

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 1:22-CR-33 (EK)
	:	
KAMBIZ ATTAR KASHANI	:	
	:	
Defendant.	:	

**DEFENDANT’S MEMORANDUM IN SUPPORT OF SENTENCING**

Defendant Kambiz Attar Kashani (“Mr. Kashani”), through counsel, respectfully submits this Memorandum to aid the Court in sentencing, which is scheduled for October 21, 2022.

**I. INTRODUCTION**

As explained in more detail below, we respectfully submit that all the facts and circumstances here, taken together, compel a sentence outside of the Sentencing Guidelines. Specifically, we ask for a sentence of thirteen (13) months of incarceration, two years of supervised release (subject to special conditions of supervised release provided for in the U.S. Probation Department Sentencing Recommendation), and a \$50,000 fine (due immediately and payable at a rate of \$25 per quarter while in custody, and at a rate of 10% of gross monthly income while on supervised release, as per the U.S. Probation Department Sentencing Recommendation). There are four primary factors we ask the Court to consider:

**First, Mr. Kashani’s otherwise exemplary personal background:** Mr. Kashani has admitted his criminal conduct, accepted responsibility, and expressed sincere remorse. Mr. Kashani has never before been involved in any criminal conduct. As demonstrated by the letters of support submitted to the Court<sup>1</sup> as well as the U.S. Probation Officer’s Presentence

---

<sup>1</sup> See Exhibit 1.

Investigation Report (“PSIR”), Mr. Kashani is a good person who has led an otherwise unblemished life, is greatly respected by those in his life, cares deeply about others, and has given freely of his time and resources, even during his current detention in the United States as a tutor to other inmates.

**Second, the nature of the conduct at issue:** This case involves Mr. Kashani’s role in facilitating the export of certain U.S. goods, services, or technology to Iran. As set forth in greater detail *infra*, Mr. Kashani’s role in the offense conduct was minor – all of his actions were completed at the specific direction of other members of the conspiracy and in the context of his employment at Advance Banking Solutions in Dubai, which was founded by and controlled by Informatics Services Corporation in Iran. Mr. Kashani did not conceive of the conspiracy, was not involved in any way in decisions regarding the conduct of the conspiracy, and did not materially benefit financially from the conspiracy.

**Third, personal and family circumstances:** The conditions of Mr. Kashani’s presentence detention since January 2022 at the Metropolitan Detention Center in Brooklyn where he has no relatives or other connections, as well as his family’s financial condition and other circumstances have imposed an atypical and significant hardship on him.

**Fourth, a comparison to sentences imposed in other cases involving similar charges:** A review of other cases demonstrates that imposing a sentence within the Guidelines would be disproportionate and unjust when compared to the sentences imposed on defendants in other cases involving similar charges and circumstances.

In consideration of the relevant facts and applicable sentencing factors, set forth in detail below, we respectfully submit that a sentence of thirteen (13) months of incarceration, two years

of supervised release, and a \$50,000 fine will fully serve the purposes of federal sentencing as well as the interests of justice.

## II. THE ADVISORY GUIDELINES CALCULATION<sup>2</sup>

We recognize that the export control laws are serious and that violating those laws deserves appropriate punishment. We respectfully submit, however, that Mr. Kashani's conduct was measurably different from that of other participants in the conspiracy, and that his role in the offense conduct was minor.

The parties agree that the base offense level for the charged count is 26. (U.S.S.G. § 2M5.1(a)(1)). The Government has agreed to a 3-level reduction for acceptance of responsibility, resulting in a level 23. However, the Government believes a 4-level enhancement is justified because Mr. Kashani was an organizer or leader of a criminal scheme with five or more participants. (U.S.S.G. § 3B1.1(a)). In contrast, the U.S. Probation Department believes a 3-level enhancement is justified pursuant to Section 3B1.1(b) of the Guidelines because Mr. Kashani was a manager or supervisor (but not an organizer or leader) of a criminal scheme with five or more participants<sup>3</sup>. *PSIR* at ¶68. We believe, however, that for reasons set forth below Mr. Kashani's role in the offense conduct does not warrant any enhancement but instead qualifies for a 2-level reduction for minor role. (U.S.S.G. § 3B1.2(b))

In accordance with the foregoing, we estimate the adjusted offense level under the Guidelines to be 21 and a range of imprisonment of 37-46 months (based on Criminal

---

<sup>2</sup> Capitalized terms used but not defined in this Section II shall have the meanings assigned thereto in Section IV.A.1 (*Nature and Circumstances of the Offense Conduct*).

<sup>3</sup> The U.S. Probation Department has also indicated that the offense conduct was committed during a time of armed conflict with Iran and that therefore an upward departure may be warranted pursuant to Application Note One of Section 2M5.1 of the U.S. Sentencing Guidelines. (see *PSIR* at ¶¶60, 132) Although the January 2020 incident referenced in footnote 5 of the *PSIR* had the potential to result in armed conflict between the United States and Iran, it did not and the hostility between the two governments has not escalated into an armed conflict since Mr. Kashani joined ABS in 2011. Therefore, we do not believe any such enhancement is warranted and strenuously object to any such suggestion.

History Category I), based on the following calculation:

Base Offense Level	26
Acceptance of Responsibility	-3
Minor Role	-2
<b>Total</b>	<b>21</b>

**A. Two Level Reduction for Minor Role Justified**

*A.1 Standard for Mitigating Role Adjustment under Guidelines.*

The § 3B1.2(b) minor participant reduction "is intended to cover defendants who are less culpable than most other participants in the criminal activity." U.S.S.G. § 3B1.2 cmt. n.5. The term "participant" for purposes of the foregoing provision is defined as "a person who is criminally responsible for the commission of the offense, but need not have been convicted". U.S.S.G. § 3B1.2 cmt. n.1, § 3B1.1 cmt. n.1.

In 2015, Application Note 3(C) to § 3B1.2 was revised to provide a non-exhaustive list of the following factors for courts to consider based on a totality of circumstances analysis in determining the amount of a mitigating role adjustment: (i) the degree to which the defendant understood the scope and structure of the criminal activity, (ii) the degree to which the defendant participated in planning or organizing the criminal activity, (iii) the degree to which the defendant exercised decision-making authority or influenced the exercise of decision-making authority, (iv) the nature and extent of the defendant's participation in the commission of the criminal activity, including the acts the defendant performed and the responsibility and discretion the defendant had in performing those acts, and (v) the degree to which the defendant stood to benefit from the criminal activity.

The "Reason for Amendment" included with the 2015 Amendment 794 to § 3B1.2 stated

that the previous language "may have had the unintended effect of discouraging courts from applying the mitigating role adjustment in otherwise appropriate circumstances." Therefore, the language was changed to "a defendant who does not have a proprietary interest in the criminal activity and who is simply being paid to perform certain tasks should be considered." Moreover, "[t]he fact that a defendant performs an essential or indispensable role in the criminal activity is not determinative." U.S.S.G. App. C. Amend. 794. *See also United States v. Delcaro*, No. 14-00273(1) (SRN/LIB), 2017 U.S. Dist. LEXIS 90024, at \*3 n.1 (D. Minn. June 12, 2017).

*A.2 Mr. Kashani's Role in Offense Conduct Qualifies for Minor Role Reduction.*

According to the Complaint and the stipulated facts agreed upon by the Government and the defendant and attached as an exhibit to their Plea Agreement, the conspiracy at issue in the instant matter involved the central bank of a country of about 85 million people (CBI), a publicly traded company in Iran with hundreds or more employees that claims to be the largest electronic banking organization in the entire Middle East (ISC), and two companies in Dubai (ABS and AI) that were formed at the direction of and with capital from ISC, at all times were funded by and operated under the supervision and based on instructions from ISC, passed on all of their profit to ISC, and between them had 4 employees physically located in the UAE during the period of the charged conspiracy, as well as certain employees of CBI, ISC, ABS and AI, including Mr. Kashani.

As the technical manager and an employee of ABS, Mr. Kashani held the most senior role in the UAE on behalf of ABS and reported to and took directions from the Managing Director who worked in Iran and was also managing director of AI and a mid-level manager at ISC. The Commercial Manager, not Mr. Kashani, held the most senior operational role at AI in the UAE. Moreover, Mr. Kashani did not supervise the daily activities of the Coworker, the

other employee of AI in the UAE, even if the Coworker held a junior position to him and at times took direction from him with respect to certain matters.

In short, Mr. Kashani supervised only a handful of other employees with respect to certain matters and himself reported to a mid-level manager at ISC in Iran. Moreover, Mr. Kashani's actions were in the context of his employment and he did not exercise any discretionary planning or organizing authority over the criminal activity. Finally, much of his responsibilities and duties at ABS related to the company's operations as a certified SWIFT service bureau providing SWIFT services to Iranian and Iraqi banks, which operations were subject to annual inspections by and certifications to SWIFT to ensure compliance with U.S. and EU sanctions.

Mr. Kashani was a signatory on the bank accounts of both ABS and AI and facilitated certain banking transactions on behalf of the companies at the direction of ISC. Mr. Kashani was also a board member of both ABS and AI. However, board meetings were not held and decisions were not made on behalf of the board. Instead, upon instructions from ISC, board members including Mr. Kashani at times signed documents such as the companies' annual reports. In short, Mr. Kashani's board membership and banking signature authority on behalf of ABS and AI was in name only and did not signify any leadership or authority.

Mr. Kashani also owned 20% of the shares of ABS and 100% of the shares of AI. However, in forming AI and owning the shares of ABS and AI, Mr. Kashani was at all times and in all respects acting at the direction and on behalf of ISC and did not control the shares he owned in the companies. He was paid an industry appropriate salary for his job location, responsibilities, and experience, did not exercise or benefit from any indicia of share ownership, and did not benefit monetarily from the criminal activity – he neither invested nor received any

money from either ABS or AI, other than his salary.

