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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
January 2006 Grand Jury

JAH


07 CR 1312

UNITED STATES OF AMERICA,
Plaintiff,
v.
PHUONG QUOC TRUONG (1),
aka "Pai Gow" John,
aka John Truong,
VAN THU TRAN (2),
TAI KHIEM TRAN (3),
ANH PHUONG TRAN (4),
PHAT NGOC TRAN (5),
MARTIN LEE ARONSON (6),
aka Martin Smith,
LIEM THANH LAM (7),
GEORGE MICHAEL LEE (8),
TIEN DUC VU (9),
SON HONG JOHNSON (10),
BARRY WELLFORD (11),
NAM VAN TO (12),
aka "Tommy",
KHAI HONG TRAN (13),
JOHN TRAN (14),
WILLY TRAN (15),
aka "Duy",
TUAN MONG LE (16),
DUC CONG NGUYEN (17),
HAN TRUONG NGUYEN (18),
HA THUY GIANG (19),
aka Thuy Ha Giang,
Defendants.

) Criminal Case No. _____
)
) I N D I C T M E N T
)
) Title 18, U.S.C., Sec. 1962(d) -
) Conspiracy to Conduct the Affairs
) of an Enterprise Through a Pattern
) of Racketeering Activity;
) Title 18, U.S.C., Sec. 371 -
) Conspiracy; Title 18, U.S.C.,
) Sec. 1167 - Conspiracy to Commit
) Theft from Gaming Establishments
) on Indian Lands; Title 18, U.S.C.,
) Sec. 1343 - Conspiracy to Commit
) Wire Fraud; Title 18, U.S.C.,
) Sec. 1952 - Conspiracy to Travel
) Interstate and Foreign Commerce in
) Aid of Racketeering; Title 18,
) U.S.C., Sec. 1512 - Conspiracy to
) Tamper with a Witness; Title 18,
) U.S.C., Sec. 2314 - Conspiracy to
) Transport Stolen Property in
) Interstate and Foreign Commerce;
) Title 18, U.S.C., Sec. 2315 -
) Conspiracy to Receive, Possess,
) Conceal, Store, Sell and Dispose
) of Stolen Property that has
) Traveled in Interstate and
) Foreign Commerce; Title 18,
) U.S.C., Sec. 2 - Aiding and
) Abetting; Title 18,
) U.S.C., Sec. 1956(h) - Conspiracy
) to Commit Money Laundering;
) Title 18, U.S.C., Secs. 1963 and
) 982 - Criminal Forfeiture

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The grand jury charges:

GENERAL ALLEGATIONS

At all times material to this Indictment:

A. Gaming Facilities

1. The Agua Caliente Casino and the Spa Resort and Casino were Indian gaming facilities operated by the Agua Caliente Band of Cahuilla Indians, a federally recognized Indian Tribe. The United States government holds lands in trust for the benefit of the tribe in the vicinity of Palm Springs, California, and Rancho Mirage, California. The government of the tribe oversees operation of these facilities on federal trust lands under its jurisdiction. Gaming operated in the jurisdiction of the tribe was authorized by tribal ordinance, which was approved by the National Indian Gaming Commission (hereinafter the "NIGC") on November 15, 1993, in accordance the Indian Gaming Regulatory Act of 1988, Title 25, United States Code, Section 2710, hereinafter the "IGRA."

2. The Barona Valley Ranch Casino and Resort was an Indian gaming facility operated by the Barona Group of Capitan Grande Mission Indians, a federally recognized Indian Tribe. The United States government holds lands in trust for the benefit of the tribe in the vicinity of Lakeside, California. The government of the tribe oversees operation of these facilities on federal trust lands under its jurisdiction. Gaming operated in the jurisdiction of the tribe was authorized by tribal ordinance, which was approved by the NIGC on February 28, 1994, in accordance with the IGRA.

1 3. Beau Rivage Casino was a casino licensed by the State of
2 Mississippi with gross annual revenues of over \$1,000,000 for 2004 and
3 2005. In 2004 and 2005, the casino was engaged in interstate commerce
4 and its activities affected interstate commerce.

5 4. The Cache Creek Casino Resort was an Indian gaming facility
6 operated by the Rumsey Indian Rancheria of Wintun Indians of
7 California, a federally recognized Indian Tribe. The United States
8 government holds lands in trust for the benefit of the tribe in the
9 vicinity of Brooks, California. The government of the tribe oversees
10 operation of these facilities on federal trust lands under its
11 jurisdiction. Gaming operated in the jurisdiction of the tribe was
12 authorized by tribal ordinance, which was approved by the NIGC on
13 January 28, 1994, and amended December 18, 1998, in accordance the
14 IGRA.

15 5. Caesars Indiana Hotel and Casino was a casino licensed by
16 the State of Indiana with gross annual revenues of over \$1,000,000 for
17 2004. In 2004, the casino was engaged in interstate commerce and its
18 activities affected interstate commerce.

19 6. The Emerald Queen Casino was an Indian gaming facility
20 operated by the Puyallup Tribe of Indians, a federally recognized
21 Indian Tribe. The United States government holds lands in trust for
22 the benefit of the tribe in the vicinity of Tacoma, Washington. The
23 government of the Tribe oversees operation of this facility on federal
24 trust lands under its jurisdiction. Gaming operated in the
25 jurisdiction of the tribe was authorized by tribal ordinance, which
26 was approved by the NIGC on July 29, 1994 and amended on December 4,
27 2000, in accordance the IGRA.

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1 7. The Foxwoods Resort Casino was an Indian gaming facility
2 operated by the Mashantucket Pequot Indian Tribe, a federally
3 recognized Indian Tribe. The United States government holds lands in
4 trust for the benefit of the tribe in the vicinity of Ledyard,
5 Connecticut. The government of the Tribe oversees operation of this
6 facility on federal trust lands under its jurisdiction. Gaming
7 operated in the jurisdiction of the tribe was authorized by tribal
8 ordinance, which was approved by the NIGC on February 7, 1995, in
9 accordance the IGRA.

10 8. The Golden Moon Hotel and Casino was an Indian gaming
11 facility operated by the Mississippi Band of Choctaw Indians, a
12 federally recognized Indian Tribe. The United States government holds
13 lands in trust for the benefit of tribe in the vicinity of
14 Philadelphia, Mississippi. The government of the tribe oversees
15 operation of the Golden Moon Hotel and Casino, a portion of the Pearl
16 River Resort that also includes the Silver Star Hotel and Casino, on
17 federal trust lands under its jurisdiction. Gaming operated in the
18 jurisdiction of the tribe is authorized by tribal gaming ordinance
19 that was approved by the NIGC on November 8, 1993, in accordance with
20 the IGRA.

21 9. Gold Strike Casino Resort was a casino licensed by the State
22 of Mississippi with gross annual revenues of over \$1,000,000 for 2006.
23 In 2006, the casino was engaged in interstate commerce and its
24 activities affected interstate commerce.

25 10. Horseshoe Casino and Hotel was a casino licensed by the
26 State of Mississippi with gross annual revenues of over \$1,000,000 for
27 2006. In 2006, the casino was engaged in interstate commerce and its
28 activities affected interstate commerce.

1 11. Isle of Capri Casino was a casino licensed by the State of
2 Louisiana with gross annual revenues of over \$1,000,000 for 2006. In
3 2006, the casino was engaged in interstate commerce and its activities
4 affected interstate commerce.

5 12. L'Auberge du Lac Hotel and Casino was a casino licensed by
6 the State of Louisiana with gross annual revenues of over \$1,000,000
7 for 2005. In 2005, the casino was engaged in interstate commerce and
8 its activities affected interstate commerce.

9 13. Morongo Resort and Casino was an Indian gaming facility
10 operated by the Morongo Band of Mission Indians, a federally
11 recognized Indian Tribe. The United States government holds lands in
12 trust for the benefit of the tribe in the vicinity of Cabazan,
13 California. The government of the Morongo Band of Mission Indians
14 oversees operation of this facility on federal trust lands under its
15 jurisdiction. Gaming operated in the jurisdiction of the tribe is
16 authorized by Tribal gaming ordinance, which was approved by the NIGC
17 on May 31, 1995, in accordance with the IGRA.

18 14. The Nooksack River Casino was an Indian gaming facility
19 operated by the Nooksack Indian Tribe, a federally recognized Indian
20 Tribe. The United States government holds lands in trust for the
21 benefit of the tribe in the vicinity of Deming, Washington. The
22 government of the Nooksack Indian Tribe oversees operation of this
23 facility on federal trust lands under its jurisdiction. Gaming
24 operated in the jurisdiction of the tribe was authorized by tribal
25 ordinance, which was approved by the NIGC on January 10, 1994, in
26 accordance the IGRA.

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1 19. Blackjack usually is played with between one to six full
2 decks of cards, which are shuffled by a dealer and dealt from a "shoe"
3 (a rectangular box designed to hold several decks of cards, with a
4 slot at the front that allows a dealer to quickly draw one card at a
5 time). After players have completed placing their bets, the dealer
6 will give each player two cards. The dealer will receive two cards,
7 one face up and one face down (known as the "hole card").

8 20. If the initial two cards are an ace and a ten value card,
9 the hand is a "blackjack." A blackjack beats any other combination
10 of cards except another blackjack. If both the player and the dealer
11 have blackjack, the hand is a "push," and the player neither wins nor
12 loses.

13 21. After the players have received their initial two cards,
14 they can choose to "stand" (draw no more cards), or take a "hit" (draw
15 one or more cards). If the player's card total exceeds 21, they
16 "break" and automatically lose.

17 22. After all the players have finished drawing to their hands,
18 the dealer will expose his hole card. The dealer must draw an
19 additional card if his point total is 16 or less and must stand if he
20 has 17 or more.

21 23. If the dealer breaks, the remaining players who have not
22 broken automatically win. If the dealer's point total is less than
23 the player's point total, the player wins. If the dealer's point
24 total is more than the player's, the player loses. If the dealer and
25 the player have the same point total, the hand is a "push", and the
26 player neither wins nor loses.

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1 24. All winning bets are paid even money (\$1 in winnings for
2 ever dollar bet) except blackjacks (point totals of 21) which are paid
3 at odds of 3 to 2.

4 25. If a blackjack player were to follow a perfect strategy, the
5 proven odds for blackjack are approximately 49 to 51 in favor of the
6 casino.

7 **C. Description of Mini-Baccarat**

8 26. In mini-baccarat, like regular baccarat, two hands are
9 dealt—one called the "banker's hand" and the other called the
10 "player's hand." Players at a table bet prior to a hand being dealt
11 and bet on which of the two hands they believe will win. The winning
12 hand is the hand that, under the rules of the game, comes closer to
13 the total of nine. The rules do not allow the player or the dealer
14 any discretion in deciding when to hold or draw on a hand.
15 Consequently, the result of each hand is in no way affected by
16 personal decisions by the dealer or players in the game.

17 27. Mini-baccarat usually is played with six to eight full decks
18 of cards, which are shuffled by a dealer and dealt from a shoe. Up
19 to nine players can be seated at the table. At some casinos,
20 additional bettors, known as "back-bettors," can stand behind players.
21 Play begins when the player's hand and banker's hand are dealt from
22 the shoe. Usually, only two hands are dealt regardless of the number
23 of players at the table. Each hand initially consists of two cards.
24 The rules of the game determine whether a third card is dealt to
25 either hand. Neither the players nor the dealer have any discretion
26 in determining whether to hold or to deal a third card to a hand.

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1 28. The first four cards are dealt from the shoe in alternating
2 order, with the result being that the first and third cards are dealt
3 to the player's hand, while the second and fourth cards are dealt to
4 the banker's hand. Mini-baccarat game rules dictate whether a fifth
5 or sixth card is necessary and whether the cards are dealt to the
6 player's hand and/or banker's hand, respectively. All cards count as
7 face value except tens and face cards, which have a value of 0. For
8 example, an ace equals one and a five equals five. If the total or
9 "point count" of the cards in a hand is a two-digit number, the left
10 digit is disregarded and the right digit constitutes the point count
11 (for example, the point count for a hand consisting of the following
12 two cards, an 8 and a 6, would be 4 after dropping the left digit from
13 the sum total of 14).

14 29. Players bet prior to a hand being dealt and have three
15 betting options: Betting on the player's hand, betting on the
16 banker's hand, or betting on a tie. All winning bets on the player's
17 hand or banker's hand are paid at odds of 1 to 1, while the odds on
18 a tie bet are paid at odds of 9 for 1. The winning hand is the one
19 under the rules of the game that comes closest to the total point
20 count of 9. The Casino provides mini-baccarat scorecards for players
21 to use. A typical and legitimate player use of a scorecard is to
22 record "runs," i.e., a series of player's or banker's winning hands,
23 for the player's use in making betting decisions. Tracking play in
24 this manner, however, has no bearing on, and provides no insight, into
25 the statistical outcome of the game.

