

## AFFIDAVIT

Brian C. Max, being duly sworn, deposes and states:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Detroit Division. My duties include investigating violations of Federal law. I have been employed by the FBI since May of 2002. I am currently assigned to work organized crime investigations.
  
2. The statements contained in this affidavit are based in part on information provided by other FBI Special Agents, witnesses, and my observation, experience and background. I have not included all facts known to myself and other agents/officers, only those I believe are necessary to establish probable cause that evidence, fruits and instrumentalities of the crimes listed below are currently within the following locations:
  - a. **Seven commercial establishments:**
    - i. Goodfellas Wear, 18334 W. Warren, Detroit;
    - ii. Boom Boom Wear, 20105 / 20107 West Seven Mile Road, Detroit;
    - iii. Da Hook Up, 19316 Joy Road;
    - iv. Hot Wear, also known as Abe's Wear, 2851 East Seven Mile Road, Detroit;
    - v. Fresh Gear Clothing, Suite A, 3724 West Davison Ave, Detroit;
    - vi. Kings and Queens, 8140 Grand River, Detroit;
    - vii. a commercial building used as a warehouse at 24340 Michigan Avenue, Dearborn;
  
  - b. And the **residence of Nithal Aoun and Mohamad Aoun** at 4831 Helen, Dearborn.
  
3. As set out below, I believe searches of these eight properties will yield evidence, fruits and instrumentalities of these federal crimes;
  - a. 18 U.S.C. § 371, Conspiracy to Commit Federal Crimes;
  - b. 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
  - c. 18 U.S.C. § 1341, Mail Fraud;
  - d. 18 U.S.C. § 1343, Wire Fraud; and
  - e. 18 U.S.C. §§ 1956(a)(1) and (a)(2), Laundering Monetary Instruments.
  
4. In addition, it is probably that the search of the **residence of Nithal Aoun and Mohamad Aoun at 4831 Helen, Dearborn**, will also yield evidence and instrumentalities of the crime of 21 U.S.C. § 841, (a)(1), Possession and Distribution of Controlled Substances.

## SUBJECTS OF THE INVESTIGATION

5. My investigation has shown that the following individuals are part of the ongoing conspiracy to traffic in counterfeit goods:
- a. **Wissam Aoun** (a.k.a. “Sam”) is the leader of the organization and the brother of Nithal Aoun and Mohamad Aoun. He owns **Goodfellas, 18334 W. Warren, Detroit**, a large clothing store that is involved in the counterfeit goods scheme. Wissam Aoun currently resides at 1201 Marie Street, Dearborn Heights.
  - b. **Nithal Aoun** (a.k.a. “Nino”, a.k.a. Nidal Aoun) is the owner of the retail stores that sell the counterfeit goods. He does not handle the day-to-day operations of the stores, but he makes sure the stores are supplied with merchandise and fully staffed. He currently resides at **4831 Helen Street, Dearborn**. Nithal Aoun was arrested on October 27, 2007, and charged with Counterfeiting by the Wayne County Sheriff’s Office; this charge was eventually dismissed.
  - c. **Mohamad Aoun** (a.k.a. Hammoudi) runs the day-to-day operations of the stores that sell counterfeit goods, and he also lives at 4831 Helen Street, Dearborn. He was arrested on March 7, 2007 and charged with Possession of Counterfeit Goods, and charged again on December 12, 2007 with Theft by Receiving Stolen Property. Both charges were plea-bargained down to the Misdemeanor plea of Theft by Receiving Stolen Property.
  - d. **Ali Aoun** is the father of Wissam, Nithal and Mohamad Aoun. He is responsible for transferring and laundering the money generated by the organization. Ali Aoun currently resides at 1201 Marie Street, Dearborn Heights.
  - e. **Hassan Aoun** is an employee of the stores that sell the counterfeit goods. He is the brother of Ali Aoun, and he currently resides at 4816 Helen Street, Dearborn.
  - f. **Carlos Evans** acts as the enforcer/security guard for the Aoun criminal organization. He uses **Kings and Queens, 8140 Grand River**, Detroit, as a retail outlet to sell counterfeit clothing.
  - g. **Ghassan Aoun** is a relative of Wissam Aoun, who helps him distribute counterfeit clothing.
  - h. **John Fitzgerald Taylor** is an employee of the Aoun organization who has numerous duties, including driver, store manager and acting as a front man for lease agreements and utility accounts.
  - i. **Guadalupe Pizana** is a sworn officer for the City of Detroit Police Department who is believed to be supplying illegal narcotics to the Aoun criminal organization.

## BACKGROUND OF THE INVESTIGATION

6. This is an investigation of a group of individuals, many of whom are members of the Aoun family, who are part of a multi-million dollar conspiracy to traffic in goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes. The merchandise is ordered from manufacturers in China, shipped through New York, and sold in the metropolitan Detroit area through retail stores (including the commercial locations listed above) owned by the Aouns and their co-conspirators .

### 2007

7. In 2007, FBI in Toledo, Ohio identified two individuals, Sami Aoun and Mohamed Fayad, as trafficking in counterfeit goods. In December of 2007, Mohamed Fayad was interviewed by FBI agents in Toledo, Ohio. Fayad admitted to buying and selling counterfeit apparel, such as shoes and clothing, and said he purchased some counterfeit items from a store owned by Nithal Aoun, called Da Hook Up, in Detroit. Fayad said he purchased the products from an employee named "Mohamad". Investigators believe the employee was in fact Mohamad Aoun.
8. In 2007, the New York FBI was investigating an individual identified here as CHS-5 for narcotics violations and distribution of counterfeit apparel. CHS-5 began providing information to law enforcement pursuant to a cooperation agreement after his arrest in August 2007, and independent has corroborated and confirmed that the information is reliable and credible.
9. CHS-5 identified Wissam Aoun, Nithal Aoun and Ali Aoun as his former customers who had bought large amounts of counterfeit goods to sell through a retail store they owned called Goodfellas Wear. CHS-5 further stated that from 2004 through mid-December 2006, the Aoun family would purchase \$30,000 to \$40,000 worth of merchandise each time they came to CHS-5's business. The Aouns would send their own truck, driven by a Hispanic male, to pick up the merchandise.
10. Bank information pursuant to grand jury subpoenas shows that Goodfellas Wear LLC had a Chase Bank account used by Ali Aoun and Wissam Aoun. Between December 2004, and August 2006, this bank account paid the business run by CHS-5 over \$300,000 in checks signed by Wissam Aoun.
11. Based on the above information, I began investigating the Aoun organization's criminal activities in the Detroit area in 2007. A search of State of Michigan and local public records identified sixteen businesses owned and/or operated by the Aoun organization, all in the Detroit metropolitan area. The registered agents of the businesses are all members of the Aoun family.
12. I met with State of Michigan law enforcement officers and prosecutors and identified six local enforcement actions that involved members of the Aoun family and counterfeit goods, as follows:

- a. On January 17, 2007, Detroit Police raided a store called Off Da Hook located at 19334 West Seven Mile Road, Detroit. The store was operated by Ibrahim Aoun, who is the brother-in law of Wissam Aoun. During the raid, police seized approximately 3,000 pairs of counterfeit Nike shoes. Ibrahim Aoun was arrested and subsequently pleaded guilty to the felony of Willful Possession with the Intent to Distribute Counterfeit Goods, in violation of MCL 750.263 (which is the Michigan equivalent to the federal crime of Trafficking in Counterfeit Goods, 18 U.S.C. § 2320, the activity that led to this federal investigation). Aoun was sentenced in state court to probation.
- b. On March 5, 2007, Detroit Police raided a store called Da Jump Off located at 12555 Grand River Avenue, Suite 550, Detroit, a business owned by Nithal Aoun. Pursuant to the search, police seized approximately 3,800 pairs of counterfeit Nike shoes. Two employees were arrested at the scene.
- c. On March 7, 2007, a Detroit Police officer seized 13 pairs of counterfeit Nike shoes from **Da Hook Up, 19316 Joy Road, Detroit**. Mohamad Aoun was arrested, but the charges were later dropped as a part of a plea bargain.
- d. On November 2, 2007, the Detroit Police served a civil seizure order on **Da Hook Up, 19316 Joy Road, Detroit**. Approximately 1,000 pairs of counterfeit Nike shoes were seized. No arrests were made.
- e. On December 12, 2007, the Wayne County Sheriff's Office executed searches at three properties owned by the Aoun family. The searches were the culmination of an investigation into counterfeit goods and stolen property. **Da Hook Up, 19316 Joy Road, Detroit**, was searched, and deputies seized 1,700 pairs of suspected counterfeit Nike shoes. Mohamad Aoun and his brother-in-law Ibrahim Aoun were arrested. The case against Ibrahim Aoun was dropped, and Mohamad Aoun pleaded guilty to misdemeanor Theft by Receiving Stolen Property.

