

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

INDICTMENT

- v. - :

20 Cr.

VIRGIL GRIFFITH, :

**20 CRIM 015**

Defendant. :

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COUNT ONE

**(Conspiracy to Violate the  
International Emergency Economic Powers Act)**

The Grand Jury charges:

1. From at least in or about August 2018, up to and including in or about November 2019, in the Southern District of New York, the Democratic People's Republic of Korea ("DPRK"), and elsewhere outside of the jurisdiction of any particular State or district of the United States, VIRGIL GRIFFITH, the defendant, and others known and unknown, at least one of whom is expected to be first brought to and arrested in the Southern District of New York, knowingly and willfully did combine, conspire, confederate, and agree together and with each other to violate licenses, orders, regulations, and prohibitions in and issued under the International Emergency Economic Powers Act ("IEEPA"), codified at Title 50, United States Code, Sections

1701-1706.

2. It was a part and an object of the conspiracy that VIRGIL GRIFFITH, the defendant, and others known and unknown, would and did provide and cause others to provide services to the DPRK, without first obtaining the required approval of the U.S. Treasury Department's Office of Foreign Asset Control ("OFAC"), in violation of 50 U.S.C. § 1705(a), 31 C.F.R. §§ 510.206(a), 510.212(b), and Executive Orders 13466 and 13722.

3. It was further a part and an object of the conspiracy that VIRGIL GRIFFITH, the defendant, and others known and unknown, would and did evade and avoid, and attempt to evade and avoid, the requirements of U.S. law with respect to the provision of services to the DPRK, in violation of 50 U.S.C. § 1705(a), 31 C.F.R. §§ 510.212(a)-(b), and Executive Orders 13466 and 13722.

(Title 50, United States Code, Section 1705;  
Executive Orders 13466 and 13722;  
Title 18, United States Code, Section 3238.)

**FORFEITURE ALLEGATION**

4. As a result of committing the offense alleged in Count One of this Indictment, VIRGIL GRIFFITH, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461, any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendant personally obtained.

**Substitute Assets Provision**

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

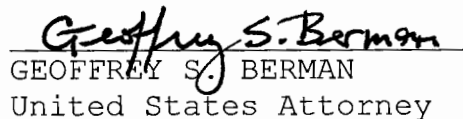
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
GEOFFREY S. BERMAN  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(50 U.S.C. § 1705;  
Executive Orders 13466 and 13722;  
18 U.S.C. § 3238.)

GEOFFREY S. BERMAN  
United States Attorney

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Foreperson

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Jan 7, 2020

Filed Indictment. Case assigned to  
Judge Castel. U.S.M.S. Debra Freeman