

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

**FILED**

Jul 28 2020

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

CR 19-0621 EMC

AHMAD ABOUAMMO;  
ALI ALZABARAH; and  
AHMED ALMUTAIRI,  
a/k/a Ahmed Aljbreen

DEFENDANT(S).

## SUPERSEDING INDICTMENT

- 18 U.S.C. § 951 – Acting as an Agent of a Foreign Government Without Notice to the Attorney General;
- 18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud and Honest Services Wire Fraud;
- 18 U.S.C. §§ 1343, 1346 – Wire Fraud and Honest Services Wire Fraud;
- 18 U.S.C. § 1956(a)(2)(B)(i) – Money Laundering;
- 18 U.S.C. § 1519 – Destruction, Alteration, or Falsification of Records in Federal Investigations;
- 18 U.S.C. § 2 – Aiding and Abetting;
- 18 U.S.C. §§ 981 and 982 and 28 U.S.C. § 2461(c) – Criminal Forfeiture

\_\_\_\_\_  
A true bill.

\_\_\_\_\_  
/s/ Foreperson of the Grand Jury

\_\_\_\_\_  
Foreman

Filed in open court this 28th day of

July, 2020

\_\_\_\_\_  
*Sallie Kim*

Magistrate Judge Sallie Kim

\_\_\_\_\_  
*M. Jock*  
Clerk

Bail, \$ No process as to Abouammo;

No Bail Arrest Warrants as to Alzabarah  
and Almutairi

1 DAVID L. ANDERSON (CABN 149604)  
2 United States Attorney

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SAN FRANCISCO

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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION  
10

11 UNITED STATES OF AMERICA, ) CASE NO. 19 CR-00621 EMC  
12 )  
13 Plaintiff, ) VIOLATIONS:  
14 v. ) 18 U.S.C. § 951 – Acting as an Agent of a Foreign  
15 ) Government Without Notice to the Attorney General;  
16 AHMAD ABOUAMMO; ) 18 U.S.C. § 1349 – Conspiracy to Commit Wire  
17 ALI ALZABARAH; and ) Fraud and Honest Services Wire Fraud;  
18 AHMED ALMUTAIRI, ) 18 U.S.C. §§ 1343, 1346 – Wire Fraud and Honest  
19 a/k/a Ahmed Aljbreen, ) Services Wire Fraud;  
20 Defendants. ) 18 U.S.C. § 1956(a)(2)(B)(i) – Money Laundering;  
21 ) 18 U.S.C. § 1519 – Destruction, Alteration, or  
22 ) Falsification of Records in Federal Investigations;  
23 ) 18 U.S.C. § 2 – Aiding and Abetting;  
24 ) 18 U.S.C. §§ 981 and 982 and 28 U.S.C. § 2461(c) –  
25 ) Criminal Forfeiture  
26 )  
27 ) SAN FRANCISCO VENUE  
28 )

22 SUPERSEDING INDICTMENT

23 The Grand Jury charges:

24 INTRODUCTORY ALLEGATIONS

25 At all times relevant to this Indictment, with all dates and times being approximate:

26 1. Defendant ALI ALZABARAH is a citizen of Saudi Arabia and resided in San  
27  
28

1 Bruno, California, in the Northern District of California, from at least August 12, 2013, until  
2 December 3, 2015.

3 2. Defendant AHMAD ABOUAMMO is a dual citizen of the United States and  
4 Lebanon and resided in Walnut Creek, California, in the Northern District of California, from at  
5 least November 4, 2013, until May 22, 2015, and thereafter resided in Seattle, Washington.

6 3. Defendant AHMED ALMUTAIRI, also known as Ahmed Aljbreen  
7 (ALMUTAIRI), is a citizen of Saudi Arabia. ALMUTAIRI was present in the United States of  
8 America between approximately August 21, 2014, and approximately May 24, 2015.

9 4. Twitter, Inc. (Twitter) is a company headquartered in San Francisco, California,  
10 and owns and operates a free-access social-networking website of the same name that can be  
11 accessed at <http://www.twitter.com>. Users of Twitter, including private individuals, journalists,  
12 and public figures, create user accounts that can be used to communicate and share information  
13 instantly through “tweets” (i.e., 140-character messages prior to 2017) to the public at large,  
14 “tweets” to a subset of Twitter users (e.g., to the public or to certain users that “follow” a user),  
15 “retweets” by one user of another user, or direct messages (DMs) that are typically visible only  
16 to the sender and recipient. Certain Twitter accounts of public interest, including official  
17 accounts for government posts and celebrities, can be “verified” with a blue check mark, which  
18 is issued by Twitter.