## 2008

13. On January 22, 2008, troopers from the Michigan State Police (MSP) executed a search warrant at **Boom Boom Wear, 20107 West Seven Mile Road, Detroit**. The business is owned by Nithal Aoun. During the search, troopers seized approximately 1,500 items of counterfeit goods, including Nike shoes, Gucci apparel, Louis Vuitton bags and National Football League shirts. Two employees were arrested.
14. On January 13, **2009**, the Michigan States Police executed a search warrant at Da Jump Off, 12555 Grand River Avenue, Suite 550, Detroit, owned by Nithal Aoun. I participated in the search. Approximately 2,400 pairs of counterfeit Nike shoes were seized, along with counterfeit Timberland boots, Prada sunglasses and other items. Present at the search were Hassan Aoun and Cynthia Gomez, who identified themselves as employees. Hassan Aoun said his nephew named "Nino" pays him. Dozens of boxes of counterfeit items were seized from Da Jump Off during the search, some of which still had shipping labels from UPS on them

indicating that the counterfeit items had been shipped from Get Right Sportswear, 1133 Broadway, Suite 1010, New York, New York. The boxes were addressed to Da Jump Off, Suite 550, 12555 W. Grand River, Detroit, and **Abe's Wear, 2851 East Seven Mile Road, Detroit**. The building at 1133 Broadway, New York, New York, is a warehouse that is known to law enforcement in New York to be used by individuals involved in the counterfeit goods business.

15. According to public records and banking records I have obtained during this investigation, Get Right Sportswear is owned by Ali Hassoun. Sami Hassoun is the father of Ali Hassoun. In 2007, the Drug Enforcement Administration (DEA) seized approximately \$200,000 in cash seized by the Drug Enforcement Administration from Sami Hassoun in Dearborn. The money was eventually returned. Sami Hassoun submitted an affidavit in the forfeiture case that stated that the money was paid to him by Nithal Aoun for clothing he had previously shipped to him.
16. In January of 2008, the FBI in Toledo, Ohio interviewed Sami Aoun. He admitted he had purchased counterfeit Nike shoes and Louis Vuitton sandals from Mohamad Aoun at a store in Detroit called **Da Hook Up**. Sami Aoun said that Mohamad Aoun's brothers, Nithal Aoun and Wissam Aoun, were also in the clothing business.

## 2009

17. Beginning in March of 2009, I began operating a Confidential Human Source (CHS-1), who made purchases of counterfeit goods from the Aoun organization at my direction. CHS-1 has been a paid FBI source for over 5 years. CHS-1 has been shown to be reliable and credible; information provided by CHS-1 has been corroborated through independent investigation and by consensually monitored conversations, and has led to the convictions of approximately 20 individuals in Federal Court.
18. Between March 5, 2009, and November 10, 2009, CHS-1 conducted over fifteen consensually recorded meetings with employees of **Da Hook Up, 19316 Joy Road, Detroit**, which is owned by Nithal Aoun and managed by his brother Mohamad Aoun. During at least ten of these meetings, CHS-1 purchased brand name apparel that was later verified by the victim companies as counterfeit, including Coach purses, Louis Vuitton purses, Diesel jeans, Gucci shoes, Timberland shoes, Lacoste shirts and shoes, and Sean John shirts.
19. During these purchases, CHS-1 primarily dealt with Mohamad Aoun. During a meeting on April 9, 2009, Mohamad Aoun told CHS-1 that his "brother" was in the back room of the store delivering new products. Based upon the facts learned during this investigation, I believe that Mohamad Aoun's reference to his "brother" was in fact to Nithal Aoun. I have reviewed translations of the recordings made by CHS-1, which are primarily in Arabic, and identified conversations in which Aoun and other employees admitted they knew the items they were selling were counterfeit. Mohamad Aoun generally does not ring up the purchases made by CHS-1, and he never provided a receipt for those purchases.
20. On July 17, 2009, CHS-1 went to **Da Hook Up, 19316 Joy Road, Detroit**, and made a controlled purchase of \$2,000 worth of counterfeit apparel. CHS-1 paid Hassan Aoun, who put

the money in his pocket and did not ring it up at a cash register nor provide a receipt. The items CHS-1 purchased were put into three boxes and one bag; a fragment of a UPS shipping label on one of the boxes read: From: "Get Right Sportswear, 1133 Broadway, Suite, New York, NY 10001" and To: "Da Jump, Suite #55, 12555 W, Detroi" [sic].

**Title III Interceptions Establish:  
The Conspirators Are Engaged in Trafficking in Counterfeit Goods**

21. On September 23, 2009, the Honorable Bernard Freidman, United States District Judge, signed a Title III order authorizing interception of conversations occurring on the telephone of Nithal Aoun. An extension of the Title III interception was obtained on November 13, 2009. Title III interceptions concluded on December 12, 2009. During the Title III interceptions several calls were monitored in which members of the Aoun organization were discussing criminal activity. The following are summaries of some of these calls.
- a. On October 1, 2009, at approximately 7:30 p.m., Nithal Aoun received a call from the National Alarm Company, which monitors the burglar alarms at some of the businesses operated by the Aoun organization. During the call, Nithal Aoun told the operator that he owns **five businesses** in Detroit, and mentioned some of the names of the businesses: Check Me Out, Da Jump Off, **Boom Boom Wear** and **Da Hook Up**. Nithal Aoun told the operator that although the stores are in "bad areas", they make good money so he is reluctant to move them.
  - b. On Friday, October 2, 2009, Nithal Aoun spoke with Wissam Aoun. The two men discussed purchasing counterfeit goods from a family in New York. Nithal Aoun said he was the "king of Broadway." Broadway is a street in New York City where FBI has determined that several counterfeit goods suppliers have warehouses.
  - c. On Tuesday, October 6, 2009, Nithal Aoun called Wissam Aoun and they discussed how they would pay for shipments of counterfeit clothing they planned to purchase.
  - d. On Thursday, October 8, 2009, Nithal Aoun called Wissam Aoun to discuss obtaining a loan on Nithal Aoun's Bentley automobile, valued at \$140,000, to purchase more counterfeit merchandise.
  - e. On Friday, October 9, 2009, Nithal Aoun received a call from Wissam Aoun. They discussed means of paying for counterfeit merchandise, and the possibility of opening a new store with Ghassan Aoun.
  - f. On Wednesday, November 25, 2009, Nithal Aoun spoke with Wissam Aoun and discussed receiving money for the counterfeit goods they sold to a third party.
  - g. On Thursday, November 26, 2009, Nithal Aoun and Wissam Aoun discussed buying out one of their partners in the counterfeit business for \$30,000.

- h. On Saturday, December 5, 2009, Nithal Aoun and Wissam Aoun discussed purchasing counterfeit clothing.

### **Money Laundering**

22. Trafficking in counterfeit goods generates large amounts of cash. The criminals involved in this activity create ways to launder their profits, to conceal the money from law enforcement and to avoid paying taxes on the profits. Money generated in these schemes is also used to further the criminal activity by paying for expenses and buying more counterfeit goods for resale. I believe it is probable that Nithal Aoun, Wissam Aoun, Ali Aoun, and others are laundering large cash profits from their criminal scheme.
23. Illegal sales of counterfeit goods, similar to illegal sales of controlled substances, are often conducted in cash. In January 2007, the following law enforcement actions discovered several of the target subjects in possession of very large amounts of cash:
- a. On January 5, 2007, the Dearborn Police Department conducted a car stop of Fares Fares and Sami Hassoun based on an anonymous tip. The car was leaving the Aoun residence at **4831 Helen, Dearborn** at the time it was stopped. A drug dog alerted on the vehicle. A search of the vehicle produced **approximately \$200,000 in cash**. The money was seized by the Drug Enforcement Administration (DEA).
- b. That same day, shortly after the stop of Fares and Hassoun, **Wissam Aoun** and **Ali Aoun** were also stopped leaving **4831 Helen, Dearborn** driving a Mercedes SUV. During a consent search of Aouns' vehicle, police found **approximately \$41,000 in cash**. Wissam Aoun told police the money was proceeds from a clothing business he owned.
- c. A civil forfeiture action was instituted against the seized cash. In an affidavit filed by Sami Hassoun in the civil case, he stated that the \$200,000 he had was money provided to him by Nithal Aoun. Hassoun stated that \$150,000 was in payment for clothing he has previously shipped to Nithal Aoun. He said the other \$50,000 represented payment for a 2002 Cadillac Escalade that Hassoun had sold to Nithal Aoun.
- d. Sami Hassoun's son, Ali Hassoun, is the legal owner of Get Right Sportswear, 1133 Broadway, Suite, New York, as previously mentioned. In his affidavit, Sami Hassoun said his wife is the sister of Ali Aoun.
24. In 2009, records were obtained from Bank of New York Mellon (BNYM) regarding money being sent to Ali Aoun's overseas bank account in Lebanon. BNYM has a corresponding account with Byblos Bank in Lebanon.
25. In response to grand jury subpoenas, BNYM has been providing records on an ongoing basis since 2009. My review of those records indicates that starting in November of 2007, Byblos Bank, through their corresponding account, requested that BNYM cash numerous money orders and checks that originated in the United States. These money orders were payable to Ali Aoun. No purchaser was identified on the money orders.

