

CRIMINAL COVER SHEET

U.S. District Court, Western District of Oklahoma

CR 10-392 F

Petty Misdemeanor Felony

Case No. _____

Number of Counts 59 + forfeiture Number of Defendants: 3 USAOID No. 2007R00443 By: nlw

Indictment Sealed: Yes No OCDETF: Yes No Notice Summons Writ Warrant to Issue

DEFENDANT: AHSAN ULLAH		DEC 15 2010	
Alias(es): Ibrahim Khan; Shawn Ullah		Address: Edmond, OK 73013	
		Phone:	
Age&DOB: 40; 1970	SS#:	Juvenile: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Interpreter: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
SEX: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	RACE: Caucasian	Language/Dialect:	

Defendant Status:

<input checked="" type="checkbox"/> Not in Custody	Type of Bond Recommended on this Charge:
Bond set at: \$ _____ Date: _____	OR <input type="checkbox"/> Cash <input type="checkbox"/> 10% <input type="checkbox"/> Unsecured <input type="checkbox"/> Surety <input type="checkbox"/>
Current Bond on Other Charge Federal <input type="checkbox"/> State <input type="checkbox"/>	Bond in Amount of: \$ _____
<input type="checkbox"/> In Jail at: _____ Under Prisoner/Register No.: _____	Detention <input checked="" type="checkbox"/>

Prior Proceedings or Appearance(s) Before U.S. Magistrate Judge:

Case No. M-	Government Motion to Detain: Yes <input type="checkbox"/> No <input type="checkbox"/>
Complaint: Yes <input type="checkbox"/> No <input type="checkbox"/>	Bond Set: _____ Date: _____

Related Case Information:

Previous Case No.	Rule 20/Rule 5 from District of: _____
Additional Defendants: Yes <input type="checkbox"/> No <input type="checkbox"/>	Total Number of defendants: _____

RECEIVED

DEC 15 2010

Attorney Information:

Defense Counsel:	AUSA: SUSAN DICKERSON COX DEPUTY ROBERT DON GIFFORD	
Address:	Phone: 405/553- 405/553-	Fax: 405/553-8888
Phone:	Fax:	Federal Agent/Agency: USSS; ATF
Retained <input type="checkbox"/> CJA Panel <input type="checkbox"/> Public Defender <input type="checkbox"/>	Local Agent/Agency:	

ROBERT D. DENNIS
CLERK, U.S. DISTRICT COURT

Count(s)	USC Citation(s)	Offense(s) Charged	Penalty
1	18 U.S.C. § 1349	Conspiracy to Commit Bank Fraud	NMT 30 yrs., nmt \$1,000,000 fine, or both; nmt 5 yrs. SR; \$100 SA (not more than 3 yrs. SR if revoked).

<u>Count(s)</u>	<u>USC Citation(s)</u>	<u>Offense(s) Charged</u>	<u>Penalty</u>
5, 12	18 U.S.C § 1344(1); 18 USC § 2	Bank Fraud; Aiding & Abetting	Nmt 30 yrs., nmt \$1,000,000 fine, or both; nmt 5 yrs. SR; \$100 SA (nmt 3 yrs. SR if revoked). § 2 carries no additional penalty.
13	18 USC § 1957(a); 18 USC § 2	Money Laundering; Aiding & Abetting	Nmt 10 yrs., nmt \$250,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 2 yrs. SR if revoked). § 2 carries no additional penalty.
14	18 USC § 371	Conspiracy	Nmt 5 yrs., nmt \$2500,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 1 yr. SR if revoked).
17-55	18 USC § 2342(a) 18 USC § 2	Trafficking in Contraband Cigarettes and Smokeless Tobacco	Nmt 5 yrs., nmt \$2500,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 1 yr. SR if revoked). § 2 carries no additional penalty.
56-57	18 USC § 1956(a)(1)- (B)(i); 18 USC § 2	Money Laundering	Nmt 20 yrs, nmt \$500,00 fine or twice the value of the property involved in the transaction, whichever is greater; nmt 3 yrs. SR; \$100 SA (nmt 2 yrs. SR if revoked). § 2 carries no additional penalty.
58-59	18 USC § 1956(a)(1)- (B)(ii); 18 USC § 2	Money Laundering	Nmt 20 yrs., nmt \$500,00 fine or twice the value of the property involved in the transaction, whichever is greater; nmt 3 yrs. SR; \$100 SA (nmt 2 yrs. SR if revoked). § 2 carries no additional penalty.
Forfeiture Allegations	18 USC § 981(a)(1)(C); 28 USC § 2461(c)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC §§ 1349 and 1344, or any property traceable to such property.
Forfeiture Allegations	18 USC § 2344(c); 18 USC § 981(a)(1)(C); 28 USC 2461(c)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC §§ 371 and 2342(a), or any property traceable to such property.
Forfeiture Allegations	18 USC § 982(a)(1)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC § 1956(a)(1)(B)(i), or any property traceable to such property.

Date: 12/15/10

Signature of AUSA 

CRIMINAL COVER SHEET

U.S. District Court, Western District of Oklahoma

Petty Misdemeanor Felony

Case No.

CR 10-392

F

Number of Counts 59 + forfeiture Number of Defendants 3

USAOID No. 2007R00443 By: nlw

Indictment Sealed: Yes No OCDETF: Yes No Notice Summons Writ Warrant to Issue

DEFENDANT: KHAWER SAEED GHILL		DEC 15 2010	
Alias(es): Sajjan Gill		Address: Edmond, OK	
		Phone:	
Age&DOB: 40; 1970	SS#:	Juvenile: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Interpreter: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
SEX: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	RACE: Caucasian	Language/Dialect:	

Defendant Status:

<input checked="" type="checkbox"/> Not in Custody	Type of Bond Recommended on this Charge:
Bond set at: \$ _____ Date: _____	OR <input type="checkbox"/> Cash <input type="checkbox"/> 10% <input type="checkbox"/> Unsecured <input type="checkbox"/> Surety <input type="checkbox"/>
Current Bond on Other Charge Federal <input type="checkbox"/> State <input type="checkbox"/>	Bond in Amount of: \$ _____
<input type="checkbox"/> In Jail at: _____ Under Prisoner/Register No.: _____	Detention <input checked="" type="checkbox"/>

Prior Proceedings or Appearance(s) Before U.S. Magistrate Judge:

