in or about March 2009, in the Northern District of Georgia and elsewhere, the defendants, SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, MAMADOU ALIOU SIMAKHA, a/k/a "Badou", ALPHADIO BAH, a/k/a "Alpha Tiam", SCOTT AHN and WON AHN, together and with others known and unknown to the Grand Jury, knowingly and willfully did conspire to commit offenses against the United States, that is,

(a) to knowingly traffic in counterfeit labels that are affixed to or designed to be affixed to a phonorecord, of a copyrighted sound recording and to a copy of a copyrighted motion picture, in violation of Title 18, United States Code, Section 2318;

(b) to willfully and for purposes of commercial advantage and private financial gain to infringe the copyrights in certain sound recordings and motion pictures, by causing to be reproduced and distributed during a one hundred and eighty (180) day period, ten (10) or more copies of said sound recordings and motion

pictures with a retail value of more than Two Thousand Five Hundred dollars (\$2,500), thereby infringing the copyright in one or more copyrighted works, all in violation of Title 17, United States Code, Section 506 (a) and Title 18, United States Code, Section 2319; and (c) to intentionally traffic in and attempt to traffic in goods and knowingly use a counterfeit mark on or in connection with such goods, all in violation of Title 18, United States Code, Section 2320.

B. Manner and Means of the Conspiracy

The foregoing objects of the conspiracy were accomplished as follows:

5. It was part of the conspiracy that defendants SCOTT AHN and WON AHN imported loads of blank CDs and DVDs by container from China for resale in metropolitan Atlanta.

6. It was part of the conspiracy that defendants SCOTT AHN and WON AHN sold blank DVD and CD discs and other duplicating media to defendants SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou", along with others known and unknown to the Grand Jury, knowing that their

customers were in the business of pirating DVDs and CDs with material purchased from the Ahns and with counterfeit artwork purchased from defendant ALPHADIO BAH, a/k/a "Alpha Tiam," and other suppliers at the Metropolitan Warehouses.

7. It was part of the conspiracy that defendant ALPHADIO BAH, a/k/a "Alpha Tiam," made unauthorized photocopies of the jackets, labels, artwork and logos for CDs and DVDs at the Metropolitan Warehouses and distributed the counterfeit artwork to persons known by them to manufacture and sell pirated music CDs and DVD movies, including defendants SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou".

8. It was part of the conspiracy that SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou", purchased blank CDs and DVDs from defendants SCOTT AHN and WON AHN with the intent of manufacturing and selling pirated movie and music discs.

9. It was part of the conspiracy that SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou", purchased counterfeit artwork for blank CDs and DVDs from defendant ALPHADIO BAH, a/k/a "Alpha Tiam," and employees of ALPHADIO BAH, a/k/a "Alpha Tiam, at Unit #B-10-E in the Metropolitan warehouses, with the intent of manufacturing and selling pirated movie and music discs.

10. It was part of the conspiracy that SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou" manufactured counterfeit music CDs and DVD movies through the unauthorized duplicating of popular music and movies protected by copyright and the unauthorized duplication of artwork, graphics, and photographs which were protected by copyright and designed to accompany disc media containing popular music and movies.

11. It was further part of the conspiracy that defendants, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA,

a/k/a "Badou", and others known and unknown to the Grand Jury would and did counterfeit and pirate copyrighted recordings of popular artists such as Usher, Jennifer Hudson, Robin Thicke, and T.I., and motion pictures such as Kung Fu Panda, Hancock, Righteous Kill, and Dark Knight.

12. It was further part of the conspiracy that defendants SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul", IBRAHIM DIALLO, a/k/a "Ten Ten", MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, a/k/a "Badou", and others would and did manufacture and sell hundreds of thousands of counterfeit and pirated CDs, with the gross retail market value to the recording and movie industry in excess of one million dollars (\$1,000,000).

Overt Acts

13. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Northern District of Georgia and elsewhere:

A. On or about September 13, 2007, defendants SCOTT AHN and WON AHN registered Southeastern Media Group, Inc. to do business in the State of Georgia, for the purpose of purchasing

and importing bulk orders of blank CD-Rs, DVD and jewel cases from Asia to metropolitan Atlanta.

B. In or about November 2007, defendant ALPHADIO BAH, a/k/a "Alpha Tiam", opened a counterfeit CD and DVD artwork plant at the Metropolitan Warehouses, Unit #B-10-E, 675 Metropolitan Parkway, Atlanta, Georgia and produced DVD and CD jackets, covers, labels and other artwork for music CDs and DVD movies.