19 5. Twitter operates its service in many languages, including English and Arabic.  
20 Many Twitter users live outside of the United States, including in Saudi Arabia. Many users are  
21 of Saudi nationality or descent, some of whom live outside of Saudi Arabia, including in the  
22 United States.

23 6. During 2014 and through at least 2015, Twitter employees’ work email (e.g.,  
24 username@twitter.com) was hosted by Google, Inc., through its Gmail platform.

25 7. Skype is an internet-based telecommunications company providing text, video  
26 chat or videoconference, and voice call capability to its users on computer or smartphone

1 devices. Since 2011, Skype has been owned by Microsoft Corporation.

2 8. The Kingdom of Saudi Arabia (KSA) is a monarchy governed by the King and his  
3 Royal Court, which is akin to a cabinet or executive office. Members of the King's Royal  
4 Family hold most of the country's governmental posts.

5 9. From a time unknown to the Grand Jury but no later than May 2014, to at least  
6 March 2016, Foreign Official-1, a citizen of Saudi Arabia, was the Secretary General of an  
7 organization identified here as Organization-1, founded by a member of the Saudi Royal Family  
8 (Saudi Royal Family Member-1). From a time unknown to the Grand Jury but no later than May  
9 2015, Foreign Official-1 was the head of the private office of Saudi Royal Family Member-1.

10 10. From a time unknown to the Grand Jury but no later than May 2014 to at least  
11 March 2016, ALMUTAIRI controlled a Saudi social media marketing company that performed  
12 work for Organization-1 and members of the Saudi Royal Family, including Royal Family  
13 Member-1.

14 11. Title 18, United States Code, Section 2702, provides that service providers of  
15 electronic communications and remote computing services, such as Twitter, may voluntarily  
16 disclose user data to a governmental entity, if the service provider, in good faith, believes that an  
17 emergency involving danger of death or serious physical injury to any person requires disclosure  
18 without delay of data relating to the emergency. These disclosures are referred to as "emergency  
19 disclosure requests."

20 12. ABOUAMMO was an employee of Twitter from on or about November 4, 2013,  
21 to on or about May 22, 2015. ABOUAMMO was a Media Partnerships Manager responsible for  
22 the Middle East and North Africa (MENA) region at Twitter. As a Media Partnerships Manager,  
23 ABOUAMMO was involved in providing assistance for notable accounts, including accounts of  
24 public interest or belonging to brands, journalists, and celebrities in the MENA region, with  
25 content and Twitter strategy, and with sharing best practices.

26 13. ALZABARAH was an employee of Twitter from on or about August 12, 2013, to  
27

1 on or about December 4, 2015. While employed at Twitter, ALZABARAH was a Site  
2 Reliability Engineer whose responsibility was maintaining Twitter's hardware and software to  
3 ensure uninterrupted service.

4 14. Twitter employees, including ABOUAMMO and ALZABARAH, agreed to abide  
5 by the Twitter "Playbook," which outlines the policies Twitter employees must obey as part of  
6 their employment. Twitter's 2013 employment contracts with ABOUAMMO and  
7 ALZABARAH prohibited them from engaging in outside employment or consulting "or any  
8 other business activity that would create a conflict of interest with the Company." In the 2013  
9 version of Twitter's Employee Invention Assignment and Confidentiality Agreements,  
10 ABOUAMMO and ALZABARAH each affirmed "a relationship of confidence and trust"  
11 between themselves and Twitter "with respect to any information of a confidential or secret  
12 nature that may be disclosed to [them] by the Company or a third party that relates to the  
13 business of the Company." The Employee Invention Assignment and Confidentiality Agreement  
14 further required ABOUAMMO and ALZABARAH to "keep and hold all such Proprietary  
15 Information in strict confidence and trust," and defined "Proprietary Information" to include  
16 Twitter's "customer lists and data." In executing the agreements, ABOUAMMO and  
17 ALZABARAH affirmed that they would "not use or disclose any Proprietary Information  
18 without the prior written consent of the Company" or "use[] any Company information for any  
19 other business or employment."

20 15. Twitter's "Playbook Acknowledgement," which ABOUAMMO and  
21 ALZABARAH each signed during 2013, stated that each would read, understand, and abide by  
22 Twitter's policies, including the Security Handbook, which defined user data as confidential data  
23 and prohibited sharing confidential data with third parties without approval.

24 16. Twitter's "Gift Policy" during ABOUAMMO's and ALZABARAH's  
25 employment stated: "[f]or gifts exceeding \$100 in value, bring the gift to the attention of both  
26 your manager and VP of HR before returning to sender."