- a. In November of 2007, BNYM was asked by Byblos Bank to cash a batch of 124 money orders totaling approximately \$100,000. Several of these money orders were purchased in the Detroit area.
- b. All of the money orders were made out to Ali Hussein Aoun. Approximately 76 of the money orders were for approximately \$1,000 each. The remaining 48 were worth approximately \$500 each.
- c. Many of these money orders were purchased on the same day and in sequence. For example on September 7, 2007, 15 money orders were purchased from two different Western Union agents. The check numbers on the money orders indicated that they were purchased in sequence. The time stamp on the money orders also indicate that they were purchased within minutes of each other.

26. I know from my experience and training that this type of activity is typical of individuals who are laundering money. Keeping the dollar amounts low is a form of structuring to evade reporting requirements that would alert law enforcement to the suspicious financial activity. Using money orders is also a way to convert cash into a form that is more easily smuggled out of the United States. Furthermore, by not identifying the purchaser of the money orders, it is difficult to trace the origin of the money.

- a. BNYM became suspicious about the money order activity and asked for further information from Byblos Bank. Byblos Bank said the money was for their client, Ali Aoun, who owns clothing stores with his children Wissam, Nithal, Mohamad and Jihad, in Michigan.
- b. This activity occurred again in March of 2009, when another 90 money orders, in \$1,000 increments, were cashed through the BNYM. These were also made payable to Ali Hussein Aoun. All of these money orders were purchased between March 3, 2009 and March 5, 2009. Furthermore, during this time frame, several checks were also cashed by BNYM on behalf of Byblos Bank. These checks were made out to Ali Hussein Aoun. The checks were drawn on the various business accounts of companies owned by the target subjects.
- c. BNYM again became suspicious of the money transfers and asked Byblos Bank for and explanation. Byblos Bank provided information that Ali Hussein Aoun, was sending the money to Lebanon to purchase land. Ali Aoun told Byblos Bank that a man named John Taylor, 7421 Minock, Detroit, sends Aoun the money from rental income. During his civil deposition on April 2009, Wissam Aoun described John Taylor as an employee of Nithal Aoun at **Da Hook Up, 19316 Joy Road**. FBI surveillances have confirmed that a vehicle belonging to John Fitzgerald Taylor has been parked in front of Da Hook Up, and CHS-1 has observed John Fitzgerald Taylor taking a small package from the back room of Da Hook Up to his vehicle.



d. Between November of 2007, and June of 2009, BNYM cashed approximately \$310,000 worth of money orders and checks, through their corresponding bank account, for Ali Aoun.

27. BNYM also holds a corresponding bank account for Bank of Kuwait. Between April of 2007 and January of 2008, BNYM was asked to cash some 325 money orders on behalf of a Bank of Kuwait client in Lebanon named Ali Hammoud. These money orders were also in increments of \$500 and \$1,000. Several of the money orders were purchased through agents in the Detroit area. Many of the money orders were also purchased in sequence from the same agent. The purchaser on the money order were either not noted or written as "Ali A.". Upon inquiry from BNYM, Bank of Kuwait said that the money orders were sent to Lebanon from a relative of Ali Hammoud who owns clothing stores in the United States. The total money sent in these money orders is over \$250,000. Based on the evidence, I believe it is probable that these money orders were also sent by the target subjects.

28. Furthermore, I believe probable cause exists to show that the conspirators are knowingly engaged in financial transactions with the proceeds of unlawful activity (trafficking in counterfeit goods), intending to promote the unlawful activity, or to conceal or disguise the source of the money, or to conceal their income from the Internal Revenue Service, or to avoid a state or federal reporting requirement; and that the conspirators have knowingly transported, transmitted or transferred monetary instruments and funds from the United States to other countries, knowing they were the proceeds of unlawful activity and intending to promote the unlawful activity, or to conceal or disguise the source of the money, or to conceal their income from the Internal Revenue Service, or to avoid a state or federal reporting requirement, in violation of 18 U.S.C. § 1956(a)(1) and (a)(2), Laundering Monetary Instruments.

## GOODFELLAS WEAR, 18334 W. WARREN, DETROIT

### Description of the Property:

29. Goodfellas Wear is a large retail clothing store located at 18334 W. Warren Avenue, Detroit, on the north side of Warren Avenue at the intersection of Warren Avenue and Penrod Street. The building is a brown and grey brick structure. The named "Goodfellas Wear" appears on signs on the exterior of the building. Within the main part of the structure is a two-story sales floor, an office and a VIP lounge. Attached to the two-story portion of the building are of six separate one-story storage areas, similar to a strip mall. Each storage area has a metal overhead door that is closed when the storage area is not being used. Goodfellas Wear is owned and operated by Wissam Aoun.

### Probable Cause as to this Property:

30. **Goodfellas Wear** is owned by Wissam Aoun. Although the retail area of the store carries primarily genuine brand name goods, I believe it is probable that the office, and the storage area of the facility which the subjects sometimes refer to as "the plaza", presently contain the evidence, fruits and instrumentalities of violations of federal laws.
31. The information set forth above is incorporated into this section by reference.
32. On September 1, 2009, I surveilled Mohamad Aoun leaving **Da Hook Up** and traveling to **Goodfellas Wear, 18334 W. Warren, Detroit**, approximately one mile away.
- a. While at Goodfellas Wear, Mohamad Aoun and two other males unloaded a truck that was delivering a load of several boxes. The boxes were put in a store area attached to Goodfellas Wear.
- b. Later that day CHS-1 recorded his meeting with Mohamad Aoun back at **Da Hook Up**. Mohamad Aoun showed CHS-1 some counterfeit Coogi brand jeans, which he said had arrived in a shipment today. Mohamad Aoun told CHS-1 that more items would be delivered in the next ten days, and gave CHS-1 his telephone number to arrange future purchases of counterfeit clothing. CHS-1 asked Mohamad Aoun if he could mail some of the clothes to a store in a different city, and Aoun said that would not be a problem.
- c. Since that meeting on September 1, 2009, at my direction, CHS-1 has contacted Mohamad Aoun by phone and discussed purchasing counterfeit goods in consensually recorded conversations.
33. My surveillance and observations determined that the delivery at **Goodfellas** occurred between 2:40 p.m. and 3:10 p.m. on September 1, 2009. After the delivery was completed, the truck that was used was stopped by Michigan State Police (MSP) pursuant to a routine safety check. The driver, Harry Wu, provided the MSP Trooper a driver's log and invoices. The information indicated that Wu had just delivered a load of clothing to **19316 Joy Road, Detroit**,

the address of **Da Hook Up**. The load was actually delivered to **18334 W. Warren, Detroit**, the address of **Goodfellas**. The contact telephone number for the customer was (313) 808-3439.