Case No. M-	Government Motion to Detain: Yes <input type="checkbox"/> No <input type="checkbox"/>
Complaint: Yes <input type="checkbox"/> No <input type="checkbox"/>	Bond Set: _____ Date: _____

Related Case Information:

Previous Case No.	Rule 20/Rule 5 from District of: _____
Additional Defendants: Yes <input type="checkbox"/> No <input type="checkbox"/>	Total Number of defendants: _____

Attorney Information:

Defense Counsel:	ROBERT D DENNIS CLERK, U.S. DISTRICT COURT	
	BY SUSAN DICKERSON COX; DEPUTY ROBERT DON GIFFORD	
Address:	Phone: 405/553- 405/553-	Fax: 405/553-8888
Phone:	Fax:	Federal Agent/Agency: USSS; ATF
Retained <input type="checkbox"/> CJA Panel <input type="checkbox"/> Public Defender <input type="checkbox"/>	Local Agent/Agency:	

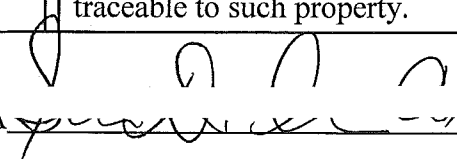
RECEIVED

DEC 15 2010

Count(s)	USC Citation(s)	Offense(s) Charged	Penalty
1	18 U.S.C. § 1349	Conspiracy to Commit Bank Fraud	Nmt 30 yrs., nmt \$1,000,000 fine, or both; nmt 5 yrs. SR; \$100 SA (nmt 3 yrs SR if revoked).

Count(s)	USC Citation(s)	Offense(s) Charged	Penalty
2-4, 6-11	18 U.S.C § 1344(1)	Bank Fraud	Nmt 30 yrs., nmt \$1,000,000 fine, or both; nmt 5 yrs. SR; \$100 SA (nmt 3 yrs. SR if revoked).
5, 12	18 U.S.C § 1344(1); 18 USC § 2	Bank Fraud; Aiding & Abetting	Nmt 30 yrs., nmt \$1,000,000 fine, or both; nmt 5 yrs. SR; \$100 SA (nmt 3 yrs. SR if revoked). § 2 carries no additional penalty.
13	18 USC § 1957(a); 18 USC § 2	Money Laundering; Aiding & Abetting	Nmt 10 yrs., nmt \$250,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 2 yrs. SR if revoked). § 2 carries no additional penalty.
14	18 USC § 371	Conspiracy	Nmt 5 yrs., nmt \$250,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 1 yr. SR if revoked).
15-16, 25- 30, 32-33, 40, 43, 47-50	18 USC § 2342(a) 18 USC § 2	Trafficking in Contraband Cigarettes and Smokeless Tobacco	Nmt 5 yrs., nmt \$250,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 1 yr. SR if revoked). § 2 carries no additional penalty.
56-57	18 USC § 1956(a)(1)- (B)(i); 18 USC § 2	Money Laundering	Nmt 20 yrs., nmt \$500,00 fine or twice the value of the property involved in the transaction, whichever is greater; nmt 3 yrs. SR; \$100 SA (nmt 2 yrs. SR if revoked). § 2 carries no additional penalty.
58-59	18 USC § 1956(a)(1)- (B)(ii); 18 USC § 2	Money Laundering	Nmt 20 yrs., nmt \$500,00 fine or twice the value of the property involved in the transaction, whichever is greater; nmt 3 yrs. SR; \$100 SA (nmt 2 yrs. SR if revoked). § 2 carries no additional penalty.
Forfeiture Allegations	18 USC § 981(a)(1)(C); 28 USC § 2461(c)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC §§ 1349 and 1344, or any property traceable to such property.
Forfeiture Allegations	18 USC § 2344(c); 18 USC § 981(a)(1)(C); 28 USC 2461(c)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC §§ 371 and 2342(a), or any property traceable to such property.
Forfeiture Allegations	18 USC § 982(a)(1)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC § 1956(a)(1)(B)(i), or any property traceable to such property.

Date: 12/15/10

Signature of AUSA 

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U.S. District Court, Western District of Oklahoma

Petty Misdemeanor Felony

Case No.

CR 10-392 F

Number of Counts 59 + forfeiture Number of Defendants 3

USAOID No. 2007R00443 By: nlw

Indictment Sealed: Yes No OCDETF: Yes No Notice Summons Writ Warrant to Issue

DEFENDANT: ASMAT ULLAH		DEC 15 2010	
Alias(es): Uncle		Address: Edmond, OK	
		Phone:	
Age&DOB: 1950	SS#:	Juvenile: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Interpreter: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
SEX: M <input checked="" type="checkbox"/> F <input type="checkbox"/>	RACE: Caucasian	Language/Dialect:	

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<input checked="" type="checkbox"/> Not in Custody	Type of Bond Recommended on this Charge:
Bond set at: \$ _____ Date: _____	OR <input type="checkbox"/> Cash <input type="checkbox"/> 10% <input type="checkbox"/> Unsecured <input type="checkbox"/> Surety <input type="checkbox"/>
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<input type="checkbox"/> In Jail at: _____ Under Prisoner/Register No.: _____	Detention <input checked="" type="checkbox"/>

Prior Proceedings or Appearance(s) Before U.S. Magistrate Judge:

Case No. M-	Government Motion to Detain: Yes <input type="checkbox"/> No <input type="checkbox"/>
Complaint: Yes <input type="checkbox"/> No <input type="checkbox"/>	Bond Set: RECEIVED

Related Case Information:

Previous Case No.	Rule 20/Rule 5 from District of: DEC 15 2010
Additional Defendants: Yes <input type="checkbox"/> No <input type="checkbox"/>	Total Number of defendants: ROBERT D. DENNIS

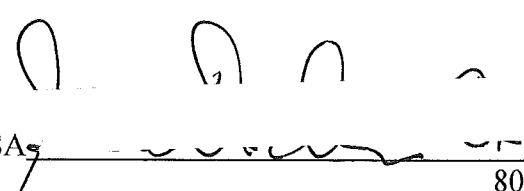
Attorney Information:

Defense Counsel:	AUSA: SUSAN DICKERSON COX; ROBERT DON GIFFORD	
Address:	Phone: 405/553- 405/553-	Fax: 405/553-8888
Phone:	Fax:	Federal Agent/Agency: USSS; ATF
Retained <input type="checkbox"/> CJA Panel <input type="checkbox"/> Public Defender <input type="checkbox"/>	Local Agent/Agency:	