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1 3. At all times relevant to the Indictment, within the Southern
2 District of California and elsewhere, defendants PHUONG QUOC TRUONG,
3 aka "Pai Gow" John, aka John Truong, VAN THU TRAN, TAI KHIEM TRAN, ANH
4 PHUONG TRAN, PHAT NGOC TRAN, MARTIN LEE ARONSON, aka Martin Smith,
5 LIEM THANH LAM, GEORGE MICHAEL LEE, TIEN DUC VU, SON HONG JOHNSON,
6 BARRY WELLFORD, WILLY TRAN, aka "Duy," HAN TRUONG NGUYEN, and HA THUY
7 GIANG, aka Thuy Ha Giang, together with other persons known and
8 unknown to the grand jury, were members and associates of the "Tran
9 Organization," which constituted an Enterprise as that term is defined
10 within the meaning of Title 18, United States Code, Section 1961(4),
11 that is, a group of individuals associated in fact (hereinafter the
12 "Tran Organization" or "the Enterprise").

13 4. The Tran Organization constituted an ongoing organization
14 whose members functioned as a continuing unit for a common purpose of
15 achieving the objectives of the Enterprise. The Tran Organization was
16 engaged in, and its activities affected, interstate and foreign
17 commerce.

18 **B. Purposes of the Enterprise**

19 5. The purposes of the enterprise included the following:

20 a. Enriching the defendants and members and associates of
21 the Enterprise through, among other things, the theft of money from
22 both Indian and non-Indian casinos and gaming establishments by
23 cheating at gambling; bribing casino employees and officials to
24 facilitate cheating at gambling; engaging in illegal gambling, and
25 operating an illegal gambling business; using hidden microphones and
26 cellular telephones to secretly transmit information that enabled the
27 Enterprise and its associates to cheat at gambling; avoiding currency
28 reporting requirements through structuring the cashing of gambling

1 chips and other means; money laundering; transporting stolen money and
2 property worth \$5,000 and more across state and international borders;
3 receiving, possessing, concealing, and disposing of such stolen money
4 and property after it crossed state and United States boundaries,
5 knowing the same to have been stolen, unlawfully converted, and taken
6 before crossing such boundaries; and failing to report accurate income
7 on taxes;

8 b. Acquiring real and personal property for the members
9 and associates of the Enterprise in the United States and abroad;

10 c. Preserving and protecting the territory and profits of
11 the Enterprise through the use of intimidation and threats;

12 d. Preserving and protecting the territory and profits of
13 the Enterprise through the use of bribes and financial incentives; and

14 e. Promoting and enhancing the Enterprise and its members'
15 and associates' activities.

16 **C. The Racketeering Conspiracy**

17 6. From in or about March 2002 and continuing to the present,
18 within the Southern District of California and elsewhere, defendants,
19 PHUONG QUOC TRUONG, aka "Pai Gow" John, aka John Truong, VAN THU TRAN,
20 TAI KHIEM TRAN, ANH PHUONG TRAN, PHAT NGOC TRAN, MARTIN LEE ARONSON,
21 aka Martin Smith, LIEM THANH LAM, GEORGE MICHAEL LEE, TIEN DUC VU, SON
22 HONG JOHNSON, BARRY WELLFORD, WILLY TRAN, aka "Duy," HAN TRUONG
23 NGUYEN, and HA THUY GIANG, aka Thuy Ha Giang, together with other
24 persons known and unknown to the grand jury, being persons employed
25 by and associated with the Tran Organization, an enterprise, which
26 engaged in, and the activities of which affected, interstate and
27 foreign commerce, knowingly and intentionally conspired to violate
28 Section 1962(c) of Title 18, United States Code, that is, to conduct

1 and participate, directly and indirectly, in the conduct of the
2 affairs of an enterprise through a pattern of racketeering activity,
3 as that term is defined in Sections 1961(1) and (5) of Title 18,
4 United States Code, consisting of:

5 a. Multiple acts involving:

6 (1) Gambling, in violation of Indiana Code 4-33-10-2
7 and 35-50-2-7; Nevada Revised Statutes 465.070, 465.083, 465.088;
8 Mississippi Code Sections 75-76-301, 75-76-303, 75-76-307, 75-76-311;
9 Louisiana Revised Statutes Section 14:67:18; California Penal Code
10 Sections 332, 487, 489; Connecticut Penal Code Sections 53a-127d, 53a-
11 35a; and Washington Penal Code Sections 9.46.196, 9.46.1961,
12 9A.20.021; and

13 (2) Bribery, in violation of Indiana Code Sections 4-
14 33-10-2 and 35-50-2-7; California Penal Code Section 641.3;
15 Connecticut Penal Code Sections 53a-160 and 53a-35a; Nevada Revised
16 Statutes 465.070; and Washington Criminal Code Sections 9A.68.060 and
17 9A.20.021; and

18 b. Multiple acts indictable under the following provisions
19 of federal law:

20 (1) Traveling in interstate and foreign commerce, and
21 using a facility in interstate and foreign commerce, in aid of
22 racketeering; in violation of Title 18, United States Code, Section
23 1952;

24 (2) Laundering monetary instruments; in violation of
25 Title 18, United States Code, Section 1956;

26 (3) Engaging in monetary transactions in property
27 derived from specified unlawful activity; in violation of Title 18,
28 United States Code, Section 1957;

1 (4) Obstruction of a criminal investigation; in
2 violation of Title 18, United States Code, Section 1510;

3 (5) Tampering with a witness; in violation of Title
4 18, United States Code, Section 1512;

5 (6) Wire fraud; in violation of Title 18, United
6 States Code, Section 1343;

7 (7) Transporting, transmitting, and transferring in
8 interstate and foreign commerce money of a value of \$5,000 and more,
9 knowing the same to have been stolen, converted, and taken by fraud;
10 in violation of Title 18, United States Code, Section 2314; and

11 (8) Receiving, possessing, concealing, storing, and
12 disposing of money of the value of \$5,000 and more, which money
13 crossed a state or United States boundary after being stolen,
14 unlawfully converted, and taken, knowing the same to have been stolen,
15 unlawfully converted, and taken; in violation of Title 18, United
16 States Code, Section 2315.

17 7. It was further a part of the conspiracy that each defendant
18 agreed that a conspirator would commit at least two acts of
19 racketeering activity in the conduct of the affairs of the Enterprise.

20 **D. Manner and Means of the Enterprise**

21 8. Among the manner and means by which the members and
22 associates of the Tran Organization conducted and participated in the
23 conduct of the affairs of the Enterprise were the following:

24 a. It was part of the conspiracy, that after developing
25 the card-cheating scheme, defendants TAI KHIEM TRAN, PHUONG QUOC
26 TRUONG, and VAN THU TRAN would recruit and train other individuals to
27 participate in the card-cheating scheme. The table games at which the
28

1 Tran Organization usually performed the card-cheating schemes were
2 mini-baccarat and blackjack.

3 b. It was further part of the conspiracy that the members
4 and associates of the enterprise would usually execute the card-
5 cheating scheme as follows: First, a member or members of the Tran
6 Organization would recruit and bribe a dealer from a casino to perform
7 the false shuffle, that is, to fail to shuffle or interlace cards
8 properly after they have been dealt from the shoe, and before they are
9 shuffled and returned to the shoe for the next round of hands. By
10 failing to shuffle cards, the dealer would create a "slug," or group
11 of cards in the same order that they had been dealt in the previous
12 game. This enabled the members and associates of the enterprise to
13 track the cards in the slug and predict the order in which they were
14 dealt in the next game.

15 c. It was further part of the conspiracy that the members
16 and associates of the enterprise would offer the dealer money for each
17 successful false shuffle the dealer performed. They also would train
18 the dealer to perform the false shuffle without being detected by
19 casino security. Occasionally, members of the Tran Organization would
20 also bribe casino floor supervisors and pit-bosses to assist in the
21 card-cheating scheme.

22 d. It was further part of the conspiracy that after
23 successfully bribing and training a dealer, several members of the
24 Tran Organization would go to the casino and begin to play mini-
25 baccarat or blackjack at the table where the coconspirator dealer was
26 stationed to work. One enterprise member participated in the game as
27 a player (the "card recorder"), who would record the values of at
28 least a portion of the cards dealt in the regular course of play from

1 the shoe. During mini-baccarat games, the card recorder usually would
2 record the value of the cards on a paper form the casino provided to
3 mini-baccarat players in the normal course of play. In blackjack
4 games, the card recorder would use a hidden transmitter or microphone
5 and a cellular telephone to relay the order of cards to a an
6 enterprise member or associate, who would enter the order of the cards
7 into a computer loaded with a specially designed card tracking
8 computer program.

9 e. It was further part of the conspiracy that after
10 dealing all of the cards in the shoe, the dealer would create a slug
11 of cards that a member of the Tran Organization had recorded, by the
12 dealer performing a false shuffle.

13 f. It was further part of the conspiracy that the dealer
14 would next place the complete deck of cards, including the slug, back
15 into the shoe and begin dealing the next series of hands. The card
16 recorder then would look for "indicator cards" at the start of the
17 slug. After finding the slug, the card recorder would determine the
18 subsequent order of cards to be played from the shoe. The card
19 recorder then would use mini-baccarat or blackjack rules to calculate
20 the winner of the subsequent hands. The card recorder would signal
21 to other coconspirator players at the table to dramatically increase
22 the size of their bets on the predicted winning hands. Typically, the
23 players would win several successive hands during the course of one
24 card-cheating scheme at a casino. Executing the scheme in this
25 fashion, the Tran Organization would frequently steal approximately
26 \$50,000 in approximately ten minutes of play. On at least one
27 occasion, the Tran Organization stole approximately \$868,000 in
28 approximately 1.5 hours of play by executing the card-cheating scheme.

1 g. It was further part of the conspiracy that the Tran
2 Organization would not always succeed in winning money when they
3 attempted to execute the card-cheating scheme. Mistakes in executing
4 the card-cheating scheme and mistakes made by the coconspirator dealer
5 or the card recorder would cause the Tran Organization to lose large
6 amounts of money in a short period of time. Additionally, the Tran
7 Organization sometimes lost bets intentionally to avoid suspicion.

8 h. It was further part of the conspiracy that after
9 successfully cheating a casino in a blackjack or mini-baccarat game,
10 the Tran Organization would have various members and associates cash
11 out their gambling chips, often in amounts under \$10,000 to avoid
12 federally regulated casino cash transaction reporting requirements.
13 After collecting the winnings, the enterprise members and associates
14 who participated in the game as players would typically turn over
15 their winnings to a member of the Tran Organization, who would, in
16 turn, pay the participating players a smaller amount of money for
17 participating in the scheme.

18 i. It was further part of the conspiracy that the members
19 and associates of the enterprise would bribe and attempt to bribe
20 casino and gaming establishment employees and officials to execute the
21 card-cheating scheme and take actions contrary to the interests of
22 their employers.

23 j. It was further part of the conspiracy that the
24 enterprise members and associates would travel in interstate and
25 foreign commerce to facilitate and promote the affairs of their
26 illegal gambling business and to promote and facilitate the bribery
27 of casino employees and officials.

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1 k. It was further part of the conspiracy that the
2 enterprise members and associates would use threats and bribes to
3 deter witnesses from informing casino and gaming establishment
4 officials, as well as law enforcement officials, about the activities
5 of the Enterprise and its members and associates.

6 l. It was further part of the conspiracy that the
7 enterprise members and associates would create rules and procedures
8 to be followed by all members and associates involved in the card-
9 cheating schemes of the Tran Organization, in order to maximize the
10 effectiveness of the Enterprise.

11 m. It was further part of the conspiracy that the members
12 and associates of the enterprise would train others in the card-
13 cheating schemes of the Enterprise and to follow the rules and
14 procedures the defendants developed, including, but not limited to,
15 training card dealers to perform false shuffles, training card
16 trackers to track the order of cards as they were dealt from a shoe,
17 and training players to follow cues as to when and how much to bet on
18 particular hands.

19 n. It was further part of the conspiracy that the members
20 and associates of the enterprise would scout-out casinos and gaming
21 establishments in order to determine their level of vulnerability to
22 the Tran Organizations card-cheating schemes.

23 o. It was further part of the conspiracy that the members
24 and associates of the enterprise would attempt to conceal their
25 ownership of assets by titling assets in the names of others; and

26 p. It was further part of the conspiracy that the members
27 and associates of the enterprise would use concealed electronic
28 transmitters and specially developed software to transmit and track

1 the order of cards during blackjack and mini-baccarat games, in order
2 to predict and transmit to other members and associates the order of
3 cards as they were dealt after coconspirator dealers performed false
4 shuffles.

