

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

LEBANESE CANADIAN BANK SAL, :
ELLISSA HOLDING COMPANY, HASSAN :
AYASH EXCHANGE COMPANY, CYBAMAR :
SWISS GMBH, LLC, STE NOMEKO SARL, :
STE MARCO SARL, and THE SALHAB :
TRAVEL AGENCY, :

POST-COMPLAINT RESTRAINING
ORDER PURSUANT TO 18 U.S.C.
§§ 981(a)(1)(A), (a)(1)(C),
AND 983(j) AND RULE G(7) OF
THE SUPPLEMENTAL RULES FOR
ADMIRALTY OR MARITIME
CLAIMS AND ASSET FORFEITURE

11 Civ. 9186 (RJH)

Defendants; :

ALL ASSETS OF LEBANESE CANADIAN
BANK SAL OR ASSETS TRACEABLE
THERETO; ALL ASSETS OF ELLISSA
HOLDING COMPANY; ALL ASSETS OF
HASSAN AYASH EXCHANGE COMPANY; ALL
ASSETS OF CYBAMAR SWISS GMBH, LLC,
STE MARCO SARL, STE NOMEKO SARL,
AND THE SALHAB TRAVEL AGENCY,
INCLUDING BUT NOT LIMITED TO ALL
FUNDS ON DEPOSIT IN THE BANK
ACCOUNTS AS PARTICULARLY DESCRIBED
IN SCHEDULE A; and ALL ASSETS OF
30 USED CAR BUYERS IN THE UNITED
STATES LISTED IN SCHEDULE A,
INCLUDING BUT NOT LIMITED TO
APPROXIMATELY \$248 MILLION
PREVIOUSLY ON DEPOSIT AT
APPROXIMATELY 57 BANK ACCOUNTS, AS
DESCRIBED IN SCHEDULE A, AND ALL
PROPERTY TRACEABLE THERETO, :

Defendants in rem. :

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WHEREAS, on December 15, 2011, the United States of
America commenced this action seeking (1) civil money laundering
penalties, pursuant to Title 18, United States Code, Section
1956(b), against Lebanese Canadian Bank SAL ("LCB"), Ellissa Holding

Company, Hassan Ayash Exchange Company, Cybamar Swiss GMBH, LLC, STE Nomeco SARL, STE Marco SARL, and the Salhab Travel Agency; and (2) the forfeiture of all assets of or assets traceable thereto; all assets of Ellissa Holding Company; all assets of Hassan Ayash Exchange Company; all assets of Cybamar Swiss GMBH, LLC, STE Marco SARL, STE Nomeco SARL, and the Salhab Travel Agency; and all assets of certain used car buyers listed in Exhibit A hereto, including but not limited to \$248 previously on deposit in accounts held by the used car buyers listed in Exhibit A and proceeds traceable thereto (collectively, the "Subject Entities," and the assets of the Subject Entities, collectively, the "Defendant Property");

WHEREAS, the Verified Complaint alleges that, between approximately January 2007 and early 2011, at least approximately \$248 million that was transferred from overseas accounts, including accounts of the Hassan Ayash Exchange Company and Ellissa Holding Company or its subsidiaries and accounts held at LCB, to bank accounts in the United States held by the used car buyers listed in Exhibit A constitutes property involved in money laundering and attempted money laundering transactions and traceable to such property, and property derived from proceeds traceable to violations of the International Emergency Economic Powers Act of 1977, codified at 50 U.S.C. §§ 1701-1705 ("IEEPA");

WHEREAS, on January 26, 2011, the U.S. Department of the Treasury, Office of Foreign Assets Control ("OFAC") designated Ayman

Joumaa, the Hassan Ayash Exchange Company, and Ellissa Holding, among others, pursuant to the Foreign Narcotics Kingpin Designation Act, 21 U.S.C. §§ 1901-1908 (the "Kingpin Act");

WHEREAS, on February 10, 2011, the U.S. Department of the Treasury, Financial Crimes Enforcement Network ("FinCEN") issued a finding and notice of proposed rule, pursuant to Section 311 of the USA PATRIOT Act, 31 U.S.C. § 5318A, that LCB is a financial institution of primary money laundering concern (the "311 Action"), based, inter alia, on FinCEN's finding that there was reason to believe that LCB has been routinely used by drug traffickers and money launderers operating in various countries in Central and South America, Europe, Africa, and the Middle East, including by at least one narco-trafficker who is a supporter of Hizballah and another who provides financial support to Hizballah; and that there was reason to believe that LCB managers are complicit in the network's money laundering activities;

WHEREAS, the United States of America has applied for a Post-Complaint Restraining Order pursuant to Title 18, United States Code, Sections 981(a)(1)(A), (a)(1)(C), and 983(j) and Rule G(7) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture in order to preserve the availability of property subject to forfeiture, namely, the Defendant Property; and