1 17. ABOUAMMO and ALZABARAH had access to proprietary and confidential  
2 Twitter information, including information about Twitter users, such as the user-provided names  
3 and birthdates, device identifiers, relationships, phone numbers, internet protocol (“IP”)  
4 addresses and session IP histories, among other things.

5 18. Neither ABOUAMMO’s nor ALZABARAH’s job duties involved a need to  
6 access a Twitter user’s private information, and doing so was a reportable violation of the  
7 Twitter Playbook policies regarding handling and protecting user data.

8 19. Neither ABOUAMMO nor ALZABARAH had authority from Twitter to receive,  
9 access, or produce user information pursuant to any governmental emergency disclosure request.

10 20. ABOUAMMO, ALZABARAH, and ALMUTAIRI have never provided notice to  
11 the Attorney General that they were acting as agents of a foreign government.

12 THE SCHEME

13 21. ABOUAMMO and ALZABARAH fraudulently used their positions and access to  
14 information at Twitter to provide Foreign Official-1 and others related to, and working for, the  
15 government of KSA and the Saudi Royal Family with nonpublic information held in the accounts  
16 of Twitter users. Using ALMUTAIRI as an intermediary, Foreign Official-1 provided  
17 ABOUAMMO and ALZABARAH with gifts, cash payments, and promises of future  
18 employment in exchange for nonpublic information about Twitter users, which constituted  
19 valuable property, and which ABOUAMMO and ALZABARAH obtained fraudulently from  
20 Twitter and provided to Foreign Official-1 and others without Twitter’s approval.

21 22. ABOUAMMO and ALZABARAH received from Foreign Official-1 and others  
22 the names of Twitter accounts of interest to Foreign Official-1, members of the Saudi Royal  
23 Family, and others in the government of KSA, including accounts posting information critical of,  
24 or embarrassing to, the Saudi Royal Family and government of KSA.

25 23. Using their access privileges as employees and fiduciaries of Twitter,  
26 ABOUAMMO and ALZABARAH, beyond the scope of their job duties, accessed nonpublic

1 account information of Twitter users of interest to the Saudi Royal Family and government of  
2 KSA. Such nonpublic information included email addresses, telephone numbers, dates of birth,  
3 and internet IP addresses, among other things. ABOUAMMO and ALZABARAH  
4 communicated such nonpublic account information to Foreign Official-1 and others in the  
5 government of KSA, contrary to Twitter policies.

6 24. In exchange for accessing nonpublic account information of Twitter users, outside  
7 the scope of their job duties, and for communicating such nonpublic account information to  
8 Foreign Official-1, contrary to Twitter’s policies, Foreign Official-1 rewarded ABOUAMMO  
9 and ALZABARAH including with compensation such as gifts, cash payments, and promises of  
10 future benefits, including employment.

11 25. ALMUTAIRI acted as an intermediary between Foreign Official-1 and  
12 ABOUAMMO and ALZABARAH, representing KSA’s interests with respect to Twitter user  
13 information, and met with ABOUAMMO and ALZABARAH in person at the request of, and to  
14 further the goals of, Foreign Official-1 and the Saudi Royal Family.

15 26. The scheme involved the following acts, among others, which were committed or  
16 caused to be committed, in the Northern District of California and elsewhere:

17 a. In April 2014, a Saudi public relations firm that represented the Embassy  
18 of the Kingdom of Saudi Arabia contacted Twitter seeking to have the Twitter account of  
19 a Saudi news personality verified.

20 b. On or about May 16, 2014, a representative of a U.S.-Saudi Arabian trade  
21 organization in Washington, DC, emailed ABOUAMMO seeking to arrange a tour of  
22 Twitter’s San Francisco office for a group of Saudi “entrepreneurs.” On June 13, 2014, a  
23 delegation of individuals from Saudi Arabia visited the Twitter headquarters. The  
24 delegation included Foreign Official-1 and other employees of Saudi Royal Family  
25 Member-1.

26 c. On or about June 13, 2014, Foreign Official-1 emailed ABOUAMMO

1 requesting verification of Saudi Royal Family Member-1's Twitter account.

2 d. On or about June 14, 2014, Foreign Official-1 requested ABOUAMMO's  
3 contact information. That same day, ABOUAMMO responded with his Twitter email  
4 account, cell phone number, and personal Skype account. ABOUAMMO and Foreign  
5 Official-1 spoke by telephone that date.