Mr. Kashani directly participated in the criminal activity and his actions were arguably essential to ISC's access to certain U.S. origin components and software, and he is candid in his acceptance of responsibility for his role in facilitating these violations. However, the fact that he may have performed an essential or indispensable role in the criminal activity is not determinative of whether he should be deemed to have played more than a minor role. Moreover, he was not personally and directly involved in the second, third and fourth set of transactions set forth in the Complaint.

Based on the foregoing, we respectfully submit that Mr. Kashani is clearly less culpable than most other participants involved in the offense conduct, many of whom may not have been indicted or convicted, because he (i) was a relatively junior level employee indirectly working for ISC, (ii) had no decision making authority, (iii) merely conducted tasks assigned to him upon specific direction and instruction from another participant in the conspiracy, and (iv) did not stand to materially benefit financially from the criminal activity.

Mr. Kashani regrets his naive decision to engage in activities in violation of U.S. sanctions laws as an employee of ABS and at the direction of his supervisor at ISC, and he takes full responsibility for his actions. We respectfully submit, however, for the reasons stated above, that a 2-level minor role reduction is appropriate.

### **III. SENTENCING PROCEDURE POST-*BOOKER***

In the post-*Booker* era, the Sentencing Guidelines are no longer mandatory. *United States v. Booker*, 543 U.S. 220 (2005). The applicable range under the advisory Sentencing Guidelines comprises only one of many factors aiding the court in fashioning an appropriate sentence. The sentencing court's duty is to consider each factor identified in 18 U.S.C. § 3553(a)

and “impose a sentence sufficient, but not greater than necessary, to comply with” the purposes of sentencing set forth in the statute. *See* 18 U.S.C. § 3553(a). The court “may not presume that the Guidelines range is reasonable.” *Gall v. United States*, 552 U.S. 38, 50 (2007).

Although the Sentencing Guidelines do not ordinarily take into account matters relating to the history and characteristics of the defendant such as “age, education... employment history... family ties,” medical condition, and the like, the sentencing court may do so in order to impose a just sentence that fulfills the purposes of § 3553(a). *Rita v. United States*, 127 S. Ct. 2456, 2473 (2007). This Court may disregard the Sentencing Guidelines based on a determination that they do not properly reflect the § 3553(a) factors, are based upon unsound judgment, or fail to address the individual characteristics of the defendant. *Id.* at 2468.

#### **IV. APPLICATION OF 18 U.S.C. SECTION 3553(a)**

Pursuant to the United States Supreme Court's opinion in *Booker*, a court must consider each of the factors set forth in Section 3553(a) when fashioning an appropriate sentence. 543 U.S. 220, 259-60 (2005). The *Booker* factors are:

- a. The nature and circumstances of the offense and the history and characteristics of the defendant;
- b. The need for the sentence imposed:
  - i. to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
  - ii. to afford adequate deterrence to criminal conduct;
  - iii. to protect the public from further crimes of the defendant; and
  - iv. to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;
- c. The kinds of sentences available;
- d. The applicable Sentencing Guidelines;
- e. Any pertinent Sentencing Guidelines' policy statement;
- f. The need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and
- g. The need to provide restitution to any victims of the offense.

Each of these factors is discussed below.



Section 3553(a), "as modified by *Booker*, contains an overarching provision instructing district courts to impose a sentence sufficient, but not greater than necessary, to accomplish the goals of sentencing." *Kimbrough v. United States*, 552 U.S. 85, 101, 128 S. Ct. 558, 570 (2007). Sentencing under Section 3553(a) therefore requires a court to start with the minimum sentence permissible. As discussed below, and for the reasons provided, we respectfully submit that application of the Section 3553(a) factors to this case establishes and justifies that a sentence of thirteen (13) months of incarceration, two years of supervised release, and a \$50,000 fine is warranted.

**A. Nature and Circumstances of the Offense and History and Characteristics of the Defendant.**

*A.1 Nature and Circumstances of the Offense Conduct.*

*A.1.1 Informatics Services Corporation*

Informatics Services Corporation ("ISC") is an electronic banking organization based in Iran, which provides information technology services to almost all Iranian commercial banks and many Iranian financial institutions, including the Central Bank of Iran ("CBI"). Plea Agreement Statement of Facts ("Plea Facts") at ¶17. ISC is a publicly traded company with hundreds or more employees and is, according to its website, the largest electronic banking organization in the Middle East. *Id.*

ISC worked with Advance Banking Solution Trading DMCC, an entity organized and existing in Dubai, the United Arab Emirates ("ABS"), which had Iranian banks and Iraqi banks as customers. *Plea Facts at ¶18.* ISC and ABS were the only customers of All Innovations DMCC, an entity organized and existing in Dubai, the United Arab Emirates ("AI"). *Id.* ISC initiated the formation of both ABS and AI, put up the capital for the formation and subsequent funding of both ABS and AI, provided funds to pay the expenses of both ABS and AI (though

ABS also had direct income from banks to which it provided SWIFT services), made major decisions concerning both ABS and AI and their activities, and absorbed profits from both ABS and AI. *Id.*

Mr. Kashani did not have a formal title with ISC but had an ISC email address since in or about 2021. *Plea Facts at ¶19.* In addition, Mr. Kashani regularly worked with employees of ISC, as most of the employees who worked on ABS and AI matters were stationed in Iran and certain of the ABS and AI employees were formally employed by ISC. *Id.*

#### A.1.2 Advanced Banking Solution and Mr. Kashani's Role

ABS was established and structured in the UAE in or around 2011, at the direction of and with capital from ISC, to provide Society for Worldwide Interbank Financial Telecommunication (“SWIFT”) services to Iranian banks<sup>4</sup>. *Plea Facts at ¶3.* ABS was a certified SWIFT service bureau, and as such provided SWIFT services to Iranian and Iraqi banks pursuant to written agreements with them and was subject to annual inspections by and certifications to SWIFT. *Id.*

Mr. Kashani was not involved in initially establishing ABS and relocated to the UAE from Iran in late 2011 to serve as the technical manager and employee of ABS. *Plea Facts at ¶4.* As ABS's technical manager, Mr. Kashani was responsible for all technical issues relating to the SWIFT data centers and provision of SWIFT services. *Plea Facts at ¶6.*

During the period of the charged conspiracy, Mr. Kashani held the most senior role in the UAE on behalf of ABS but reported to and took directions from the managing director of ABS who was located in Iran (the “Managing Director”). *Plea Facts at ¶6,9.* The Managing Director was also managing director of AI and a commercial director (mid-level manager) at ISC. *Id.*

---

<sup>4</sup> SWIFT is a Belgian cooperative society and messaging network that financial institutions worldwide use to send secure information, such as money transfer instructions.

During the period of the charged conspiracy, ABS had 12-14 employees but only Mr. Kashani and one other individual who reported to Mr. Kashani physically worked in the UAE office. *Plea Facts at ¶10*. In addition, two other employees, the Coworker and a commercial manager (the “Commercial Manager”), were employees of ABS from approximately 2018 until January 2020, and thereafter employees of AI. *Id.* Mr. Kashani at times provided direction to the Coworker, who held a junior position to him, in connection with certain matters, and the Coworker reported to Mr. Kashani regarding those matters. *Id.* Mr. Kashani did not supervise the Coworker’s daily activities, with respect to which the Coworker reported to the Managing Director. *Id.*

In or around early 2012, at the direction of ISC, the then-sole owner of ABS (“Partner 1”) transferred 20% of ABS’s ownership to Mr. Kashani to enable him to act as ABS’s contact person in the UAE. *Plea Facts at ¶5*. Mr. Kashani was also SWIFT’s contact person at ABS, and the contact person for certain telecommunications companies that provided services to ABS in connection with its activities relating to the provision of SWIFT services. *Plea Facts at ¶6*.

During the period of the charged conspiracy, Mr. Kashani was also one of two board members of ABS. *Plea Facts at ¶6*. The board members did not hold board meetings but in their capacity as board members, and upon instructions from ISC, at times signed documents such as ABS’s annual report. *Id.*

During the period of the charged conspiracy, ABS’s bank account was in the company’s name. *Plea Facts at ¶8*. Mr. Kashani was one of two signatories on ABS’s bank account, although both signatures were required to initiate activity from the account. *Id.* Mr. Kashani, at the direction of ISC, managed the bank account for and on behalf of ABS by, for example,

facilitating banking transactions, serving as the contact person for the bank, meeting with bank representatives, and negotiating exchange rates. *Id.*

At all times during the period of the charged conspiracy, Mr. Kashani was a salaried employee of ABS and, as technical manager, his salary and benefits were larger than those of the other employees at ABS in the UAE. *Plea Facts at ¶20.* He did not invest any personal funds in ABS or AI. *Id.* ISC paid for health care benefits for Mr. Kashani and his family and for Mr. Kashani's personal U.S. income taxes attributable to his ownership of shares in ABS and AI. *Id.*

#### A.1.3 All Innovations and Mr. Kashani's Role

Mr. Kashani formed AI in the UAE in 2019 at the direction of ISC. *Plea Facts at ¶11.* Mr. Kashani has since been the record owner of 100% of AI's shares and the company's sole board member. *Plea Facts at ¶12.* In his capacity as the board member, and upon instructions from ISC, Mr. Kashani at times signed documents such as IA's annual report but did not hold board meetings or make decisions on behalf of the board. *Plea Facts at ¶13.* On the trading licenses AI filed with the UAE government, Mr. Kashani was listed as the company contact and the manager. *Id.*

The activities of AI were directed by the Managing Director, and the Commercial Manager held the most senior operational role at AI in the UAE. *Plea Facts at ¶13.* During the period of the charged conspiracy, AI had approximately nine employees of which the Coworker and the Commercial Manager physically worked in AI's UAE office, which was adjacent to the physical office space of ABS. *Plea Facts at ¶16.* Mr. Kashani at times provided direction to the Coworker, who held a junior position to him, in connection with certain matters, and the Coworker reported to Mr. Kashani regarding those matters. *Id.* Mr. Kashani did not supervise

the Coworker's daily activities, with respect to which the Coworker reported to the Managing Director. *Id.*

During the period of the charged conspiracy, AI's bank accounts were in the company's name and Mr. Kashani was a signatory on the accounts. *Plea Facts at ¶14.* Mr. Kashani, at the direction of ISC, opened and managed the bank accounts for and on behalf of AI by, for example, facilitating banking transactions, serving as the contact person for the banks, meeting with bank representatives, negotiating exchange rates, making in person deposits on a few occasions, providing online banking access to officials of ISC, and passing on information he received to ISC. *Id.*

#### A.1.4 Prohibited Exports from the U.S. to Iran and Mr. Kashani's Role

CBI, ISC, ABS, AI, the Managing Director, Partner 1, the Commercial Manager, the Coworker, Mr. Kashani and other co-conspirators undertook and facilitated the export of certain U.S. origin goods, technology, and services to Iran without obtaining required licenses or authorization from the Office of Foreign Assets Control ("OFAC") in violation of U.S. law.