Count(s)	USC Citation(s)	Offense(s) Charged	Penalty
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<u>Count(s)</u>	<u>USC Citation(s)</u>	<u>Offense(s) Charged</u>	<u>Penalty</u>
19-20, 24, 29, 42, 46, 52-53	18 USC § 2342(a) 18 USC § 2	Trafficking in Contraband Cigarettes and Smokeless Tobacco	Nmt 5 yrs., nmt \$2500,000 fine, or both; nmt 3 yrs. SR; \$100 SA (nmt 1 yr. SR if revoked). § 2 carries no additional penalty.
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Forfeiture Allegations	18 USC § 982(a)(1)	Criminal Forfeiture	Forfeit any property, real or personal, involved in offense of 18 USC § 1956(a)(1)(B)(i), or any property traceable to such property.

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2. **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, was a resident of Oklahoma, residing at times in Mustang, Yukon, and Edmond. **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, used the name “Shawn” and was employed in the wholesale tobacco business and in the convenience store business. **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, occasionally telephonically identified himself as **Sajjan Gill**.

3. **ASMAT ULLAH, aka Uncle**, was a resident of Edmond, Oklahoma. **ASMAT ULLAH, aka Uncle**, was employed in the wholesale tobacco business and in the convenience store business. **ASMAT ULLAH, aka Uncle**, was the uncle of **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**.

4. Prime Distributors, LLC was incorporated in February 2005 by **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**. Prime Distributors was located at 1001 NW 4th Street in Oklahoma City, Oklahoma, and was a wholesale convenience distribution company that supplied products, including cigarettes and smokeless tobacco, to convenience stores in the State of Oklahoma. Prime Distributors was operated by **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **ASMAT ULLAH, aka Uncle**, until the fall of 2006.

5. Prime Time Distribution, LLC (“Prime Time”) was incorporated on October 5, 2006, by **KHAWER SAEED GHILL, aka Sajjan Gill**. Prime Time was located at 1001 NW 4th Street in Oklahoma City, Oklahoma, the same location as Prime Distributors, and was a wholesale convenience distribution company that supplied products,

including cigarettes and smokeless tobacco, to convenience stores in the State of Oklahoma.

Although **KHAWER SAEED GHILL**, was the owner of Prime Time, defendants **AHSAN ULLAH**, aka Ibrahim Khan and Shawn Ullah, and **ASMAT ULLAH**, aka Uncle, continued to operate the business.

6. JP Morgan Chase Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation (“FDIC”).

7. Bank of America was a financial institution, the deposits of which were insured by the FDIC.

8. Digital Federal Credit Union was a financial institution, the deposits of which were insured by the National Credit Union Share Insurance Fund (“NCUSIF”).

9. Weokie Credit Union was a financial institution, the deposits of which were insured by the NCUSIF.

COUNT 1
(Conspiracy)

10. The Federal Grand Jury incorporates paragraphs 1, 2, and 6 through 9 of the Indictment.

11. Beginning in or about March 2003, and continuing through in or about April, 2007, in the Western District of Oklahoma and elsewhere,

-----**KHAWER SAEED GHILL, aka Sajjan Gill , and**-----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,

the defendants herein, knowingly and willfully and with interdependence conspired and agreed with one another, and with other persons known and unknown to the Federal Grand Jury, to commit offenses against the United States. In particular, defendants **KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, willfully and knowingly conspired to commit bank fraud, in violation of Title 18, United States Code, Section 1344(1).

The Purpose of the Conspiracy

12. The purpose of the conspiracy was to execute a scheme to defraud financial institutions and commercial businesses by obtaining fraudulent loans with no intention to repay the loans and by obtaining money and property from various credit card issuers, including banks, credit unions, credit card companies, and retail stores through credit card “bust-out” activity with no intention to repay the banks, credit unions, credit card companies, and retail stores for the cash advances. During the course of the scheme over 50 separate credit cards were issued. The defendants would then use the funds from the loan proceeds and credit card advances for their own purposes.

The Manner and Means of the Conspiracy

13. It was part of the conspiracy to defraud that defendant **KHAWER SAEED GHILL, aka Sajjan Gill, and defendant AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, employed the scheme and artifice to materially defraud and to obtain the

moneys, funds, credits, and other property owned by and under the control of financial institutions, the deposits of which were insured by the FDIC or the NCUSIF.

14. It was part of the conspiracy to defraud that from in or about March, 2003, through in or about July, 2006, defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, would apply for and receive over thirty (30) credit cards in the name of **Sajjan Gill**.

15. It was part of the conspiracy to defraud that from in or about June, 2005, through in or about June, 2006, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, would apply for and receive six (6) credit cards in the name of **Ibrahim Khan**.

16. It was part of the conspiracy to defraud that from in or about November, 2005, through in or about August, 2006, defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, would open several checking accounts in the name of **Sajjan Gill** to facilitate the transfer of funds from the credit card accounts.

17. It was a further part of the conspiracy to defraud that defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, and defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, would make minimum monthly payments on those credit cards, at times using checks drawn on the "Sajjan Gill" checking accounts opened by **GHILL**.

18. It was a further part of the conspiracy to defraud that defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, and defendant **AHSAN ULLAH, aka**

Ibrahim Khan and Shawn Ullah, would make monthly payments on credit cards using checks later returned for insufficient funds from banks where they had opened accounts.

19. It was a further part of the conspiracy to defraud that defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, and defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, would use the credit cards obtained in the names of **Gill** and **Khan** to obtain substantial cash advances at ATM machines, to transfer funds to bank accounts in those names, and to make large purchases of merchandise and services. The defendants would often overdraft the bank accounts to which the credit card proceeds had been deposited.

20. It was a further part of the conspiracy to defraud that defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, would report credit cards lost or stolen and transfer proceeds of the conspiracy to new accounts.

21. It was a further part of the conspiracy to defraud that defendants **KHAWER SAEED GHILL, aka Sajjan Gill**, and **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and others known and unknown to the Federal Grand Jury would use the money obtained from this conspiracy for their own personal purposes such as the purchase of tobacco products for their business and the transfer of funds to Pakistan.

22. As a result of the fraudulent scheme, credit card issuers and banks where the checking accounts had been opened incurred losses totaling nearly \$500,000.

