

EXH-17

1 A. Yes.

2 Q. So you returned two computer. We still do not see that
3 there's nothing else you still wait for. You counted that
4 there were 13 commuters, 12 computers, six servers. Here we
5 have nine plus five. So nine plus five, that's 14. Six plus
6 12, that's a whole lot more. And this we should take two,
7 you're saying. You returned two computers from those. So that
8 should be a whole lot lesser. How do you explain the
9 differences, sir?

10 A. I used the search inventory sheets, not this document.

11 Q. Do you believe this document is different than the search
12 inventory sheet?

13 A. I would have to compare the two.

14 Q. You are not sure if it is different.

15 A. No.

16 Q. We will get these documents. We will get this inventory
17 sheet.

→ 18 When that safe was opened, whatever inside that safe
19 was inventoried; am I correct in this assumption?

20 A. No, it was not seized pursuant to the search warrant.

21 Q. Were you aware what's inside that safe?

22 A. Yes.

23 Q. What was inside the safe?

24 A. There was a small box with what appeared to be cut
25 diamonds.

1 Q. Small parcel? Big parcel? What is the small box?
2 Identify the small box. A shoe box?

3 A. No. It was smaller than a shoe box.

4 Q. Smaller than a shoe box. It contained diamond.

5 A. That's what it appeared to be, yes.

6 Q. Does this diamond come with certificate? Did you view this
7 material? Did you see it?

8 A. I did.

9 Q. Was there anything that appears to be a certification,
10 paper-wise?

11 A. Each diamond was folded in paper with some handwritten
12 marks.

13 Q. What else was inside that safe?

14 A. Looked like documents and paperwork. I didn't -- I didn't
15 search the safe. I, I observed what was in it briefly.

16 Q. Sir, you represent the FBI in testimony today, and unless
17 you going to identify the people for me to ask, I cannot but
18 ask you. You represent the FBI as far as I know, and you are
19 the case manager, the case agent. I don't know the exact
20 title. Please pardon me because I don't know. But you are the
21 only person I can ask. And you saying you don't know and you
22 did not see. So what was inside the safe?

23 MR. MCGINLEY: Objection, your Honor.

24 THE COURT: Overruled.

25 A. Besides that box of diamonds and documents, it became not a

1 concern because the box of diamonds was outside -- I felt was
2 outside the scope of the search warrant, so they were not
3 seized by the FBI.

4 Q. You left it there on premises.

5 A. Yes.

6 Q. And you did not know what else -- what was inside that
7 safe?

8 A. No.

9 Q. You did not see that.

10 A. No.

11 Q. There wasn't any rings, gold, watches.

12 A. I don't know.

13 Q. And when you left this valuables on premises, to whom you
14 relinquish that inventory?

15 A. Are you referring to the items in the safe?

16 Q. Yes.

17 A. That was the Treasury Department, OFAC.

18 Q. And the other assets in that office, furniture, painting,
19 all of that was relinquish from your control at that point of
20 safe -- of search when you conducted the safe to the treasury;
21 am I correct?

22 A. Yes.

23 Q. And when you transferred that inventory to OFAC, the
24 material you transferred, how do you transfer this? There is a
25 box with 197 karats of diamonds in it. How would you count

1 them? There were few little package, you said, right?

2 A. Yes.

3 Q. So you just tell them, here is a box of diamond for you.

4 A. No.

5 Q. You inventoried that.

6 A. No.

7 Q. You opened the safe and you turn your back and walked.

8 A. Yes. They were not seized, not in the custody of the FBI.

9 Q. You just opened the safe and left half a million dollars
10 worth of money just sitting there.

11 MR. MCGINLEY: Objection, your Honor.

12 THE COURT: Yes. Sustained.

13 Q. Is the FBI required to provide due care for whatever they
14 do?

15 A. Yes.

16 Q. And do you believe you exercised due care by just leaving
17 hundred of thousands of dollars right there?

18 A. They were not just left.

19 Q. I'm asking you what happened to them.

20 A. They were blocked by the Treasury Department.

21 Q. What that means? Who took control of them?

22 A. Treasury Department, OFAC.

23 Q. And do we know what they took control of?

24 A. I don't have an inventory of the items that they, they
25 blocked. All the property that was remaining after the search