WHEREAS, the Defendant Property includes, but is not limited to, the bank accounts listed in Exhibit A;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, PURSUANT TO 18 U.S.C. § 983(j)(1)(A) AND SUPPLEMENTAL RULE G(7)(A), THAT:

Prohibited Actions

1. All persons and entities having actual knowledge of this Order shall not, directly or indirectly, transfer, sell, assign, pledge, hypothecate, encumber, or dispose of in any manner; cause to be transferred, sold, assigned, pledged, hypothecated, encumbered, disposed of in any manner; or take, or cause to be taken, any action that would have the effect of depreciating, damaging, or in any way diminishing the value of, the Defendant Property.

2. All persons and entities having actual knowledge of this Protective Order shall not, directly or indirectly, destroy any documents relating in any manner or part to the allegations in the Verified Complaint, including but not limited to the books and records of the Subject Entities.

3. Nothing in this Order shall prevent the transfer, unblocking, sale, liquidation, or other disposition of vehicles constituting Defendant Property pursuant to a valid license from OFAC to transfer, unblock, sell, or otherwise dispose of such vehicles that have been blocked by OFAC and that would otherwise be governed by this Order. However, any net proceeds traceable to such transfer, unblocking, sale, liquidation, or disposition shall be Defendant Property and subject to the terms of this Order.

Maintaining the Defendant Property

4. The Subject Entities shall maintain all books and records in their possession, custody and/or control, that relate in any manner or part to the Subject Entities and/or the allegations in the Verified Complaint, including but not limited to records of communications and records of financial transactions relating in any manner or part to the Verified Complaint.


5. Each Subject Entity shall provide to the United States or its designee, within thirty (30) days of receiving service of this Order, the following:

- (i) a complete list of the Subject Entity's assets and liabilities, including but not limited to any real properties, leasehold interests, personal properties, bank accounts, and/or investment accounts; and
- (ii) a report of monthly income and expenses from January 2011 through the present.

6. This Order may be served by hand delivery, fax, mailing through the U.S. mails, or by private commercial courier.

SO ORDERED:

December 15 2011



HONORABLE RICHARD J. HOLWELL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

Exhibit A

EXHIBIT A

I. USED CAR BUYERS IN THE UNITED STATES AND THEIR ACCOUNTS

1. A & J Auto Sales Inc., Lansing, MI

Account:

- a. account number 1852318300, held in the name of A & J Auto Sales Inc., at Comerica Bank, Detroit, MI, and all funds traceable thereto;

2. Ace Auto Leasing Inc., Tulsa, OK

Account:

- a. account number 1021354, held in the name of Ace Auto Leasing Inc., at Security Bank, Tulsa, OK, and all funds traceable thereto;

3. ARZ Export LLC, Columbia, MD

Account:

- a. account number 003915682358, held in the name of ARZ Export LLC, at Bank of America NA, Richmond, VA, and all funds traceable thereto;

4. Auto Care LLC (d/b/a Golden Eagle Motors), Vernon, CT

Accounts:

- a. account number 003851460139, held in the name of Auto Care LLC (d/b/a Golden Eagle Motors), at Bank of America NA, Richmond, VA, and all funds traceable thereto;
- b. account number 100010418954, held in the name of Auto Care LLC (d/b/a Golden Eagle Motors), at Webster Bank NA, New Britain, CT, and all funds traceable thereto;

5. Auto Rama Inc., Detroit, MI

Accounts:

- a. account number D3640502130, held in the name of Auto Rama Inc., at RBS Citizens Bank NA, Riverside, RI, and all funds traceable thereto;

- b. account number D450559055, held in the name of Auto Rama Inc., at RBS Citizens Bank NA, Riverside, RI, and all funds traceable thereto;
- c. account number D3660794805, held in the name of Auto Rama Inc., at RBS Citizens Bank NA, Riverside, RI, and all funds traceable thereto;

6. **Baaklini North America Inc., Fairburn, GA**

Account:

- a. account number 334009142209, held in the name of Baaklini North America Inc., at Bank of America, Richmond, VA, and all funds traceable thereto;

7. **Bassam G. Hanna d/b/a Cary Auto Sales, Cary, NC**

Account:

- a. account number 0071124646, held in the name of Bassam G. Hanna d/b/a Cary Auto Sales, at Fidelity Bank, Fuquay Varina, NC, and all funds traceable thereto;

8. **Car UZD and Mid Overseas Inc. (d/b/a Car UZD), Miami, Florida**

Accounts:

- a. account number 005488236598, held in the name of Car UZD, at Bank of America, Richmond, VA, and all funds traceable thereto;
- b. account number 2000044100650, held in the name of Mid Overseas Inc. d/b/a Car UZD, at Wachovia Bank NA, Winston-Salem, NC;