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

COUNT 2
(Bank Fraud)

23. The Federal Grand Jury incorporates paragraphs 1, 6, and 11 through 21 of the Indictment.

24. From on or about November 7, 2003, through on or about August 18, 2006, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a MasterCard credit card, #XXXX-XXXX-XXXX-9858 and then used the card without any intention of repaying the amounts charged to the card, creating a loss to JP Morgan Chase Bank of approximately \$2,255.96.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 3
(Bank Fraud)

25. The Federal Grand Jury incorporates paragraphs 1, 6, and 11 through 21 of the Indictment.

26. From on or about June 3, 2004, through on or about August 17, 2006, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a VISA credit card, #XXXX-XXXX-XXXX-5825 and then used the card

without any intention of repaying the amounts charged to the card, creating a loss to JP Morgan Chase Bank of approximately \$50,988.35.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 4
(Bank Fraud)

27. The Federal Grand Jury incorporates paragraphs 1, 6, and 11 through 21 of the Indictment.

28. From on or about November 16, 2005, through on or about November 24, 2006, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----

the defendant herein, in furtherance of the scheme to materially defraud, knowingly opened checking account #XXXXXX5342, deposited proceeds from fraudulent credit card advances into that account, and then overdrafted the account without any intention of repaying the amounts overdrafted, creating a loss to JP Morgan Chase Bank of approximately \$1,217.11.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 5
(Bank Fraud)

29. The Federal Grand Jury incorporates paragraphs 1, 2, 7, and 11 through 21 of the Indictment.

30. From on or about February 21, 2006, through on or about September 15, 2006, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,

the defendants herein, in furtherance of the scheme to materially defraud, knowingly opened checking account #XXXXXXXXX0048, deposited proceeds from fraudulent credit card advances into that account, and then overdrafted the account without any intention of repaying the amounts overdrafted, creating a loss to Bank of America of approximately \$25,410.39.

All in violation of Title 18, United States Code, Section 1344(1); and Title 18, United States Code, Section 2.

COUNT 6
(Bank Fraud)

31. The Federal Grand Jury incorporates paragraphs 1, 6, and 11 through 21 of the Indictment.

32. From on or about April 1, 2006, through on or about October 12, 2006, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----

the defendant herein, in furtherance of the scheme to materially defraud, knowingly opened checking account #XXXXXX7236, deposited proceeds from fraudulent credit card advances into that account, and then overdrafted the account without any intention of repaying the amounts overdrafted, creating a loss to JP Morgan Chase Bank of approximately \$14,580.17.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 7
(Bank Fraud)

33. The Federal Grand Jury incorporates paragraphs 1, 6, and 11 through 21 of the Indictment.

34. From on or about July 11, 2006, through on or about March 10, 2007, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a VISA credit card, #XXXX-XXXX-XXXX-5725, and then used the card without any intention of repaying the amounts charged to the card, creating a loss to JP Morgan Chase Bank of approximately \$17,877.82.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 8
(Bank Fraud)

35. The Federal Grand Jury incorporates paragraphs 1, 6, and 11 through 21 of the Indictment.

36. From on or about July 10, 2006, through on or about February 1, 2007, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a Circuit City credit card, #XXXX-XXXX-XXXX-0190, and then used the

card without any intention of repaying the amounts charged to the card, creating a loss to JP Morgan Chase Bank of approximately \$1,764.09.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 9
(Bank Fraud)

37. The Federal Grand Jury incorporates paragraphs 1, 7, and 11 through 21 of the Indictment.

38. From on or about July 17, 2006, through on or about March 30, 2007, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----

the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a VISA credit card, #XXXX-XXXX-XXXX-7749, and then used the card without any intention of repaying the amounts charged to the card, creating a loss to Bank of America of approximately \$43,849.62. During the course of the scheme to defraud, the defendant reported this card stolen and converted the card to a new account, #XXXX-XXXX-XXXX-2181.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 10
(Bank Fraud)

39. The Federal Grand Jury incorporates paragraphs 1, 7, and 11 through 21 of the Indictment.

40. From on or about July 11, 2006, through on or about March 31, 2007, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a VISA credit card, #XXXX-XXXX-XXXX-9343, and then used the card without any intention of repaying the amounts charged to the card, creating a loss to Bank of America of approximately \$34,093.83. During the course of the scheme to defraud, the defendant reported this card stolen and converted the card to a new account, #XXXX-XXXX-XXXX-5914.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 11
(Bank Fraud)

41. The Federal Grand Jury incorporates paragraphs 1, 7, and 11 through 21 of the Indictment.

42. From on or about July 7, 2003, through on or about April 28, 2007, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
the defendant herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained a VISA credit card, #XXXX-XXXX-XXXX-7504, and then used the card without any intention of fully repaying the amounts charged to the card, creating a loss to Bank of America of approximately \$50,211.15. During the course of the scheme to defraud,

the defendant reported this card stolen and converted the card to a new account, #XXXX-XXXX-XXXX-4764.

All in violation of Title 18, United States Code, Section 1344(1).

COUNT 12
(Bank Fraud)

43. The Federal Grand Jury incorporates paragraphs 1, 2, 8 and 12 of the Indictment.

44. Between in or about July, 2006, and continuing through in or about August, 2006, in the Western District of Oklahoma, and elsewhere,

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,

the defendants herein, in furtherance of the scheme to materially defraud, knowingly applied for and obtained an auto loan from the Digital Federal Credit Union (“DFCU”) for \$25,000.00 and then defaulted on the loan, creating a loss to the DFCU of approximately \$25,000.00.

45. It was part of the scheme to materially defraud DFCU that the defendants created a sham auto sales transaction in which **Sajjan Gill** obtained a loan to purchase an auto from **Ibrahim Kahn**.

All in violation of Title 18, United States Code, Section 1344(1); and Title 18, United States Code, Section 2.

COUNT 13
(Money Laundering)

46. On or about August 22, 2006, in the Western District of Oklahoma,

KHAWER SAEED GHILL, aka Sajjan Gill, -----
and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,

the defendants herein, knowingly engaged in a monetary transaction by, through or to a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000.00, that is the deposit of treasurer's check #267464 dated August 11, 2006, from DFCU, in the amount of \$25,000.00 into account #XXXX2890 at Weokie Credit Union, such property having been derived from a specified unlawful activity, bank fraud, in violation of Title 18 United States Code Section 1344(1).

