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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE TERRITORY OF GUAM

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,

12 vs.

13 FUNDS IN THE AMOUNT OF \$25,883.33
14 FROM BANK OF HAWAII ACCOUNT
15 ENDING IN 5448 IN THE NAME OF
16 HANSEN HELICOPTERS, INC.;

17 FUNDS IN THE AMOUNT OF \$649,208.25
18 FROM BANK OF HAWAII ACCOUNT
19 ENDING IN 9134 IN THE NAME OF
20 CALEDONIAN AGENCY, INC.;

21 FUNDS IN THE AMOUNT OF \$1,043,262.16
22 FROM COMMUNITY BANK AND TRUST
ACCOUNT ENDING IN 4056 IN THE
23 NAME OF WALKER AGRICOLA LLC; AND

24 FUNDS IN THE AMOUNT OF \$2,924,544.16
FROM NATIONAL FINANCIAL SERVICES,
LLC ACCOUNT ENDING IN 6330 IN THE
NAME OF JOHN D. WALKER,
Defendants.

CIVIL CASE NO. 18-00019

**VERIFIED COMPLAINT FOR
FORFEITURE *IN REM***

22 COMES NOW, Plaintiff, the United States of America, by and through Shawn N.
23 Anderson, United States Attorney for the Districts of Guam and Northern Mariana Islands, and
24 Stephen F. Leon Guerrero, Assistant United States Attorney for the District of Guam, brings this
VERIFIED COMPLAINT
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1 complaint and alleges as follows in accordance with Supplemental Rule G(2) of the
2 Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions and the
3 Federal Rules of Civil Procedure:

4 **I. NATURE OF THE ACTION**

5 1. This is a civil action *in rem* brought to forfeit and condemn to the use and benefit
6 of the United States of America the following property (collectively referred to as “Defendant
7 Property”), which is currently held in the Treasury Suspense Account with the Department of
8 Treasury, Treasury Executive Office for Asset Forfeiture, in Washington, D.C.:

9 A. Funds from the corporate account ending in 5448 in the name of HANSEN
10 HELICOPTERS, INC. in the amount of \$25,883.33 from Bank of Hawaii in
11 Hagatna, Guam.

12 B. Funds from the corporate account ending in 9134 in the name of CALEDONIAN
13 AGENCY, INC. in the amount of \$649,208.25 from Bank of Hawaii in Hagatna,
14 Guam.

15 C. Funds from the business account ending in 4056 in the name of WALKER
16 AGRICOLA LLC. in the amount of \$1,043,262.16 from Community Bank and
17 Trust in Neosho, Missouri.

18 D. Funds from the brokerage account ending in 6330 in the name of JOHN D.
19 WALKER in the amount of \$2,924,544.16 from National Financial Services,
20 LLC. in Boston, Massachusetts.

21 Defendant Property was obtained pursuant to seizure warrants based on probable cause
22 that were executed on February 6, 2018 and March 7, 2018. Defendant Property is hereby
23 alleged to be any property, real or personal, involved in a transaction or attempted transaction in
24 violation of 18 U.S.C. §1957 (Money Laundering) or any property traceable to such property
and thereby subject to civil forfeiture under 18 U.S.C. § 981(a)(1)(A); and is hereby alleged to
constitute or be derived from proceeds traceable to a violation of 18 U.S.C. §1343 (Wire Fraud)
which is an offense that constitutes “specified unlawful activity” under 18 U.S.C. §1956(c)(7), as
listed in section 1961(1), and thereby subject to civil forfeiture under 18 U.S.C. § 981(a)(1)(C).

25 **II. JURISDICTION AND VENUE**

26 2. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the
27 Defendant Property. This Court has jurisdiction over an action commenced by the United States
28 under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

29 VERIFIED COMPLAINT
30 FOR FORFEITURE *IN REM*
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- 1 c. On or about May 27, 2014, an email disclosed that CROWE informed
2 WALKER which aircraft CISLO preferred and that CROWE negotiated the
3 seller down to \$20,000, but the seller wanted \$22,500 including shipping.
- 4 d. On or about May 28, 2014, multiple emails disclosed that CROWE instructed
5 “Jo” from HANSEN HELICOPTERS, INC. to proceed with the wire transfer
6 and informed “Jo” that the airplane owners wanted the airplane broker to
7 handle the sale. CROWE informed the aircraft owner that the accountant was
8 processing the wire transfer for the purchase of the aircraft and a receipt
9 would be sent to the aircraft owners and the airplane broker when complete.
10 CROWE also informed the airplane broker that the wire transfer was complete
11 and should be in his account within 24-48 hours.
- 12 e. On or about May 30, 2014, an email disclosed that airplane broker informed
13 CROWE that the funds cleared and he would send the bill of sale the
14 following morning via FedEx, but the airplane broker asked if the bill of sale
15 went to CISLO.
- 16 f. On or about June 27, 2014, an email disclosed that CROWE requested
17 MARVIN R. REED (REED) forward CROWE the documents CISLO would
18 “need to get his plane in Hawaii” and asked when the aircraft would arrive.
19 The subject line of that email was “Tim’s Plane.”
- 20 g. In or about June 2014, an electronic copy of a Performa/Commercial Invoice
21 indicated that a disassembled damaged airplane and “1 ea spare engine”
22 shipped from Sonoma, California to Kapolei, Hawaii for CISLO, but the
23 invoice was signed by REED.
- 24 h. On or about February 13, 2015, an email disclosed that CISLO told CROWE
he planned on having a “sign-fest” of airworthy certificates in May or June.