9. **Cary Auto Sale Inc., Cary, NC**

Account:

- a. account number 200041752616, held in the name of Cary Auto Sale Inc., at Wachovia Bank, Winston-Salem, NC, and all funds traceable thereto;

10. Cedar Exports Auto Sales, Mt. Juliet, TN

Accounts:

- a. account number 003780099354, held in the name of Cedar Exports Auto Sales, at Bank of America NA, Richmond, VA, and all funds traceable thereto;
- b. account number 003780100146, held in the name of Cedar Exports Auto Sales, at Bank of America NA, Richmond, VA, and all funds traceable thereto;
- c. account number 151205758239, held in the name of Cedar Exports Auto Sales, at U.S. Bank National Association, St. Paul, MN, and all funds traceable thereto;
- d. account number 183725977, held in the name of Cedar Exports Auto Sales, at First Tennessee Bank, Memphis, TN, and all funds traceable thereto;
- e. account number 3006360, held in the name of Cedar Exports Auto Sales, at Reliant Bank, Brentwood, TN, and all funds traceable thereto;

11. Eagle Auto Sales Inc., Dearborn Heights, MI

Accounts:

- a. account number 5404311333, held in the name of Eagle Auto Sales Inc., at Bank of America NA (formerly LaSalle Bank), Henrico, VA, and all funds traceable thereto;
- b. account number 5404706474, held in the name of Eagle Auto Sales Inc., at Bank of America NA (formerly LaSalle Bank), Henrico, VA, and all funds traceable thereto;

12. Edya Export Import Inc., Holly Hill, FL

Account:

- a. account number 0010200496580, held in the name of Edya Export Import Inc., at Bank of America NA, Richmond, VA, and all funds traceable thereto;

13. EZ Auto Export LLC, New Britain, CT

Account:

- a. account number 385005031155, held in the name of EZ Auto Export LLC, at Bank of America NA, Richmond, VA, and all funds traceable thereto;

14. Ezedine Brothers LLC, Hartford, CT

Accounts:

- a. account number 6500023951, held in the name of Ezedine Brothers LLC, at People's United Bank, Hartford, CT, and all funds traceable thereto;
- b. account number 7000380666, held in the name of Ezedine Brothers LLC, at First Niagara Bank NA, Lockport, NY, and all funds traceable thereto;
- c. account number 9501914077, held in the name of Ezedine Brothers LLC, at First Niagara Bank NA, Lockport, NY, and all funds traceable thereto;
- d. account number 1000010094950, held in the name of Ezedine Brothers LLC, at Webster Bank NA, New Britain, CT, and all funds traceable thereto;
- e. account number 7070205177, held in the name of Ezedine Brothers LLC, at First Niagara Bank NA, Lockport, NY, and all funds traceable thereto;
- f. account number 9500946008, held in the name of Ezedine Brothers LLC, at First Niagara Bank NA, Lockport, NY, and all funds traceable thereto;

15. Global Auto LLC, South Windsor, CT

Account:

- a. account number 100010497762, held in the name of Global Auto LLC, at Webster Bank NA, New Britain, CT, and all funds traceable thereto;
- b. account number 385000239567, held in the name of Global Auto LLC, at Bank of America NA, Richmond, VA, and all

funds traceable thereto;

16. Global Shipping Services, Detroit, MI

Account:

- a. account number 1851738532, held in the name of Global Shipping Services, at Comerica Bank, Detroit, MI, and all funds traceable thereto;

17. H & D Export and Import Inc., Detroit, MI

Account:

- a. account number 4506043277, held in the name of H & D Export and Import Inc., at RBS Citizens NA, Riverside, RI, and all funds traceable thereto;

18. HH Automotive Inc., Detroit, MI

Accounts:

- a. account number 7913961236, held in the name of HH Automotive Inc., at Fifth Third Bank, Cincinnati, OH, and all funds traceable thereto;
- b. account number 771360245, held in the name of HH Automotive Inc., at JPMorgan Chase Bank, Tampa, FL, and all funds traceable thereto;

19. Hijazi General Trading LLC, Burtonsville, MD

Account:

- a. account number 1461670301, held in the name of Hijazi General Trading LLC, at Sandy Spring National Bank, Columbia, MD, and all funds traceable thereto;

20. Jean Y. Chedid Trading Est d/b/a Jean Y. Chedid, Dartmouth, MA

Accounts:

- a. account number 004601044225, held in the name of Jean Y. Chedid Trading Est. d/b/a Jean Y. Chedid, at Bank of America NA, Richmond, VA, and all funds traceable

thereto;