More specifically, as an employee of ABS and at the direction of ISC, Mr. Kashani was involved in obtaining and renewing certain subscriptions for an Apple enterprise development program. *PSIR at ¶¶31-39.* At the direction of ISC, Mr. Kashani provided access to the program to certain employees of ISC and/or ABS who were located and worked in Iran without obtaining required licenses or authorization from OFAC. *Id.*

It is alleged that, as part of the charged conspiracy, certain other U.S.-origin goods and services, namely fixed attenuators, subscriptions to operating software, power supplies, and storage systems, were also exported to Iran by members of the conspiracy without obtaining required licenses or authorization from OFAC. *PSIR at ¶¶42-56.* Mr. Kashani does not deny

these allegations but he was not personally and directly involved in these transactions and there is no indication to the contrary in the Complaint filed with this Court.

Mr. Kashani does not deny his role in the charged criminal conduct, and he accepts full and complete responsibility for the mistakes he made in participating in this conduct. Mr. Kashani has never before engaged in criminal conduct. Mr. Kashani acknowledges that his role in the conspiracy was a violation of United States law. We respectfully submit, however, that the facts set forth above should be considered as mitigating circumstances for his offense, and respectfully urge the Court to deem the nature and circumstances of Mr. Kashani's offense conduct as a factor weighing in favor of a sentence outside and below the advisory Sentencing Guidelines.

*A.2 History and Characteristics of the Defendant.*

Mr. Kashani was born in Chicago in 1977 while his father was a student in the United States. Upon his father's graduation with degrees in management and computer science, the family moved back to Tehran, Iran when Mr. Kashani was two years old. Raised in a loving family, his parents instilled good character and morals in him and his two younger siblings. His father, currently 86 and retired, worked in the manufacturing industry and for the Iranian ministry of mines and industry. His mother, currently 73, was a homemaker.

Mr. Kashani earned a bachelor's degree in computer hardware engineering in 2001 from Azad University in Tehran, Iran. He started working at the age of eighteen while still in college and was continuously employed as an information technology and communications specialist by a succession of companies in Iran until moving to Dubai in 2011 to serve as the technical manager and employee of ABS. (see *PSIR* at ¶103 for a detailed employment history).

Mr. Kashani married his wife, Bahareh Yamini, in August 2000 and they have two children. His son is twenty-one years old and currently studying mechanical engineering at the

University of Illinois at Chicago. His daughter is a sixteen year old high school student and continues to live with her mother in Dubai.

Mr. Kashani is a dual citizen of Iran (pursuant to Iranian law and by virtue of being born to an Iranian father) and the United States (pursuant to U.S. law and by virtue of being born in the United States). As a U.S. citizen, Mr. Kashani is eligible to apply for his wife and children to be granted U.S. permanent residency. He applied for them years before his arrest in January 2022, intending to move his family to Chicago upon approval of their application which remains pending before the U.S. Citizenship and Immigration Services. Mr. Kashani's wife and children were very recently granted interviews in the U.S. consulate in Abu Dhabi on November 7, 2022, but it is unclear whether the family's application for U.S. permanent residency may be adversely affected by Mr. Kashani's legal issues in the instant matter.

The letters of support submitted on behalf of Mr. Kashani come from close family members and convey his positive impact on those around him. In fact, even during his detention at MDC Brooklyn, Mr. Kashani has continued to positively impact his community by passing all the qualification tests to gain accreditation as a tutor and volunteering to teach fellow inmates seeking their GED degree.

*A.2.1 Extraordinary Personal and Family Circumstances.*

An additional component of a defendant's history and characteristics that a court may consider in analyzing the Section 3553(a) factors is extraordinary family circumstances. While the Sentencing Guidelines state that family circumstances "are not *ordinarily* relevant" U.S.S.G. § 5H1.6, p.s. (emphasis added), the Court, in "considering the record as a whole [may] determine[] that a variance [is] appropriate." *United States v. King*, 2016 U.S. Dist. LEXIS 111873, \*8-9 (D.D.C. Aug. 23, 2016) (court denied defendant's § 5H1.6 downward request

because she did not demonstrate incarceration would cause extraordinary harm, but specifically cited defendant's family circumstances when justifying a sentence variance outside the Guidelines' range). *See also United States v. Hughes*, 2006 U.S. Dist. LEXIS 51458, \*20 (D.D.C. July 27, 2006) (courts can depart if the factor is present to an exceptional degree or in a way that makes the case different from other cases where the factor is present.)

It is not uncommon for a court to take into consideration in sentencing the adverse impact of a defendant's continued incarceration. Mr. Kashani's absence from his family and incarceration in the U.S. has seriously jeopardized their only source of income and devastated and completely disrupted every aspect of their lives. Since his arrest, Mr. Kashani has been detained in New York while his wife and daughter remain in Dubai and his son is enrolled in school in Chicago, all unable to visit him.

The impact of this complete separation on Mr. Kashani's family has been significant, resulting in serious medical, mental, and financial difficulties. Mr. Kashani's wife has become a single parent and is unemployed with limited opportunities in Dubai and significant financial difficulties, including their son's college tuition. She had to undergo major surgery after her husband's arrest and is still suffering from the problems caused by the surgery. His daughter has been hospitalized twice during the time when Mr. Kashani has been incarcerated. They have had to change their daughter's school and their son may have to drop out of university due to financial difficulties.

Considering Mr. Kashani's nature, characteristics, and extraordinary personal and family circumstances, we respectfully urge the Court to consider them mitigating factors weighing in favor of a sentence outside and below the advisory Sentencing Guidelines.



**B. Need for the Sentence Imposed to Meet the Goals of Punishment.**

*B.1 The proposed sentence will reflect the seriousness of the offense, promote respect for the law, and provide just punishment.*

Section 3553(a)(2)(A) directs that the punishment be governed by the gravity of the crime. The combination of a felony conviction in federal court, thirteen (13) months of incarceration, two years of supervised release, and a \$50,000 fine, the serious detrimental impact on his family, and the atypical hardships of the conditions of his detention reflects the seriousness of the offense, promotes respect for the law, and provides just punishment. As a well-respected professional and otherwise law-abiding citizen, Mr. Kashani will never escape the stigma of this conviction. The impact of this conviction is particularly effective given his lack of criminal history and standing in society.

The conditions of Mr. Kashani's detention at MDC Brooklyn, together with the fact that he has not been visited by his wife or children, or any other family members or friends since his arrest, have imposed an atypical and significant hardship that amounts to more than just punishment, and should be considered in determining his sentence.

The combination of these factors fulfills the demands of § 3553(a)(2)(A). Any sentence imposing an additional period of incarceration would constitute a punishment that is greater than necessary to accomplish the sentencing objectives. In light of the circumstances of the offense conduct and the nature and history of the defendant as discussed *supra*, as well as the disparity between this and similar cases that would be created, as discussed *infra*, we respectfully submit that the proposed sentence is appropriate.

*B.2 The proposed sentence combined with the other losses suffered by the Defendant is sufficient to deter future criminal conduct.*

Section 3553(a)(2)(B) addresses the need for a sentence to deter future offense conduct. The lives of Mr. Kashani and his family have been turned upside down, he faces the stigma of a conviction, and his career and livelihood have been negatively and severely impacted. These weighty consequences serve as deterrence to future criminal conduct. Indeed, Mr. Kashani himself is as deterred from future criminal activity as any individual conceivably could. His life as he knew it is changed forever – he has already lost his reputation, and precious time with his family that can never be recovered. Mr. Kashani will not commit further crimes.

In addition to this punishment, Mr. Kashani does not pose a risk of recidivism – he is an otherwise law-abiding individual who “[did] an incredibly dumb thing” and “[is] not the type of defendant the guidelines was designed to punish.” *United States v. Hadash*, 408 F.3d 1080, 1084 (8th Cir. 2005). Thus, as noted *supra*, Mr. Kashani is not likely to reoffend, and the combined punishment of a conviction, thirteen months of incarceration, two years of supervised release, a \$50,000 fine, and other serious adverse consequences mentioned in this Memorandum adequately address the need for deterrence.

With respect to the community at large, the proposed sentence, coupled with the losses Mr. Kashani has suffered, will send – in fact, has already sent – a clear message that others who may consider engaging in similar conduct should take pause, re-evaluate their current state of diligence regarding compliance with U.S. export control and sanctions laws, and consider the devastating consequences that will follow should they be prosecuted.

*B.3 The public needs no protection from Mr. Kashani.*

Under § 3553(a)(2)(C), the sentence should protect the public. *See United States v. Baker*, 502 F.3d 465 (6th Cir. 2007) (sentence of probation with one-year house arrest in part

because incarceration not necessary to protect the public). Mr. Kashani has never been, and is currently not, a threat or danger to the public. As already noted, this is Mr. Kashani's very first contact with any criminal justice system. The absence of a criminal history is a valid reason for finding that the purposes of sentencing will be adequately served by a sentence outside and below the advisory Guidelines. *See, e.g., United States v. Huckins*, 529 F.3d 1312, 1318-19 (10th Cir. 2008) (a district court "may weigh a defendant's lack of a criminal record" in deciding whether to grant a downward variance from the advisory Guidelines range "even when the defendant has been placed into a criminal history category of I").