All in violation of Title 18, United States Code, Section 1957(a); and Title 18, United States Code, Section 2.

COUNTS 14 - 52
(Tobacco-related Counts)

INTRODUCTION

47. The federal government and a number of state governments, including the State of Oklahoma, had the authority to regulate and enforce cigarette and smokeless tobacco tax laws.

48. At all times relevant to this Indictment, the federal excise tax on cigarettes was 39 cents a pack until April 1, 2009, when it became \$1.01. The Oklahoma

state excise tax on cigarettes was \$1.03 a pack. The tax on smokeless tobacco was calculated at sixty percent of the manufacturer's list price.

49. The Oklahoma Tax Commission was the principal agency in the State of Oklahoma responsible for the enforcement and collection of applicable state taxes on cigarette and smokeless tobacco products. The State of Oklahoma required cigarette packages have a stamp, impression, or other indication that the appropriate taxes have been paid. The State of Oklahoma also required that the receipt, sale and distribution of smokeless tobacco products be accounted for and reported to the Oklahoma Tax Commission.

50. Companies and wholesalers operating in Oklahoma who engaged in the purchase of untaxed tobacco products from tobacco manufacturers were required to be licensed by the State of Oklahoma. Such licensees were required to pay the excise tax for tobacco products and comply with all reporting requirements.

51. All cigarette and smokeless tobacco sales by a wholesaler who was a licensee had to be reported monthly to the Oklahoma Tax Commission. Each wholesaler submitting such reports was required to certify that the information contained in the reports was true and correct.

52. A cigarette wholesale company receiving untaxed cigarettes was required to apply to the Oklahoma Tax Commission for a cigarette stamping license. A licensed stamping agent then could purchase untaxed cigarettes directly from authorized cigarette manufacturers. The stamping agent was required to purchase tax stamps from the

Oklahoma Tax Commission and then place a tax stamp on each pack of cigarettes prior to distribution and sale in Oklahoma. Similarly, a wholesaler who purchased, sold or distributed smokeless tobacco products in the State of Oklahoma also was required to be licensed and collect and submit to the Oklahoma Tax Commission all appropriate excise taxes.

53. "Contraband cigarettes" was defined by law to mean a quantity of cigarettes in excess of 10,000 cigarettes bearing no evidence of the payment of applicable state cigarette taxes in the State where such cigarettes were found, if such State required a stamp, impression, or other indication to be placed on packages or other containers of cigarettes to evidence payment of cigarette taxes, and which were in the possession of a person without the lawful right to possess such untaxed cigarettes, as defined by federal law.

54. "Contraband smokeless tobacco" was defined by law to mean a quantity in excess of 500 single-unit consumer-sized cans or packages of smokeless tobacco, or their equivalent, which were in possession of a person authorized to engage in the business of selling or distributing tobacco products but who had not complied with the accounting, tax and payment requirements related to smokeless tobacco products.

55. Prime Distributors was authorized to be a stamping agent that could receive untaxed tobacco from tobacco manufacturers.

56. In the Fall of 2006, the Oklahoma Tax Commission audited Prime Distributors. The audit revealed that Prime Distributors was not placing tax stamps on its cigarettes. On October 26, 2006, Prime Distributors relinquished its license before the

Oklahoma Tax Commission initiated revocation proceedings. Due to the relinquishment of its license, Prime Distributors could no longer lawfully sell tobacco in the State of Oklahoma.

57. On October 5, 2006, defendant **KHAWER SAEED GHILL, aka Sajjan Gill**, the brother of defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, incorporated with the state of Oklahoma a new company under the name Prime Time Distribution, LLC (“Prime Time”). Prime Time Distribution’s address was registered at the same location as was Prime Distributors. In the Fall of 2006, Prime Time Distribution, LLC applied for and received authorization to serve as a wholesale tobacco distributor and tax stamp licensee in the State of Oklahoma.

58. Defendants **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **ASMAT ULLAH, aka Uncle**, continued to sell the contraband tobacco products through Prime Time at the Prime Distributors location.

59. **ASMAT ULLAH, aka Uncle**, using the Prime Time license, also conducted some transactions for the purchase of the contraband cigarettes and smokeless tobacco at the Grab & Go convenience store at 3914 North Pennsylvania, Oklahoma City, Oklahoma.

60. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was the principal federal law enforcement agency responsible for the investigation of contraband cigarettes and contraband smokeless tobacco products.

COUNT 14
(Conspiracy)

61. The Federal Grand Jury incorporates paragraphs 1-5, and 47 through 60 of the Indictment.

62. Beginning in or about February, 2007, and continuing through July 2009, in the Western District of Oklahoma, and elsewhere,

KHAWER SAEED GHILL, aka Sajjan Gill, -----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and
ASMAT ULLAH, aka Uncle,

the defendants herein, knowingly, willfully and with interdependence conspired and agreed with one another, and with other persons known and unknown to the Federal Grand Jury, to commit offenses against the United States, specifically, the trafficking in contraband cigarettes and smokeless tobacco, in violation of Title 18, United States Code, Section 2342(a).

The Purpose of the Conspiracy

63. The purpose of the conspiracy was to profit from the sale of contraband cigarettes and contraband smokeless tobacco. Specifically, the defendants sold cigarettes and smokeless tobacco products without the required excise taxes being assessed and paid to the State of Oklahoma.

The Manner and Means of the Conspiracy

64. It was part of the conspiracy that defendants **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and**

ASMAT ULLAH, aka Uncle, participated in a plan to use Prime Time to purchase contraband cigarettes and smokeless tobacco at a discounted price from DWI, a non-manufacturer, in Russell, Kentucky, and then distribute these contraband cigarettes and smokeless tobacco in Oklahoma without the proper stamp on the cigarettes or tax on the smokeless tobacco.

65. Special Agents from the Bureau of Alcohol, Tobacco, Firearms, and Explosives learned of illicit trafficking of contraband cigarettes and tobacco in Oklahoma City and established an undercover warehouse in Oklahoma City where deliveries could be controlled and recorded.

66. Defendants **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **ASMAT ULLAH, aka Uncle**, met with undercover ATF agents and agreed to operate a delivery hub in Oklahoma City for possession, sale, and distribution of contraband cigarettes and smokeless tobacco.

