

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **03-20347** CR-GRAHAM

18 U.S.C. § 1956(h)

18 U.S.C. § 1956(a)(1)(B)(i)

18 U.S.C. § 1957

18 U.S.C. § 2

MAGISTRATE JUDGE
GARBER

UNITED STATES OF AMERICA

v.

MARC M. HARRIS,

Defendant.

FILED BY *mc*
03 MAY -6 PM 3:08
CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
JAMES

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

1. During the period relevant to this Indictment, defendant MARC M. HARRIS resided in Panama and owned and operated various trust and investment companies catering primarily to United States citizens interested in moving their assets out of the United States.

2. On or about January 24, 2000, a federal Grand Jury sitting in the Southern District of Florida returned a superseding indictment in case number 98-956-CR-Hurley(s) charging Aurelio Anthony Vigna and Joseph R. Vigna with various offenses arising from a scheme to smuggle freon through their company V & V Wholesale Distributors, Inc. ("V & V Medley") into the United States in violation of law.

COUNT 1
Money Laundering Conspiracy
(18 U.S.C. § 1956(h))

1. The General Allegations section of this Indictment is re-alleged and incorporated fully herein by reference.

2. From in or around February 1993, the exact date being unknown to the Grand Jury, through on or about May 29, 1998, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARC M. HARRIS,

did knowingly combine, conspire, confederate and agree with others known and unknown to the Grand Jury to commit certain offenses under Title 18, United States Code, Sections 1956, including:

a) to conduct and attempt to conduct financial transactions affecting interstate and foreign commerce and which involved the proceeds of a specified unlawful activity, that is, the smuggling of freon into the United States, in violation of Title 18, United States Code, Section 545, with the intent to promote the carrying on of specified unlawful activity, and knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i);

b) to conduct and attempt to conduct financial transactions affecting interstate and foreign commerce and which involved the proceeds of a specified unlawful activity, that is, the smuggling of freon into the United States, in violation of Title 18, United States Code, Section 545, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of said proceeds, and knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of

Title 18, United States Code, Section 1956(a)(1)(B)(i); and

c) to engage in or attempt to engage in monetary transactions affecting interstate and foreign commerce in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is, the smuggling of freon into the United States, in violation of Title 18, United States Code, Section 545, in violation of Title 18, United States Code, Section 1957.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS 2 - 7
Money Laundering - Concealment
(18 U.S.C. §§ 1956(a)(1)(B)(i) and 2)

1. The General Allegations section of this Indictment is re-alleged and incorporated fully herein by reference.

2. On or about the dates specified below as to each count, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARC M. HARRIS,

did knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, as specified below with respect to each count, each such transaction involving the proceeds of a specified unlawful activity, that is, the smuggling of freon into the United States, in violation of Title 18, United States Code, Sections 545, knowing that the transactions were designed in whole and in part to conceal and disguise nature, location, source, ownership and control of the proceeds of said specified unlawful activity, and knowing that the property involved in the financial transactions represented proceeds of some form of unlawful activity:

COUNT	APPROX. DATE	FINANCIAL TRANSACTION
2	May 7, 1998	Wire transfer of \$635,000.00 from Richmark Capital Account #65325133 in the name of Panaclear, S.A., to Global Bank Panama Account #0124000766 in the name of Susvivienda, S.A.
3	May 7, 1998	Wire transfer of \$665,000.00 from TotalBank Account #066009155 in the name of Vinir Financial Services, Ltd., to Global Bank Panama Account #0124000766 in the name of Susvivienda, S.A.
4	May 8, 1998	Wire transfer of \$400,000.00 from ABN-AMRO Bank Account #456168724322 in the name of the Marc M. Harris Trust Co., to Banco Continental de Panama Account #0626258003 in the name of Joseph R. Vigna
5	May 8, 1998	Wire transfer of \$300,000.00 from ABN-AMRO Bank Account #456168724322 in the name of the Marc M. Harris Trust Co., to Global Bank, Panama Account #0124000766 in the name of Susvivienda, S.A.
6	May 29, 1998	Wire transfer of \$271,985.00 from Banco National de Panama Account #029402515 in the name of Third World Finance, S.A., to Banco Continental de Panama Account #0626258003 in the name of Joseph R. Vigna
7	May 29, 1998	Wire transfer of \$421,000.00 from TotalBank Account #066009155 in the name of Vinir Financial Services, Ltd., to Global Bank Panama Account #0124000766 in the name of Susvivienda, S.A.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