While the lack of criminal history demonstrates the uncharacteristic nature of his offense conduct, Mr. Kashani's immediate acceptance of responsibility, pre-sentencing confinement under difficult circumstances, and excellent behavior, further demonstrate that a downward departure from the advisory Guidelines is warranted in this case. Additional incarceration will not provide greater public protection, as the public need not be protected from Mr. Kashani in the first place.

*B.4 If needed, Mr. Kashani may obtain other correctional training or care outside of prison.*

Section 3553(a)(2)(D) expresses the need for a sentence to serve an educational and rehabilitative purpose. Mr. Kashani is highly educated and has a well-established work history. *PSIR* at ¶¶96-103. While Mr. Kashani may theoretically improve himself using the types of educational programs offered in the Bureau of Prisons, these types of programs are more abundantly available and better suited to his needs outside of prison.

In any event, rehabilitation is clearly not necessary in this case, as Mr. Kashani does not have any history of substance abuse or mental health issues and has a documented history of a loving and supporting family. *See United States v. Autery*, 555 F.3d 864, 868 (9th Cir. 2009)

(court's variance to probation not unreasonable in part because of defendant's positive characteristics "such as his having no history of substance abuse, no 'interpersonal instability,' no 'sociopathic or criminalistic attitude,' his motivation and intelligence, and that he has the support of his wife and children.") In fact, during his time in MDC Brooklyn, Mr. Kashani has used his educational background to teach and assist other inmates.

Based on the foregoing § 3553(a)(2) factors, a sentence outside and below the Guidelines is just and sufficient given the circumstances of the offense and after considering Mr. Kashani's nature, health, and history.

**C. Kinds of Sentences Available.**

A review of the sentences imposed in cases with offense conduct involving conspiracy to violate IEEPA listed by the Department of Justice shows probation, home confinement, imprisonment, and a fine as available sentences. The length of any term of imprisonment is within the Court's discretion up to the statutory maximum, after consideration of the factors outlined in § 3553(a). As discussed below, a sentence of thirteen (13) months of incarceration, two years of supervised release, and a \$50,000 fine is well within the Court's discretion and will not create a sentencing disparity among similarly situated defendants. In contrast, as explained in more detail below, a sentence imposed within the Guidelines here would create an unjust disparity.

**D. Applicable Sentencing Guidelines and Pertinent Guidelines' Policy Statements.**

First, the statutory index to U.S.S.G. for Mr. Kashani's offense of conviction on Count I states that Guideline 2M5.1(a)(1) should apply. Application Note 2 of U.S.S.G. § 2M5.1 directs courts to consider the degree to which the violation threatened a security interest of the United States, the volume of commerce involved, the extent of planning or sophistication, and whether

there were multiple occurrences. Where such factors are present in an extreme form, a departure from the Guidelines may be warranted.

Mr. Kashani respectfully submits to the Court that, as stated *supra*, his role in the conspiracy was minor. Moreover, the degree to which a defendant is dependent on criminality for his livelihood is relevant to the sentence. *See* U.S.S.G. § 5H1.9. It is clear Mr. Kashani has not derived any of his livelihood from criminal activity. As stated *supra*, he had no proprietary interest in the criminal activity involved in the conspiracy, no leadership role in the offense conduct, and his actions were taken in the context of his employment with ABS. In short, Mr. Kashani's conduct, while a violation of law, would not justify a sentence in accordance with the Guidelines.

**E. Need to Avoid Unwarranted Sentence Disparities Between Similarly-Situated Defendants.**

The final statutory factor that weighs in favor of a sentence outside and below the Sentencing Guidelines for Mr. Kashani is the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct. *See* 18 U.S.C. § 3553(a)(6). To assist the Court in assessing this factor, counsel attaches a spreadsheet with data on thirty-five sentences imposed in the past fifteen years in certain other cases with offense conduct involving a violation of, or a conspiracy to violate, U.S. sanctions laws and IEEPA.<sup>5</sup>

In the cases cited, the content of the prohibited shipment(s) and their application and use, the number and value of transactions, and the characteristics of the defendant vary; however, most of these cases involve longer periods of conspiracy, larger amounts of exports (often with direct military applications), and defendants with direct control over the conspiracy and

---

<sup>5</sup> *See* Exhibit 2.

proprietary interests in the criminal conduct. Of the thirty-five cases cited in Exhibit 2, all of the defendants received sentences outside of the Guidelines range, nine received probation, and, of those receiving sentences of incarceration, thirteen received sentences of 18 months or less even though most did not have a minor role reduction.

A review of these prior cases for IEEPA and IEEPA Conspiracy violations reveals multiple cases with similar offense conduct, several of which are discussed in greater detail below.<sup>6</sup>

In *United States v. Joyce Eliabachus*, No. 2:19-CR-00420 (D.N.J., October 6, 2020), the defendant, a U.S. citizen, coordinated and profited from the export of over \$5 million worth of aircraft components from the U.S. to Iran over the course of four years. Many of the exported goods were solicited on behalf of and exported directly to Iranian airline companies who had been designated by the U.S. government as posing a threat to U.S. national security prior to the exports, including Mahan Air. Despite her critical role in the conspiracy and directly benefitting from the criminal conduct, the defendant did not receive a minor role reduction and received a sentence of 18 months, well below the applicable Guidelines range.

In *United States v. Mehdi Hashemi*, No. 1:19-CR-0254 (C.D. Cal., July 6, 2020), the defendant, a UAE citizen, did not receive a minor role reduction and was sentenced to 12 months and 1 day under a single count of conspiracy to violate IEEPA. Over a three-year period, the defendant successfully exported to Iran several precision-cutting machines capable of making weapons parts, uranium enrichment components, and components for nuclear explosive devices. To facilitate the shipments, the defendant showed clear intent by falsifying shipping documents,

---

<sup>6</sup> We respectfully submit to the court that the circumstances of and the sentence in all of the cases cited support the proposed sentence for Mr. Kashani to avoid a sentencing disparity between similarly situated defendants. However, in the interest of brevity, we limit our more detailed discussion of these cases to only a few of them.

signing false end user certifications, lying to customs agents, and laundering the proceeds of the conspiracy. Despite the severity of the items exported and the *multiple* acts of deception to cover up conduct he *knew* was unlawful, the defendant received a sentence of 367 days, well below the Guidelines range (the government requested a sentence of 46 months).

In *United States v. Mahin Mojtahedzadeh*, No. 1:19-CR-00235 (D.D.C., January 31, 2020), the defendant, an Iranian citizen, did not receive a minor role reduction and was sentenced to 24 months under a single count of a conspiracy to violate IEEPA. Ms. Mojtahedzadeh conceived of and executed the conspiracy and spent years securing millions of dollars of gas turbine parts from vendors in the United States to export to her company in Iran via a variety of intermediaries. The defendant created the idea, executed the necessary deceptions, and was the sole monetary beneficiary of the conspiracy. The Government in this case requested a sentence of 46 months.

In *United States v. Behrooz Behroozian*, No. 2:16-CR-00185 (S.D. Oh., October 24, 2019), the defendant, a naturalized U.S. citizen, did not receive a minor role reduction and was sentenced to 20 months under a single count of violating IEEPA. Mr. Behroozian used front companies and *repeatedly* falsified shipping documents to export U.S. origin industrial equipment to Iran for over 12 years, receiving compensation directly tied to his criminal conduct. Occasionally the defendant would receive compensation via an informal Middle Eastern value transfer system to further conceal the Iranian company's payments to the defendant.

In *United States v. Parisa Mohamadi*, No. 1:17-CR-00236 (N.D. Oh., September 10, 2019), the defendant, a naturalized U.S. citizen, did not receive a minor role reduction and was sentenced to 24 months under two counts of conspiracy to violate IEEPA. Over multiple years,

the defendant conducted over 70 transactions (more than \$3 million) exporting manufacturing and oil and gas machinery components to Iran. The defendant traveled extensively between the United States and Iran to facilitate these transactions and had prior knowledge of the unlawful nature of her conduct demonstrated poignantly through her instructions to customers on how to wire money to avoid detection by law enforcement. The defendant coordinated the conspiracy, lied to U.S. customs officials, and maintained three passports and dozens of bank accounts to facilitate the deception, and yet, received a sentence of 24 months, well below the applicable Guidelines.

In *United States v. Joao Pereira da Fonseca*, No. 1:16-CR-00089 (D.D.C., July 17, 2017), the defendant, a Portuguese citizen, did not receive a minor role reduction and was sentenced to 20 months under a single count of conspiracy to violate IEEPA. The defendant was a highly trained engineer who took part in a conspiracy to obtain dual use optical lenses and inertial guidance systems from U.S. companies and then transship them to Iran. Mr. Pereira da Fonseca was responsible for traveling to the U.S. to approve the machines, learn how to install and maintain them, and then travel to Iran to transfer this training to the true end-users there. Mr. Pereira da Fonseca was detained on his way to Portugal after having received all of the necessary training, but before he could travel to Iran.

In *United States v. Shantia Hassanshahi*, No. 1:13-CR-00274 (D.D.C., December 12, 2016), the defendant, a dual U.S.-Iranian citizen, did not receive a minor role reduction and was sentenced to 12 months and 1 day under a single count of a conspiracy to violate IEEPA. The defendant owned companies in the U.S. and Iran and used a co-conspirator in Armenia to buy electromechanical devices from the U.S. company and then sell and ship the goods to his Iranian company. This conspiracy lasted at least 4 years and involved a minimum of \$1 million of



goods. Letters obtained by investigators demonstrated Mr. Hassanshahi's *explicit knowledge* of U.S. export laws and the illegal nature of his activities. Further, Mr. Hassanshahi operated his business in the U.S. and made frequent trips to Iran to coordinate with his Iranian business.