67. It was part of the conspiracy that **KHAWER SAEED GHILL, aka Sajjan Gill**, caused All America Bank in Mustang, Oklahoma, to conduct seven wire transfers between February, 2007 to June, 2007 to a bank in Flatwoods, Kentucky, for the payment of the contraband cigarettes. Both **GHILL** and **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, had signature authority on the account at All America Bank in Mustang, Oklahoma.

68. Beginning August 17, 2007, **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle**, began paying in cash for the delivery of the contraband cigarettes and smokeless tobacco. The defendants made these cash payments to an undercover ATF agent.

69. It was part of the conspiracy that **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle**, failed to affix the applicable Oklahoma tax stamp to the cigarettes, or to comply with the accounting, tax, and payment requirements for the distribution and sale of cigarettes and smokeless tobacco in the State of Oklahoma.

70. In was part of the conspiracy that the defendants attempted to evade possible Oklahoma Tax Commission audits by having invoices of the deliveries of tobacco products to reflect a delivery of different product such as "Red Bull"energy drink. On November 21, 2007, the defendants directed the undercover ATF agent to quit providing invoices at all for the contraband cigarettes or smokeless tobacco.

71. It was a part of the conspiracy that, during the period of February, 2007 continuing through July 2009, defendants sold at least 103,700 cartons (20,740,000 cigarettes) of contraband cigarettes and at least 265,310 of cans of contraband smokeless tobacco.

72. It was part of the conspiracy that defendants **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and**

ASMAT ULLAH, aka Uncle, did not accurately state in monthly reports submitted to the Oklahoma Tax Commission the number of cigarettes or smokeless tobacco purchased from the undercover ATF agent.

Overt Acts

73. In furtherance of the conspiracy, and to promote the purpose thereof, the defendants **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,** and **ASMAT ULLAH, aka Uncle,** and other persons known and unknown to the grand jury, committed and caused to be committed, among others, the following overt acts:

a. On August 18, 2007, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,** met with undercover ATF agents to provide a payment of \$73,200 for the August 18, 2007 delivery to Prime Time of 600,000 contraband cigarettes.

b. On September 13, 2007, a confidential informant working with ATF agents received \$36,000 from **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,** and **ASMAT ULLAH, aka Uncle,** for the delivery of 600,000 contraband cigarettes on September 12, 2007.

c. On October 4, 2007, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,** met with undercover ATF agents to pay for the September 28, 2007 delivery to Prime Time of 300,000 contraband cigarettes and 20,610 cans of contraband smokeless tobacco. Defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,**

attempted to disguise the \$86,761 payment for the contraband cigarettes and smokeless tobacco with a falsified invoice reflecting the purchase of energy drinks.

d. On October 18, 2007, defendants **KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and another unidentified male met with undercover ATF agents to provide a payment of \$106,272 for the October 12, 2007 delivery of 876,000 contraband cigarettes. Additionally, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, placed an order for the purchase of smokeless tobacco.

e. On October 29, 2007, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and another unidentified male met with undercover ATF agents to provide a payment of \$85,028 for the October 22, 2007 delivery of 1,464,000 contraband cigarettes. Additionally, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, placed an order for the purchase of smokeless tobacco.

f. On November 9, 2007, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents to provide a payment of \$54,820 for the October 29, 2007 delivery of 360,000 contraband cigarettes and the remainder of the payment for the October 22, 2007 delivery.

g. On November 21, 2007, defendants **KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of

\$146,745 for the prior November 9, 2007 delivery of 26,460 cans of contraband smokeless tobacco and the November 13, 2007 delivery of 720,000 contraband cigarettes. **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, requested that his invoices be listed as a fictitious order for a product such as an energy drink or that no delivery invoice for the contraband cigarettes be created.

h. On December 7, 2007, defendants **KHAWER SAEED GHILL, aka Sajjan Gill**, and **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and another unidentified male met with undercover ATF agents to provide a payment of \$77,100 for the November 21, 2007 delivery of 1,200,000 contraband cigarettes. Additionally, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, also discussed with the undercover ATF agents future shipments and the prices of specific cigarettes.

i. On December 18, 2007, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$61,166 for the December 6, 2007 delivery of 27,900 cans of contraband smokeless tobacco.

j. On January 24, 2008, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and another unidentified male met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$77,100 for the previously delivered shipment on January 3, 2008 of 1,200,000 contraband cigarettes.

k. On February 20, 2008, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and another unidentified male met with undercover ATF agents to provide a payment of \$100,000 for the previously delivered shipment on February 8, 2008 of 540,000 contraband cigarettes and 30,150 cans of contraband smokeless tobacco.

l. On March 3, 2008, employees of defendants **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **ASMAT ULLAH, aka Uncle**, met with undercover ATF agents to provide a payment of \$82,000 for the previously delivered shipments on January 25, 2008 of 216,000 contraband cigarettes, February 8, 2008 and February 21, 2008 of 420,000 contraband cigarettes.

m. On April 8, 2008, a white delivery van arrived at the ATF undercover warehouse to pick up a shipment of contraband tobacco products and returned to the Prime Time warehouse at 1001 NW 4th Street in Oklahoma City. **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and another person known to the Grand Jury transferred a case of the contraband cigarettes to a white Toyota Sports Utility Vehicle (SUV). This SUV was registered to **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**. This vehicle was observed transporting the contraband cigarettes to various convenience stores in Oklahoma City.

n. On April 29, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a

payment of \$123,296 for the previously delivered shipments on April 8, 2008 for 360,000 contraband cigarettes and April 11, 2008 of 36,450 cans of contraband smokeless tobacco.

o. On May 22, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$73,780 for the delivered shipments on that day of 600,000 contraband cigarettes.

p. On July 30, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF Agents at the Prime Time warehouse to provide a payment of \$45,900. The currency was for a delivery of 360,000 contraband cigarettes delivered on the same day.

q. On August 7, 2008, defendants **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **ASMAT ULLAH, aka Uncle**, met with undercover ATF Agents at the Prime Time warehouse to provide a payment of \$39,636 for the previously delivered shipment on July 31, 2008 of 588,000 contraband cigarettes.

r. On August 21, 2008, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, delivered currency totaling \$120,000 to undercover ATF Agents at the Prime Time warehouse for a shipment on August 21, 2008 of 1,500,000 contraband cigarettes.