5 **Overt Acts**

6 1. In or about March of 2002, within the Southern District of
7 California, defendants PHUONG QUOC TRUONG, VAN THU TRAN, and TAI KHIEM
8 TRAN developed a false shuffle technique designed to enable them, with
9 the assistance of corrupt casino dealers, to cheat and thereby steal
10 money from casinos.

11 **Sycuan Resort and Casino, El Cajon, California**

12 2. On or about July 19, 2002, defendant PHUONG QUOC TRUONG
13 performed a false shuffle at Sycuan Resort and Casino, located in El
14 Cajon, California (hereinafter "Sycuan Casino"), that enabled
15 coconspirators to execute the card-cheating scheme and take
16 approximately \$525 from the casino.

17 3. On or about July 22, 2002, defendant VAN THU TRAN performed
18 a false shuffle at the Sycuan Casino that enabled coconspirators to
19 execute the card-cheating scheme and take approximately \$115 from the
20 casino.

21 4. On or about July 23, 2002, defendant VAN THU TRAN performed
22 another false shuffle at the Sycuan Casino that enabled coconspirators
23 to execute the card-cheating scheme and take approximately \$300 from
24 the casino.

25 5. On or about July 23, 2002, defendant VAN THU TRAN performed
26 another false shuffle at the Sycuan Casino that enabled coconspirators
27 to execute the card-cheating scheme and take approximately \$825 from
28 the casino.

1 6. On or about July 23, 2002, defendant VAN THU TRAN performed
2 another false shuffle at the Sycuan Casino that enabled coconspirators
3 to execute the card-cheating scheme and take approximately \$800 from
4 the casino.

5 7. On or about July 23, 2002, defendant VAN THU TRAN performed
6 another false shuffle at the Sycuan Casino that enabled coconspirators
7 to execute the card-cheating scheme and take approximately \$400 from
8 the casino.

9 **Agua Caliente Casino and Spa Resort Casino**
10 **Palm Springs, California**

11 8. On or about August 12, 2002, in Rancho Mirage, California,
12 defendants TAI KHIEM TRAN and ANH PHUONG TRAN offered to bribe a card
13 dealer, whose initials are S.B., to perform false shuffles at the Agua
14 Caliente Casino and Spa Resort Casino, Palm Springs, California
15 (hereinafter "Agua Caliente Casino" or "Spa Resort Casino").

16 9. On or about August 12, 2002, at a Red Roof Inn in Thousand
17 Palms, California, in an effort to recruit card dealer S.B. to perform
18 false shuffles at Agua Caliente Casino, defendant TAI KHIEM TRAN
19 demonstrated the false shuffle for card dealer S.B. in the presence
20 of defendant AHN PHUONG TRAN.

21 10. On or about August 12, 2002, in Palm Springs, California,
22 defendants ANH PHUONG TRAN and TAI KHIEM TRAN offered to bribe a card
23 dealer, whose initials are N.S., to perform false shuffles at Spa
24 Resort Casino.

25 11. On or about August 14, 2002, in Rancho Mirage and Palm
26 Springs, California, defendants TAI KHIEM TRAN and ANH PHUONG TRAN
27 offered a bribe to a card dealer, whose initials are M.K., to perform
28 false shuffles at the Agua Caliente Casino.

1 12. On or about August 14, 2002, in Palm Springs, California,
2 defendant ANH PHUONG TRAN offered to bribe a card dealer, whose
3 initials are Y.C., to perform false shuffles at the Spa Resort Casino.

4 **Cache Creek Indian Bingo and Casino, Brooks, California**

5 13. In or about December 2002, defendants PHUONG QUOC TRUONG and
6 VAN THU TRAN offered to pay card dealers at the Cache Creek Indian
7 Bingo and Casino, Brooks California (hereinafter "Cache Creek
8 Casino"), to perform false shuffles during mini-baccarat games at
9 Cache Creek Casino.

10 14. On or about March 9, 2003, the defendants caused a card
11 dealer, whose initials are O.K., to perform a false shuffle at mini-
12 baccarat table #81, at the Cache Creek Casino, creating a slug of
13 approximately thirty cards, that enabled defendants VAN THU TRAN,
14 PHUONG QUOC TRUONG, SON HONG JOHNSON, and HAN TRUONG NGUYEN to execute
15 the card-cheating scheme and take approximately \$2,497 from the
16 casino.

17 15. On or about March 9, 2003, defendant SON HONG JOHNSON cashed
18 out gambling chips for approximately \$14,800 at the Cache Creek
19 Casino.

20 16. On or about March 9, 2003, defendant HAN TRUONG NGUYEN
21 cashed out gambling chips for approximately \$13,775 at the Cache Creek
22 Casino.

23 17. On or about March 9, 2003, defendant PHUONG QUOC TRUONG
24 cashed out gambling chips for approximately \$23,850 at the Cache Creek
25 Casino.

26 18. On or about March 10, 2003, the defendants caused a card
27 dealer, whose initials are L.K., to perform a false shuffle at mini-
28 baccarat table #50, at the Cache Creek Casino, creating a slug of

1 approximately thirty-five cards, that enabled defendants VAN THU TRAN,
2 PHUONG QUOC TRUONG, SON HONG JOHNSON, and HAN TRUONG NGUYEN to execute
3 the card-cheating scheme and take approximately \$8,271 from the
4 casino.

5 19. On or about March 10, 2003, defendant PHUONG QUOC TRUONG
6 purchased gambling chips for approximately \$28,000 at the Cache Creek
7 Casino.

8 20. On or about March 10, 2003, defendant PHUONG QUOC TRUONG
9 cashed out gambling chips for approximately \$16,320 at the Cache Creek
10 Casino.

11 21. On or about March 10, 2003, defendant SONG HONG JOHNSON
12 cashed out gambling chips for approximately \$16,525 at the Cache Creek
13 Casino.

14 22. On or about March 10, 2003, defendant HAN TRUONG NGUYEN
15 cashed out gambling chips for approximately \$13,000 at the Cache Creek
16 Casino.

17 23. On or about March 18, 2003, the defendants caused a card
18 dealer, whose initials are S.M., to perform a false shuffle at mini-
19 baccarat table #48, at the Cache Creek Casino, creating a slug of
20 approximately fifty-one cards, that enabled defendant PHUONG QUOC
21 TRUONG and at least one other unidentified coconspirator to execute
22 the card-cheating scheme and take approximately \$28,534 from the
23 casino.

24 24. On or about March 18, 2003, defendant PHUONG QUOC TRUONG
25 purchased gambling chips for approximately \$16,200 at the Cache Creek
26 Casino.

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1 25. On or about March 18, 2003, defendant PHUONG QUOC TRUONG
2 cashed out gambling chips for approximately \$18,050 at the Cache Creek
3 Casino.

4 26. On or about March 25, 2003, the defendants caused card
5 dealer S.M. to perform a false shuffle at mini-baccarat table #51, at
6 the Cache Creek Casino, creating a slug of approximately forty-six
7 cards, that enabled defendants PHUONG QUOC TRUONG, SON HONG JOHNSON,
8 and other unidentified coconspirators to execute the card-cheating
9 scheme and take approximately \$32,288 from the casino.

10 27. On or about March 25, 2003, defendant SONG HONG JOHNSON
11 cashed out gambling chips for approximately \$17,750 at the Cache Creek
12 Casino.

13 28. On or about March 25, 2003, defendant GEORGE MICHAEL LEE
14 cashed out gambling chips for approximately \$12,620 at the Cache Creek
15 Casino.

16 29. On or about March 26, 2003, defendant VAN THU TRAN flew
17 aboard a Southwest Airlines flight from Detroit, Michigan, to San
18 Diego, California.

19 30. On or about March 28, 2003, defendant VAN THU TRAN accessed
20 a safety deposit box at a Bank of America branch in San Diego,
21 California.

22 31. On or about March 29, 2003, defendant VAN THU TRAN flew
23 aboard a Southwest Airlines flight from San Diego, California, to
24 Sacramento, California.

25 32. On or about March 29, 2003, the defendants caused card
26 dealer O.K. to perform a false shuffle at mini-baccarat table #51, at
27 the Cache Creek Casino, creating a slug of approximately twenty-nine
28 cards, that enabled defendants VAN THU TRAN and HAN TRUONG NGUYEN to

1 execute the card-cheating scheme and take approximately \$9,910 from
2 the casino.

3 33. On or about March 30, 2003, the defendants caused card
4 dealer O.K., to perform a false shuffle at mini-baccarat table #81,
5 at the Cache Creek Casino, creating a slug of approximately thirty
6 cards, that enabled defendants VAN THU TRAN, HAN TRUONG NGUYEN, and
7 other unidentified coconspirators to execute the card-cheating scheme
8 and take approximately \$10,883 from the casino.

9 34. On or about March 30, 2003, the defendants caused a card
10 dealer, whose initials are N.N., to perform a false shuffle at mini-
11 baccarat table #80, at the Cache Creek Casino, creating a slug of
12 approximately twenty-seven cards, that enabled defendant VAN THU TRAN
13 and other unidentified coconspirators to execute the card-cheating
14 scheme and take approximately \$8,495 from the casino shortly after
15 midnight on March 31, 2003.

16 35. On or about March 31, 2003, the defendants caused card
17 dealer S.M. to perform a false shuffle at mini-baccarat table #80, at
18 the Cache Creek Casino, creating a slug of approximately thirty-six
19 cards, that enabled defendant VAN THU TRAN to execute the card-
20 cheating scheme and take approximately \$9,900 from the casino.

21 36. On or about March 31, 2003, the defendants caused card
22 dealer S.M. to perform another false shuffle at mini-baccarat table
23 #80, at the Cache Creek Casino, creating a slug of approximately
24 forty-seven cards, that enabled defendants VAN THU TRAN and PHUONG
25 QUOC TRUONG to execute the card-cheating scheme and take approximately
26 \$12,935 from the casino.

27 37. On March 31, 2003, the defendants caused card dealer N.N.
28 to perform a false shuffle at mini-baccarat table #48, at the Cache

1 Creek Casino, creating a slug of approximately thirty-two cards, that
2 enabled defendant VAN THU TRAN and unidentified coconspirators to
3 execute the card-cheating scheme and take approximately \$10,346 from
4 the casino.

5 38. On March 31, 2003, the defendants caused a card dealer,
6 whose initials are L.K., to perform a false shuffle at mini-baccarat
7 table #51, at the Cache Creek Casino, creating a slug of approximately
8 thirty cards, that enabled defendant VAN THU TRAN and unidentified
9 coconspirators to execute the card-cheating scheme and take
10 approximately \$6,039 from the casino.

11 39. On or about March 31, 2003, defendant GEORGE MICHAEL LEE
12 cashed out gambling chips for approximately \$18,610 at the Cache Creek
13 Casino.

14 40. On or about January 28, 2004, defendant PHUONG QUOC TRUONG
15 caused a Cache Creek card dealer, whose initials are R.T., to give
16 another Cache Creek card dealer, whose initials are M.H., a \$500 money
17 order.

18 **Casino Rama, Orillia, Ontario, Canada**

19 41. On or about October 24, 2003, at approximately 8:42 p.m.,
20 the defendants caused a card dealer, whose initials are H.N., to
21 perform a false shuffle at mini-baccarat table #206, at the Casino
22 Rama in Orillia, Ontario, Canada, (hereinafter "Casino Rama"),
23 creating a slug of thirty-three cards, that and enabled defendant TAI
24 KHIEM TRAN and a coconspirator, whose initials are K.P., to execute
25 the card-cheating scheme and take approximately \$6,500 (Canadian) from
26 the casino.

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1 42. Between in or about April and October 2003, defendant PHAT
2 NGOC TRAN took approximately \$404,900 (Canadian) from Casino Rama
3 through the execution of the card-cheating scheme.

4 43. Between in or about April and October 2003, coconspirator
5 Khai Hong Tran took approximately \$807,382 (Canadian) from Casino Rama
6 through the execution of the card-cheating scheme.

7 44. Between in or about April and October 2003, defendant TAI
8 KHIEM TRAN took approximately \$448,900 (Canadian) from Casino Rama
9 through the execution of the card-cheating scheme.

10 45. Between in or about April and October 2003, the defendants
11 caused a coconspirator, whose initials are V.T.K., to take
12 approximately \$95,100 (Canadian) from Casino Rama through the
13 execution of the card-cheating scheme.

14 46. Between in or about April and October 2003, the defendants
15 caused a coconspirator, whose initials are R.S., to take approximately
16 \$194,400 (Canadian) from Casino Rama through the execution of the
17 card-cheating scheme.

18 47. Between in or about April and October 2003, the defendants
19 caused a coconspirator, whose initials are J.M., to take approximately
20 \$159,000 (Canadian) from Casino Rama through the execution of the
21 card-cheating scheme.

