

TO: Clerk's Office

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL

UNITED STATES OF AMERICA

- against -

GUOCHUN HE et al.

22 MJ 1137

Docket Number

SUBMITTED BY: Plaintiff Defendant DOJ ☒

Name: Meredith A. Arfa

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INDICATE UPON THE PUBLIC DOCKET SHEET: YES NO ☒
If yes, state description of document to be entered on docket sheet:



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Judge/Magistrate Judge: _____

Date Entered: _____

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Defendants at large.

ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE, AND MAY NOT BE UNSEALED UNLESS ORDERED BY THE COURT.

DATED: Brooklyn, NEW YORK

Ramon E. Reyes, Jr. Digitally signed by Ramon E. Reyes, Jr.
Date: 2022.10.20 20:27:12 -04'00'

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE _____ DATE _____

MANDATORY CERTIFICATION OF SERVICE:

A.) _____ A copy of this application either has been or will be promptly served upon all parties to this action, B.) _____ Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) ☒ This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

Digitally signed by Meredith A. Arfa
Date: 2022.10.20 15:54:39 -04'00'

Meredith A. Arfa

10/20/2022

DATE

SIGNATURE

DMP:AAS/MAA
F. #2021R01036

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

FILED UNDER SEAL

- against -

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF ARREST WARRANTS

GUOCHUN HE, also known as “Dong He” or
“Jacky He,” and
ZHENG WANG, also known as “Zen Wang,”

Defendants.

Docket No. 22 MJ 1137
(18 U.S.C. §§ 1512(c)(2) and
1956(a)(2)(A))

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

Thomas M. Ryder, being duly sworn, deposes and states that he is a Supervisory
Special Agent with the Federal Bureau of Investigation, duly appointed according to law and
acting as such.

OBSTRUCTION OF AN OFFICIAL PROCEEDING

In or about and between January 2019 and the present, both dates being
approximate and inclusive, within the Eastern District of New York and elsewhere, the
defendants GUOCHUN HE, also known as “Dong He” or “Jacky He,” and ZHENG WANG,
also known as “Zen Wang,” together with others, did knowingly, intentionally and corruptly
attempt to obstruct, influence and impede an official proceeding, to wit: a criminal prosecution in
the Eastern District of New York of a global telecommunications company (“Company-1”)
based in the People’s Republic of China (“PRC”).

(Title 18, United States Code, Section 1512(c)(2))

MONEY LAUNDERING

In or about November 2021, within the Eastern District of New York and elsewhere, the defendant GUOCHUN HE, also known as “Dong He” or “Jacky He,” together with others, did knowingly and intentionally transport, transmit and transfer monetary instruments and funds, to wit: approximately \$41,000 in Bitcoin, from one or more places outside the United States to and through one or more places inside the United States, with the intent to promote the carrying on of specified unlawful activity, to wit: obstruction of justice, in violation of Title 18, United States Code, Section 1512(c)(2).

(Title 18, United States Code, Section 1956(a)(2)(A))

MONEY LAUNDERING

In or about October 2022, within the Eastern District of New York and elsewhere, the defendant GUOCHUN HE, also known as “Dong He” or “Jacky He,” together with others, did knowingly and intentionally transport, transmit and transfer monetary instruments and funds, to wit: approximately \$20,000 in Bitcoin, from one or more places outside the United States to and through one or more places inside the United States, with the intent to promote the carrying on of specified unlawful activity, to wit: obstruction of justice, in violation of Title 18, United States Code, Section 1512(c)(2).

(Title 18, United States Code, Section 1956(a)(2)(A))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I have been a Special Agent with the Federal Bureau of Investigation (FBI) since August 2014 and am currently a Supervisory Special Agent assigned to the New York City Field Office. As a Special Agent, I have investigated numerous matters during the course of which I have conducted physical surveillance, interviewed witnesses, executed court-authorized search warrants and used other investigative techniques to secure relevant information. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the investigative file, and from my review of reports of other law enforcement officers involved in the investigation.

I. The Defendants

2. The defendant GUOCHUN HE, also known as "Dong He" or "Jacky He," is a citizen of the PRC. Based on the information set forth below, I assess that HE is an intelligence officer of the PRC conducting foreign intelligence operations targeting the United States, on behalf of the PRC government and for the benefit of Company-1. The defendant ZHENG WANG, also known as "Zen Wang," is a citizen of the PRC who is known to me to be HE's co-worker, and whom I assess also to be an intelligence officer of the PRC conducting foreign intelligence operations targeting the United States, on behalf of the PRC government and

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

for the benefit of Company-1. Photographs of HE and WANG, respectively, are set forth below:



II. Background Regarding the Investigation and Prosecution of Company-1

3. Company-1 is a global telecommunications company headquartered in the PRC which conducts business across the world and in the United States. Company-1 maintains several affiliates in the United States. Company-1 is a defendant in a pending prosecution in the Eastern District of New York (“EDNY”). In a February 2020 press release announcing the unsealing of a superseding indictment against Company-1, the U.S. Department of Justice indicated that the investigation related to Company-1 is ongoing.

III. The Scheme to Obstruct the Investigation and Prosecution of Company-1

A. Overview of Conduct

4. In their capacity as intelligence officers working for the PRC government, HE and WANG attempted to direct a person they believed they had recruited as an asset who is employed by a U.S. government law enforcement agency (“GE-1”) to obtain confidential information regarding witnesses, trial evidence and potential new charges to be brought against



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