In *United States v. Mansour Moghtaderi Zadeh*, No. 10-309 (D.D.C., December 14, 2016), the defendant did not receive a minor role reduction and was sentenced to 18 months under a single count of conspiracy to violate IEEPA. The defendant and his co-conspirators exported or attempted to export from the U.S. to Iran certain fiber optic video transmitters and receivers, aviation course indicators, aerospace metal sheets and rods, and various types of aviation chemicals. The defendant owned the companies through which he participated in the conspiracy, did not receive a minor role reduction, and continued his criminal conduct even after receiving a Temporary Denial Order from the United States Department of Commerce.

For reasons explained in this Memorandum, Mr. Kashani respectfully asks that the Court find the advisory Sentencing Guidelines range is disproportionately high in relation to the nature and circumstances of his offense, when considered in its full context, and when compared to other sentences that have been imposed in comparable federal cases.

**F. Need to Provide Restitution to Victims of Offense.**

We believe restitution is not applicable in this case because there are no identifiable victims who suffered a monetary loss as a result of the defendant's conduct.

**V. CONCLUSION**

Mr. Kashani stands before the Court with deep remorse. He is solely to blame for his unfortunate predicament. In imposing sentence, Mr. Kashani pleads with the Court to consider the impact of his continued incarceration on his wife and children, his positive contributions to his family and the community, including other inmates at MDC Brooklyn, over the years, the

isolated nature of his criminal conduct, his minor role in the conspiracy, and the significant losses and punishment he has already suffered.

Based on the foregoing reasons and any other that may appear to the Court, we respectfully submit that a sentence of thirteen (13) months of incarceration, two years of supervised release, and a \$50,000 fine is sufficient, but not greater than necessary, to comply with the statutory provisions of 18 U.S.C. § 1705, as well as the statutory directives set forth in 18 U.S.C. § 3553(a).

Dated: October 7<sup>th</sup>, 2022

Respectfully submitted,

By: /s/Babak Hoghooghi  
Babak Hoghooghi-Esfahani, Esq. (Bar No. 451180)  
Berliner Corcoran & Rowe, LLP  
1101 17<sup>th</sup> Street NW, Suite 1100  
Washington, D.C. 20036  
Telephone: (202) 293-5555  
Facsimile: (202) 293-9035  
[bhoghooghi@bcr-dc.com](mailto:bhoghooghi@bcr-dc.com)

By: /s/ William Coffield  
William F. Coffield, Esq. (admitted *pro hac vice*)  
Berliner Corcoran & Rowe, LLP  
1101 17<sup>th</sup> Street NW, Suite 1100  
Washington, D.C. 20036  
Telephone: (202) 293-5555  
Facsimile: (202) 293-9035  
[wcoffield@bcr-dc.com](mailto:wcoffield@bcr-dc.com)

*Attorneys for Defendant Kambiz Attar Kashani*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 7th day of October, 2022, I electronically filed the foregoing Memorandum in Support of Sentencing with the Clerk of Court using the CM/ECF System, causing it to be served upon all counsel of record.


\_\_\_\_\_/s/  
Babak Hoghooghi-Esfanhani  
*Counsel for Defendant Kashani*

**Bahareh Yamini**  
**Apartment 614-Elegance house - Tcom**  
**Al fosool street, Dubai, united Arab**  
**Emirates**

The Honorable Eric R. Komitee  
U.S District Court  
Eastern District Of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

قاضی Komitee عزیز

من بهاره یمنی هستم همسر کامبیز کاشانی ، من ۲۴ سال پیش با کامبیز آشنا شدم و پس از دو سال دوستی تصمیم گرفتم که باقی عمرم رو در کنار او سپری کنم در آن موقع او دانشجو بود و حتی خدمت سربازی نرفته بود . چیزی که من رو جذب او می کرد قلب بسیار بزرگ ، مهربانی و درستی او بود . او از همان سنین جوانی بسیار مسوولیت پذیر ، قانونمند ، بخشنده و مهربان بود همیشه مقید به قوانین و اصول اخلاقی بود چیزی که در هم سن و سال های او کم پیدا می شد . از سن ۱۸ سالگی در جین تحصیل مشغول به کار بود و مسوولیت زندگی را به عهده گرفته بود و تا به امروز که خود پسر ۲۱ ساله دارد لحظه ای از زیر بار مسوولیت شانه خالی نکرد . درست در سنی که دوستان و هم سن و سال های او مشغول خوش گذرانی و جوانی بودند او با سخت کوشی ایده های بزرگی در سر داشت و مدام در مورد آنها صحبت می کرد یکی از آرزوهایش بازگشت به آمریکا بود و از اینکه والدینش از آنجا نقل مکان کرده بودند ناراحت بود و به محض فراهم شدن امکانات اقدام برای بازگشت به آمریکا کرد و حتی وقتی پسر ما به سن دانشگاه رسید میتوانست در کشور امارات و نزدیک خانواده تحصیل کند ولی کامبیز عشق این را داشت که فرزندانش در آمریکا تحصیل کنند و از چیزی که خودش محروم شده بود فرزندانش را بهره مند کند و قصد داشت به محض درست شدن کار من و فرزندانش از شغل فعلی اش استعفا داده و همگی به آمریکا مهاجرت کنیم . وقتی من با این موضوع مواجه شدم یعنی دستگیری کامبیز ، به معنای واقعی شوکه شدم چون این با ایده آنها و خواسته های کامبیز فرق بزرگی داشت . تمام کسانی که کامبیز را میشناسند از علاقه او به بازگشت به آمریکا و تلاش های او خبر دارند و من هنوز باور ندارم که چطور او میتوانسته دانسته مرتکب این اشتباه بشود و ایمان دارم که ندانسته مرتکب این اشتباه شده ، و امیدوارم که شخص شما با قضاوت و بزرگی خود به او این فرصت را بدهد که در کشوری که همیشه عاشق بازگشت به آن بود با استفاده از روحیه سخت کوش و مسوولیت پذیریش به همراه استعدادهایش صادقانه خدمت کند . و با وجود تمام مشکلات پیش آمده به نظر من او شخصی هست درستکار ، مهربان و کمک رسان که ارزش بخشیده شدن و داشتن شانس دوباره را دارا می باشد .

  
8/11/2022

Dear Komitee judge,

I am Bahareh Yamini, wife of Kambiz Kashani. I met Kambiz 24 years ago and after two years of friendship, I decided to spend the rest of my life with him. At that time, he was a student and had not even served in compulsory military service. What attracted me to him was his big heart, kindness and honesty. Even from that young age, he was very responsible, law-abiding, forgiving and kind. He was always beholden to laws and moral principles, something that was rare in his age group. From the age of 18 when he was working while studying, he had accepted the responsibility of life and until today, when he has a 21-year-old son, he never shied away from the burden of responsibility. Just at the age when his friends and peers were busy having fun and being young, he worked hard and had big ideas in his head which he kept talking about them. One of his dreams was to return to America because he was unhappy about his parents moving from there. As soon as the opportunity presented itself, he took action to return to America. When our son reached the age to attend university, even though he could study in the UAE and be close to his family, Kambiz wanted his children to study in America and benefit from what he himself was deprived of and he planned to resign from his current job and immigrate to America as soon as his children and I were able to do so. When I was faced with this issue, i.e. the arrest of Kambiz, I was truly shocked because this was very different from the ideals and desires of Kambiz. All who know Kambiz know of his desire to return to America and his efforts, and I still do not believe how he could have knowingly made this mistake, and I believe that he made this mistake unknowingly, and I hope that you yourself will judge with your greatness, give him the opportunity to serve honestly in the country he always loved to return to, using his hardworking spirit and some of the responsibility, along with his talents, and despite all the problems that have occurred, in my opinion, he is an honest, kind person and a helper who deserves to be forgiven and be given a second chance.



## CERTIFICATION

TransPerfect is globally certified under the standards ISO 9001:2015, ISO 17100:2015, and ISO 18587:2017. This Translation Certificate confirms the included documents have been completed in conformance with the Quality Management System documented in its ISO process maps and are, to the best knowledge and belief of all TransPerfect employees engaged on the project, full and accurate translations of the source material.

File Name(s): Document 1

Source Language(s): Farsi

Target Language(s): English

*Authorized Signature:*

*Hossam El Shamy*

Hossam El Shamy (Oct 5, 2022 18:18 GMT+4)

---

*Name: Hossam El Shamy*

*Title: Project Manager*

*Date: 05/10/2022*

Reason for signature: I approve the accuracy of this document content as written

The Honorable Eric R. Komitee  
 U.S. District Court  
 Eastern District of New York  
 225 Cadman Plaza East  
 Brooklyn, NY 11201

## قاضی Komitee عزیز

اینجانب یدالله عطارکاشانی پدر کامبیز عطار کاشانی متولد 1937 در ایران بوده و از سال 1970 تا 1979 در ایالت Illinois شهر شیکاگو آمریکا زندگی می کردم. بنده از سال 1973 تا 1979 در شرکت Inmont Corporation و فورد کار کرده و مالیات پرداخت می نمودم. بنده در سال 1972 در رشته General Management در Wright College شیکاگو تحصیل می کردم. در سال 1979 در رشته علوم کامپیوتر از Chicago Richard J. Daley College فارغ التحصیل شده ام.

اینجانب پیش از مهاجرت به آمریکا در ایران در دانشگاه تهران دانشجوی رشته زبان و ادبیات آلمانی بوده و در وزارت مسکن و شهرسازی اشتغال داشتم. همچنین ورزشکار حرفه‌ای بودم و در رشته کشتی در مسابقات کشوری شرکت می کردم. طی زندگی و تحصیل در آمریکا نیز همچنان به ورزش ادامه داده و مربی ورزشی دانشجویان در دانشگاه بودم. اینجانب طی اقامت در ایالات متحده هیچ گونه سابقه کیفری و قضایی نداشتم. بنده پس از بازگشت به ایران در وزارت صنایع و معادن مشغول شده و در سال 2003 بازنشسته شدم. اینجانب در تمام طول دوران زندگی چه در ایران و چه در آمریکا دارای حسن شهرت بوده و مورد اعتماد خانواده، همسایگان، افراد محل زندگی و همکاران در محل کار خود بودم.