6 e. On or about November 15, 2014, ALMUTAIRI sent an email to  
7 ABOUAMMO requesting an "urgent meeting" in San Francisco to discuss their "mutual  
8 interest." On or about November 20, 2014, ALMUTAIRI and ABOUAMMO met in  
9 person in San Francisco, California, near the Twitter headquarters.

10 f. ABOUAMMO and Foreign Official-1 communicated by telephone and by  
11 email in late November and early December 2014 to coordinate an in-person meeting in  
12 London, United Kingdom. Foreign Official-1 traveled from Paris, France to London and  
13 met with ABOUAMMO. During that meeting on or about December 5, 2014, Foreign  
14 Official-1 gave ABOUAMMO a valuable watch worth at least \$20,000. ABOUAMMO  
15 did not report the receipt of the watch to Twitter as required by Twitter.

16 g. Beginning on or about December 12, 2014, ABOUAMMO began  
17 accessing without authorization through Twitter's computer system the user data of  
18 Twitter User-1, which was an account that had posted critical information about the Saudi  
19 Royal Family and Saudi Royal Family Member-1. Among other account information,  
20 ABOUAMMO accessed the email address and telephone number associated with Twitter  
21 User-1's account. ABOUAMMO accessed the account on or about December 12, 2014,  
22 January 5, 2015, January 27, 2015, February 4, 2015, February 7, 2015, February 18,  
23 2015, and February 24, 2015.

24 h. Foreign Official-1 communicated with ABOUAMMO by telephone  
25 requesting that Twitter User-1's account be removed from Twitter and requesting private  
26 user account information. On January 17, 2015, Foreign Official-1 sent an email to

1 ABOUAMMO's Twitter employee email account with an attachment concerning Twitter  
2 User-1 and a brief message that stated, "as we discussed in london."

3 i. On February 5, 2015, Foreign Official-1 sent an email to ABOUAMMO's  
4 Twitter employee email account with an attachment concerning a user identified as  
5 Twitter User-2 who Foreign Official-1 asserted was impersonating a member of the Saudi  
6 Royal Family. On February 7, 2015, ABOUAMMO accessed without authorization  
7 through Twitter's computer system the account information, including the email address,  
8 of Twitter User-2.

9 j. On February 13, 2015, while ABOUAMMO worked for Twitter, Foreign  
10 Official-1 deposited \$100,000 into a recently opened bank account in Lebanon in the  
11 name of ABOUAMMO's relative. ABOUAMMO had online access to this account and  
12 later received wire transfers from the account in Lebanon. On February 24, 2015, a wire  
13 of \$9,963 was sent from this account to a Bank of America account in the United States  
14 in ABOUAMMO's name. Also on February 24, 2015, ABOUAMMO accessed Twitter  
15 User-1's account. On March 8, 2015, ABOUAMMO sent Foreign Official-1 a Twitter  
16 DM stating "proactive and reactively we will delete evil my brother." On March 12,  
17 2015, a wire of \$9,911 was sent from the account in Lebanon referenced above to  
18 ABOUAMMO's Bank of America account.

19 k. After ABOUAMMO resigned from Twitter on or about May 22, 2015,  
20 Foreign Official-1 asked ABOUAMMO to, among other things, refer requests to Twitter  
21 related to accounts of Saudi Arabian government ministers as well as complaints related  
22 to certain accounts critical of or impersonating individuals connected to the government  
23 of KSA or the Saudi Royal Family. Between May 22, 2015, when ABOUAMMO left  
24 Twitter, and January 25, 2016, Foreign Official-1 paid ABOUAMMO at least \$200,000.

25 l. Although Twitter employees requested that ABOUAMMO direct requests  
26 from Saudi Arabian government officials directly to Twitter and not through  
27

1 ABOUAMMO, ABOUAMMO continued attempting to contact Twitter employees with  
2 Foreign Official-1's requests until at least March 1, 2016.

3 m. On or before February 16, 2015, and prior to ABOUAMMO's resignation  
4 from Twitter, ABOUAMMO facilitated an introduction between ALZABARAH and  
5 ALMUTAIRI. ALMUTAIRI maintained contact with ALZABARAH after  
6 ABOUAMMO resigned from Twitter.

7 n. During mid-May 2015, Foreign Official-1 directed ALZABARAH to  
8 travel from the Northern District of California to Fairfax, Virginia. On May 14, 2015,  
9 while Saudi Royal Family Member-1, Foreign Official-1, and others were visiting  
10 Washington, DC on an official delegation from KSA, ALMUTAIRI and ALZABARAH  
11 met at the residence of an employee of the Saudi Arabian Embassy in Fairfax, Virginia.  
12 Later on the same date, ALZABARAH returned to the Northern District of California.