22 48. Between in or about April and October 2003, the defendants
23 caused a coconspirator, whose initials are K.P., to take approximately
24 \$89,845 (Canadian) from Casino Rama through the execution of the card-
25 cheating scheme.

26 49. On or about September 3, 2003, defendant TAI KHIEM TRAN wire
27 transferred approximately \$150,000 (U.S.) from Toronto Dominion Bank,
28 Toronto, Canada, to Marco Polo Travel Tours in Houston, Texas.

1 50. On or about September 24, 2003, defendant PHAT NGOC TRAN
2 wire transferred approximately \$49,940 (U.S.) from Toronto Dominion
3 Bank, Toronto, Canada, to defendant TAI KHIEM TRAN's Washington Mutual
4 bank account in El Cajon, California.

5 51. On or about October 1, 2003, defendant TAI KHIEM TRAN wire
6 transferred approximately \$70,000 (U.S.) from Toronto Dominion Bank,
7 Toronto, Canada, to Fab Tech Inc., Houston, Texas.

8 52. On or about October 10, 2003, defendant TAI KHIEM TRAN wire
9 transferred approximately \$70,000 (U.S.) from Toronto Dominion Bank,
10 Toronto, Canada, to Fab Tech Inc., Houston, Texas.

11 53. On or about October 17, 2003, defendant PHAT NGOC TRAN wire
12 transferred approximately \$64,925 (U.S.) from Toronto Dominion Bank,
13 Toronto, Canada, to defendant TAI KHIEM TRAN's Washington Mutual bank
14 account in El Cajon, California.

15 54. On or about October 22, 2003, defendant TAI KHIEM TRAN wire
16 transferred approximately \$80,000 (U.S.) from Toronto Dominion Bank,
17 Toronto, Canada, to Fab Tech Inc., Houston, Texas.

18 55. On or about December 10, 2003, defendant PHAT NGOC TRAN wire
19 transferred approximately \$21,600 (U.S.) from Toronto Dominion Bank,
20 Toronto, Canada, to defendant TAI KHIEM TRAN's Washington Mutual bank
21 account in El Cajon, California.

22 56. On or about January 13, 2004, defendant PHAT NGOC TRAN wire
23 transferred approximately \$16,800 (U.S.) from Toronto Dominion Bank,
24 Toronto, Canada, to defendant TAI KHIEM TRAN's Washington Mutual bank
25 account in El Cajon, California.

26 **Emerald Queen Casino, Tacoma, Washington**

27 57. In or about April 2003, defendants PHUONG QUOC TRUONG and
28 VAN THU TRAN recruited two card dealers, whose initials are C.N. and

1 R.J., from the Emerald Queen Casino in Deming, Washington (hereinafter
2 "Emerald Queen Casino"), and offered to bribe them to perform false
3 shuffles.

4 58. On or about April 23, 2003, defendant VAN THU TRAN agreed
5 to bribe Emerald Queen Casino card dealer R.J., by paying R.J. \$3,000
6 to travel to San Diego, California, where defendant VAN THU TRAN would
7 show R.J. how to cheat at the game of mini-baccarat through the false
8 shuffle.

9 59. On or about April 25, 2003, defendant VAN THU TRAN purchased
10 a round trip plane ticket for card dealer R.J., to travel from
11 Washington State to San Diego, California, from April 28 through April
12 29, 2003.

13 60. On or about April 28, 2003, defendant VAN THU TRAN caused
14 card dealer R.J. to fly aboard Alaska Airlines flight 570, from
15 Seattle, Washington, to San Diego, California, for the purpose of
16 training R.J. to perform the false shuffle.

17 61. On April 28, 2003, defendants PHUONG QUOC TRUONG and VAN THU
18 TRAN picked up card dealer R.J. at the airport in San Diego,
19 California, and drove R.J. to their home at 1361 Surfwood Lane, San
20 Diego, California.

21 62. On April 28, 2003, at 1361 Surfwood Lane, San Diego,
22 California, in the presence of defendants PHUONG QUOC TRUONG and
23 GEORGE MICHAEL LEE, defendant VAN THU TRAN demonstrated for card
24 dealer R.J., the false shuffle that they wanted R.J. to perform on a
25 mini-baccarat table at the Emerald Queen Casino.

26 63. On or about April 28, 2003, at 1361 Surfwood Lane, San
27 Diego, California, defendant VAN THU TRAN bribed card dealer R.J., by
28 paying R.J. approximately \$3,000 in cash.

1 64. On or about May 1, 2003, defendant VAN THU TRAN flew from
2 San Diego, California, to Seattle, Washington, aboard Alaska Airlines
3 Flight 545, for the purpose of executing the card-cheating scheme at
4 the Emerald Queen Casino with the assistance of a card dealer R.J.,
5 and for the purpose of bribing additional card dealers to perform the
6 false shuffle.

7 65. In or about May 2003, defendants PHUONG QUOC TRUONG and VAN
8 THU TRAN caused a coconspirator, whose initials are N.N., to recruit
9 a card dealer, whose initials are C.N., to perform the false shuffle
10 during mini-baccarat games at the Emerald Queen Casino.

11 66. In or about May 2003, defendants VAN THU TRAN and PHUONG
12 QUOC TRUONG offered to bribe a card dealer C.N., by paying C.N. \$1,000
13 per day to perform two false shuffles per day at the Emerald Queen
14 Casino.

15 67. On several occasions, beginning in or about June 2003, and
16 continuing through in or about August 2003, the defendants caused card
17 dealer C.N. to perform false shuffles at mini-baccarat tables at the
18 Emerald Queen Casino, that enabled defendants PHUONG QUOC TRUONG, VAN
19 THU TRAN, SON HONG JOHNSON, HA THUY GIANG, MARTIN LEE ARONSON, HAN
20 TRUONG NGUYEN, and other coconspirators to execute the card-cheating
21 scheme and take money from the casino.

22 68. Between in or about June 2003 and in or about August 2003,
23 PHUONG QUOC TRUONG bribed card dealer C.N., by paying C.N.
24 approximately \$14,000 to perform false shuffles at the Emerald Queen
25 Casino.

26 69. On or about July 14, 2003, defendant PHUONG QUOC TRUONG
27 caused card dealer C.N. to rent a house located at 3815 S. Cushman
28 Avenue, Tacoma, Washington, that was used by defendant PHUONG QUOC

1 TRUONG and his associates in the Tran Organization as a base of
2 operations while executing the card-cheating scheme at the Emerald
3 Queen Casino.

4 70. On or about September 15, 2003, defendants PHUONG QUOC
5 TRUONG, SON HONG JOHNSON, HAN TRUONG NGUYEN, and at least one other
6 coconspirator flew from San Diego, California, to Seattle, Washington,
7 aboard an Alaska Airlines flight, for the purpose of executing the
8 card-cheating scheme at the Emerald Queen Casino.

9 71. On or about September 17, 2003, shortly after midnight,
10 defendant PHUONG QUOC TRUONG cashed out gambling chips for
11 approximately \$30,078 at the Emerald Queen Casino.

12 72. On or about September 17, 2003, defendant PHUONG QUOC TRUONG
13 purchased gambling chips for approximately \$10,000 at the Emerald
14 Queen Casino.

15 73. On or about September 17, 2003, defendant MARTIN LEE ARONSON
16 tracked the order of cards as they were dealt at mini-baccarat tables
17 #1 and #3, at the Emerald Queen Casino, in preparation for executing
18 the card-cheating scheme.

19 74. On or about September 17, 2003, the defendants caused a card
20 dealer, whose initials are P.N., to perform a false shuffle at mini-
21 baccarat table #3, at the Emerald Queen Casino, creating a slug that
22 enabled defendants PHUONG QUOC TRUONG and MARTIN LEE ARONSON to
23 execute the card-cheating scheme and take approximately \$72,000 from
24 the casino.

25 75. On or about September 17, 2003, the defendants caused a card
26 dealer, whose initials are T.S., to perform a false shuffle at mini-
27 baccarat table #1, at the Emerald Queen Casino, creating a slug that
28 enabled defendants PHUONG QUOC TRUONG and MARTIN LEE ARONSON to

1 execute the card-cheating scheme and take approximately \$37,500 from
2 the casino.

3 76. On or about September 17, 2003, defendant PHUONG QUOC TRUONG
4 cashed out gambling chips for approximately \$100,080 at the Emerald
5 Queen Casino.

6 77. In or about early October, 2003, the defendants caused two
7 card dealers, whose initials are C.N. and P.P., to fly from Seattle,
8 Washington, to San Diego, California, to meet with defendants PHUONG
9 QUOC TRUONG and VAN THU TRAN at their home at 1361 Surfwood Lane, San
10 Diego, California.

11 78. In or about early October, 2003, defendant PHUONG QUOC
12 TRUONG asked card dealers C.N. and P.P. to travel to Mississippi to
13 scout-out a casino and determine if it was vulnerable to the card-
14 cheating scheme.

15 79. On or about October 13, 2003, the defendants caused card
16 dealers C.N. and P.P., to travel from San Diego, California, to
17 Choctaw, Mississippi, where they scouted-out the Golden Moon Casino,
18 which is owned and operated by the Mississippi Band of Choctaw
19 Indians, to see if it was vulnerable to the card-cheating scheme.

20 80. On or about October 22, 2003, defendants PHUONG QUOC TRUONG,
21 SON HONG JOHNSON, MARTIN LEE ARONSON, HA THUY GIANG, HAN TRUONG
22 NGUYEN, and another coconspirator, whose initials are H.H., flew from
23 San Diego, California, to Seattle, Washington, for the purpose of
24 executing the card-cheating scheme at the Emerald Queen Casino.

25 81. From on or about October 23, 2003, at approximately 11:00
26 p.m., through on or about October 24, 2003, at approximately 2:00
27 a.m., defendant MARTIN LEE ARONSON tracked the order of cards as they
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1 were dealt at mini-baccarat tables #1 and #3, at the Emerald Queen
2 Casino, in preparation for executing the card-cheating scheme.

3 82. On or about October 24, 2003, shortly after midnight, the
4 defendants caused card dealer T.S. to perform a false shuffle at mini-
5 baccarat table #1, at the Emerald Queen Casino, that enabled
6 defendants HA THUY GIANG and MARTIN LEE ARONSON to execute the card-
7 cheating scheme and take approximately \$17,500 and \$2,650,
8 respectively, from the casino.

9 83. On or about October 24, 2003, shortly after midnight, the
10 defendants caused card dealer P.N. to perform a false shuffle at mini-
11 baccarat table #3, at the Emerald Queen Casino, creating a slug that
12 enabled defendants SON HONG JOHNSON and MARTIN LEE ARONSON to execute
13 the card-cheating scheme and take approximately \$2,000 from the
14 casino.

15 84. On or about October 24, 2003, at approximately 2:13 a.m.,
16 defendant HA THUY GIANG cashed out gambling chips for approximately
17 \$7,000 at the Emerald Queen Casino.

18 85. On or about October 24, 2003, at approximately 2:18 a.m.,
19 defendant SON HONG JOHNSON cashed out gambling chips for approximately
20 \$4,200 at the Emerald Queen Casino.

21 86. On or about October 24, 2003, at approximately 1:39 p.m.,
22 defendant HA THUY GIANG cashed out gambling chips for approximately
23 \$8,000 at the Emerald Queen Casino.

24 87. On or about October 24, 2003, at approximately 1:59 p.m.,
25 defendant SON HONG JOHNSON cashed out gambling chips for approximately
26 \$3,000 at the Emerald Queen Casino.

27 88. On or about the evening of October 24, 2003, defendant
28 MARTIN LEE ARONSON tracked the order of cards as they were dealt at

1 mini-baccarat tables #2 and #3, at the Emerald Queen Casino, in
2 preparation for executing the card-cheating scheme.

3 89. On or about October 24, 2003, the defendants caused card
4 dealer T.S. to perform a false shuffle at mini-baccarat table #3, at
5 the Emerald Queen Casino, creating a slug that enabled defendants SON
6 HONG JOHNSON and MARTIN LEE ARONSON to execute the card-cheating
7 scheme and take approximately \$19,500 from the casino.

8 90. On or about October 24, 2003, the defendants caused card
9 dealer P.N. to perform a false shuffle at mini-baccarat table #2, at
10 the Emerald Queen Casino, creating a slug that enabled defendants HA
11 THUY GIANG and MARTIN LEE ARONSON to execute the card-cheating scheme
12 and take approximately \$11,500 from the casino.

13 91. On or about October 24, 2003, defendant SON HONG JOHNSON
14 cashed out gambling chips for approximately \$17,500 at the Emerald
15 Queen Casino.

16 92. On or about October 24, 2003, defendant HA THUY GIANG cashed
17 out gambling chips for approximately \$7,550 at the Emerald Queen
18 Casino.