- b. account number 22071326, held in the name of Jean Y. Chedid Trading Est. d/b/a Jean Y. Chedid, at RBS Citizens Bank, Riverside, RI, and all funds traceable thereto;

21. **Kamal Al Khawand, Dayton, OH**

Account:

- a. account number 415006924, held in the name of Kamal Al Khawand, at Liberty Savings Bank, Wilmington, OH, and all funds traceable thereto;

22. **Kassab Auto Dealer LLC, North Arlington, NJ**

Accounts:

- a. account number 381005084630, held in the name of Kassab Auto Dealer LLC, at Bank of America NA, Richmond, VA, and all funds traceable thereto;
- b. account number 4245299816, held in the name of Kassab Auto Dealer LLC, at TD Bank NA, Lewiston, ME, and all funds traceable thereto;

23. **Mansour Brothers Auto Trading Inc., Tampa, FL**

Account:

- a. account number 8042546625, held in the name of Mansour Brothers Auto Trading Inc., at BB&T Bank, Wilson, NC, and all funds traceable thereto;
- b. account number 8048989720, held in the name of Mansour Brothers Auto Trading Inc., Tampa, FL;

24. **MGM Global Trading LLC, South Windsor, CT**

Accounts:

- a. account number 100010497742, held in the name of MGM Global Trading LLC, at Webster Bank NA, New Britain, CT, and all funds traceable thereto;

- b. account number 385002807418, held in the name of MGM Global Trading LLC, at Bank of America NA, Richmond, VA, and all funds traceable thereto;
- c. account number 385002807421, held in the name of MGM Global Trading LLC, at Bank of America NA, Richmond, VA, and all funds traceable thereto;
- d. account number 7070181080, held in the name of MGM Global Trading LLC, at First Niagara Bank NA, Lockport, NY, and all funds traceable thereto;
- e. account number 51304962536, held in the name of MGM Global Trading LLC, at Sovereign Bank, Reading, PA, and all funds traceable thereto;

25. Myles Auto Sales, New Bradford, MA

Accounts:

- a. account number 68500026114, held in the name of Myles Auto Sales, at Sovereign Bank, Reading, PA, and all funds traceable thereto;
- b. account number 9496873999, held in the name of Myles Auto Sales, at Bank of America NA, Richmond, VA, and all funds traceable thereto;

26. Poliproject Inc. d/b/a Fouad Autotrade, St. Lawrence, MA

Account:

- a. account number 8245243071, held in the name of Poliproject Inc. d/b/a Fouad Autotrade, at TD Bank NA, Lewiston, ME, and all funds traceable thereto;

27. Safari Enterprises LLC, Orlando, FL & Sahari Motors, Orlando, FL

Accounts:

- a. account number 100010323810, held in the name of Safari Enterprises LLC, at Webster Bank NA, New Britain, CT, and all funds traceable thereto;

- b. account number 2000036107470, held in the name of Safari Enterprises LLC, at Wachovia Bank NA, Winston-Salem, NC, and all funds traceable thereto;
- c. account number 200051058944, held in the name of Sahari Motors, at Wachovia Bank NA, Winston-Salem, NC, and all funds traceable thereto;

28. United Auto Enterprize Inc., Redford, MI

Accounts:

- a. account number 1852550415, held in the name of United Auto Enterprize Inc., at Comerica Bank, Detroit, MI, and all funds traceable thereto;
- b. account number 229034804888, held in the name of United Auto Enterprize Inc., at Bank of America NA, Richmond, VA, and all funds traceable thereto;

29. United Quality Auto Sales Inc., Detroit, MI

Account:

- a. account number 1851548741, held in the name of United Quality Auto Sales Inc., at Comerica Bank, Detroit, MI, and all funds traceable thereto;

30. World Auto Sales LL, Birmingham, AL

Account:

- a. account number 0028860, held in the name of World Auto Sales LLC, at Iberia Bank, Lafayette, LA, and all funds traceable thereto.

II. CYBAMAR SWISS ENTITITES AND THEIR ACCOUNTS

1. Cybamar Swiss GMBH LLC

Accounts:

- a. account number 1852078466, held in the name of Cybamar Swiss GMBH LLC, at Comerica Bank, Detroit, MI, and all funds traceable thereto;

- b.** account number 985914906, held in the name of Cybamar Swiss GMBH LLC, at PNC Bank, Pittsburgh, PA, and all funds traceable thereto.
- c.** account number 177717592000, held in the name of Cybamar Swiss GMBH LLC, at Credit Suisse AG, and all funds traceable thereto.
- d.** account number 076705931001, held in the name of Cybamar Swiss GMBH LLC, at Credit Suisse AG, and all funds traceable thereto.
- e.** account number 076705932000, held in the name of Cybamar Swiss GMBH LLC, at Credit Suisse AG, and all funds traceable thereto.