C. In or about November 2007, defendant ALPHADIO BAH, a/k/a "Alpha Tiam", using the name "Alpha Tiam", entered into a commercial lease with the Metropolitan Warehouses for Unit #B-10-E, 675 Metropolitan Parkway, Atlanta, Georgia.

D. In or about November 2007, defendant ALPHADIO BAH, a/k/a "Alpha Tiam," purchased a Konica Minolta BizHub c6500 copier from Konica Minolta, and installed the equipment in the warehouse unit now known as Suite #B-10-E in the Metropolitan Warehouses.

E. From in our about May 2008, defendant SULAIMAN JALLOH, entered into a commercial lease for the rental of Suite W, Greenbriar U-Haul Self Storage, 2925 Headland Drive, East Point, Georgia.

F. On August 25, 2008, defendant SULAIMAN JALLOH sold fifty counterfeit DVD movie discs to an FBI confidential informant at his U-Haul unit at 2925 Headland Drive, East Point, Georgia.

G. On September 8, 2008, defendant IBRAHIM DIALLO, a/k/a "Ten Ten", sold twelve counterfeit music CDs and twelve counterfeit DVD movies to an FBI confidential informant at 639 Dill Avenue, Atlanta, Georgia.

H. On September 26, 2008, defendant AMADOU DIALLO, a/k/a "Dee", sold twenty-eight counterfeit DVD movies and eight counterfeit music CDs to an FBI confidential informant at 1140 Ralph David Abernathy Boulevard, Atlanta, Georgia.

I. On or about October 8, 2008, defendant SEDIKEY SANKANO purchased raw materials for the unauthorized duplication of music CDs and DVD movies from defendants SCOTT AHN and WON AHN's store at 666 Metropolitan Parkway, Atlanta, Georgia, and from defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

J. On or about October 16, 2008, defendant CHARLES NDHLOVU purchased raw materials for the unauthorized duplication of music CDs and DVD movies from the defendant AHNS' store at 666 Metropolitan Parkway, Atlanta, Georgia, and from defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

K. On or about October 19, 2008, defendant BADEMBA BARRY purchased raw materials for the unauthorized duplication of music

CDs and DVD movies from the defendant AHNs' store at 666 Metropolitan Parkway, Atlanta, Georgia, and from defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

L. On October 25, 2008, defendant AMADOU DIALLO purchased raw materials for the unauthorized duplication of music CDs and DVD movies from the defendant AHNs' store at 666 Metropolitan Parkway, Atlanta, Georgia, and proceeded to defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

M. On November 8, 2008, defendant MOUSSA BARADJI purchased raw materials for the unauthorized duplication of music CDs and DVD movies from defendant AHNs' store at 666 Metropolitan Parkway, Atlanta, Georgia, and also went to defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

N. On December 17, 2008, defendant SULAIMAN JALLOH purchased raw materials for the unauthorized duplication of music CDs and DVD movies from the Ahns' store at 666 Metropolitan Parkway, Atlanta, Georgia, and also went to defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

O. On or about January 7, 2009, defendant MAMADOU BARRY purchased raw materials for the unauthorized duplication of music CDs and DVD movies from the Ahns' store at 666 Metropolitan Parkway, Atlanta, Georgia, and also went to defendant ALPHADIO BAH's warehouse unit, #B-10-E, across the street at the Metropolitan Warehouses.

P. In or about September 2008, A.W., wife of defendant SEDIKEY SANKANO, entered into a lease for the rental of commercial space at 568 Lee Street, Atlanta, Georgia, on his behalf.

Q. On or about November 17, 2008, defendants SCOTT AHN and WON AHN, through their business Southeastern Media Group, Inc., imported a total of approximately 720,000 blank discs into Atlanta from China for resale to their customers.

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

COUNT TWO

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about July 8, 2008 through on or about January 7, 2009, in the Northern District of Georgia, at 6001

Metropolitan Parkway, Atlanta, Georgia and elsewhere, defendant ALPHADIO BAH, a/k/a "Alpha Tiam," and OUMAR DIAN DIALLO, aided and abetted by others known and unknown to the Grand Jury, knowingly trafficked in counterfeit labels affixed to and enclosing, and designed to be affixed to and enclosing a phonorecord of a copyrighted sound recording, including, but not limited to the following copyrighted movies sound recordings:

<u>MOTION PICTURE</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Kung-Fu Panda"	PA0001598023/2008-06-06	DreamWorks Animation LLC
"Hellboy II: The Golden Army"	PA0001608473/2008-06-27	Universal City Studios
<u>SOUND RECORDING</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Something Else" Robin Thicke	SR0000617389/2008-10-29	Star Trak, LLC
"Freedom" Akon	SR0000620196/2008-12-11	Universal Records

All in violation of Title 18, United States Code, Sections 2318(a) and (c)(3) and 2.