19 **Defendant PHUONG QUOC TRUONG's Purchase of**
20 **2005 Mercedes Benz**

21 93. On or about July 14, 2004, defendant PHUONG QUOC TRUONG
22 caused a coconspirator, whose initials are D.N., to purchase a 2005
23 Mercedes Benz with personalized California license plate "PGJOHN" for
24 \$101,530.

25 94. On or about July 7, 2005, defendant PHUONG QUOC TRUONG
26 caused coconspirator D.N. to add defendant PHUONG QUOC TRUONG to the
27 title of the 2005 Mercedes Benz.

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1 **Caesars Indiana Casino, Elizabeth, Indiana**

2 95. On or about July 26 and 27, 2004, between the hours of
3 approximately 11:00 p.m. and 12:42 a.m., the defendant's caused a card
4 dealer, whose initials are C.S., to perform a false shuffle at mini-
5 baccarat table #202, pit #8, at the Caesars Indiana Hotel and Casino,
6 in Elizabeth, Indiana (hereinafter "Caesars Indiana Casino"), creating
7 a slug that enabled a coconspirator, whose initials are H.V.T., an
8 unidentified coconspirator, and another Tran Organization associate,
9 whose initials are A.B., to execute the card-cheating scheme and take
10 approximately \$21,000 from the casino.

11 96. On or about July 27, 2004, the defendants caused Tran
12 Organization associate A.B. to cash out gambling chips for
13 approximately \$1,500 at the Caesars Indiana Casino.

14 97. On or about July 27, 2004, the defendants caused
15 coconspirator H.V.T. to cash out gambling chips for approximately
16 \$1,800 at the Caesar's Indiana Casino.

17 98. On or about July 27, 2004, the defendants caused an
18 unidentified coconspirator to cash out gambling chips for
19 approximately \$955 at the Caesars Indiana Casino.

20 99. On or about July 27, 2004, the defendants caused Tran
21 Organization associate A.B. to again cash out gambling chips for
22 approximately \$1,500 at the Caesars Indiana Casino.

23 100. On or about July 27, 2004, the defendants caused Tran
24 Organization associate A.B. to again cash out gambling chips for
25 approximately \$1,500 at the Caesars Indiana Casino.

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1 101. On or about July 27, 2004, the defendants caused Tran
2 Organization associate A.B. to again cash out gambling chips for
3 approximately \$1,500 at the Caesars Indiana Casino.

4 102. On or about July 27, 2004, the defendants caused Tran
5 Organization associate A.B. to again cash out gambling chips for
6 approximately \$1,500 at the Caesars Indiana Casino.

7 103. On or about August 2, 2004, between approximately 6:51 p.m.
8 and 6:57 p.m., coconspirator John Tran tracked the order of cards as
9 they were dealt by card dealer C.S. at mini-baccarat table #202, at
10 Caesars Indiana Casino, in preparation for executing the card-cheating
11 scheme.

12 104. On or about August 2, 2004, at approximately 7:43 p.m., the
13 defendants caused card dealer C.S. to perform a false shuffle at mini-
14 baccarat table #202, at Caesars Indiana Casino.

15 105. On or about August 2, 2004, between the approximately 7:54
16 p.m. and 8:00 p.m., coconspirator John Tran tracked the order of cards
17 as they were dealt by card dealer C.S., at mini-baccarat table #202,
18 at Caesars Indiana Casino, in preparation for executing the card-
19 cheating scheme.

20 106. On or about August 2, 2004, between approximately 9:16 p.m.
21 and 9:32 p.m., the defendants caused card dealer C.S. to perform a
22 false shuffle at mini-baccarat table #202, at Caesars Indiana Casino,
23 in an attempt to enable defendant HA THUY GIANG and coconspirators
24 Khai Hong Tran, John Tran, and H.V.T., and Tran Organization associate
25 A.B. to execute the card-cheating scheme.

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Beau Rivage Casino, Biloxi, Mississippi

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2 107. In or about September 2004, the defendants caused a
3 coconspirator, whose initials are J.O., to recruit a Beau Rivage
4 Casino, Biloxi, Mississippi (hereinafter "Beau Rivage Casino"), card
5 dealer, whose initials are S.N., to perform false shuffles.

6 108. On or about October 7, 2004, defendant PHUONG QUOC TRUONG
7 purchased gambling chips for approximately \$21,500 at the Beau Rivage
8 Casino.

9 109. On or about October 7, 2004, the defendants caused a card
10 dealer, whose initials are J.R., to perform a false shuffle at
11 blackjack table #17, pit #1, at the Beau Rivage Casino, creating a
12 slug of approximately twenty-four cards, that enabled defendants
13 PHUONG QUOC TRUONG, SON HONG JOHNSON, VAN THU TRAN, GEORGE MICHAEL
14 LEE, and two coconspirators to execute the card-cheating scheme and
15 take approximately \$16,200 from the casino.

16 110. On or about October 7, 2004, defendant PHUONG QUOC TRUONG
17 cashed out gambling chips for approximately \$35,500 at the Beau Rivage
18 Casino.

19 111. On or about February 4, 2005, the defendants caused card
20 dealer S.N. to perform a false shuffle at blackjack table #13, pit #1,
21 at the Beau Rivage Casino, creating a slug of approximately fifty-one
22 cards, that enabled defendants TIEN DUC VU, PHAT NGOC TRAN, WILLY
23 TRAN, two coconspirators, whose initials are E.I. and M.M., and at
24 least two other unidentified coconspirators, to execute the card-
25 cheating scheme and take approximately \$56,100 from the casino.

26 112. On or about February 4, 2005, defendant TIEN DUC VU cashed
27 out gambling chips for approximately \$66,000 at the Beau Rivage
28 Casino.

1 113. On or about December 17, 2005, defendant PHUONG QUOC TRUONG
2 telephoned card dealer S.N. and offered to bribe S.N. by paying S.N.
3 \$15,000 to \$20,000 to perform false shuffles at a casino in the Gulf
4 Coast, Mississippi area.

5 **Defendant VAN THU TRAN's Purchase of**
6 **Hidden Transmitter Device**

7 114. On or about October 15, 2004, defendant VAN THU TRAN wire
8 transferred approximately \$1,022.44 from San Diego, California, to
9 Toronto, Canada, to purchase a wireless transmitting device from the
10 Spy Shops of the U.S. and Canada, for the purpose of secretly
11 transmitting the order of cards dealt during card games.

12 115. On or about October 15, 2004, defendant VAN THU TRAN sent
13 a second wire transfer of approximately \$850 to the Spy Shops of the
14 U.S. and Canada.

15 **Palace Station Hotel and Casino, Las Vegas, Nevada**

16 116. On or about December 8, 2004, in preparation for executing
17 the card-cheating scheme, defendant PHAT NGOC TRAN recorded the order
18 of cards as they were dealt at mini-baccarat table #7, at the Palace
19 Station Casino.

20 117. On or about December 8, 2004, the defendants caused a
21 dealer, whose initials are T.V.N., to perform a false shuffle at mini-
22 baccarat table #7, at the Palace Station Casino, creating a slug that
23 enabled defendant PHAT NGOC TRAN and three coconspirators, whose
24 initials are H.T.V., R.M., and T.V.L., to execute the card-cheating
25 scheme and take approximately \$18,237 from the casino.

26 **Foxwoods Resort Casino, Ledyard, Connecticut**

27 118. In or about early January 2005, defendant PHAT NGOC TRAN
28 recruited a card dealer, whose initials are J.F., to perform false

1 shuffles at the Foxwoods Resort Casino in Ledyard, Connecticut
2 (hereinafter "Foxwoods Casino").

3 119. On or about the next day in early January 2005, defendant
4 PHAT NGOC TRAN met with card dealer J.F. and bribed J.F. by paying
5 J.F. \$500 in cash and telling J.F. that he wanted J.F. to work for
6 him.

7 120. On or about the next day in early January 2005, in the
8 presence of defendants WILLY TRAN and PHUONG QUOC TRUONG, and
9 coconspirator Tuan Mong Le, defendant PHAT NGOC TRAN demonstrated the
10 false shuffle to card dealer J.F. in a hotel room.

11 121. On or about the next day in early January 2005, in the
12 presence of defendants WILLY TRAN and PHUONG QUOC TRUONG, and
13 coconspirator Tuan Mong Le, defendant PHAT NGOC TRAN bribed card
14 dealer J.F., by paying him \$500 in cash in a hotel room and
15 instructing J.F. to practice the false shuffle so that defendant PHAT
16 NGOC TRAN and his associates could execute the card-cheating scheme
17 at Foxwoods Casino in the future.

18 122. On or about March 24, 2005, at approximately 9:27 p.m.,
19 defendant BARRY WELLFORD performed a false shuffle at blackjack table
20 #16, pit #20, at Foxwoods Casino, creating a slug of approximately
21 sixty-eight cards, that enabled coconspirator Duc Cong Nguyen to
22 execute the card-cheating scheme and take approximately \$91,100 from
23 the casino.

24 123. On or about March 24, 2005, coconspirator Duc Cong Nguyen
25 cashed out gambling chips for approximately \$95,600 at Foxwoods
26 Casino.

27 124. On or about March 26, 2005, at approximately 10:12 p.m., the
28 defendants caused card dealer J.F. to perform a false shuffle at

1 blackjack table #12, pit #20, at Foxwoods Casino, creating a slug of
2 approximately ninety-two cards, that enabled defendant HAN TRUONG
3 NGUYEN to execute the card-cheating scheme and take approximately
4 \$29,000 from the casino.

5 125. On or about March 26, 2005, defendant HAN TRUONG NGUYEN
6 cashed out gambling chips for approximately \$38,100 at Foxwoods
7 Casino.

8 126. On or about March 28, 2005, at approximately 9:32 p.m., the
9 defendants caused card dealer J.F. to perform a false shuffle at
10 blackjack table #6, pit #20, at Foxwoods Casino, creating a slug of
11 approximately eighty-one cards, that enabled defendant HAN TRUONG
12 NGUYEN to execute the card-cheating scheme and take approximately
13 \$68,000 from the casino.

14 127. On or about March 28, 2005, defendant HAN TRUONG NGUYEN
15 cashed out gambling chips for approximately \$78,115 at Foxwoods
16 Casino.

17 128. On or about March 31, 2005, at approximately 11:03 p.m.,
18 defendant BARRY WELLFORD performed a false shuffle at blackjack table
19 #23, pit #20, at Foxwoods Casino, creating a slug of approximately
20 seventy-six cards, that enabled defendant SON HONG JOHNSON to execute
21 the card-cheating scheme and take approximately \$40,800 from the
22 casino.

23 129. On or about March 31, 2005, defendant SON HONG JOHNSON
24 cashed out gambling chips for approximately \$48,290 at Foxwoods
25 Casino.

26 130. On or about April 4, 2005, at approximately 3:41 a.m., the
27 defendants caused card dealer J.F. to performed a false shuffle at
28 blackjack table #11, pit #20, at Foxwoods Casino, creating a slug of

1 approximately fifty-nine cards, that enabled defendant TIEN DUC VU to
2 execute the card-cheating scheme and take approximately \$21,000 from
3 the casino.

4 131. On or about April 4, 2005, defendant TIEN DUC VU cashed out
5 gambling chips for approximately \$31,000 at Foxwoods Casino.

6 132. On or about April 5, 2005, at approximately 2:54 a.m.,
7 defendant BARRY WELLFORD performed a false shuffle at blackjack table
8 #14, pit #20, at Foxwoods Casino, creating a slug of approximately one
9 hundred and three cards, that enabled defendant HAN TRUONG NGUYEN to
10 execute the card-cheating scheme and take approximately \$50,000 from
11 the casino.

12 133. On or about April 5, 2005, defendant HAN TRUONG NGUYEN
13 cashed out gambling chips for approximately \$59,200 at the Foxwoods
14 Casino.

15 134. On or about April 5, 2005, at approximately 3:50 a.m., the
16 defendants caused card dealer J.F. to perform a false shuffle at
17 blackjack table #11, pit #20, at Foxwoods Casino, creating a slug of
18 approximately eighty-nine cards, that enabled coconspirator Duc Cong
19 Nguyen to execute the card-cheating scheme and take approximately
20 \$24,500 from the casino.

21 135. On or about April 5, 2005, coconspirator Duc Cong Nguyen
22 cashed out gambling chips for approximately \$30,750 at Foxwoods
23 Casino.

24 136. On or about April 15, 2005, at approximately 3:34 a.m.,
25 defendant BARRY WELLFORD performed a false shuffle at blackjack table
26 #11, pit #20, at Foxwoods Casino, creating a slug of approximately
27 eighty-six cards, that enabled coconspirator Tuan Mong Le to execute
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1 the card-cheating scheme and take approximately \$23,000 from the
2 casino.