34. On October 9, 2009, pursuant to the Title III authority discussed above, a call was intercepted between Wissam Aoun and Nithal Aoun. Wissam Aoun told Nithal Aoun that he had \$25,000 for their brother, Mohamad Aoun, for the purchase of some counterfeit merchandise. Wissam Aoun said he could also come up with another \$20,000 later in the week. Later in the conversation, Wissam Aoun told Nithal Aoun that he is planning on opening a business with Ghassan Aoun
35. On November 25, 2009, a call was intercepted in which Nithal Aoun and Mohamed Aoun discussed where to put a van load of counterfeit shoes they had just purchased from Carlos Evans. Nithal Aoun instructed Mohamad Aoun to keep the merchandise in Wissam Aoun's van. Mohamad Aoun replied that he would unload the van at "the plaza." During the next intercepted call, Nithal Aoun called Carlos Evans and told him to "bring the shoes to **Goodfellas**."
36. On November 24, 2009, Wissam Aoun and Nithal Aoun were intercepted discussing plans about opening a store to sell counterfeit goods in partnership with a family member, Ghassan Aoun. During the conversation they discuss the location of the lease for the store (believed to be **Fresh Gear Clothing**). Wissam Aoun told Nithal Aoun that the lease is likely in the VIP room of **Goodfellas Wear**.
37. On November 19, 2009, a call was intercepted between Wissam Aoun and Nithal Aoun, in which Nithal Aoun told Wissam Aoun to place the lease (believed to be for Boom Boom Wear) in his office "with my papers."
38. On Wednesday, November 25, 2009, Nithal Aoun received a call from Wissam Aoun. The two men discussed receiving money for the counterfeit goods they sold to a third party, and where to store some newly acquired counterfeit clothes. Wissam Aoun told Nithal Aoun to store the clothes in his "plaza", which is the storage area attached to Goodfellas Wear.
39. On December 1, 2009, FBI surveillance observed another tractor-trailer backing into **Goodfellas Wear**. Wissam Aoun and another male were surveilled as they unloaded boxes from this truck into the store rooms attached to **Goodfellas Wear**. Once the off-loading was completed, they closed the metal door on the storage area.
40. On December 11, 2009, a call was intercepted in which Mohamad Aoun and Nithal Aoun discussed the sale of counterfeit Nike shoes to a third party. Nithal Aoun instructed Mohamad Aoun to take counterfeit items to **Goodfellas Wear** so the buyer can see the merchandise.
41. Within the past 48 hours, the above-described location was observed to still be open and operating as **Goodfellas Wear**.
42. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that

evidence, fruits and instrumentalities of the following will be found within the premises described above:

- a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
- b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
- c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
- d. Documents such as leases, ledgers, inventory records, shipping records and the like;
- e. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
- f. Financial records which are evidence of Money Laundering and of concealment of assets from the Internal Revenue Service, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

## **BOOM BOOM WEAR, 20105 / 20107 WEST SEVEN MILE ROAD, DETROIT**

### **Description of this Property:**

43. Boom Boom Wear is a retail clothing store located at 20105 / 20107 West Seven Mile Road, Detroit, Michigan. The store is located in a small one story strip mall at the intersection of West Seven Mile Road and Vaughan, one block west of Evergreen. The name "Boom Boom Wear" is on a red and yellow sign above the front windows. The store spans two smaller storefronts that have been joined; the numbers "20105" and "20107" are on the front of the building, and there are doors for each address, but they each provide entry to the same larger store. A check of the State of Michigan corporate records indicates that Nithal Aoun is the registered agent, at his home address of 4831 Helen, Dearborn.

### **Probable Cause as to this Property:**

44. As set forth above and incorporated into this section by reference, investigation has shown that **Boom Boom Wear** is one of several retail stores used by the Aoun criminal organization to sell counterfeit clothing. I believe it is probable that evidence, fruits and instrumentalities of violations of federal law are presently located on the premises, for the reasons set forth herein.
45. On January 24, 2008, the Michigan State Police served a search warrant on Boom Boom Wear. Pursuant to the search, over 1,500 items of counterfeit clothing were seized, including Nike shoes, Timberland boots, Gucci hats and Louis Vuitton purses.
46. On September 29, 2009, **Boom Boom Wear** was broken into by unknown persons. At approximately 11:42 p.m., the alarm company called Nithal Aoun to alert him to the break in; this call was intercepted pursuant to the authority granted under Title III. Just after this call, at 11:43 p.m., Nithal Aoun (NA) called his brother, Mohamad Aoun (MA), who was at the scene, and asked him for an update. Following is a rough transcript of the call.

NA: Are the police there?  
MA: Yes.  
NA: They did not go inside the store right?  
MA: They went inside.  
NA: Why did they go inside?  
MA: Well they went, the opening is very big, they went in. What, should I tell them not to go? It is a big opening.  
NA: Is he black or white?  
MA: White, Mexican, he came to Joy Road last year.  
NA: Is he alone there?  
MA: No, him and a lady are inside.  
NA: Ok, I am coming.

I believe this conversation shows that Nithal Aoun was concerned about the police entering his store, because the might identify the clothing and other goods as being counterfeit. It appears

that one of the police officers may also have been at another store owned by the Aouns, **Da Hook Up** at 19316 Joy Road in Detroit.

47. Calls intercepted throughout the Title III indicated that **Boom Boom Wear** was being managed by Hassan Aoun, who is Nithal Aoun's uncle. At some point after the break in, the electricity went out in the store, but it continued to operate off of a generator. On December 1, 2009, Hassan Aoun (HA) and Nithal Aoun (NA) discussed lowering the prices on the counterfeit clothes at Boom Boom Wear because the store was very cold and customers were not staying to shop. The following is a partial transcript of that call:

NA: How is business?  
HA: The store is full of merchandise, people are coming and leaving in two minutes because the store is colder than outside  
NA: How much are you selling the Gucci jackets for?  
HA: Hammoudi told me to sell it for 150.  
NA: Yes, sell it for 150, sell the pants for 25 a pair.  
HA: Even the new True Religion jeans?  
NA: All.  
HA: I will put an extra five dollars on True Religion.  
NA: No, 25, please.  
HA: Ok, it does not matter to me.

48. On January 12, 2010, with other agents of the FBI, I conducted a surveillance of Mohamad Aoun and saw him leave his usual place of business, **Da Hook Up**, 19316 Joy Road, Detroit. Aoun traveled to a **warehouse at 24340 Michigan Avenue**, Dearborn, that the Aoun organization uses to store counterfeit merchandise. Mohamad Aoun was met at the warehouse by John Taylor, who was driving a white cargo van that the subjects use to deliver merchandise to the retail stores.

49. Taylor and Aoun were observed loading boxes into the van from the warehouse. Taylor then drove the van from the warehouse to **Boom Boom Wear** and parked on the street near the business. Taylor and another unidentified man were observed unloading the boxes from the van and taking them into **Boom Boom Wear**. I believe these boxes contained counterfeit goods that were to be sold at Boom Boom Wear.

50. Within the past 48 hours, agents conducted a spot check of the business and it was open and operating.

51. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:

- a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
- b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
- c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
- d. Documents such as leases, ledgers, inventory records, shipping records and the like;
- e. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
- f. Financial records which are evidence of Money Laundering, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

## DA HOOK UP, 19316 JOY ROAD, DETROIT

### Description of this Property:

52. Da Hook Up is a retail clothing store located at 19316 Joy Road, Detroit. The store is located in a small, one story strip mall near the intersection of Joy Road and Westwood Street. On the front of the business is a sign with the name "Da Hook Up" in blue and white letters. There is also a telephone number on the sign, (313) 836-5528. The numbers "19316" are visible on the front of the building. A check of the State of Michigan corporate records reveals that the registered agent for Da Hook Up, Ltd. is Nithal Aoun, at 19316 Joy Road, Detroit. Investigation has shown that Nithal Aoun's younger brother, **Mohamad Aoun, manages the daily operation** at Da Hook Up. Da Hook Up is used by the Aoun criminal organization as a retail outlet for counterfeit clothing.

### Probable Cause as to this Property:

53. The information stated above is incorporated into this section by reference.
54. Between March 5, 2009, and November 10, 2009, CHS-1 conducted over fifteen covertly and consensually recorded meetings with employees of **Da Hook Up**. During at least ten of these meetings, CHS-1 purchased brand name apparel that was later tested and identified by the victim companies as being counterfeit, including Coach purses, Louis Vuitton purses, Diesel jeans, Gucci shoes, Timberland shoes, Lacoste shirts and shoes, and Sean John shirts. The victim companies provided the FBI with written affidavits attesting to the fact that the products are counterfeit and that a trademark was placed on the product without the permission of the company.
55. **Da Hook Up** was the target of three local enforcement actions in 2007. During each of these raids, numerous counterfeit items were seized.
56. Throughout the Title III, Mohamad Aoun was regularly intercepted discussing the purchase and distribution of counterfeit items. The following is a small sample of those calls:
57. On Saturday, November 14, 2009, Nithal Aoun (NA) received a call from Mohammad Aoun (MA). The following is a rough transcript of that conversation:
- MA: Some fast news, and come and bring 100 dollars.  
NA: What is going on?  
MA: Your friend Abu Wissam opened a store in the same plaza of Happy Pizza. He opened next to Subway. James went to Subway and someone told him there is a new store opening and has the grand opening sign, and when James asked him who it was, he told him and old man from the east side, and when James went out, he saw Abu Wissam getting in the van.  
NA: Really? [*Laughing.*]



MA: I told him yeah, welcome to the 'hood. The son of a (*expletive*) is selling \$1 or \$2 lower. You know that Jewish man who came to the plaza? He is the one who said that Ali Hassun, and said and left.