13 o. After ALZABARAH returned to San Francisco, from May 21, 2015,  
14 through November 18, 2015, he accessed without authorization through Twitter's  
15 computer system certain nonpublic account information of dozens of Twitter users,  
16 including accounts that had posted critical or embarrassing information about the  
17 government of KSA and Saudi Royal Family Member-1. ALZABARAH communicated  
18 such nonpublic account information to Foreign Official-1 and others.

19 p. On May 29, 2015, Foreign Official-1 and ALZABARAH exchanged three  
20 telephone calls and ALZABARAH accessed nonpublic account information of two  
21 Twitter accounts over the course of approximately one hour. The same day, the  
22 government of KSA submitted emergency disclosure requests to Twitter for those same  
23 two Twitter accounts.

24 q. During July 2015, while ALZABARAH was on personal leave from  
25 Twitter, he traveled to Saudi Arabia. While in Saudi Arabia, ALZABARAH accessed  
26 nonpublic account information of hundreds of Twitter users using his Twitter credentials,  
27

1 including on July 29, 2015, when ALZABARAH connected his Twitter laptop to  
2 ALMUTAIRI's company's wireless local area network in Saudi Arabia.

3 r. ALZABARAH accessed Twitter User-1's nonpublic account information  
4 on or about May 21, 2015, June 14, 2015, July 5, 2015, August 6, 2015, August 7, 2015,  
5 August 20, 2015, September 27, 2015, September 28, 2015, and September 30, 2015. On  
6 September 28, 2015, ALZABARAH repeatedly accessed Twitter User-1's nonpublic  
7 account information, the same date the account holder reported that his account had been  
8 hacked or compromised.

9 s. On December 2, 2015, after Twitter management confronted  
10 ALZABARAH about his unauthorized access of Twitter users' accounts and placed him  
11 on administrative leave, ALZABARAH attempted to contact ALMUTAIRI, and then  
12 contacted Foreign Official-1, who in turn contacted an employee of the Saudi Arabian  
13 Consulate in Los Angeles, California to coordinate ALZABARAH's departure from the  
14 United States.

15 t. On December 3, 2015, ALZABARAH flew to Saudi Arabia and submitted  
16 a resignation letter to Twitter by email.

17 u. By no later than January 2016, ALZABARAH had obtained employment  
18 in Saudi Arabia with Organization-1 and was in email contact with ALMUTAIRI,  
19 Foreign Official-1, and others regarding social media influence projects on behalf of  
20 KSA, Foreign Official-1, and the Saudi Royal Family.

21 27. As part of the scheme, ABOUAMMO and ALZABARAH engaged in conduct  
22 and made material false representations, promises, and omissions, and engaged in acts of  
23 concealment, including, but not limited to, the following:

24 a. ABOUAMMO and ALZABARAH used private means of communication,  
25 including personal telephones, email addresses, and Twitter DMs, to communicate with  
26 representatives and officials of the government of KSA and Saudi Royal Family,

1 including ALMUTAIRI and Foreign Official-1, to avoid detection of the scheme by  
2 Twitter.

3 b. ABOUAMMO concealed from Twitter his receipt of a watch valued at  
4 more than \$20,000 from Foreign Official-1, in exchange for accessing the nonpublic  
5 account information of Twitter User-1 and Twitter User-2, and providing such nonpublic  
6 information to Foreign Official-1 and others outside of Twitter.

7 c. ABOUAMMO concealed from Twitter his receipt of \$100,000 from  
8 Foreign Official-1, and his expectation of additional payments, in exchange for his access  
9 and monitoring of Twitter accounts of interest to Foreign Official-1 and other members  
10 of the government of KSA and the Saudi Royal Family.

11 d. ALZABARAH misled Twitter by taking a leave of absence during July  
12 and August 2015, when, in fact, he was performing work for ALMUTAIRI and Foreign  
13 Official-1 in Saudi Arabia, including accessing nonpublic account information of Twitter  
14 users using his Twitter credentials and Twitter-issued computer.

15 e. ALZABARAH concealed from Twitter that he expected payments and  
16 other benefits, including future employment in Saudi Arabia in exchange for providing  
17 nonpublic account information of Twitter users to Foreign Official-1 and others acting on  
18 behalf of KSA and the Saudi Royal Family.

19 f. ALZABARAH misled Twitter by claiming he accessed Twitter accounts,  
20 specifically including Twitter User-1's account, out of curiosity, when, in fact, he  
21 accessed nonpublic information of numerous accounts for the benefit of Foreign Official-  
22 1, KSA, and the Saudi Royal Family.