3 137. On or about April 15, 2005, coconspirator Tuan Mong Le
4 cashed out gambling chips for approximately \$70,150 at Foxwoods
5 Casino.

6 138. On or about April 16, 2005, at approximately 11:11 p.m., the
7 defendants caused card dealer J.F. to perform a false shuffle at
8 blackjack table #7, pit #20, at Foxwoods Casino, creating a slug of
9 approximately seventy-eight cards, that enabled coconspirator Tuan
10 Mong Le to execute the card-cheating scheme and take approximately
11 \$60,500 from the casino.

12 139. On or about April 17, 2005, at approximately 3:48 a.m.,
13 defendant BARRY WELLFORD performed a false shuffle at blackjack table
14 #23, pit #20, at Foxwoods Casino, creating a slug of approximately one
15 hundred cards, that enabled defendant TIEN DUC VU to execute the card-
16 cheating scheme and take approximately \$52,300 from the casino.

17 140. On or about April 18, 2005, at approximately 1:54 a.m.,
18 defendant BARRY WELLFORD performed a false shuffle at blackjack table
19 #19, pit #20, at Foxwoods Casino, creating a slug of approximately
20 ninety-two cards that enabled defendant SON HONG JOHNSON to execute
21 the card-cheating scheme and take approximately \$18,500 from the
22 casino.

23 141. On or about April 18, 2005, defendant SON HONG JOHNSON
24 cashed out gambling chips for approximately \$26,650 at Foxwoods
25 Casino.

26 142. On or about April 19, 2005, at approximately 12:51 a.m., the
27 defendants caused card dealer J.F., to perform a false shuffle at

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1 blackjack table #5, pit #20, at Foxwoods Casino, creating a slug of
2 approximately eighty-eight cards, that enabled defendant MARTIN LEE
3 ARONSON to execute the card-cheating scheme and take approximately
4 \$66,200 from the casino.

5 143. On or about April 19, 2005, defendant MARTIN LEE ARONSON
6 cashed out gambling chips for approximately \$72,100 at Foxwoods
7 Casino.

8 **Barona Valley Ranch Resort and Casino, Lakeside California**

9 144. On or about April 7, 2005, defendant ANH PHUONG TRUONG
10 offered to bribe a card dealer, whose initials are P.L., of the Barona
11 Valley Ranch Resort and Casino, located in Lakeside, California,
12 within the Southern District of California (hereinafter "Barona
13 Casino"), to perform false shuffles during mini-baccarat and blackjack
14 games.

15 145. In or about April 2005, in San Diego, California, defendant
16 TAI KHIEM TRAN and two coconspirators, one of whose initials are D.D.,
17 offered to bribe a Barona Casino card dealer, whose initials are M.L.,
18 by paying him \$5,000 for each false shuffle that he performed in
19 furtherance of the card-cheating scheme.

20 146. On or about April 20, 2005, defendant TAI KHIEM TRAN,
21 accompanied by coconspirator D.D., demonstrated the false shuffle for
22 card dealer M.L. at an apartment in San Diego, California.

23 147. On or about May 24, 2005, defendant TAI KHIEM TRAN bribed
24 a Barona Casino card dealer, whose initials are C.S., by paying C.S.
25 approximately \$10,000 for performing the false shuffle in furtherance
26 of the card-cheating scheme.

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1 148. On or about June 5, 2005, a coconspirator attempted to bribe
2 a floor supervisor at the Barona Casino to find a card dealer to
3 perform false shuffles.

4 149. On or about June 6, 2005, at approximately 5:22 a.m., the
5 defendants caused a card dealer, whose initials are J.R., to perform
6 a false shuffle at mini baccarat table #171, at Barona Casino,
7 creating a slug of approximately thirty-nine cards that enabled
8 defendant TAI KHIEM TRAN and two coconspirators, whose initials are
9 D.D. and J.H., to execute the card-cheating scheme and take
10 approximately \$72,300 from the casino.

11 150. On or about June 6, 2005, defendant TAI KHIEM TRAN
12 telephoned card dealer M.L. and left a message on his voice mail
13 asking if he was "ready" to perform the false shuffle at Barona
14 Casino.

15 151. On or about June 6, 2005, at approximately 6:47 p.m., the
16 defendants caused card dealer C.S. to fail to shuffle a portion of the
17 deck of cards at mini-baccarat table #162, at Barona Casino, creating
18 a slug that enabled defendant TAI KHIEM TRAN and coconspirator D.D.
19 to execute the card-cheating scheme and take approximately \$44,700
20 from the casino.

21 152. On or about June 6, 2005, at approximately 7:54 p.m.,
22 defendant TAI KHIEM TRAN cashed out gambling chips for approximately
23 \$19,100 at Barona Casino.

24 153. On or about June 6, 2005, at approximately 8:01 p.m., a
25 coconspirator, whose initials are J.H., cashed out gambling chips for
26 approximately \$9,700 at Barona Casino.

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1 A.V., to execute the card-cheating scheme and take approximately
2 \$54,000 from the casino.

3 160. On or about June 18, 2005, at approximately 7:25 a.m.,
4 defendant TAI KHIEM TRAN cashed out gambling chips for approximately
5 \$9,600 at Barona Casino.

6 161. On or about June 18, 2005, at approximately 7:39 a.m.,
7 coconspirator A.V. cashed out gambling chips for approximately \$22,915
8 at Barona Casino.

9 162. On or about June 19, 2005, in San Diego, California,
10 defendant TAI KHIEM TRAN bribed Barona Casino card dealers M.L. and
11 J.R. for performing false shuffles in furtherance of the card-cheating
12 scheme.

13 163. On or about June 22, 2005, defendant ANH PHUONG TRAN
14 telephoned Barona Casino card dealer M.L. and offered him a job and
15 money to prevent him from telling law enforcement and casino
16 authorities about the false shuffle card-cheating scheme.

17 164. On or about June 24, 2005, in the Southern District of
18 California, defendants TAI KHIEM TRAN and ANH PHUONG TRAN bribed
19 Barona Casino dealers M.L., J.R., and C.S. with approximately \$3,000
20 in an attempt to prevent them from telling law enforcement and casino
21 authorities about the false shuffle card-cheating scheme.

22 **Sycuan Resort and Casino, El Cajon, California**

23 165. On or about June 4, 2005, defendant ANH PHUONG TRAN
24 attempted to recruit a dealer from the Sycuan Resort and Casino in El
25 Cajon, California, to assist in the card-cheating scheme, telling the
26 dealer that he/she would make "one hundred thousand" dollars.

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1 174. On or about August 3, 2005, coconspirator U.S.W. cashed out
2 gambling chips for approximately \$37,200 at L'Auberge Casino.

3 175. On or about August 4, 2005, defendants GEORGE MICHAEL LEE,
4 TIEN DUC VU, and HAN TRUONG NGUYEN, and coconspirator U.S.W flew from
5 Louis Armstrong Airport, New Orleans, Louisiana, to San Diego,
6 California, aboard Southwest Airlines Flight 1352.

7 **Morongo Casino Resort and Spa, Cabazan, California**

8 176. On or about September 2005, defendants GEORGE MICHAEL LEE
9 and TIEN DUC VU attempted to recruit a dealer at Morongo Casino Resort
10 and Spa in Cabazan, California, to perform false shuffles in
11 furtherance of the card-cheating scheme.

12 **Nooksack River Casino, Deming, Washington**

13 177. On or about September 7, 2005, defendants TIEN DUC VU and
14 GEORGE MICHAEL LEE flew from San Diego, California, to Deming,
15 Washington.

16 178. In or about early September 2005, defendant GEORGE MICHAEL
17 LEE offered to bribe a card dealer, whose initials are L.M., to
18 perform false shuffles at the Nooksack River Casino in Deming,
19 Washington (hereinafter "Nooksack River Casino"), in furtherance of
20 the card cheating-scheme.

21 179. In or about early September 2005, defendants GEORGE MICHAEL
22 LEE and TIEN DUC VU offered to bribe a pit boss, whose initials are
23 J.N., to help facilitate false shuffles at the Nooksack River Casino
24 in furtherance of the card-cheating scheme.

25 180. On or about September 11, 2005, defendant TIEN DUC VU
26 purchased America West Airline tickets in the names of defendants TIEN
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1 DUC VU and GEORGE MICHAEL LEE for travel from Seattle, Washington, to
2 San Diego, California, on September 12, 2005.

3 181. On or about September 25, 2005, defendants GEORGE MICHAEL
4 LEE and TIEN DUC VU traveled from San Diego, California, to Deming,
5 Washington.

6 182. On or about October 5, 2005, defendants GEORGE MICHAEL LEE
7 and TIEN DUC VU offered to bribe a card dealer, whose initials are
8 K.M., to perform false shuffles at the Nooksack River Casino in
9 furtherance of the card-cheating scheme.

10 183. On or about October 7, 2005, defendant GEORGE MICHAEL LEE
11 purchased gambling chips for approximately \$6,200 at Nooksack River
12 Casino.

13 184. On or about October 7, 2005, defendant TIEN DUC VU purchased
14 gambling chips for approximately \$2,200 at Nooksack River Casino.

15 185. On or about October 7, 2005, the defendants caused card
16 dealer L.M. to perform a false shuffle at mini-baccarat table #4, at
17 Nooksack River Casino, creating a slug of approximately thirty-nine
18 cards, that enabled defendants GEORGE MICHAEL LEE and TIEN DUC VU, and
19 two unidentified coconspirators to execute the card-cheating scheme
20 and take approximately \$26,400 from the casino.

21 186. On or about October 7, 2005, defendant GEORGE MICHAEL LEE
22 cashed out gambling chips for approximately \$21,500 at Nooksack River
23 Casino.

24 187. On or about October 7, 2005, defendant TIEN DUC VU cashed
25 out gambling chips for approximately \$13,205 at Nooksack River Casino.

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1 188. On or about October 21, 2005, defendant GEORGE MICHAEL LEE
2 purchased gambling chips for approximately \$15,500 at Nooksack River
3 Casino.

4 189. On or about October 21, 2005, defendant TIEN DUC VU
5 purchased gambling chips for approximately \$3,000 at Nooksack River
6 Casino.

7 190. On or about October 21, 2005, the defendants caused card
8 dealer K.M. to perform a false shuffle at mini-baccarat table #4, at
9 Nooksack River Casino, creating a slug of approximately sixty cards,
10 that enabled defendants GEORGE MICHAEL LEE and TIEN DUC VU, and
11 another coconspirator, whose initials are L.P.N., to execute the card-
12 cheating scheme and take approximately \$29,860 from the casino.

13 191. On or about October 21, 2005, the defendants caused card
14 dealer K.M. to perform another false shuffle at mini-baccarat table
15 #4, at Nooksack River Casino, creating a slug of approximately fifty-
16 three cards, that enabled defendants GEORGE MICHAEL LEE and TIEN DUC
17 VU to execute the card-cheating scheme and take approximately \$14,950
18 from the casino.

19 192. On or about October 21, 2005, defendant GEORGE MICHAEL LEE
20 cashed out gambling chips for approximately \$27,000 at Nooksack River
21 Casino.

22 193. On or about October 21, 2005, defendant TIEN DUC VU cashed
23 out gambling chips for approximately \$16,000 at Nooksack River Casino.

24 194. On or about October 22, 2005, defendant GEORGE MICHAEL LEE
25 purchased gambling chips for approximately \$14,100 at Nooksack River
26 Casino.

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1 195. On or about October 22, 2005, defendant TIEN DUC VU
2 purchased gambling chips for approximately \$2,000 at Nooksack River
3 Casino.

4 196. On or about October 22, 2005, the defendants caused card
5 dealer L.M. to perform a false shuffle at mini-baccarat table #4, at
6 Nooksack River Casino, creating a slug of approximately forty-nine
7 cards, that enabled defendant GEORGE MICHAEL LEE and an unidentified
8 coconspirator to execute the card-cheating scheme and take
9 approximately \$3,075 from the casino.

10 197. On or about October 22, 2005, the defendants caused card
11 dealer L.M. to perform another false shuffle at mini-baccarat table
12 #4, at Nooksack River Casino, creating a slug of approximately fifty-
13 three cards, that enabled defendant GEORGE MICHAEL LEE and a
14 coconspirator to execute the card-cheating scheme and take
15 approximately \$15,650 from the casino.

16 198. On or about October 22, 2005, defendant GEORGE MICHAEL LEE
17 cashed out gambling chips for approximately \$17,000 at Nooksack River
18 Casino.

19 199. On or about October 22, 2005, defendant TIEN DUC VU cashed
20 out gambling chips for approximately \$10,775 at Nooksack River Casino.

21 200. On or about October 22, 2005, coconspirator L.P.N. cashed
22 out gambling chips for approximately \$10,832 at Nooksack River
23 Casino.