s. On August 26, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **KHAWER SAEED GHILL, aka Sajjan Gill**, met with undercover ATF

agents at the Prime Time warehouse to provide the remaining payment of \$75,000 for the previously delivered shipment on August 21, 2008 of 1,500,000 contraband cigarettes.

t. On September 24, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$78,000 for a previous delivery on September 11, 2008 of 600,000 contraband cigarettes. A delivery of contraband smokeless tobacco was also made.

u. On October 8, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **ASMAT ULLAH, aka Uncle**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$10,368 for the previously delivered shipment on September 24, 2008 of 10,260 cans of contraband smokeless tobacco.

v. On October 15, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$84,354.00 for the previously delivered shipment on October 8, 2008 of 79,560 cans of contraband smokeless tobacco.

w. On November 6, 2008, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$78,000 for the previously delivered shipment on November 4, 2008 of 600,000 contraband cigarettes.

x. On January 13, 2009, defendant **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, delivered currency totaling \$151,600 to undercover ATF agents

at the Prime warehouse. The currency was a partial payment for the delivery of 1,320,000 contraband cigarettes delivered on the same day.

y. On February 17, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$98,000 for the previously delivered shipment on February 13, 2009 of 600,000 contraband cigarettes.

z. On March 16, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$112,000 for the previously delivered shipment that same day of 1,200,000 contraband cigarettes from the ATF undercover warehouse.

aa. On April 17, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and **KHAWER SAEED GHILL, aka Sajjan Gill**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$50,000 for the previously delivered shipment on March 16, 2009 of 1,200,000 contraband cigarettes.

bb. On May 1, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents to provide a payment of \$85,050 at the Prime Time warehouse. The currency was for a delivery of 1,680,000 contraband cigarettes delivered on the same day.

cc. On June 4, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, and an unidentified Middle Eastern male met with undercover ATF agents at

the Prime Time warehouse to provide a payment of \$161,950 for the previously delivered shipment on May 29, 2009 of 1,200,000 contraband cigarettes.

dd. On July 17, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$33,180 for the previous delivery on July 14, 2009 of 252,000 contraband cigarettes.

ee. On July 28, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$123,900 for the previous delivery on July 22, 2009 of 840,000 contraband cigarettes.

ff. On August 4, 2009, **AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah**, met with undercover ATF agents at the Prime Time warehouse to provide a payment of \$218,700 for the previous delivery on July 29, 2009 of 1,620,000 contraband cigarettes.

gg. As further overt acts, the federal grand jury incorporates the allegations of Counts 15-53 of this Indictment.

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

COUNTS 15 - 55
(Trafficking in Contraband Cigarettes)

74. On or about the dates, enumerated below, in the Western District of Oklahoma, and elsewhere, the defendants,

-----**KHAWER SAEED GHILL, aka Sajjan Gill,**-----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,
and ASMAT ULLAH, aka Uncle,

did knowingly commit and cause to be committed the receipt, possession, sale, distribution and purchase of in excess of 10,000 contraband cigarettes, as that term is defined in Title 18, United States Code, Section 2341(2), and in excess of 500 single-unit consumer-sized cans or packages of contraband smokeless tobacco, as that term is defined in Title 18, United States Code, Section 2341(6), of which the cigarettes and smokeless tobacco bore no evidence of the payment of the applicable state cigarette taxes in the State of Oklahoma.

COUNT	DEFENDANT(S) RECEIVING THE CIGARETTES	DATE	CONTRABAND CIGARETTES/SMOKELESS TOBACCO
15	KHAWER SAEED GHILL, a/k/a Sajjan Gill	2/12/07	240,000 Marlboro cigarettes
16	KHAWER SAEED GHILL, a/k/a Sajjan Gill	2/12/07	10,520 cans of Skoal and Husky smokeless tobacco
17	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	3/16/07	180,000 Marlboro cigarettes
18	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	3/16/07	17,100 cans of Skoal and Red Seal smokeless tobacco
19	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle	4/25/07	180,000 Marlboro cigarettes

20	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle	4/25/07	15,750 cans of Skoal, Red Seal and Husky smokeless tobacco
21	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	5/25/07	396,000 Marlboro cigarettes
22	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	5/25/07	20,700 cans of Skoal, Red Seal, and Husky smokeless tobacco
23	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	8/18/07	600,000 Marlboro cigarettes
24	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle	9/12/07	600,000 Marlboro and Newport cigarettes
25	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	9/28/07	300,000 Newport cigarettes
26	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	9/28/07	20,610 cans of Skoal, Red Seal, and Husky smokeless tobacco
27	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	10/12/07	876,000 Marlboro and Newport cigarettes

28	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	10/22/07	1,464,000 Marlboro, Carnival, and Seneca cigarettes
29	KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle	10/29/07	360,000 Marlboro cigarettes
30	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	11/9/07	26,460 cans of Skoal, Red Seal, Husky, & Grizzly smokeless tobacco
31	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	11/13/07	720,000 Marlboro and Newport cigarettes
32	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	11/21/07	1,200,000 Carnival cigarettes
33	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	12/6/07	27,900 cans of Skoal, Red Seal, Husky, & Grizzly smokeless tobacco
34	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	1/3/08	1,200,000 Carnival cigarettes
35	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	1/25/08	216,000 Carnival cigarettes

36	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	2/8/08	540,000 Marlboro and Newport cigarettes
37	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	2/21/08	420,000 Marlboro and Newport cigarettes
38	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	4/8/08	360,000 Newport cigarettes
39	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	4/11/08	36,450 cans of Skoal, Grizzly, Husky & Red Seal smokeless tobacco
40	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	5/22/08	600,000 Newport cigarettes
41	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	7/30/08	360,000 Newport cigarettes
42	ASMAT ULLAH, aka Uncle, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	7/31/08	588,000 Carnival cigarettes
43	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	8/21/08	1,500,000 Newport cigarettes
44	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	9/11/08	600,000 Newport cigarettes
45	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	9/24/08	10,260 cans of Skoal smokeless tobacco

46	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle	10/8/08	79,560 cans of Skoal smokeless tobacco
47	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	11/4/08	600,000 Newport cigarettes
48	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	1/13/09	1,320,000 Marlboro cigarettes
49	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	2/17/09	600,000 Newport cigarettes
50	KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	3/16/09	1,200,000 Marlboro cigarettes
51	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	5/1/09	1,680,000 Newport cigarettes
52	ASMAT ULLAH, aka Uncle, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	5/29/09	1,200,000 Marlboro cigarettes
53	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, and ASMAT ULLAH, aka Uncle	7/14/09	252,000 Kool and Pall Mall cigarettes

54	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	7/22/09	840,000 Newport cigarettes
55	AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah	7/29/09	1,620,000 Marlboro cigarettes

All in violation of Title 18, United States Code, Section 2342(a); and Title 18, United States Code, Section 2.