اینجانب در سال 1977 با همسر خود منیر میرهادی ازدواج کردم. منیر میرهادی دارای مدرک دیپلم طبیعی از ایران بوده و پیش از مهاجرت به ایالات متحده در نمایندگی شرکت AEG در ایران و سپس در نیروی دریایی ارتش شاهنشاهی مشغول به فعالیت بوده است. ایشان پس از بازگشت به ایران صاحب دوفرزند دیگر شده و به خانه‌داری و تربیت فرزندانش مشغول گشت. ایشان نیز مانند اینجانب در تمام طول عمر خود دارای حسن شهرت و اخلاق حسنه بوده و مورد علاقه خانواده و آشنایان بوده است. اینجانب و منیر میرهادی صاحب سه فرزند بوده که همگی آنها ازدواج کرده و در حال حاضر 9 نوه داریم.

کامبیز عطارکاشانی، فرزند ارشد خانواده 5 نفره بنده است، پس از تولد در شیکاگو در سال 1978 در سن دو سالگی به همراه اینجانب و مادرش به ایران آمد. وی به همراه خانواده خود در شهر تهران ساکن شد و تحصیلات ابتدایی، متوسطه و دبیرستان را در این شهر سپری کرد. کامبیز در سال 2004 موفق به اخذ مدرک لیسانس خود در رشته کامپیوتر گرایش سخت افزار از دانشگاه آزاد در تهران شد. او شخصی بسیار فعالی بوده و از همان ابتدای دوران دانشجویی مشغول به فعالیت در حوزه کامپیوتر بوده است. او در تمام طول دوران تحصیلی و کاری در ایران به عنوان فردی مسئولیت پذیر، موفق و فعال با توانمندی بسیار بالا شناخته شده که از حسن خلق و معاشرت برخوردار بوده است. همگی همکاران و دوستان وی به ایشان علاقه‌مند بوده و مورد اعتماد خانواده،

دوستان و همکاران قرار داشته است. در تمامی طول دوران اقامتش در ایران او سوء سابقه رفتاری، کفیری و قانون شکنی به هیچ وجه نداشته است.

کامبیز عطارکاشانی در سال 1999 با خانم بهاره یمینی ازدواج کرده و فرزند اول ایشان به نام تیرداد در سال 2001 و فرزند دوم ایشان به نام تارا در سال 2006 متولد شدند. بهاره همسر کامبیز دارای مدرک کارشناسی حسابداری می باشد. او پس از ازدواج مدتی در زمینه رشته تحصیلی اش اشتغال داشته و پس از آن به خانه داری و تربیت فرزندان مشغول بوده است. ایشان از خانواده اصیل و نجیبی بوده و همواره به حسن خلق شهرت داشته و مورد علاقه اطرافیان می باشد. پدر ایشان از پیش از انقلاب ایران تا اواسط دهه 2000 (حدود 40 سال) به قضاوت در دادگستری ایران مشغول بوده و از مجریان قانون بوده است. لازم به یادآوری است، بهاره همسر کامبیز نیز دارای هیچگونه سوء سابقه کفیری و مدنی نمی باشد.

کامبیز به همراه خانواده خود در سال 2011 به شهر دبی در کشور امارات متحده عربی مهاجرت نموده و تاکنون ساکن آنجا بوده اند. همسر و دختر وی نیز هم اکنون در دبی اقامت دارند. فرزند اول کامبیز، تیرداد دوران تحصیل ابتدایی خود را در ایران و دوران متوسطه و دبیرستان خود را در دبی در مدرسه Nibras International School Dubai با موفقیت سپری نموده و مدرک دیپلم خود را در سال 2019 از آنجا دریافت کرده است. او در سال 2019 از University of Illinois Chicago (UIC) پذیرش گرفته و از سال 2020 در آنجا مشغول به تحصیل شده است. تیرداد هم اکنون در شهر شیکاگو ساکن است.

دختر کامبیز تارا در حال حاضر مشغول به تحصیل در Nibras International School Dubai در شهر دبی بوده و پایه 10ام خود را به اتمام رسانده و در حال حاضر با مادر خود ساکن آنجاست. هر دو فرزند کامبیز دارای حسن خلق و معاشرت بوده و هیچگونه سوابق سوئی ندارند چرا که ایشان دارای تربیت خانوادگی بسیار خوبی بوده و کامبیز و بهاره تمام تلاش خود را برای تعلیم رفتار و اخلاق نیکو به تیرداد و تارا به کار بسته و شخصیت و اخلاق خوب را در فرزندان خود القا کردند.

کامبیز در طول دوران اقامتش در شهر دبی فعالیت های خود در حوزه کامپیوتر و IT را ادامه داده و در آنجا نیز میان همکاران به حسن مدیریت، معاشرت و رفتار خوب معروف است. او در تمام طول اقامتش در دبی هیچگونه سوء سابقه مدنی و کفیری نداشته و در امور مالی همچون پرداخت مالیات جدی بوده است.

در مجموع کامبیز را می توان فردی مستعد، ساعی و مسئولیت پذیری دانست که از سن 18 سالگی مشغول به کار شده و روی پای خود ایستاده و از 22 سالگی تشکیل خانواده داده است. او همیشه وظایف خود را در خانواده تمام و کمال انجام داده و هرگز از زیر بار مسئولیت خانواده شانه خالی نکرده است. حتی پسر خود را که 21 سال دارد کماکان پشتیبانی می کند و از او شدیداً حمایت می نماید. کامبیز قلبی آکنده از عشق و مهربانی داشته و با تمام اعضای خانواده با مهر و محبت رفتار میکند.

از زمانی که او توسط پلیس ایالات متحده دستگیر شده و در زندان به سر می برد اینجانب که 85 سال دارم و مادر مریضش که 75 سال دارد همواره نگران کامبیز و خانواده اش هستیم، چرا که او مرتباً با پدر و مادر خود تماس می گرفت و جویای احوالات آنها بود و به ما محبت می کرد. از طرفی همسر و فرزندان کامبیز که تا پیش از دستگیری او توسط پلیس آمریکا، از حمایت کامل عاطفی و همه جانبه او برخوردار بودند، با شنیدن خبر دستگیری اش در آمریکا شوکه شده و پس از آن دچار مسایل و مشکلات مختلفی شدند. لیکن نگرانی برای سلامتی جسمی و وضعیت روحی کامبیز بیش از هر مشکلی خانواده را تحت تاثیر قرار داده و همگی هر روز برای رهایی او دعا می کنند.



بدالله عطار کاشانی

پدر کامبیز

4 اکتبر 2022

The Honorable Eric R. Komitee  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Dear Komitee judge,

I, Yadollah Attarkashani, the father of Kambiz Attarkashani, was born in Iran in 1937 and lived in Chicago, Illinois, USA from 1970 to 1979. From 1973 to 1979, I worked for Inmont Corporation and Ford and paid taxes. In 1972, I was studying General Management at Wright College in Chicago. I graduated from Chicago Richard J. Daley College in 1979 with a degree in computer science.

Before immigrating to America, I was a student of German language and literature in Tehran University and worked in the Ministry of Housing and Urban Development. I was also a professional athlete and participated in national competitions in the field of wrestling. While living and studying in America, I continued to play sports and coached students in the university. I did not have any criminal or judicial record during my stay in the United States. After returning to Iran, I worked in the Ministry of Industries and Mines and retired in 2003. Throughout my life, both in Iran and in America, I had a good reputation and was trusted by my family, neighbors, locals in my neighborhood, and colleagues at my workplace.

I married my wife Monir Mirhadi in 1977. Monir Mirhadi has a natural diploma from Iran and before immigrating to the United States, she worked in the representative office of AEG in Iran and then in the Navy of the Imperial Army. After returning to Iran, she had two more children and was engaged in housekeeping and raising her children. Like me, she had a good reputation and good morals throughout her life and was loved by her family and friends. Me and Monir Mirhadi have three children, all of whom are married, and we currently have nine grandchildren.

Kambiz Attar Kashani is the eldest child of my family of 5. After being born in Chicago in 1978, at the age of two, he came to Iran with me and his mother. He settled in Tehran with his family and spent his primary, secondary and high school education in this city. In 2004, Kambiz received his bachelor's degree in hardware major from Azad University in Tehran. He is a very active person and has been working in the computer field since the beginning of his student days. Throughout his academic and working career in Iran, he has been known as a responsible, successful and active person, with a very high ability, who has good character and sociability. All his colleagues and friends have fondness for him and he has been trusted by family, friends and colleagues. Throughout his stay in Iran, he has not had any bad behavior, criminal or law breaking record.

Kambiz Attar Kashani married Mrs. Bahareh Yamini in 1999 and their first child named Tirdad was born in 2001 and their second child named Tara was born in 2006. Bahareh, Kambiz's wife, has a bachelor's degree in accounting. After her marriage, she worked for some time in her field of study, afterwards she kept herself busy with housekeeping and raising children. She was from a noble and honorable family and has always been known for her good temper and is loved by those around her. Her father was a judge in Iran's judiciary since before the Iranian revolution until the mid-2000s (about 40 years) and was a law

enforcement officer. It is to be mentioned that Bahareh, Kambiz's wife, does not have any criminal or law breaking record.

Kambiz and his family immigrated to Dubai in the United Arab Emirates in 2011 and have been living there until now. His wife and daughter are currently residing in Dubai. Kambiz's first child, Tirdad, successfully spent his primary education in Iran and his secondary and high school years in Dubai at Nibras International School Dubai and received his diploma in 2019. He was accepted from (UIC) University of Illinois Chicago in 2019 and has been studying there since 2020. Tirdad currently lives in Chicago.