23 28. The scheme deprived Twitter of the following: (a) its money and property by  
24 enabling individuals and entities outside of Twitter, including members of the government of  
25 KSA and the Saudi Royal Family, access to nonpublic account information of Twitter users,  
26 including information pertaining to accounts of dissidents and accounts that posted information

1 critical of, and embarrassing to, KSA, the Saudi Royal Family, and Saudi Royal Family  
2 Member-1; and (b) Twitter’s intangible right to the honest services of its employees and  
3 fiduciaries, ABOUAMMO and ALAZABARAH.

4 COUNT ONE: (18 U.S.C. §§ 951 and 2 – Acting as an Agent of a Foreign Government Without  
5 Notice to the Attorney General)

6 29. Paragraphs 1 through 28 are realleged as if fully set forth herein.

7 30. From on or about December 12, 2014, and continuing until on or about March 1,  
8 2016, in the Northern District of California and elsewhere, the defendant,

9 AHMAD ABOUAMMO,

10 did knowingly, without notifying the Attorney General as required by law, act as an agent of a  
11 foreign government, to wit, the government of the Kingdom of Saudi Arabia and the Saudi Royal  
12 Family.

13 All in violation of Title 18, United States Code, Section 951.

14 COUNT TWO: (18 U.S.C. §§ 951 and 2 – Acting as an Agent of a Foreign Government Without  
15 Notice to the Attorney General)

16 31. Paragraphs 1 through 28 are realleged as if fully set forth herein.

17 32. From at least on or about November 20, 2014, and continuing until at least on or  
18 about May 24, 2015, in the Northern District of California and elsewhere, the defendant,

19 AHMED ALMUTAIRI,

20 did knowingly, without notifying the Attorney General as required by law, act as an agent of a  
21 foreign government, to wit, the government of the Kingdom of Saudi Arabia and the Saudi Royal  
22 Family.

23 All in violation of Title 18, United States Code, Section 951.

24 COUNT THREE: (18 U.S.C. §§ 951 and 2 – Acting as an Agent of a Foreign Government  
25 Without Notice to the Attorney General)

26 33. Paragraphs 1 through 28 are realleged as if fully set forth herein.

1 34. From on or about May 21, 2015, and continuing until on or about December 3,  
2 2015, in the Northern District of California and elsewhere, the defendant,

3 ALI ALZABARAH,

4 did knowingly, without notifying the Attorney General as required by law, act as an agent of a  
5 foreign government, to wit, the government of the Kingdom of Saudi Arabia and the Saudi Royal  
6 Family.

7 All in violation of Title 18, United States Code, Section 951.

8 COUNT FOUR: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud and Honest Services  
9 Fraud)

10 35. Paragraphs 1 through 28 are realleged as if fully set forth herein.

11 36. From on or about November 20, 2014, until at least on or about December 3,  
12 2015, in the Northern District of California and elsewhere, the defendants,

13 AHMAD ABOUAMMO,  
14 ALI ALZABARAH, and  
15 AHMED ALMUTAIRI,

16 and others, did knowingly conspire to devise and intend to devise a scheme and artifice to  
17 defraud Twitter, and to obtain property of Twitter by means of materially false and fraudulent  
18 pretenses, representations, and promises, and by concealment of material facts and omissions of  
19 material facts with a duty to disclose, and to deprive Twitter of its right to the honest and faithful  
20 services of its employees and fiduciaries through bribes, and for the purpose of executing such  
21 scheme and artifice, and attempting to do so, to transmit, and cause to be transmitted, by means  
22 of wire communication in interstate and foreign commerce, certain writings, signs, signals,  
23 pictures, and sounds, in violation of Title 18, United States Code, Sections 1343 and 1346.

24 All in violation of Title 18, United States Code, Section 1349.

25 COUNT FIVE THROUGH NINETEEN: (18 U.S.C. §§ 1343, 1346, and 2 –Wire Fraud and  
26 Honest Services Wire Fraud and Aiding and Abetting)

27 37. Paragraphs 1 through 28 and 36 are realleged as if fully set forth herein.