COUNT THREE

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about March 16, 2008, through in or about October 15, 2008, in the Northern District of Georgia, at 568 Lee Street, Atlanta, Georgia and elsewhere, defendant SEDIKEY SANKANO, aided and abetted by defendants SCOTT AHN, WON AHN and others known and unknown to the Grand Jury, willfully and for the purposes of commercial advantage and private financial gain, did infringe the copyrights in certain movies and sound recordings, including, but not limited to the following copyrighted sound recordings:

<u>MOTION PICTURE</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Righteous Kill"	PA0001608070/2008-09-18	Righteous Productions, Inc.
"The Family That Preys Together"	PA0001610841/2008-10-09	Very Perry Films

<u>SOUND RECORDING</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Something Else" Robin Thicke	SR0000617389/2008-10-29	Star Trak, LLC
"Jennifer Hudson" Jennifer Hudson	SR0000618088/2008-10-27	Arista Records LLC

by reproducing and distributing during a one hundred and eighty-day (180) day period ten (10) or more phonorecord and motion picture discs of said copyrighted works with a retail value of more than Two Thousand Five Hundred Dollars (\$2,500), thereby

infringing the copyright in one or more copyrighted works. All in violation of Title 17, United States Code, Sections 506(a) and Title 18, United States Code, Sections 2319(a) and (b)(1) and 2.

COUNT FOUR

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about April 22, 2008, through on or about October 21, 2008, in the Northern District of Georgia, at 639 Dill Avenue, Atlanta, Georgia and elsewhere, defendants CHARLES NDHLOVU and IBRAHIMA DIALLO, aided and abetted by others known and unknown to the Grand Jury, willfully and for the purposes of commercial advantage and private financial gain, did infringe the copyrights in certain movies and sound recordings, including, but not limited to the following copyrighted sound recordings:

<u>MOTION PICTURE</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Hancock"	PA0001599934/2008-07-02	Columbia Pictures Industries, Inc.
"Dark Knight"	PA0001606857/2008-09-26	Warner Bros. Entertainment, Inc.
<u>SOUND RECORDING</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Paper Trail" T.I.	SR0000618807/2009-01-21	Atlantic Recording Corporation

by reproducing and distributing during a one hundred and eighty-day (180) day period ten (10) or more phonorecord and motion

picture discs of said copyrighted works with a retail value of more than Two Thousand Five Hundred Dollars (\$2,500), thereby infringing the copyright in one or more copyrighted works. All in violation of Title 17, United States Code, Sections 506(a) and Title 18, United States Code, Sections 2319(a) and (b)(1) and 2.

COUNT FIVE

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about July 8, 2008, through on or about January 7, 2009, in the Northern District of Georgia, at 1917 Fair Drive, Atlanta, Georgia and elsewhere, defendant MAMADOU SADIO BARRY, aided and abetted by defendant ALPHADIO BAH, a/k/a "Alpha Tiam", and others known and unknown to the Grand Jury, willfully and for the purposes of commercial advantage and private financial gain, did infringe the copyrights in certain movies and sound recordings, including, but not limited to the following copyrighted sound recordings:

<u>MOTION PICTURE</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Gran Torino"	PA0001620936/2009-03-12	Matten Productions GmbH & Co
"Changeling"	PA0001618934/2008-11-21	Universal City Studios Productions

<u>SOUND RECORDING</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Tha Carter III" Lil Wayne	SR0000616548/2008-10-06	Cash Money

by reproducing and distributing during a one hundred and eighty-day (180) day period ten (10) or more phonorecord and motion picture discs of said copyrighted works with a retail value of more than Two Thousand Five Hundred Dollars (\$2,500), thereby infringing the copyright in one or more copyrighted works. All in violation of Title 17, United States Code, Sections 506(a) and Title 18, United States Code, Sections 2319(a) and (b)(1) and 2.

COUNT SIX

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about July 8, 2008, through on or about January 7, 2009, in the Northern District of Georgia, defendant AMADOU DIALLO, aided and abetted by others known and unknown to the Grand Jury, willfully and for the purposes of commercial advantage and private financial gain, did infringe the copyrights in certain movies and sound recordings, including, but not limited to the following copyrighted sound recordings:

<u>MOTION PICTURE</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Righteous Kill"	PA0001608070/2008-09-18	Righteous Productions, Inc.