COUNTS 8 - 13
Money Laundering
(18 U.S.C. §§ 1957)

1. The General Allegations section of this Indictment is re-alleged and incorporated fully herein by reference.

2. On or about the dates specified below as to each count, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARC M. HARRIS,

did knowingly engage and attempt to engage in monetary transactions affecting interstate and foreign commerce, as specified below with respect to each count, each such transaction involving criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is, the smuggling of freon into the United States, in violation of Title 18, United States Code, Section 545:

COUNT	APPROX. DATE	FINANCIAL TRANSACTION
8	May 7, 1998	Wire transfer of \$635,000.00 from Richmark Capital Account #65325133 in the name of Panaclear, S.A., to Global Bank Panama Account #0124000766 in the name of Susvivienda, S.A.
9	May 7, 1998	Wire transfer of \$665,000.00 from TotalBank Account #066009155 in the name of Vinir Financial Services, Ltd., to Global Bank Panama Account #0124000766 in the name of Susvivienda, S.A.
10	May 8, 1998	Wire transfer of \$400,000.00 from ABN-AMRO Bank Account #456168724322 in the name of the Marc M. Harris Trust Co., to Banco Continental de Panama Account #0626258003 in the name of Joseph R. Vigna
11	May 8, 1998	Wire transfer of \$300,000.00 from ABN-AMRO Bank Account #456168724322 in the name of the Marc M. Harris Trust Co., to Global Bank, Panama Account #0124000766 in the name of Susvivienda, S.A.
12	May 29, 1998	Wire transfer of \$271,985.00 from Banco National de Panama Account #029402515 in the name of Third World Finance, S.A., to Banco Continental de Panama Account #0626258003 in the name of Joseph R. Vigna

13	May 29, 1998	Wire transfer of \$421,000.00 from TotalBank Account #066009155 in the name of Vinir Financial Services, Ltd., to Global Bank Panama Account #0124000766 in the name of Susvivienda, S.A.
----	--------------	---

All in violation of Title 18, United States Code, Section 1957 and 2.

A TRUE BILL


FOREPERSON


MARCOS DANIEL JIMENEZ
UNITED STATES ATTORNEY


DAVID M. BUCKNER
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **03-20347** **CR-GRAHAM**

UNITED STATES OF AMERICA

v.
MARC M. HARRIS

CERTIFICATE OF TRIAL ATTORNEY*

MAGISTRATE JUDGE
GARBER

_____ Defendant /

Superseding Case Information:

Court Division: (Select One)

New Defendant(s) Yes ___ No ___
Number of New Defendants ___
Total number of counts ___

Miami Key West
 FTL WPB FTP

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) No
List language and/or dialect _____

4. This case will take 5 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<input checked="" type="checkbox"/>
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes:
Judge: _____ Case No. _____
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes:
Magistrate Case No. _____
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of _____
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? Yes ___ No If yes, was it pending in the Central Region? ___ Yes No

8. Did this case originate in the Narcotics Section, Miami? ___ Yes No


DAVID M. BUCKNER
ASSISTANT UNITED STATES ATTORNEY
Florida Bar No. 060550

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: MARC MULLEN

03-20347

CR-GRAHAM

Case No:

Count #: 1

**MAGISTRATE JUDGE
GARBER**

Conspiracy to Launder Money

18 U.S.C. § 1956(h)

* Max. Penalty: 20 years' imprisonment

Counts #: 2 - 7

Money Laundering

18 U.S.C. § 1956(a)(1)(B)(i)

* Max. Penalty: 20 years' imprisonment

Counts #: 8 - 13

Money Laundering

18 U.S.C. § 1957

* Max. Penalty: 10 years' imprisonment

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.