Kambiz's daughter, Tara, is currently studying at Nibras International School Dubai in Dubai and has completed her 10th grade and currently resides there with her mother. Both of Kambiz's children have good manners and sociability and do not have any bad records, because they have been raised with very good morality. Kambiz and Bahareh did their best to teach good behavior and morals to Tirdad and Tara and instilled good character and morals in their children.

During his stay in Dubai, Kambiz continued his activities in the field of computer and IT, and there he is known among his colleagues for his good management, sociability and good behavior. Throughout his stay in Dubai, he has had no civil or criminal record and has been serious in financial matters such as paying taxes.

In general, Kambiz can be considered a talented, diligent and responsible person who has been working since the age of 18 and standing on his own feet and has started a family since the age of 22. He has always done his duties in the family perfectly and has never shied away from the burden of family responsibility. He even supports his son, who is 21 years old, and strongly encourages him. Kambiz has a heart full of love and kindness and treats all family members with love and kindness.

Ever since he was arrested by the US police and is in prison, I, who am 85 years old, and his sick mother, who is 75 years old, are always worried about Kambiz and his family, because he used to calls us, his parents, regularly. He would care for us and ask about our conditions and send his love. On the other hand, Kambiz's wife and children, who had full emotional and all-round support until he was arrested by the American police, were shocked when they heard the news of his arrest in America, and after that they faced various issues and problems. But the concern for Kambiz's physical health and mental condition has affected the family more than any other problem, and everyone prays for his release every day.

Yadollah Attarkashani

[signature]

Yadollah Attarkashani,

Kambiz's father

October 4, 2022



## CERTIFICATION

TransPerfect is globally certified under the standards ISO 9001:2015, ISO 17100:2015, and ISO 18587:2017. This Translation Certificate confirms the included documents have been completed in conformance with the Quality Management System documented in its ISO process maps and are, to the best knowledge and belief of all TransPerfect employees engaged on the project, full and accurate translations of the source material.

File Name(s): Document 4

Source Language(s): Farsi

Target Language(s): English

*Authorized Signature:*

*Hossam El Shamy*

Hossam El Shamy (Oct 5, 2022 18:17 GMT+4)

---

*Name: Hossam El Shamy*

*Title: Project Manager*

*Date: 05/10/2022*

Reason for signature: I approve the accuracy of this document content as written

The Honorable Eric R. Komitee  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Dear Judge Komitee

Mr. Kambiz Attar Kashani is my oldest brother. I'm a PhD candidate in philosophy of law in Iran. Due to my education, I am familiar with the legal systems of different countries including the United States. I know that breaking the law is not accepted in any country at all. However, I think, Kambiz did not have enough knowledge about the legal effects and legal consequences of his business activities. Otherwise, someone who is fully aware of his illegal activities would not come to the US (country that has violated its laws) in 2020, and again at the beginning of this year to do personal work related to his son's university registration.

Regardless the legal issues, Kambiz is a very friendly and kind and family-friendly person, as a result, since he was arrested, our father, who is 85 years old, and our mother, who is 75 years old, they are very sad and have serious physical and mental problems. Also his wife, his son and his daughter, they have faced serious problems. His wife underwent major surgery after her husband arrest. She is still suffering from the problems caused by this surgery and frequently visits the doctor and the hospital. Her daughter has been hospitalized twice during the few months Kambiz has been in prison. Also, they had to change their daughter's school due to financial problems, and because of this, she has mental problems. His son, who is very intelligent and talented and is studying in mechanical engineering at the University of Illinois, is likely to drop out due to the inability to pay for the university.

Considering all the points mentioned above, I request you to consider the least amount of punishment in your decision.

Sincerely,

Mahdi Attar Kashani

10.6.2022

A handwritten signature in blue ink, which appears to be 'Mahdi Attar Kashani', is written over the typed name and date. The signature is enclosed within a large, hand-drawn blue oval.



صفحه ۱

عنوان

من حمید رضا یعنی بگردانی کافی باز نشسته دادگستری که مدت ۳۵ سال به قضاوت اشتغال داشته و در سمت های مختلف قضائی (دادیار - باز پرس - رئیس دادگاه جنس مستقل - رئیس دادگاه شهرداران - مستشار محاکم تجدید نظر تهران - رئیس شعبه ۲۹ دادگاه تجدید نظر استان تهران) قضاوت نموده ام و پس از باز نشستی مدت بیش از ۱۵ سال است که بشغل وکالت درجه یک دادگستری اشتغال دارم و در طی این مدت با اشخاص مختلف از هر سن و طبقه و سایر انواع خصوصیات اخلاقی و شخصیت اجتماعی تماس و برخورد داشته ام میتوانم ادعا کنم که در شناخت اشخاص و شخصیت آنان تا حد نسبتاً زیادی دارم تجربه هستم لذا در اینجا که سخن درباره کافینر عطار کاشانی و شخصیت و خصوصیات اخلاقی نا برده است باید بگویم من به بزرگ کافینر هستم و در طول مدت بیش از ۲۰ سال ورود و سایر بنوا ذمه من و از دو احساسی با خدمت بهاره آنچه را که من درباره خصوصیات و تفهمیده ام اینست که کافینر جوانی پاک و پاهای نیک بگذارد این اخلاقی و علاقه مند بنوا ذمه و همسرش و فرزندانش بسیار لذت و از

نسخه

12 Sep 2017

۱۱

۲۱ شهری الحجه ۱۴۳۸

Bos

Gold

Euro

Dolar

24 Jul 2017

۲۶ شوال ۱۴۳۸

هیچ تلاش و کوششی منطبق بر راه و تائید اعضا و خانواده اش که تا این  
 نمی نماید و با شناختی که من از کامبیز دارم فکر میکنم که او در ارتکاب  
 جرم منتسب بوی سودنیت (مقدح تلف از قوانین امریکا) - وقعه  
 خدمت به جمهوری اسلامی ایران (نداشته و بلحاظ حسامه و اشتباه  
 بر ملک این عمل زردی و آلتون نیز از اشتباه خود سخت پشیمان  
 است و از جمله افراد است که وقتی یکبار بر ملک اشتباهی کند دیگر  
 آنرا تکرار نخواهد کرد و پسوسته گامی منضبط و قانون مدار بوده  
 و از اینرو نه تنها من بلکه اکثر کسانی که در این زمینه با او  
 یک خلافتکار میدانند و معتقدند از آنجا که بشر جایز الخطا است  
 مرتکب اشتباه شده لذا از آن عالی مقام انتظار دارم که با در  
 نظر گرفتن مراتب فوق و پشیمانی وی از عملش و در نظر گرفتن اینکه  
 همسر و سایر همکاره زنی خانه دار و فاقد درک و عملی مالی است  
 و تا حدی هزینه معاش و تحصیل فرزندان یکی در امریکا و دخترش همیشه  
 در دبی لزوم حضور کامبیز در کانون خانواده اش را ایجاب  
 مینماید کانون عالی مقام در بعضی موارد حداکثر ازفاق قانونی و  
 ممکن را در حق کامبیز اعمال فرمائید. با تقدیم احترامات

محمد زین العابدین  
 Dotar: \_\_\_\_\_ Ed: \_\_\_\_\_  
 ۲۲ ر ۴ ر ۴۰ ر ۱۲

Gold:

Bars:



I am Hamidreza Yamini Hamedani, a retired judge of the judiciary who has been engaged in judging for thirty-five years and held various judicial positions (Assistant Prosecutor - Investigator - Head of the Independent Assessment Court - Head of the City Court - Advisor and Courts of Appeal in Tehran - Head of the 29th Branch of the Court of Appeal ,Tehran province) and after retirement for more than 15 years I have been working as a first-class lawyer and during this time I have been in contact with people of all ages and classes and I have had encounters with all kinds of moral characteristics and social personalities so I can claim that I have a relatively large amount of experience in knowing people and their personalities, therefore, at this point when talking about Kambiz Attarkashani and his character and moral qualities, I must say that I am Kambiz's father-in-law and over the course of more than 20 years since he entered into my family and since his marriage with my daughter Bahareh, what I have understood about his characteristics is that Kambiz is a genuine young man who adheres to moral standards and is devoted to his family, wife and children, and he does not stop making any efforts for the welfare and to provide for his family members, and with the knowledge I have of Kambiz, I think First of all, he did not intend to commit the crime alleged against him (intention to violate American laws - intent to serve the Islamic Republic of Iran) and he committed this act out of inconsideration and mistake, and now he regrets his mistake and he is one of those people that once he has made a mistake, he will not repeat it again, and he has always been a disciplined and law-abiding person, and for this reason, not only me, but most of those who know him, do not consider him to be a criminal person, and they believe that since humans are fallible he committed a mistake, therefore, I plead with that high authority that by taking into account the above circumstances and his regret for his action, and taking into account the fact that his wife is a housewife and has no income and financial resources, and to provide for the living expenses and education of one of their children in America and his daughter and his wife in Dubai, the necessity of Kamiz's presence in his family may convince Your Honor to apply the maximum possible legal lenience in Kamiz's case in determining the punishment.

Sincerely

[signature]

Hamidreza Yamini

Date: 07.13.2022





## CERTIFICATION

TransPerfect is globally certified under the standards ISO 9001:2015, ISO 17100:2015, and ISO 18587:2017. This Translation Certificate confirms the included documents have been completed in conformance with the Quality Management System documented in its ISO process maps and are, to the best knowledge and belief of all TransPerfect employees engaged on the project, full and accurate translations of the source material.