38. On or about the dates provided below, in the Northern District of California and elsewhere, the defendants,

AHMAD ABOUAMMO,  
ALI ALZABARAH, and  
AHMED ALMUTAIRI,

and others, did knowingly, and with the intent to defraud, participate in, devise, and intend to devise a scheme and artifice to defraud Twitter, and to obtain property of Twitter by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts and omissions of material facts with a duty to disclose, and to deprive Twitter of its right to the honest and faithful services of its employees and fiduciaries through bribes, and attempting to do so, did knowingly transmit, and cause to be transmitted, the following writings, signs, signals, pictures, and sounds in interstate and foreign commerce by means of wire communications:

COUNT	DATE	DESCRIPTION
5	3/8/2015	Twitter DM from ABOUAMMO's personal Twitter account to Foreign Official-1 stating "proactive and reactively we will delete evil my brother."
6	5/21/2015	Telephone call between ALZABARAH and ALMUTAIRI.
7	5/29/2015	Telephone call between ALZABARAH and Foreign Official-1.
8	6/1/2015	Telephone call from Foreign Official-1 to ALZABARAH.
9	6/3/2015	Telephone call from Foreign Official-1 to ALZABARAH.
10	6/14/2015	Telephone call from ALZABARAH to Foreign Official-1.
11	7/9/2015	Twitter DMs between ABOUAMMO's personal Twitter Foreign Official-1 regarding Foreign Official-1's "late" payment to ABOUAMMO and whether Foreign Official-1 needed assistance with Twitter matters.
12	7/17/2015	Access by ALZABARAH to Twitter servers via virtual private network ("VPN") from KSA to access information of a user identified as Twitter User-10 using his Twitter-issued computer while on personal leave.

COUNT	DATE	DESCRIPTION
13	7/17/2015	Access by ALZABARAH to Twitter servers via VPN from KSA to access information of a user identified as Twitter User-11.
14	7/17/2015	Access by ALZABARAH to Twitter servers from via VPN from KSA to access information of a user identified as Twitter User-12.
15	7/29/2015	Access by ALZABARAH to Twitter servers from via VPN from KSA to access information of a user identified as Twitter User-13.
16	7/29/2015	Access by ALZABARAH to Twitter servers from via VPN from KSA to access information of a user identified as Twitter User-14.
17	8/20/2015	Telephone call from ALZABARAH to Foreign Official-1.
18	9/8/2015	Telephone call from Foreign Official-1 to ALZABARAH.
19	12/2/2015	Telephone call from ALZABARAH to Foreign Official-1.

Each in violation of Title 18, United States Code, Sections 1343, 1346, and 2.

COUNT TWENTY: (18 U.S.C. § 1956(a)(2)(B)(i) – Money Laundering)

39. Paragraphs 1 through 28, 36, and 38 are realleged as if fully set forth herein.

40. On or about March 10, 2015, in the Northern District of California and elsewhere, the defendant,

AHMAD ABOUAMMO,

did knowingly conduct a financial transaction affecting interstate and foreign commerce, to wit, transporting, transmitting, and transferring monetary instruments and funds, that is, a total of \$9,911 in United States currency, transferred from a Bank Audi account in Beirut, Lebanon into an account in the United States controlled by ABOUAMMO, such funds constituting the proceeds of a specified unlawful activity, that is, wire fraud, honest services fraud, and conspiracy, in violation of 18 U.S.C. §§ 1343, 1346, and 1349, knowing that such transfer was designed in whole or in part to conceal and disguise the nature, source, and ownership of the proceeds of said specified unlawful activity and that while conducting such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity.

1 All in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

2 COUNT TWENTY-ONE: (18 U.S.C. § 1956(a)(2)(B)(i) – Money Laundering)

3 41. Paragraphs 1 through 28, 36, and 38 are realleged as if fully set forth herein.

4 42. On or about June 11, 2015, in the Northern District of California and elsewhere,  
5 the defendant,

6 AHMAD ABOUAMMO,

7 did knowingly conduct a financial transaction affecting interstate and foreign commerce, to wit,  
8 transporting, transmitting, and transferring monetary instruments and funds, that is, a total of  
9 \$10,000 in United States currency, transferred from a Bank Audi account in Beirut, Lebanon into  
10 an account in the United States controlled by ABOUAMMO, such funds constituting the  
11 proceeds of a specified unlawful activity, that is, wire fraud, honest services fraud, and  
12 conspiracy, in violation of 18 U.S.C. §§ 1343, 1346, and 1349, knowing that such transfer was  
13 designed in whole or in part to conceal and disguise the nature, source, and ownership of the  
14 proceeds of said specified unlawful activity and that while conducting such financial transaction  
15 knew that the property involved in the financial transaction represented the proceeds of some  
16 form of unlawful activity.

17 All in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

18 COUNT TWENTY-TWO: (18 U.S.C. § 1956(a)(2)(B)(i) – Money Laundering)

19 43. Paragraphs 1 through 28, 36, and 38 are realleged as if fully set forth herein.