NA: Give him some money and let him buy some, what do you need?

MA: I gave him, he is saying that since he went he is working.

NA: I got him a set from Ray.

MA: He called me know about the Sweeny (*phonetic*) Timberland, the construction.

NA: Yes, bring them, bring them.

MA: The Gucci jacket (*unintelligible*), the piece.

NA: Who will make it?

**MA: Al-Bayruti, did not I tell you, will make the Gucci.**

**NA: He will make them? How many pieces does he have?**

**MA: I want a price first, not how many pieces.**

**NA: How much does he want?**

**MA: He wanted 160.**

NA: How many pieces does he have?

MA: I do not know, but I told Ali Hassun about it and he said he will check it out. He called me at 10 o'clock in the morning. He called me an hour later and said that he found them, and asked me if they are the three styles, and each style is available in two colors. He told me, do not get it, he will get it for me 40 dollars cheaper.

NA: No way.

MA: He told me he brought the black and white, in all styles, everything.

NA: No way.

MA: Top and bottom for 22, or 29 the whole outfit. I asked him to buy it, and he told me on Monday. I was talking with him and he says that he is going to a man, a man called him who has pants with pleats, so he asked me to go there and he will call me and ask me about the brand names.

NA: Okay, the...

MA: Abu Wissam what is happening?

NA: We'll see what will happen.

MA: Okay.

58. On Friday, November 20, 2009, Nithal Aoun (NA) called Mohammad Aoun (MA) and the two men discussed the delivery of counterfeit merchandise. The following is a rough transcript of that conversation:

NA: Where are you? Are you done?

MA: Yes.

NA: How did you empty the merchandise? Are they on pallets? Is there a lot?

MA: Yes, 25 pallets.

NA: Hassoun needs helpers to help him unload his truck at the condo which is located by Panera Bread on Michigan Avenue across from Mayestro's.

MA: I'll send him John, Wali and one more. Call John and give him directions.

59. Numerous surveillances of **Da Hook Up** have been conducted by agents of the FBI. During these surveillances agents have seen Mohamad Aoun driving a black Toyota Sequioa with Michigan tag. This vehicle is routinely parked in front of Da Hook Up. On January 12, 2010, other agents of the FBI and I surveilled Mohamad Aoun as he left his usual place of business located at Da Hook Up, 19316 Joy Road, Detroit, and traveled to the **warehouse located at 24340 Michigan Avenue**, Dearborn. The Aoun organization uses this warehouse to store counterfeit merchandise. Aoun was met at the warehouse by John Taylor, who was driving a white cargo van that is used to deliver merchandise to the retail stores.
60. Within the past 48 hours a spot check was conducted of above described store and it was open and operating.
61. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:
- a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
  - b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
  - c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
  - d. Counterfeit clothing and merchandise;
  - e. Documents such as leases, ledgers, inventory records, shipping records and the like;
  - f. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
  - g. Financial records which are evidence of Money Laundering, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

## **HOT WEAR, 2851 EAST SEVEN MILE ROAD, DETROIT**

### **Description of this Property:**

62. Hot Wear is a retail clothing store located at 2851 East Seven Mile Road, Detroit. The store is located in a single story strip mall at the intersection of Seven Mile Road and Conant Street. The name "Hot Wear, Men's and Ladies Wear" in red and blue letters is on the front of the business. The business has an overhead security door that covers the front of the store. When the security door is open the numbers "2851" appear in the front window of the store. According to State of Michigan corporate records, the registered agent for Hot Wear Inc. is John Taylor at 2851 East Seven Mile Road, Detroit.

### **Probable Cause as to this Property:**

63. The information stated above is incorporated into this section by reference.
64. As previously stated, John Taylor is a long-time associate and employee of the Aoun organization. This store is often referred to the "East side store" by members of the Aoun criminal organization, as this is the only store the organization runs on the east side of Detroit. Hot Wear is used as a retail outlet for counterfeit goods that are sold by the Aoun organization.
65. This store was called "Abe's Wear" until September 2009, when the name was changed to Hot Wear. On July 16, 2008, the property was the subject of a civil seizure that was assisted by the Detroit Police, and 118 pairs of counterfeit Nike shoes were seized. At the time of the seizure the store was named "Abe's Wear" and was in the name of Juliet Aoun and Ibrahim Aoun, the sister and brother-in-law of Nithal Aoun.
66. During the Title III interceptions, several calls were overheard that established probable cause to believe that counterfeit clothing was being sold from Hot Wear by the Aoun organization. The following are a sample of those calls.
67. On September 30, 2009, a call was intercepted between Nithal Aoun and an unidentified male who is believed to be an employee of Hot Wear. Nithal Aoun asked the man for the exact address of the store, who gave the address as 2851 East Seven Mile Road, Detroit, Zip Code 48234.
68. On October 2, 2009, the National Alarm Company called Nithal Aoun. National Alarm monitors the burglar alarms at business used by the Aouns. In the call, the operator told Nithal Aoun they are sending an employee to Abe's Wear to fix the problem with the alarm. This confirms that Abe's Wear, and later Hot Wear, are actually being managed by Nithal Aoun.
69. On October 4, 2009, at approximately 10:29 am, a call was intercepted between John Taylor and Nithal Aoun. The following is a partial transcript of the call:

NA: John.  
JT: Here.

NA: What are you doing?  
 JT: Going to Goodfellas to open up.  
 NA: Why, what time do you open up on Sundays?  
 JT: 11:00, but I open early because I clean up.  
 NA: Hey, listen, what's up with DTE? They came, or no? Everything good on the East side, how is it, everything good?  
 JT: What did you say?  
 NA: You listening?  
 JT: What did you say?  
 NA: DTE.  
 JT: When?  
 NA: DTE.  
 JT: Yeah.  
 NA: Did they come by Hot Wear or what?  
 JT: They came by.  
 NA: Alright so you got (*expeltive*) lights over there?  
 JT: Where, the East side?  
 NA: Yeah.  
 JT: Yeah, they came, everything is good over there.  
 NA: How was business yesterday?  
 JT: We been opening up, business . . . day, the day before was better, but I told them I need jeans now, because the jeans have been . . . You could get me some True Religion jeans or stuff?  
 NA: Why, is that what they been asking about?  
 JT: Yeah, they been asking about them, and, you know, the button ups with long sleeves . . .  
 NA: Yeah.  
 JT: Yeah, I mean, but everything is good, man, over there, selling, you know, shoes good, everything's been good.

During this call Taylor and Nithal Aoun discussed business at Hot Wear, and the True Religion jeans being sold by the store. True Religion is a brand name that is routinely counterfeited by the Aouns.

70. On November 25, 2009, John Taylor and Nithal Aoun discussed the new merchandise that Taylor was stocking at the East Side store. Taylor said the store is full of merchandise and that should allow them to make some money.
71. On January 15, 2010, a surveillance was conducted of Hot Wear. The business was open and clothing could be seen on display in the front window. Parked in front of the business was a Chevy Trailblazer bearing a Michigan tag, registered to Hussein Toufic Saad and believed to be used by Nader Toufic Saad. Nader Toufic Saad has been identified by investigators as a long time employee of the Aoun organization.
72. Within the past 48 hours, an additional check of the above described business has been conducted and it was open and operating.

73. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:

- a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
- b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
- c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
- d. Documents such as leases, ledgers, inventory records, shipping records and the like;
- e. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
- f. Financial records which are evidence of Money Laundering, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

## FRESH GEAR, 3724 WEST DAVISON AVENUE, DETROIT

### Description of this Property:

74. **Fresh Gear** is a retail clothing store located at 3724 West Davison Avenue, Detroit. The store is in a small, one story, brick strip mall near the intersection of Davidson Avenue and Wildemere Street in Detroit. The business has a yellow sign with the name “Fresh Gear” in blue and red letters. The address “3724, Suite A” appears on the front window of the business; although the address includes “Suite A”, there do not appear to be any other suites attached to that address.