File Name(s): Document 3

Source Language(s): Farsi

Target Language(s): English

*Authorized Signature:*

*Hossam El Shamy*

Hossam El Shamy (Oct 5, 2022 18:17 GMT+4)

---

*Name: Hossam El Shamy*

*Title: Project Manager*

*Date: 05/10/2022*

Reason for signature: I approve the accuracy of this document content as written

## SENTENCE COMPARISON DATA

	<u>Case</u>	<u>District</u>	<u>Plea</u>	<u>Sentence</u>	<u>Date of Sentencing</u>	<u>Minor Role?</u>	<u>Co-Op</u>	<u>Components Exported/Value</u>	<u>Export</u>	<u>Charge</u>	<u>Citizen</u>
	* = Sealed/Redacted			NC = Not Clear							
1	<i>United States v. Joyce Eliabachus</i>	D.N.J.	Y	18 months	10/6/2020	N	N	\$5m of aircraft parts sought on behalf of SDNs in Iran	IRAN	§ 371 (IEEPA)	US Citizen
2	<i>United States v. Mehdi Hashemi</i>	C.D. Cal.	Y	12m, 1d	7/6/2020	N	N	Exported precision metal cutting machines to Iran - can be used in weapons, uranium enrichment, centrifuges. Very involved in planning and execution of conspiracy	IRAN	§ 371 (IEEPA)	UAE
3	<i>USA v. Mahin Mojtahedzadeh</i>	N.D.N.Y.	Y	24 months	1/31/2020	N	Y*	\$3 million of gas turbine parts from a U.S. supplier over 4 years	IRAN	§ 371 (IEEPA)	IRAN
4	<i>USA v. Behzad Pourghannad</i>	S.D.N.Y.	Y	46 months	11/13/2019	N	N	Large quantities of carbon fiber over 5 years for use in WMD program	IRAN	§ 371 (IEEPA)	IRAN
5	<i>USA v. Behrooz Behroozian</i>	S.D. Oh.	Y	20 months	10/24/2019	N	Y*	U.S. origin gas/oil pipeline equipment over 10 years using a middle man company and benefitting from crimes	IRAN	IEEPA	Naturalized US
6	<i>United States v. Parisa Mohamadi</i>	N.D. Oh.	Y	24 months	9/10/2019	N	N	\$3m (70 transactions) of components for manufacturing and oil and gas machinery; extensive travel to/from Iran; instructed customers how to wire funds to avoid detection	IRAN	§ 371 (IEEPA) (x2)	Naturalized US
7	<i>United States v. Mojtaba Biria</i>	N.D.N.Y.	Y	Time Served (21m, 22d)	8/14/2019	N	N	Tried to export \$1m of energy turbine parts, critical to producing electricity	IRAN	§ 371 (IEEPA)	Germany

	<u>Case</u>	<u>District</u>	<u>Plea</u>	<u>Sentence</u>	<u>Date of Sentencing</u>	<u>Minor Role?</u>	<u>Co-Op</u>	<u>Components Exported/Value</u>	<u>Export</u>	<u>Charge</u>	<u>Citizen</u>
8	<i>United States v. Olaf Tepper</i>	N.D.N.Y.	Y	24 months	8/3/2019	N	N	Tried to export \$1m of energy turbine parts, critical to producing electricity	IRAN	§ 371 (IEEPA)	Germany
9	<i>USA v. David Russell Levick</i>	D.D.C.	Y	24 months	3/22/2019	N	N	\$200k of U.S. origin helicopter parts	IRAN	IEEPA (x4)	Australia
10	<i>USA v. Arash Sepehri</i>	D.D.C.	Y	26 months	2/26/2019	N	N	high-resolution sonar equipment, data input boards, rugged laptops, acoustic transducers	IRAN	§ 371 (IEEPA)	Iran
11	<i>United States v. Arzu Sagsoz</i>	D.D.C.	Y	20 months	1/25/2019	N	N	Attempted export of aircraft engines to Mahan Air	IRAN	§ 371 (IEEPA)	Turkey
12	<i>USA v. Alireza Jalali</i>	D. Minn.	Y	15 months	3/20/2018	Y	NC	digital communications devices and equipment	IRAN	§ 371 (IEEPA)	Iran
13	<i>USA v. Ali Soofi</i>	S.D.N.Y.	Y	32 months	12/15/2017	No	NC	acted as broker for clients, dealt directly with high ranking official in the IRGC, seeking tank and machine gun parts, military vehicles, and helicopters	IRAN	§ 371 (IEEPA)	Canada/Iran
14	<i>USA v. Joao Pereira da Fonseca</i>	D.D.C.	Y	20 months	7/17/2017	No	NC	sophisticated optical lenses and components of inertial guidance systems	IRAN	§ 371 (IEEPA and Fraud)	Portugal
15	<i>USA v. Mansour Zadeh</i>	D.D.C.	Y	18 months	12/14/2016	No	N	fiber optic video transmitter and receiver and aviation course indicators	IRAN	§ 371 (IEEPA)	Iran
16	<i>USA v. Shantia Hassanshahi</i>	D.D.C.	Y	12 m, 1d	12/12/2016	No	N	\$1 million worth of electro-mechanical relay devices for Iran's civilian power grid	IRAN	IEEPA	US Resident
17	<i>USA v. Ali Mohammadi</i>	N.D. Ill.	Y	60 months probation	8/27/2015	No	N	Series 446 Rate Integrating Gyroscope (TOW Missile component)	IRAN	§ 371 (IEEPA)	U.S.
18	<i>USA v. Ergun Yildiz</i>	S.D. Cal.	Y	18 months (time served)	5/8/2015	Sealed	NC	Marine navigation and military electronic equipment; \$60k partial payment	IRAN	§ 371 (IEEPA)	Germany

	<u>Case</u>	<u>District</u>	<u>Plea</u>	<u>Sentence</u>	<u>Date of Sentencing</u>	<u>Minor Role?</u>	<u>Co-Op</u>	<u>Components Exported/Value</u>	<u>Export</u>	<u>Charge</u>	<u>Citizen</u>
19	<i>USA v. Patrick Zuber</i>	S.D. Tex.	Y	12 months probation	2/24/2015	Sealed	NC	Attempted to facilitate sales of equipment through UAE and on to Iran	IRAN	§ 371 (IEEPA)	US Resident
20	<i>USA v. Randy Barber</i>	M.D. Flo.	Y	60 months probation	7/17/2014	No	N	Training and computer/IT support services (\$413k forfeiture + \$38k restitution)	IRAN	§ 371 (Mail Fraud)	US
21	<i>USA v. Seyed Amin Ghorashi Sarvestani</i>	S.D.N.Y.	Y	30 months	8/15/2013	No	N	electronic equipment used for satellite communications and data transfer	IRAN	§ 371 (IEEPA)	Iran
22	<i>USA v. Saeed Talebi</i>	S.D.N.Y.	Y	12m, 1d	5/21/2013	No	Y*	Parts and goods for petrochemical industrial operations; \$300k+	IRAN	§ 371 (IEEPA)	Iran
23	<i>USA v. Andro Telemi</i>	N.D. Ill.	N	60m probation	11/30/2012	Yes	Y	10 connector adapters for TOW and TOW2 anti-armor missile systems (\$9,400)	IRAN	IEEPA	Naturalized US
24	<i>USA v. Susan Yip</i>	W.D. Tex.	Y	24 months	10/29/2012	NC	Y	Defendant was broker helping Iranian obtain dual-use parts with military applications - 599 transactions with 63 U.S. companies, \$2.6m over 4 years	IRAN	§ 371 (IEEPA)	Taiwan
25	<i>USA v. Robert Kraaiipoel</i>	D.D.C.	Y	60m Probation	6/12/2012	No	Y	290 aircraft-related components	IRAN	§ 371 (IEEPA)	Netherlands
26	<i>USA v. Massoud Habibion</i>	D.D.C.	Y	13 months	5/16/2012	No	Y*	Hundreds of US-origin laptops - minimum \$4.9m; 2 level increase for obstruction	IRAN	§ 371 (IEEPA)	US
27	<i>USA v. Majid Saboni</i>	S.D. Cal.	Y	12m, 1 d	5/15/2012	No	Y*	Lab/radiation/radon detection equipment; received training on U.S. export control laws as employee of U.S.-based company	IRAN	§ 371 (IEEPA)	NC
28	<i>USA v. Jeng Shih</i>	D.D.C.	Y	18 months	2/17/2012	No	Y*	US-origin laptops shipped to Iran via Dubai; \$1.25m forfeiture	IRAN	§ 371 (IEEPA)	US
29	<i>USA v. Vikramadity Singh</i>	D. Del.	Y	36m probation	3/3/2011	No	N	Digital microwave radios	IRAN	IEEPA	US

	<u>Case</u>	<u>District</u>	<u>Plea</u>	<u>Sentence</u>	<u>Date of Sentencing</u>	<u>Minor Role?</u>	<u>Co-Op</u>	<u>Components Exported/Value</u>	<u>Export</u>	<u>Charge</u>	<u>Citizen</u>
30	<i>USA v. James Larrison</i>	D. Del.	Y	24m Probation	6/23/2011	No	Y	Camera control box, 8-port multiple television camera control switch	IRAN	IEEPA	US
31	<i>USA v. Hossein Ali Khoshnevisrad</i>	D.D.C.	NC	15 months	6/2/2010	No	Y	17 Rolls Royce aircraft engines - \$4.2m, aerial panorama cameras	IRAN	§ 371 & 22 USC §2778	Iran
32	<i>USA v. Nicholas Groos</i>	N.D. Ill.	Y	60 days	12/10/2008	No	N	Fire sprinkler system - \$25k, within context of long term relationship with third party customer, but with full knowledge of violation	IRAN	§ 1705 (x3); § 1001	US
33	<i>USA v. John Fowler</i>	E.D. La.	Y	60 months of probation	8/7/2008	Yes	NC	Engineering software to design offshore oil/gas structures. Gov't filed 5K1.1 and said would not object to " <u>minor role</u> " reduction	IRAN	§ 371 (IEEPA)	Both US
34	<i>USA v. Afshin Rezaei</i>	N.D. Ga.	Y	6 months (time served)	5/15/2008	No	NC	Operated company for computer sales to Iran; \$50k forfeiture.	IRAN	IEEPA	US Person
35	<i>USA v. Ali Khan</i>	E.D.N.Y.	Y	60m probation	7/30/2007	Sealed	NC	Aircraft components; \$1.4m forfeiture	IRAN	§ 371 (IEEPA)	NC