24 201. On or about October 27, 2005, defendants GEORGE MICHAEL LEE,
25 TIEN DUC VU, and HAN TRUONG NGUYEN flew from San Diego, California,
26 to Deming, Washington.

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1 202. On or about October 28, 2005, defendant GEORGE MICHAEL LEE
2 purchased gambling chips for approximately \$2,000 at Nooksack River
3 Casino.

4 203. On or about October 28, 2005, defendant TIEN DUC VU
5 purchased gambling chips for approximately \$1,500 at Nooksack River
6 Casino.

7 204. On or about October 28, 2005, the defendants caused card
8 dealer L.M. to perform a false shuffle at mini-baccarat table #4, at
9 Nooksack River Casino, creating a slug of approximately sixty-two
10 cards, in an attempt to enable defendants GEORGE MICHAEL LEE and TIEN
11 DUC VU to execute the card-cheating scheme.

12 **Resorts East Chicago Hotel and Casino, East Chicago, Indiana**

13 205. In or about early October 2005, defendant SON HONG JOHNSON
14 attempted to bribe a card dealer, whose initials are C.S., to perform
15 a false shuffle in furtherance of the card-cheating scheme at a mini-
16 baccarat table, at the at Resorts East Chicago Hotel and Casino in
17 East Chicago, Indiana (hereinafter "Resorts East Chicago Casino").

18 206. In or about early October 2005, after initially declining
19 SON HONG JOHNSON's offer, Resorts East Chicago Casino card dealer
20 C.S., agreed to participate in the card-cheating scheme.

21 207. On or about October 22, 2005, defendant SON HONG JOHNSON
22 purchased gambling chips for approximately \$39,000 at mini-baccarat
23 table #607 at Resorts East Chicago Casino.

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1 208. On or about October 22, 2005, the defendants caused card
2 dealer C.S. to perform a false shuffle at mini-baccarat table #607,
3 at Resorts East Chicago Casino, creating a slug that enabled
4 defendants PHUONG QUOC TRUONG, SON HONG JOHNSON, and MARTIN LEE
5 ARONSON, and a coconspirator whose initials are A.K.P., to execute the
6 card-cheating scheme and take approximately \$868,000 from the casino.

7 209. On or about October 22, 2005, at approximately 5:13 a.m.,
8 defendant SON HONG JOHNSON cashed out gambling chips for approximately
9 \$906,000 at Resorts East Chicago Casino.

10 **Isle of Capri Casino, Westlake, Louisiana**

11 210. On or about June 15, 2006, defendants PHUONG QUOC TRUONG,
12 LIEM THANH LAM, BARRY WELLFORD, and WILLY TRAN, and other
13 coconspirators drove from defendants PHUONG QUOC TRUONG's and VAN THU
14 TRAN's house at 12911 Overglen Court, Houston, Texas, to Westlake,
15 Louisiana, for the purpose of executing the card-cheating scheme.

16 211. On or about June 15, 2006, just before midnight, the
17 defendants caused a card dealer, whose initials are B.Y., to perform
18 a false shuffle at blackjack table #201, at the Isle of Capri Casino,
19 in Westlake, Louisiana, (hereinafter "Isle of Capri Casino") in
20 furtherance of the card-cheating scheme.

21 212. On or about June 15, 2006, through June 16, 2006, defendants
22 PHUONG QUOC TRUONG, LIEM THANH LAM, BARRY WELLFORD, WILLY TRAN, and
23 other coconspirators unsuccessfully attempted to execute the false
24 shuffle card-cheating scheme at blackjack table #201, at the Isle of
25 Capri Casino, causing the Tran Organization to lose approximately
26 \$50,000, including expenses.

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1 **Gold Strike Casino Resort, Tunica, Mississippi**

2 213. On June 23, 2006, defendant MARTIN LEE ARONSON flew from San
3 Diego, California, to Houston, Texas, aboard Southwest Airlines flight
4 841, for the purpose of executing the false shuffle card-cheating
5 scheme at the Gold Strike Casino Resort, in Tunica, Mississippi
6 (hereinafter "Gold Strike Casino").

7 214. On June 26, 2006, defendants PHAT NGOC TRAN, SON HONG
8 JOHNSON, and WILLY TRAN flew from San Diego, California, to Houston,
9 Texas, aboard Southwest Airlines flight 1162, for the purpose of
10 executing the false shuffle card-cheating scheme at the Gold Strike
11 Casino.

12 215. On July 4, 2006, a coconspirator, whose initials are T.T.L.,
13 flew from San Diego, California, to Houston, Texas, aboard Southwest
14 Airlines, for the purpose of executing the false shuffle card-cheating
15 scheme at the Gold Strike Casino.

16 216. On July 5, 2006, defendants LIEM THANH LAM and PHUONG QUOC
17 TRUONG flew from San Diego, California, to Houston, Texas, aboard
18 Southwest Airlines, for the purpose of executing the false shuffle
19 card-cheating scheme at the Gold Strike Casino.

20 217. On July 5, 2006, a coconspirator, whose initials are H.D.N.,
21 flew from Portland, Oregon to Houston, Texas, aboard Southwest
22 Airlines, for the purpose of executing the false shuffle card-cheating
23 scheme at the Gold Strike Casino.

24 218. On July 8, 2006, the defendants caused a card dealer, whose
25 initials are B.B., to perform a false shuffle at a blackjack table,
26 at the Gold Strike Casino, creating a slug that enabled defendants
27 PHUONG QUOC TRUONG, SON HONG JOHNSON, PHAT NGOC TRAN, BARRY WELLFORD,
28 WILLY TRAN, LIEM THANH LAM, MARTIN LEE ARONSON, and two

1 coconspirators, whose initials are T.T.L. and R.C.Q., to execute the
2 false shuffle card-cheating scheme and take money from the casino.

3 219. On or about July 8, 2006, defendant BARRY WELLFORD cashed
4 out gambling chips for approximately \$70,400 at the Gold Strike
5 Casino.

6 220. On or about July 8, 2006, defendant PHUONG QUOC TRUONG
7 instructed defendant PHAT NGOC TRAN to pay card dealer B.B.
8 approximately \$3,000 for participating in the false shuffle card-
9 cheating scheme executed at the Gold Strike Casino on or about July
10 8, 2006.

11 221. On or about July 8, 2006, defendant PHAT NGOC TRAN paid card
12 dealer B.B. approximately \$3,000 for participating in the false
13 shuffle card-cheating scheme executed at the Gold Strike Casino on or
14 about July 8, 2006.

15 **Horseshoe Casino and Hotel, Tunica, Mississippi**

16 222. On April 26, 2006, the defendants caused a card dealer,
17 whose initials are L.M., to perform a false shuffle at a blackjack
18 table, at the Horseshoe Casino and Hotel, in Tunica, Mississippi
19 (hereinafter "Horseshoe Casino"), creating a slug that enabled
20 defendants PHUONG QUOC TRUONG, LIEM THANH LAM, and MARTIN LEE ARONSON,
21 and coconspirator R.C.Q. to execute the false shuffle card-cheating
22 scheme and take money from the casino.

23 223. On or about April 26, 2006, defendant MARTIN LEE ARONSON
24 cashed out gambling chips for approximately \$80,000 at Horseshoe
25 Casino.

26 224. On July 14, 2006, defendant PHUONG QUOC TRUONG flew from San
27 Diego, California, to Houston, Texas for the purpose of executing the
28 false shuffle card-cheating scheme at the Horseshoe Casino.

1 225. On July 15, 2006, defendants MARTIN LEE ARONSON and SON HONG
2 JOHNSON flew from San Diego, California, to Houston, Texas, aboard
3 Southwest Airlines flight 1162, for the purpose of executing the false
4 shuffle card-cheating scheme at the Horseshoe Casino.

5 226. On July 16, 2006, defendant WILLY TRAN flew from San Diego,
6 California, to Houston, Texas, aboard Southwest Airlines flight 1162,
7 for the purpose of executing the false shuffle card-cheating scheme
8 at the Horseshoe Casino.

9 227. On July 18, 2006, the defendants caused card dealer L.M. to
10 perform a false shuffle at a blackjack table, at the Horseshoe Casino,
11 creating a slug that enabled defendants PHUONG QUOC TRUONG, SON HONG
12 JOHNSON, PHAT NGOC TRAN, BARRY WELLFORD, WILLY TRAN, and MARTIN LEE
13 ARONSON, and a coconspirator, whose initials are B.P.L., to execute
14 the false shuffle card-cheating scheme and take money from the casino.

15 228. On or about July 18, 2006, defendant SON HONG JOHNSON cashed
16 out gambling chips for approximately \$19,000 at Horseshoe Casino.

17 229. On or about July 19, 2006, defendant PHUONG QUOC TRUONG
18 instructed defendant PHAT NGOC TRAN to pay card dealer L.M.
19 approximately \$500 for participating in the false shuffle card-
20 cheating scheme executed at the Horseshoe Casino on or about July 18,
21 2006.

22 230. On or about July 19, 2006, defendant PHAT NGOC TRAN paid
23 card dealer L.M. approximately \$500 for participating in the false
24 shuffle card-cheating scheme executed at the Horseshoe Casino on or
25 about July 18, 2006.

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1 **Sycuan Resort and Casino, El Cajon, California**

2 231. During a telephone call on or about July 10, 2006, defendant
3 VAN THU TRAN warned defendant PHUONG QUOC TRUONG to be careful because
4 Sycuan Resort and Casino had recently installed "zooming devices"
5 (surveillance cameras with zoom-lenses).

6 232. On or about July 10, 2006, defendant PHUONG QUOC TRUONG flew
7 from Houston, Texas, to San Diego, California, aboard Continental
8 Airlines, for the purpose of bribing two card dealers, whose initials
9 are B.A. and J.N., to perform false shuffles for the card-cheating
10 scheme at the Sycuan Casino.

11 233. On or about July 10, 2006, defendant SON HONG JOHNSON flew
12 from Houston, Texas, to San Diego, California, aboard Southwest
13 Airlines, to execute the card-cheating scheme at the Sycuan Casino.

14 234. On or about July 10, 2006, in San Diego, California,
15 defendants PHUONG QUOC TRUONG and MARTIN LEE ARONSON met with Sycuan
16 Casino dealers B.A. and J.N., and with other coconspirators, to
17 promote and plan the false shuffle card-cheating scheme at Sycuan
18 Casino.

19 235. On or about July 12, 2006, in San Diego, California,
20 defendant MARTIN LEE ARONSON trained Sycuan Casino dealers B.A. and
21 J.N. to perform the false shuffle and instructed them to practice on
22 their own.

23 236. On or about July 14, 2006, in San Diego, California, at the
24 direction of defendant PHUONG QUOC TRUONG, defendant MARTIN LEE
25 ARONSON met with card dealer B.A. and other coconspirators to promote
26 and plan the false shuffle scheme at Sycuan Casino.

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1 237. On or about July 14, 2006, defendant PHUONG QUOC TRUONG flew
2 from San Diego, California, to Houston, Texas, to obtain cash to be
3 used in the card-cheating scheme.

4 238. On or about July 24, 2006, defendants PHAT NGOC TRAN, LIEM
5 THANH LAM, WILLY TRAN, BARRY WELLFORD, and three coconspirators whose
6 initials are M.H., B.M., and T.T.L., occupied all of the seats at
7 blackjack table #13, at Sycuan Casino, where card dealer B.A. was
8 dealing, to facilitate the execution of the false shuffle card-
9 cheating scheme.

10 239. On or about July 24, 2006, using a hidden microphone and a
11 cellular telephone, defendant WILLY TRAN recorded and transmitted the
12 order of cards as they were dealt at blackjack table #13, at Sycuan
13 Casino, by card dealer B.A., in order to facilitate the card-cheating
14 scheme.

15 240. On or about July 25, 2006, shortly after midnight, defendant
16 SON HONG JOHNSON told defendant PHUONG QUOC TRUONG, during a telephone
17 call, that their efforts to cheat did not succeed because their phones
18 did not work and that they had been unable to track the order of
19 cards.

20 241. On or about August 1, 2006, a co-conspirator, whose
21 initials are H.G.V., joined blackjack table #14, at Sycuan Casino,
22 where card dealer B.A. was dealing, and purchased \$3,000 of gambling
23 chips for the purpose of executing the false shuffle card-cheating
24 scheme.

25 242. On or about August 1, 2006, defendant WILLY TRAN used a
26 hidden microphone and a cellular telephone to transmit the order of
27 cards as they were dealt at blackjack table #14, at Sycuan Casino, by
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1 card dealer B.A, in order to facilitate the false shuffle card-
2 cheating scheme.