### Probable Cause as to this Property:

75. The information stated above is incorporated into this section by reference.
76. **Fresh Gear** is being used by the Aoun criminal organization as a retail outlet for counterfeit clothing. Fresh Gear was originally opened in October of 2009 and run as a partnership between Wissam Aoun and Ghassan Aoun. During the Title III interception period, several call were intercepted concerning the operation of Fresh Gear. The following are a sample of the calls:
77. On Friday, October 9, 2009, Nithal Aoun (NA) received a call from Wissam Aoun (WA). The following is a rough transcript of that conversation:
- WA: I wanted to give Hammoudi [*Mohamad Aoun*] 20, but he told me that he wants more.
- NA: Hmm.
- WA: Anyway, I told him I can get him 25, you know?
- NA: Okay.
- WA: Because Ghassan [*Aoun*] wants to buy what he ordered from Ahmad Hajaj, so he wants to give him about 20 to 30. I am trying to cover everything, and I told Hammoudi, give them those and I will give you another 30 on Wednesday or Thursday. So, I will be giving you 50 to work with, because the other deal is cash, they are going to give me cash on Monday or Tuesday. This deal is not like the other one.
- NA: Did Isma'il [*believed to be Ismael Soueidan*] send anything?
- WA: (*Expletive*) his sister, he said that he will call me back, but he did not. What do you think? Should I call him again?
- NA: No, (*expletive*) him.
- WA: Why? He offered. I will call him one more time and I will tell him, you told me, I will give you, so, what? Wow, how close are you to him here. I drove John [*believed to be John Taylor*], you are just across the street to 313. Wow, I brought the papers and I will give them to Ghassan now.
- NA: It sounds like you do not want to invest.
- WA: Huh? No, I will talk to him. He talked to me, he sounded afraid, he told, me, man, should I put my money on (*unintelligible*) I will not bear a punch. I told him

that we have been tolerating all our lives, so if you do not want to learn, you stay home. He said, Nithal told me that you know everything. So I told him, yes, this is the story. I am entering his place now to give him the paperwork. If he is down, he is down. If he is not, forget it. What do you think?

NA: Yeah.

WA: Listen, before I tell him to bring the money today, I will give you the boxes.

NA: So do not give him (*expletive*). Let him buy them.

WA: Okay, do not worry.

NA: You do not need him.

In this call, Nithal Aoun and Wissam Aoun discussed how to pay for counterfeit merchandise. They also discussed the possibility of opening a new store with Ghassan Aoun. The "313" referenced in the call is a clothing store that previously operated on Davidson Avenue in Detroit, near the current Fresh Gear location.

78. On October 9, 2009, a call was intercepted between Wissam Aoun (WA) and Nithal Aoun (NA) and discussed matters relating to the opening of Fresh Gear, using Ghassan Aoun as the owner and putting utilities in the names of others. The following is a partial transcript of the call:

WA: ... all right, all right, let's fix this, I'll talk to Ghassan now, I am on Davison right now, I am going to bring John.

NA: Why?

WA: I want to take him downtown to bring the DBA, because he cant get the electricity and the phone line unless there is a DBA. He might put the electricity under the Yemeni's guy's name. The Yemeni might agree to put it under his name and he (*John*) will pay the bill for him, because the plaza is already easy, they will come and do it.

NA: All right, go to the store.

WA: I am going to get John. He has (*unintelligible*) and Eric over there. It's raining, I told him I need you for half an hour. We will go up to the second floor, get the TV and come right back. He will not know how to do anything without it, Ghassan gave me a headache about it . . .

NA: Get the name Hot Wear for you.

WA: What is it?

NA: Hot Wear.

WA: You already have it.

NA: Where?

WA: He changed it, Fresh Gear, these Palestinians are going to raise hell.

NA: Why?

WA: He changed it to Fresh Gear? Stop, I passed by Davison.

NA: We were not supposed to open, they are going to sue us.

WA: Oh my god, who?

NA: They are.

WA: Who are they?

NA: The Palestinians, Fresh Wear, that's their name.

WA: No, Fresh Gear.  
NA: Fresh Gear, different name . . .

79. On Saturday, December 5, 2009, Nithal Aoun (NA) called Ghassan Aoun (GA). The following is a rough transcript of that conversation:

NA: How is business?  
GA: Not bad.  
NA: (*Unintelligible*) or not yet?  
GA: The men's clothing is good and also the shoes. The women's is not yet.  
NA: (*Unintelligible*) the women's?  
GA: No, the women's, no.  
NA: (*Unintelligible*) for women?  
GA: The jogging suits, the black label.  
NA: Ha?  
GA: The jogging suit, the black label, that's what he brought me.  
NA: Women's, huh?  
GA: Yeah. But, the other stuff for women, I don't have them.  
NA: It's possible that he orders them on Monday.  
GA: This is what he told me, Monday.  
NA: Or Tuesday.  
GA: Yeah, he said Monday. I'm thinking to make 5,000 of those flyers.  
NA: Yeah.  
GA: An once it's full of women's, we'll drop them in the area.  
NA: Yup.  
GA: Huh?  
NA: Yup.  
GA: Make 5,000? Tell the guy to make me 5,000?  
NA: Tell him to make them.  
GA: I'll make 5,000 and drop them in the area, but don't...  
NA: (*Unintelligible*) how they sell.  
GA: Yeah, that's it.  
NA: You take care of it.  
GA: That's it, don't you worry.  
NA: People are (*unintelligible*)  
GA: We are selling the shoes for 40 and three for a 100.  
NA: Are they selling?  
GA: Oh, yeah. They are moving. And the jeans \$25.  
NA: Yeah.  
GA: The handbags are \$10 to \$15, the old ones.  
NA: Yeah, the old ones, sell them for \$10, not \$15.  
GA: And I made a rack for the Rocawear and the Akademik, the sweaters for \$10, they are going fast.  
NA: I'll see you in an hour or so.  
GA: I'll be here.



In this call Nithal Aoun and Ghassan Aoun talked about merchandise being sold at Fresh Gear. "Akadmic" and "Rocawear" are brands that are counterfeited by the Aouns.

80. On November 30, 2009, a surveillance was conducted of Fresh Gear. The store was open for business. Ghassan Aoun was observed walking out and standing in front of the business. Parked in front of the store was a Chevy mini-van bearing a Michigan plate registered to Wissam Aoun, 1201 Marie Street, Dearborn Heights. Ghassan Aoun is the primary user of the vehicle.
81. Another check was made of Fresh Gear on January 15, 2010. The above described Chevy mini-van was again parked at the location.
82. Within the past 48 hours a spot check was done of 3724 W. Davison, Detroit. The business Fresh Gear was open and operating.
83. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:
  - a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
  - b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
  - c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
  - d. Documents such as leases, ledgers, inventory records, shipping records and the like;
  - e. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
  - f. Financial records which are evidence of Money Laundering, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

## KINGS AND QUEENS, 8140 GRAND RIVER AVENUE, DETROIT

### Description of this Property:

84. Kings and Queens is a retail clothing store located at 8140 Grand River Avenue, Detroit. The store is in a multi-story mixed use older brick building. Kings and Queens occupies the first floor of the structure and a basement area under the store. Kings and Queens is near the intersection of Grand River Avenue and Vicksburg Street in Detroit. The store has a black awning with the name "Kings & Queens" written in gold letters on it. The address 8140 is visible on the front of the store. Kings and Queens is being used by Carlos Evans, a member of the Aoun criminal organization, as a retail outlet to sell counterfeit clothing.