COUNT 56
(Money Laundering)

75. On or about September 13, 2007, in the Western District of Oklahoma, and elsewhere, defendants

----- **KHAWER SAEED GHILL, aka Sajjan Gill ,** -----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,
and ASMAT ULLAH, aka Uncle,

knowingly conducted, attempted to conduct, and caused to be conducted a financial transaction affecting interstate commerce involving criminal proceeds that had been derived from trafficking in contraband cigarettes, a specified unlawful activity pursuant to Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1), with the knowledge that the transaction was designed in whole and in part to conceal and disguise the nature, source, ownership, and control of the proceeds of the specified unlawful activity. In particular, having received contraband cigarettes and having sold them for cash, the defendants

transferred cash proceeds to an undercover ATF agent and concealed the nature of the cash transaction by agreeing to use a false invoice for soft drinks rather than cigarettes.

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

COUNT 57
(Money Laundering)

76. On or about August 21, 2008, in Western District of Oklahoma, defendants

----- **KHAWER SAEED GHILL, aka Sajjan Gill ,** -----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,
and ASMAT ULLAH, aka Uncle,

knowingly conducted, attempted to conduct, and caused to be conducted a financial transaction affecting interstate commerce involving criminal proceeds that had been derived from trafficking in contraband cigarettes, a specified unlawful activity pursuant to Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1), with the knowledge that the transaction was designed in whole and in part to conceal and disguise the nature, source, ownership, and control of the proceeds of the specified unlawful activity. In particular, having received contraband cigarettes and having sold them for cash, the defendants transferred cash proceeds to an undercover ATF agent and concealed the nature of the cash transaction by agreeing not to create an invoice for the purchased cigarettes.

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

COUNT 58
(Money Laundering)

77. On or about August 4, 2009, in the Western District of Oklahoma and elsewhere, defendants

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,
and ASMAT ULLAH, aka Uncle,

knowingly conducted, attempted to conduct, and caused to be conducted a financial transaction affecting interstate commerce involving criminal proceeds that had been derived from trafficking in contraband cigarettes, a specified unlawful activity pursuant to Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1), with the knowledge that the transaction was designed in whole and in part to avoid a transaction reporting requirement under state law. In particular, having received contraband cigarettes and having sold them for cash, the defendants transferred cash proceeds to an undercover ATF agent and agreed to use a false invoice for soft drinks rather than cigarettes for the purpose of avoiding accurate reporting of Prime Time's inventory of unstamped cigarette packages on Oklahoma Tax Commission Form 16-1, Cigarette Tax Report.

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

COUNT 59
(Money Laundering)

78. On or about November 21, 2007, in Western District of Oklahoma and elsewhere, defendants

----- **KHAWER SAEED GHILL, aka Sajjan Gill,** -----
AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah,
and ASMAT ULLAH, aka Uncle,

knowingly conducted, attempted to conduct, and caused to be conducted a financial transaction affecting interstate commerce involving criminal proceeds that had been derived from trafficking in contraband cigarettes, a specified unlawful activity pursuant to Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1), with the knowledge that the transaction was designed in whole and in part to avoid a transaction reporting requirement under state law. In particular, having received contraband cigarettes and having sold them for cash, the defendants transferred cash proceeds to an undercover ATF agent and agreed not to create an invoice for the purchased cigarettes for the purpose of avoiding accurate reporting of Prime Time's inventory of unstamped cigarette packages on Oklahoma Tax Commission Form 16-1, Cigarette Tax Report.

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

FORFEITURE ALLEGATIONS

A. Upon conviction of the offense alleged in Count 1 of this Indictment, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), and/or conviction of an offense alleged in Counts 2-13, pursuant to Title 18 United States Code, Section 982(a)(2), Defendants **KHAWER SAEED GHILL, aka Sajjan Gill, and AHSAN ULLAH, aka Ibrahim Khan and Shawn Ulla**, shall forfeit to the United States any and all property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses, including but not limited to the following:

A sum of money equal to **\$459,061.00**, representing the amount of proceeds obtained as a result of the offenses of conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349 and bank fraud in violation of Title 18, United States Code, Section 1344(1).

B. Upon conviction of one or more offenses alleged in Counts 14-55, pursuant to Title 18, United States Code, Section 2344(c), Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), Defendants **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, ASMAT ULLAH, aka Uncle**, shall forfeit to the United States any contraband cigarettes involved in the offenses and any and all property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses, including but not limited to the following:

A sum of money equal to **\$3,012,470.93**, representing the amount of proceeds obtained as a result of the offenses of

conspiracy to traffic in contraband cigarettes in violation of Title 18, United States Code, Section 371; and trafficking in contraband cigarettes in violation of Title 18, United States Code, Section 2342(a).

C. Upon conviction of an offense alleged in Counts 56-59, pursuant to Title 18, United States Code, Section 982(a)(1), Defendants **KHAWER SAEED GHILL, aka Sajjan Gill, AHSAN ULLAH, aka Ibrahim Khan and Shawn Ullah, ASMAT ULLAH, aka Uncle**, shall forfeit to the United States all property, real or personal, which was involved in or traceable to the offense, including but not limited to the following:

A sum of money equal to **\$421,445.00**, representing the amount of money involved or traceable to the offense of money laundering in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i) and 1956(a)(1)(B)(ii).

D. If any of the above-described forfeitable property, as a result of any act or omission of the defendants,

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

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), and Title 28, United States

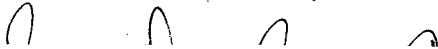
Code, Section 2461(c), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.


All in accordance with Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(2), and 2344(c); and Title 28, United States Code, Section 2461(c).

A TRUE BILL:


FOREPERSON OF THE GRAND JURY

SANFORD C. COATS
United States Attorney




SUSAN DICKERSON COX
Assistant U.S. Attorney


7-11


ROBERT DON GIFFORD
Assistant U.S. Attorney