3 243. On or about August 1, 2006, the defendants caused card
4 dealer B.A. to perform a false shuffle at blackjack table #14, at the
5 Sycuan Casino, creating a slug of approximately 96 cards, that enabled
6 defendant WILLY TRAN, coconspirator H.G.V., and other coconspirators
7 to execute the card-cheating scheme and take approximately \$22,600
8 from the casino.

9 244. On or about August 1, 2006, shortly after the slug came into
10 play, coconspirator H.G.V. purchased another \$3,000 of gambling chips
11 at blackjack table #14, at Sycuan Casino.

12 245. On or about August 1, 2006, coconspirator H.G.V. cashed out
13 gambling chips for approximately \$25,150 at the Sycuan Casino.

14 **Imperial Palace Casino, Biloxi, Mississippi**

15 246. On or about June 6, 2006, defendants PHUONG QUOC TRUONG,
16 LIEM THANH LAM, VAN THU TRAN, WILLY TRAN, and another coconspirator,
17 whose initials are T.T.L., flew aboard Southwest Airlines Flight #841
18 from San Diego, California, to Houston, Texas.

19 247. On or about June 8, 2006, defendants PHUONG QUOC TRUONG, and
20 LIEM THANH LAM traveled from Houston, Texas, to Biloxi, Mississippi,
21 with the intent to bribe an undercover agent (hereinafter "UC-1"),
22 whom they believed to be a supervisor from the Imperial Palace Casino
23 in Biloxi, Mississippi (hereinafter "Imperial Palace Casino"), to
24 facilitate the false shuffle card-cheating scheme.

25 248. On or about June 8, 2006, at the Imperial Palace Casino,
26 defendant PHUONG QUOC TRUONG met with UC-1, who was posing as a floor
27 supervisor at the casino, and attempted to bribe UC-1 by giving him
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1 \$500 and offering to bribe UC-1 in the future, if he would help
2 defendant PHUONG QUOC TRUONG execute the false shuffle card-cheating
3 scheme.

4 249. On August 7, 2006, defendants MARTIN LEE ARONSON and BARRY
5 WELLFORD flew aboard Southwest Airlines Flights #1653 and #1169 from
6 Las Vegas, Nevada, to Houston, Texas, to facilitate the false shuffle
7 card-cheating scheme.

8 250. On or about August 15, 2006, defendant PHUONG QUOC TRUONG
9 drove from his home in Houston, Texas, to Biloxi, Mississippi, with
10 the intent to bribe another undercover agent (hereinafter "UC-2"),
11 whom defendant PHUONG QUOC TRUONG believed to be a card dealer at the
12 Imperial Palace Casino, to perform false shuffles for the card-
13 cheating scheme.

14 251. On or about August 15, 2006, in a hotel room at the Imperial
15 Palace Casino, defendant PHUONG QUOC TRUONG offered to bribe UC-2 with
16 at least \$3,000, to perform false shuffles for the card-cheating
17 scheme.

18 252. On or about August 15, 2006, in a hotel room at the Imperial
19 Palace Casino, defendant PHUONG QUOC TRUONG arranged for defendant
20 MARTIN LEE ARONSON to train UC-2 to perform false shuffles for the
21 card-cheating scheme.

22 253. On or about August 16, 2006, in a hotel room at the
23 Imperial Palace Casino, defendant MARTIN LEE ARONSON trained UC-2 to
24 perform false shuffles for the card-cheating scheme.

25 All in violation of Title 18, United States Code, Section
26 1962(d).

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1 artifice to defraud to affect a financial institution; in violation
2 of Title 18, United States Code, Section 1343;

3 c. to use bribery to obstruct, delay, and prevent the
4 communication of information relating to a violation of any criminal
5 statute of the United States by any person to a criminal investigator;
6 in violation of Title 18, United States Code, Section 1510;

7 d. to use intimidation, threaten, and corruptly persuade
8 another person, and attempt to do so, with intent to hinder, delay,
9 and prevent the communication to a law enforcement officer and judge
10 of the United States of information relating to the commission and
11 possible commission of a federal offense; in violation of Title 18,
12 United States Code, Section 1512;

13 e. to travel and cause travel in interstate and foreign
14 commerce, and use a facility in interstate and foreign commerce, with
15 intent to promote, manage, establish, carry on, and facilitate the
16 promotion, management, establishment, and carrying on, of unlawful
17 activity, to wit: a business enterprise involving gambling, and
18 bribery; in violation of the law of the States of California,
19 Connecticut, Indiana, Mississippi, Nevada, Louisiana, and Washington,
20 and thereafter perform and attempt to perform said unlawful activity,
21 in violation of Title 18, United States Code, Section 1952;

22 f. to transport, transmit, and transfer in interstate and
23 foreign commerce goods, wares, merchandise, securities, and money of
24 the value of \$5,000 and more, knowing the same to have been stolen,
25 converted, and taken by fraud; in violation of Title 18, United States
26 Code, Section 2314; and

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1 LEE, TIEN DUC VU, SON HONG JOHNSON, BARRY WELLFORD, WILLY TRAN, aka
2 "Duy," HAN TRUONG NGUYEN, and HA THUY GIANG, aka Thuy Ha Giang:

3 a. have acquired and maintained interests in violation of
4 Title 18, United States Code, Section 1962, which interests are
5 subject to forfeiture to the United States pursuant to Title 18,
6 United States Code, Section 1963(a)(1);

7 b. have an interest in, security of, claims against, and
8 property and contractual rights which afford a source of influence
9 over, the Enterprise named and described herein which the defendants
10 established, operated, controlled, conducted, and participated in the
11 conduct of, in violation of Title 18, United States Code, Section
12 1962, which interests, securities, claims, and rights are subject to
13 forfeiture to the United States pursuant to Title 18, United States
14 Code, Section 1963 (a)(2); and

15 c. have property constituting and derived from proceeds
16 obtained, directly and indirectly, from racketeering activity, in
17 violation of Title 18, United States Code, Section 1962, which
18 property is subject to forfeiture to the United States pursuant to
19 Title 18, United States Code, Section 1963(a)(3).

20 3. The interests of the defendants subject to forfeiture to the
21 United States pursuant to Title 18, United States Code, Sections
22 1963(a)(1), (a)(2), and (a)(3), include, but are not limited to:

23 a. At least \$3,351,781.

24 b. 1361 Surfwood Lane, San Diego, California, owned and
25 used by defendants PHUONG QUOC TRUONG and VAN THU
26 TRAN.

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- c. Washington Mutual Bank account number 861-392187-9, owned by defendant TAI KHIEM TRAN.
- d. Washington Mutual Bank account number 095363582-1, in the name of Howard A. Johnson.
- e. Bank of America account number 01664-02168, owned and used by defendant VAN THU TRAN.
- f. Bank of America account number 09177-02418, owned and used by defendant VAN THU TRAN.
- g. 2004 Honda Accord, VIN JHMCM56704C012025, registered to defendant HA THUY GIANG.
- h. 2003 Cadillac Escalade, VIN 1GYEK63N43R155400, registered to defendant GEORGE MICHAEL LEE.
- i. 2001 Porsche 911 Carrera, VIN WP0AB29941S685265, registered to defendant PHUONG QUOC TRUONG.
- j. 2006 Honda Accord, VIN 1HGCM82646A003439, in the name of Howard A. Johnson.
- k. 2006 Toyota Camry, VIN JTDBA32K960026563, registered to defendant HA THUY GIANG.
- l. 2007 Toyota Tacoma Truck, VIN 5TEJU62N67Z361649, registered to defendant VAN THU TRAN.
- m. 2007 Toyota Tacoma Truck, VIN 5TEJU62N97Z342528, registered to defendant PHUONG QUOC TRUONG.
- n. 2002 Dodge Ram Van, VIN 2B6HB11Y22K135915, registered to defendant PHUONG QUOC TRUONG.
- o. Rolex Presidential watch, owned by defendant PHUONG QUOC TRUONG.

1 TUAN MONG LE, DUC CONG NGUYEN, HAN TRUONG NGUYEN, and HA THUY GIANG,
2 aka Thuy Ha Giang, who are convicted of one or more of the offenses
3 set forth in Count Four shall forfeit to the United States the
4 following property: (a) all right, title, and interest in any and all
5 property involved in each offense in violation of Title 18, United
6 States Code, Sections 1956 and 1957, or conspiracy to commit such
7 offense, for which the defendant is convicted, and all property
8 traceable to such property, including the following: (1) all money
9 or other property that was the subject of each transaction,
10 transportation, transmission, or transfer in violation of Sections
11 1956 and 1957; (2) all commissions, fees, and other property
12 constituting proceeds obtained as a result of those violations; and
13 (3) all property used in any manner or part to commit or to facilitate
14 the commission of those violations; and (b) A sum of money equal to
15 the total amount of money involved in each offense, or conspiracy to
16 commit such offense, for which the defendant is convicted; including,
17 but not limited to the following:

- 18 a. At least \$3,351,781.
- 19 b. 1361 Surfwood Lane, San Diego, California, owned and
20 used by defendants PHUONG QUOC TRUONG and VAN THU
21 TRAN.
- 22 c. 10503 Laurel Path, Escondido, California, owned and
23 used by defendants PHUONG QUOC TRUONG and VAN THU
24 TRAN.
- 25 d. 10021 Resmar Court, La Mesa, California, owned by
26 defendant TAI KHIEM TRAN.
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- e. Washington Mutual Bank account number 861-392187-9, owned by defendant TAI KHIEM TRAN.
- f. Washington Mutual Bank account number 095363582-1, in the name of Howard A. Johnson.
- g. Bank of America account number 01664-02168, owned and used by defendant VAN THU TRAN.
- h. Bank of America account number 09177-02418, owned and used by defendant VAN THU TRAN.
- i. 2004 Honda Accord, VIN JHMCM56704C012025, registered to defendant HA THUY GIANG.
- j. 2003 Cadillac Escalade, VIN 1GYEK63N43R155400, registered to defendant GEORGE MICHAEL LEE.
- k. 2001 Porsche 911 Carrera, VIN WP0AB29941S685265, registered to defendant PHUONG QUOC TRUONG.
- l. 2006 Honda Accord, VIN 1HGCM82646A003439, in the name of Howard A. Johnson.
- m. 2006 Toyota Camry, VIN JTDBA32K960026563, registered to defendant HA THUY GIANG.
- n. 2007 Toyota Tacoma Truck, VIN 5TEJU62N67Z361649, registered to defendant VAN THU TRAN.
- o. 2007 Toyota Tacoma Truck, VIN 5TEJU62N97Z342528, registered to defendant PHUONG QUOC TRUONG.
- p. 2002 Dodge Ram Van, VIN 2B6HB11Y22K135915, registered to defendant PHUONG QUOC TRUONG.
- q. Rolex Presidential watch, owned by defendant PHUONG QUOC TRUONG.

1 3. If by any act or omission of the defendants, any of the
2 property described above:

- 3 a. cannot be located upon the exercise of due diligence;
- 4 b. has been transferred or sold to, or deposited with, a
5 third party;
- 6 c. has been placed beyond the jurisdiction of the Court;
- 7 d. has been substantially diminished in value; or
- 8 e. has been commingled with other property which cannot
9 be divided without difficulty;

10 the United States of America shall be entitled to forfeiture of
11 substitute property under the provisions of Title 21, United States
12 Code, Section 853(p), as incorporated by Title 28, United States Code,
13 Section 2461(c).

14 4. If more than one defendant is convicted of an offense, the
15 defendants so convicted are jointly and severally liable for the
16 amount involved in such offense.

17 5. Pursuant to Title 21, United States Code, Section 853(p),
18 as incorporated by Title 18, United States Code, Section 982(b), each
19 defendant shall forfeit substitute property, up to the value of the
20 amount described above in the Forfeiture Allegation, if, by any act
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1 or omission of the defendant, the property described above in this
2 Forfeiture Allegation, or any portion thereof, cannot be located upon
3 the exercise of due diligence; has been transferred, sold to or
4 deposited with a third party; has been placed beyond the jurisdiction
5 of the court; has been substantially diminished in value; or has been
6 commingled with other property which cannot be divided without
7 difficulty.

8 All pursuant to Title 18, United States Code, Section 982(a)(1)
9 and Fed. R. Crim. P. 32.2(a).

10 DATED: May 22, 2007.

11 A TRUE BILL:

12
13 Ellen M. Bach
14 FOREPERSON

15 KAREN P. HEWITT
16 United States Attorney

17 BRUCE G. OHR
18 Chief, Organized Crime
19 and Racketeering Section
20 Department of Justice

21 Gavin A. Corn
22 GAVIN A. CORN
23 Trial Attorney, Department of Justice

24 Robert S. Tully for
25 JOSEPH K. WHEATLEY
26 Trial Attorney, Department of Justice

27 Robert S. Tully
28 ROBERT S. TULLY
Trial Attorney, Department of Justice