### Probable Cause as to this Property:

85. The information stated above is incorporated into this section by reference.
86. On December 7, 2009, I conducted a search of public internet sites for the above described business and found a Craigslist ad attempting to sell Kings and Queens, 8140 Grand River Ave., Detroit. The advertisement stated that the store is a boutique that sells designer clothes like Roca Wear, True Religion, Nike and Timberland. The seller identified himself as "Carlos" and gave a contact telephone number, which is the same as the telephone number Carlos Evans used during the Title III interceptions. Several of these Title III interceptions involved Evans and other members of the Aoun organization discussing the above described property.
87. On Sunday, November 22, 2009, Nithal Aoun (NA) received a call and spoke with an individual believed to be Carlos Evans (CE). The following is a rough transcript of that conversation:
- CE: There was a guy down here with some black Tim's, and he got brown Gucci boots.
- NA: Who?
- CE: Brown Gucci boots and some black Tim's.
- NA: Who?
- CE: This little Chinese guy I deal. he comes down from New Jersey. He stop by and holler at me every now and then. I just bought some white and I'm going to get some black ones before he leaves the city. Did you want any of the black boots or are you straight?
- NA: Why don't you rob him?
- CE: No.
- NA: Why not?
- CE: He's a good guy. Real good guy, he is my main man.
- NA: He give credit?
- CE: Used to 'til people started to do ho (*expletive*) and (*expletive*) it up for people like me and you.
- NA: Yeah, I think Hammoudi [*Mohamad Aoun*] (*expletive*) with him.

CE: He has three cases of Tim? He has Gucci boots.  
NA: How many boxes of Gucci boots?  
CE: How many boxes of Gucci boots?  
UM: (*Unknown Male in background*) Four cases.  
NA: Tell him to go to Hammoudi, **Joy Road, Da Hook Up**.

In this call, Nithal Aoun and Carlos Evans discussed buying counterfeit merchandise from a Chinese male from New Jersey. Evans said he was purchasing the products at his store, and he also provided some to Aoun.

88. On Tuesday, November 24, 2009, Nithal Aoun (NA) received a call from Carlos Evans (CE). The following is a rough transcript of a portion of that conversation:

NA: Did you see them?  
CE: Huh?  
NA: Did you see them?  
CE: Yeah, I seen them.  
NA: They nice?  
CE: Hell yeah, I wish . . . Can I get some? Can I get a few pair?  
NA: They all mixed up or they the same style?  
CE: No, he, he, he, he always give you all like you wanted. The same kind, the same box, and he throw like 5 or 6 extra in each box, that'll be different, but the majority is what it is supposed to be. I told you, like it's like 20 in a box instead of 12 or 16.  
NA: All right, I'll have what's his name tomorrow (*unintelligible*) pick them up in the morning.  
CE: Okay, tell him he'll get paid at the end of tomorrow. Whatever you tell me to tell him that's what I'm going to tell them.  
NA: Yeah, yeah, yeah tomorrow. All right. Are you good?  
CE: I'm great, I'm just getting ready to go to work.

In this call Evans and Aoun discussed the counterfeit shoes that Evans had purchased in the previous call and is holding for Aoun at his store.

89. On December 11, 2009, a call was intercepted between Carlos Evans (CE) and Nithal Aoun (NA). The following is a partial transcript of the conversation:

CE: . . . in my store everybody want them brown Nike boots, and I can't find no Nike boots, brown.  
NA: Everybody want brown now?  
CE: They want brown Nike boots, but you could have brown and they want black, they make me sick, man.  
NA: Where you at now?  
CE: At the store fixing to head back over toward the 'hood. . .

In this call Evans discussed selling counterfeit Nike shoes from his store, Kings and Queens.

90. On December 11, 2009, agents from the FBI conducted a surveillance of Carlos Evans, who was spotted leaving his residence in a 1997 Mercedes bearing a Michigan tag. The vehicle is registered to Carlos Evans, address 4445 Rosalie Street, Dearborn. At approximately 12:11 pm, EVANS was observed parking in front of the Kings and Queens, 8140 Grand River Avenue, Detroit, unlocking the door, and putting merchandise on display.
91. On January 15, 2010, a check of the business revealed a 2000 Toyota sedan parked in front of the business. This vehicle was also registered to Carlos Evans.
92. Within the past 48 hours, a spot check has been conducted of the above described address and the store was open and operating.
93. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:
- a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
  - b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
  - c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
  - d. Documents such as leases, ledgers, inventory records, shipping records and the like;
  - e. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
  - f. Financial records which are evidence of Money Laundering, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

## WAREHOUSE LOCATED AT 24340 MICHIGAN AVENUE, DEARBORN

### Description of Property:

94. 24340 Michigan Avenue, Dearborn is a retail business space in a small one story brick strip mall. The property is on Michigan Avenue near the intersection of Woodcroft Drive in Dearborn. The front of the business is glass windows. There is a white awning above the windows that has the words "Roni Deutch Tax Center". The location is no longer being used as a tax center. The windows of the business are covered with white paper so it not possible to see inside. The address numbers, "24340", appear on the front door of the location. There are two back doors, accessible from an alley, that also have the numbers "24340" on them.

### Probable Cause as to this Property:

95. The information stated above is incorporated into this section by reference.
96. There is probable cause to believe this location is currently being used by the Aoun organization as a warehouse to store counterfeit goods when they are received from out of town. Several calls recorded during the Title III interceptions reference the warehouse described above.
97. On Monday, October 12, 2009, Nithal Aoun called Wissam Aoun and told him he had given "Hajj Hasan" one thousand dollars rent for the newly acquired warehouse. Nithal Aoun argued that Wissam Aoun should have bargained with Hajj Hassan and made him provide one month free rent. Wissam Aoun said the price was right, and added that they will keep the "For Rent" sign on the outside of this huge warehouse to give the impression that it is empty.
- a. The men discussed the fact that this warehouse used to be occupied by some lady who owned a boutique with changing room in the back.
- b. A check of State of Michigan corporate records reveals that in 2006, the above described property was the registered location for Elite Fashionz LLC, which was owned by a female as its registered agent. This is likely the boutique that is being referenced in the conversation.
98. On Thursday, November 19, 2009, Nithal Aoun called Wissam Aoun to discuss an upcoming delivery of counterfeit merchandise, and that it will be stored at the warehouse.
99. On Tuesday, November 24, 2009, Nithal Aoun called Wissam Aoun and they discussed the storage and sale of counterfeit goods that arrived from New York.
100. On December 11, 2009, surveillance agents of the FBI followed Mohamad Aoun from Da Hook Up, 19316 Joy Road, Detroit, to the warehouse at 24340 Michigan Avenue, Dearborn. Mohamad Aoun entered the business through the back door.
101. On January 12, 2010, other agents of the FBI and I conducted a surveillance of Mohamad Aoun, who left his usual place of business, **Da Hook Up**, and traveled to 24340 Michigan

Avenue, Dearborn. Aoun was met at the warehouse by John Taylor, who was driving a white cargo van that is used to deliver merchandise to the retail stores. Agents observed Taylor and Aoun loading boxes into the van from the warehouse. Taylor was followed as he drove the van from the warehouse to **Boom Boom Wear**, 20107 West Seven Mile Road, Detroit, and parked on the street near the business. Taylor and another man were observed unloading the boxes from the van and taking them into Boom Boom Wear. I believe it is probable that the boxes contained counterfeit goods that were to be sold at Boom Boom Wear.

102. Based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:

- a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;
- b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;
- c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
- d. Documents such as leases, ledgers, inventory records, shipping records and the like.

**RESIDENCE OF NITHAL AOUN AND MOHAMAD AOUN,  
4831 HELEN STREET, DEARBORN**

**Description of the Property:**

103. 4831 Helen Street, Dearborn is a two story, single family, red brick home. The property had a detached garage that is behind the house. The home has a white awning over the front door; the address plaque has the house number, "4831", visible on it. The house is on the west side of Helen Street between Hubbard Drive and Jerome Street.

**Probable Cause as to this Property:**

104. 4831 Helen Street is the primary residence of Nithal Aoun and Mohamad Aoun. The address appears on the State of Michigan identifications of Mohamad Aoun and Nithal Aoun. Several corporations used by the Aoun criminal organization are registered at 4831 Helen Street, Dearborn, as follows:

- a. Warrendale Properties LLC,
- b. Boom Boom Wear Ltd.,
- c. Crown Holders, and
- d. Kings of Hip Hop Clothing.

105. In December 2007, the Wayne County Sheriff's Office served a search warrant at 4831 Helen, Dearborn. The search was a result of an investigation into stolen and counterfeit merchandise. Items that were previously sold to Mohamad Aoun by an undercover officer were recovered from the residence, who told Mohamad Aoun that the items were stolen before he sold them to him.

106. Throughout the Title III interception period, calls were recorded that established probable cause to believe that 4831 Helen, Dearborn contains evidence related to the criminal schemes operated by the Aoun organization. The following are summaries of a sample of these calls.