20 44. On or about July 2, 2015, in the Northern District of California and elsewhere, the  
21 defendant,

22 AHMAD ABOUAMMO,

23 did knowingly conduct a financial transaction affecting interstate and foreign commerce, to wit,  
24 transporting, transmitting, and transferring monetary instruments and funds, that is, a total of  
25 \$30,000 in United States currency, transferred from a Bank Audi account in Beirut, Lebanon into  
26 an account in the United States controlled by ABOUAMMO, such funds constituting the

1 proceeds of a specified unlawful activity, that is, wire fraud, honest services fraud, and  
2 conspiracy, in violation of 18 U.S.C. §§ 1343, 1346, and 1349, knowing that such transfer was  
3 designed in whole or in part to conceal and disguise the nature, source, and ownership of the  
4 proceeds of said specified unlawful activity and that while conducting such financial transaction  
5 knew that the property involved in the financial transaction represented the proceeds of some  
6 form of unlawful activity.

7 All in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

8 COUNT TWENTY-THREE: (18 U.S.C. § 1519 – Falsification of Records to Obstruct  
9 Investigation)

10 45. Paragraphs 1 through 28, 36, and 38 are realleged as if fully set forth herein.

11 46. On or about October 20, 2018, in the Northern District of California and  
12 elsewhere, the defendant,

13 AHMAD ABOUAMMO,

14 unlawfully, intentionally, and knowingly did alter, destroy, mutilate, conceal, and falsify a record  
15 or document, namely creating and providing by email to the Federal Bureau of Investigation a  
16 fabricated, false, and backdated invoice for \$100,000 for consulting services to Foreign Official-  
17 1, from CYRCL, LLC, defendant’s sole proprietorship, with the intent to impede, obstruct and  
18 influence an actual and contemplated investigation and the proper administration of a matter  
19 within the jurisdiction of a department and agency of the United States, namely the Federal  
20 Bureau of Investigation.

21 All in violation of Title 18, United States Code, Section 1519.

22 FORFEITURE ALLEGATION: (18 U.S.C. §§ 981(a)(1)(C), 982(a)(1); 28 U.S.C. § 2461(c))

23 47. Paragraphs 1 through 46 are hereby realleged for the purpose of alleging  
24 forfeiture to the United States of America pursuant to Title 18, United States Code, Section  
25 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

26 48. Upon conviction of any of the offenses in violation of Title 18, United States  
27

1 Code, Sections 1343, 1346, and 1349 set forth in Counts Four through Nineteen of this First  
2 Superseding Indictment, or any of them, the defendants,

3 AHMAD ABOUAMMO,  
4 ALI ALZABARAH, and  
5 AHMED ALMUTAIRI,

6 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section  
7 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal,  
8 which constitutes or is derived from proceeds traceable to the offenses, including the sum of  
9 money equal to the total amount of proceeds defendants obtained or derived, directly or  
10 indirectly, from the violations, and including a forfeiture money judgment.

11 49. Upon conviction of the offenses in violation of Title 18, United States Code,  
12 Section 1956 alleged in Counts Twenty through Twenty-Two of this First Superseding  
13 Indictment, the defendant,

14 AHMAD ABOUAMMO,

15 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), all  
16 property, real or personal, involved in said violation, or any property traceable to such property,  
17 and including all proceeds of the offense, and including, but not limited to, a forfeiture money  
18 judgment.

19 50. If any of the property described above, as a result of any act or omission of the  
20 defendant:

- 21 a. cannot be located upon the exercise of due diligence;
- 22 b. has been transferred or sold to, or deposited with, a third party;
- 23 c. has been placed beyond the jurisdiction of the court;
- 24 d. has been substantially diminished in value; or
- 25 e. has been commingled with other property which cannot be divided without  
26 difficulty;

1 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title  
2 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section  
3 2461(c).

4 All pursuant to Title 18 United States Code, Sections 981(a)(1)(C), 982(a)(1), Title 28  
5 United States Code, Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

6 SENTENCING ALLEGATION:

7 47. With respect to Counts One and Four through Seven of the First Superseding  
8 Indictment, for the purposes of determining the maximum alternative fine, pursuant to Title 18,  
9 United States Code, Section 3571(d), the defendant,

10 AHMAD ABOUAMMO,

11 derived gross gains of approximately \$320,000.

13 DATED: July 28, 2020

A TRUE BILL.

15 /s/  
FOREPERSON

16 DAVID L. ANDERSON  
United States Attorney

17 /s/ Colin Sampson  
18 COLIN SAMPSON  
Assistant United States Attorney  
19 BENJAMIN J. HAWK  
20 Trial Attorney, National Security Division