"The Family That PA0001610841/2008-10-09 Very Perry Films
Preys"

<u>SOUND RECORDING</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Paper Trail" T.I.	SR0000618807/2009-01-21	Atlantic Recording

by reproducing and distributing during a one hundred and eighty-day (180) day period ten (10) or more phonorecord and motion picture discs of said copyrighted works with a retail value of more than Two Thousand Five Hundred Dollars (\$2,500), thereby infringing the copyright in one or more copyrighted works. All in violation of Title 17, United States Code, Sections 506(a) and Title 18, United States Code, Sections 2319(a) and (b)(1) and 2.

COUNT SEVEN

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about May 14, 2008, through on or about November 13, 2008, in the Northern District of Georgia, at 2945 Stone Hogan, Atlanta, Georgia and elsewhere, defendant MOUSSA BARADJI, aided and abetted by others known and unknown to the Grand Jury, willfully and for the purposes of commercial advantage and private financial gain, did infringe the

copyrights in certain movies and sound recordings, including, but not limited to the following copyrighted sound recordings:

<u>SOUND RECORDING</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Tha Carter III" Lil Wayne	SR0000616548/2008-10-06	Cash Money Records, Inc.
"808s & Heartbreak" Kanye West	SR0000620203/2008-12-11	Roc-A-Fella Records, LLC

by reproducing and distributing during a one hundred and eighty-day (180) day period ten (10) or more phonorecord and motion picture discs of said copyrighted works with a retail value of more than Two Thousand Five Hundred Dollars (\$2,500), thereby infringing the copyright in one or more copyrighted works. All in violation of Title 17, United States Code, Sections 506(a) and Title 18, United States Code, Sections 2319(a) and (b)(1) and 2.

COUNT EIGHT

1. Paragraphs 1 through 13 of Count One of this Indictment are repeated and realleged as if fully set forth.

2. From on or about July 15, 2008, through on or about January 14, 2009, in the Northern District of Georgia, defendant MAMADOU ALIOU SIMAKHA, a/k/a "Badou", aided and abetted by others known and unknown to the Grand Jury, willfully and for the purposes of commercial advantage and private financial gain,

did infringe the copyrights in certain movies and sound recordings, including, but not limited to the following copyrighted sound recordings:

<u>MOTION PICTURE</u>	<u>REGISTRATION NUMBER</u>	<u>COPYRIGHT OWNER</u>
"Dark Knight"	PA0001606857/2008-09-26	Warner Bros. Entertainment, Inc.
"Kung-Fu Panda"	PA0001598023/2008-06-06	DreamWorks Animation LLC

by reproducing and distributing during a one hundred and eighty-day (180) day period ten (10) or more phonorecord and motion picture discs of said copyrighted works with a retail value of more than Two Thousand Five Hundred Dollars (\$2,500), thereby infringing the copyright in one or more copyrighted works. All in violation of Title 17, United States Code, Sections 506(a) and Title 18, United States Code, Sections 2319(a) and (b) (1) and 2.

FORFEITURE PROVISION

Upon conviction of the offense alleged in Count One of this Indictment, the defendants, SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, MAMADOU ALIOU SIMAKHA, a/k/a "Badou", ALPHADIO BAH, a/k/a "Alpha Tiam", OUMAR DIAN DIALLO,

SCOTT AHN and WON AHN shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) any property constituting or derived from proceeds obtained directly or indirectly as a result of any conspiracy to commit violations of Title 18, United States Code, Sections 2318, 2319 and 2320.

Upon conviction of one or more of the offenses alleged in Counts Two through Eight of this Indictment, the defendants, SEDIKEY SANKANO, CHARLES NDHLOVU, a/k/a "Soul," IBRAHIM DIALLO, a/k/a "Ten Ten," MAMADOU SADIO BARRY, AMADOU DIALLO, a/k/a "Dee", MOUSSA BARADJI, ALPHADIO BAH, a/k/a "Alpha Tiam", OUMAR DIAN DIALLO, SCOTT AHN and WON AHN, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 2323 and 981(a)(1)(C), and Title 28, United States Code, Section 2461(c) any property used, or intended to be used, in any manner or part to commit or facilitate the commission of violations of Title 17, United States Code, 506(a)(1) and Title 18, United States Code, Section 2319, or any property constituting or derived from proceeds obtained directly or indirectly as a result of violations of Title 17, United States Code, 506(a)(1) and Title 18, United States Code, Section 2319.

If any of the forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 2323(b)(2)(A) to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A True BILL
Brian Pearce
FOREPERSON

DAVID E. NAHMIAS
UNITED STATES ATTORNEY

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