107. On October 8, 2009, Nithal Aoun and Mohamad Aoun discussed the payment of bills related to the operation of the retail stores. Nithal Aoun told Mohamad Aoun to bring the bills home and he will take care of them.

108. On Friday, October 9, 2009, Nithal Aoun (NA) placed a call to Mohamad Aoun (MA). The following is a rough transcript of a portion of that conversation:

- NA: What did you do with Wissam.
- MA: Wissam told me between three and three thirty.
- NA: How much will he give you?
- MA: He told me that he has 20. I told him that 20 will not be enough. He told me 25.
- NA: I can put 10 in the dishwasher and (*unintelligible*) 5, so you can send it to this son of a (*expletive*).
- MA: Wissam told me to call him and tell him that I sent them. I told him 30.

NA: What did he tell you?

MA: He told me that business is tough. Jihad called me and Beirut was standing next to him. He told me your friend has bought everything in Broadway. About Nabil. He bought all the Doggin (*phonetic*) sets. He said that he told Hussayn, give some to Hammoudi. Hussayn said Hammoudi keeps telling me that I will come in two days, but he never called. He gave me the phone to talk to Hussayn, and Hussayn said, what is it, Hammoudi? You're two days are one year? I told him that things were not going well, but Monday is for sure. Jihad told him to send 40 boxes.

NA: Okay, let me call Wissam.

In this call Nithal Aoun and Mohamad Aoun discussed their financial situation, and who they need to collect money from and pay off. Mohamad Aoun told Nithal Aoun that he will leave money in the dishwasher that will be used to pay a debt.

109. On October 12, 2009, in an intercepted conversation, Mohamad Aoun told Nithal Aoun that he left \$4800.00 for him inside the dishwasher of the house.

110. On November 27, 2009, John Taylor (JT) and Nithal Aoun (NA) spoke in an intercepted conversation. The following is a partial transcript of the call:

JT: I'm leaving, I'm on Davison now

NA: You got my (*expletive*)?

JT: Yeah.

NA: Who you with?

JT: I'm on Davison headed to the store, I'm going to Joy, do you want me to come to Goodfellas?

NA: You can't bring it to my house?

JT: Yeah, I can come by the house.

NA: Hurry up, how long do you need?

JT: You want me to bring the money?

NA: You got the money?

JT: Yeah.

NA: Come on.

JT: Ok.

In this call, Nithal Aoun told John Taylor to bring the money that represents profits from the retail businesses and drop it off to him at his home at **4831 Helen Street, Dearborn.**

111. I further believe it is probable that Nithal Aoun, Guadalupe Pizana and Wissam Aoun are engaged in a conspiracy to possess and distribute illegal narcotics, in violation of 21 U.S.C. § 841, and that evidence of illegal possession of controlled substances will be found at the above described location, as verified by telephone calls intercepted between Nithal Aoun, Wissam Aoun and Guadalupe Pizana.

112. On October 2, 2009, calls were intercepted between Nithal Aoun and a man later identified as Guadalupe Pizana, a.k.a. "Lupe," an active duty Detroit Police Officer. The calls



between the two men on this date, and other dates, involved coded discussions of narcotics transactions. The following are samples of telephone calls between Pizana and Nithal Aoun.

113. On Saturday, October 3, 2009, at approximately 4:02 p.m., Nithal Aoun (NA) called Guadalupe Pizana (GP). Nithal Aoun asked Pizana for a sample of the marijuana (a “picture” of the “weed”) Nithal Aoun wanted to purchase. The following is a rough transcript of that conversation:

NA: Listen. Yo.  
GP: Yeah.  
NA: That (*expletive*), yeah, yesterday, uh, I need, I need a “picture.”  
GP: You need a what?  
NA: I need a (*expletive*) sample. You understand? A sample of weed. Do you have like that?  
GP: What do you need?  
NA: Bro, what’s wrong with you man?  
GP: I can’t (*expletive*) hear you. Speak English, slow down.  
NA: That (*expletive*) you showed me yesterday, talking about yesterday.  
GP: What about it?  
NA: I need a “picture.”  
GP: It won’t be ready for two weeks.  
NA: No way.  
GP: Way.  
NA: So, one hundred percent, you got it?  
GP: Yeah, don’t run your mouth about it.

114. On October 11, 2009, Pizana and Nithal Aoun spoke on the phone. Aoun asked Pizana to come over and “shoot me up today”. From my experience and training, and from other telephone calls between these two men, I believe Aoun was asking Pizana to come over and inject him with steroids.

115. On October 12, 2009, Nithal Aoun left the country to visit Lebanon. After his departure Pizana began calling Wissam Aoun. Based on the subject matter of the calls with Nithal Aoun, I believe that Wissam Aoun began dealing directly with the criminal matters involving Pizana since his brother Nithal Aoun was out of the country. Upon his return from Lebanon, Nithal Aoun resumed contacting Pizana about criminal matters.

116. On Saturday, December 5, 2009, Nithal Aoun received a message from Guadalupe Pizana (GP), telling him he has the narcotics and advising him to place a bet on the Florida team. The following is a rough transcript of the message left by Pizana:

GP: Yeah, yeah, yeah, you (*expletive*) Arab, look, I have your shit, and it’s at my house, on my drawer, in my room, but I am out of town right now, I’m in (*expletive*) Miami I’ll be back Monday, so call me up or whatever and I will get you when you get back. Your brother knows what’s up. I talked to him so you

would know these things if you called (*expletive*). All right, by the way, take Florida.

117. On December 8, 2009, Pizana called Nithal Aoun and informed him that he had some “vitamins” for Aoun. They agreed to meet at Goodfellas, 18334 W. Warren, Detroit. I believe that “vitamins” was being used as a code word for steroids. Circumstances prevented them from meeting, and later Pizana dropped off the substances outside **Nithal Aoun’s house at 4831 Helen, Dearborn**. Later that evening, Nithal Aoun (NA) received a call from Guadalupe Pizana (GP). The following is a rough transcript of the call.

GP: Make sure you go by you house before you go back there, and put that in the house so it does not break.

NA: You got it.

GP: Hurry up, man.

NA: All right.

GP: And those other pills are (*expletive*) Viagra.

NA: All right.

GP: Do that, because if you don’t, it’s going to be (*expletive*) useless, it’s going to break, so go and get it

NA: All right.

I believe this call is in reference to steroids that Pizana was giving to Aoun; steroids are typically sold in liquid form in vials.

118. Subsequent investigation, confirmed by intercepted calls, revealed that Pizana left the narcotics outside the home of Nithal Aoun and Wissam Aoun at **4831 Helen, Dearborn**.

119. Based on my experience and training, I know that individuals involved in the use and distribution of narcotics often have evidence of the same in their residence. Therefore I believe it is probable that evidence of illegal possession and distribution of controlled substances, including but not limited to marijuana, steroids, packing material, scales, syringes (which would be used to inject steroids), rolling papers used to smoke marijuana, and the like, will be found inside the premises described above.

120. In addition, based on the above, I submit there is probable cause to believe that the subjects are engaged in a criminal conspiracy to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. § 371, and that evidence, fruits and instrumentalities of the following will be found within the premises described above:

a. Goods bearing counterfeit marks (trademarks, labels, patches, emblems, hang tags, etc.), primarily counterfeit designer clothing and other apparel, purses and shoes, in violation of 18 U.S.C. § 2320, Trafficking in Counterfeit Goods;

b. Boxes and containers bearing labels and other evidence that the United States mail or private or commercial carriers have been and are being used to execute the scheme to

defraud and to obtain, distribute, supply and sell counterfeit items, in violation of 18 U.S.C. § 1341, Mail Fraud;

- c. Fax machines and other devices used to transmit writings, signs or signals by means of wire transmission in interstate or foreign commerce, in furtherance of the scheme to defraud and to obtain money by false and fraudulent pretenses, representations and promises, in violation of 18 U.S.C. § 1343, Wire Fraud;
- d. Documents such as leases, ledgers, inventory records, shipping records and the like;
- e. Cash which represents proceeds of illegal activities and to be used in furtherance of criminal activity;
- f. Financial records which are evidence of Money Laundering, in violation of 18 U.S.C. §§ 1956(a)(1) and (a)(2).

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Brian C. Max  
Special Agent  
Federal Bureau of Investigation  
Detroit, Michigan

Subscribed to and sworn before me  
this \_\_\_\_\_ day of February, 2010

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HONORABLE MONA K. MAJZOUN  
United States Magistrate Judge