8. On or about June 25, 2014, the Aircraft Bill of Sale, *AC Form 8050-2*, for N43245 and the Aircraft Registration Application, *AC Form 8050-1*, for N43245 was filed with the FAA. FAA records indicated that the aircraft N43245 was a Taylorcraft BC-12D, Serial Number 6904, and currently registered to CISLO. The aircraft bill of sale indicated the aircraft was sold by previous owners for \$20,000 on May 28, 2014. The aircraft registration application

1 for N43245, Serial Number 6904, requested the aircraft be registered to CISLO in Honolulu,
2 Hawaii. CISLO signed the application on June 20, 2014.

3 9. On or about February 27, 2015, CISLO approved the following aircrafts for
4 HANSEN HELICOPTERS, INC. by signing the *FAA Form 8130-7*, Special Airworthiness
Certificate, which is identified by the following aircraft numbers:

- 5 a. N2949P
- 6 b. N369PF
- 7 c. N4250N
- 8 d. N454S
- 9 e. N501FC
- 10 f. N504WW
- 11 g. N74AM
- 12 h. N9056F
- 13 i. N9162F
- 14 j. N9212F

15 10. According to Doug Dymock, FAA Inspector of the Special Emphasis
16 Investigations Team, a safety inspector cannot, in good faith, properly inspect and issue
17 airworthiness certificates for ten helicopters in one day, especially since four of the helicopters
18 were involved in previous accidents, including one helicopter considered damaged beyond
19 repair, prior to CISLO issuing the aircraft an airworthiness certificate. The following helicopters
20 had accident reports filed with the National Transportation Safety Board (NTSB), but CISLO
21 later approved those helicopters as being airworthy, as described in *paragraph 9*:

22 a. Aircraft Number: N4250N

23 An accident report filed by the NTSB indicated that the aircraft was destroyed
24 over the Pacific Ocean on or about June 20, 1997. This airframe was also
registered in the Republic of Philippines until on or about September 4, 2014,
when they removed it from their registry by revocation.

25 b. Aircraft Number: N74AM

26 An accident report filed by the NTSB indicated the aircraft suffered
27 substantial damage in the Pacific Ocean on or about October 6, 2004.

28 c. Aircraft Number: N9056F

1 An accident report filed by the NTSB indicated the aircraft suffered
2 substantial damage on or about September 19, 1975.

3 d. Aircraft Number: N9162F

4 An accident report filed by the NTSB indicated the aircraft suffered
5 substantial damage in the Pacific Ocean on or about December 30, 1999.

6 11. CISLO issued the airworthiness certificates for the following aircrafts without
7 doing a proper review of the aircraft records and proper safety inspection:

8 a. Aircraft Number: N243D

- 9 1. Around August 2004, this aircraft was destroyed in a crash and
10 subsequently deregistered and scrapped by its owner at the time.
11 HANSEN HELICOPTERS, INC. later obtained N243D and N345SD
12 in a pile of scrap the company purchased in Alaska.
- 13 2. In a subsequent attempt to register N243D with the FAA, CROWE
14 represented the aircraft had “erroneously” been reported as destroyed
15 or scrapped. CROWE conceded the aircraft was involved in a crash,
16 but he falsely claimed the main fuselage had not been damaged in the
17 crash. The prior owner of aircraft N243D had photographs showing
18 that the aircraft fuselage was clearly damaged in the crash because it
19 had to be cut in order to free one of the occupants from the downed
20 aircraft.
- 21 3. In 2012, HANSEN HELICOPTERS, INC. Director of Maintenance
22 TURNER KAPP (KAPP) made an entry in what was purported to be a
23 logbook for aircraft N243D. The entry reflected that KAPP performed
24 a hard landing inspection on the aircraft; however, KAPP’s logbook
entry did not reflect sufficient repairs to make N243D airworthy after
the crash.
4. CISLO issued a replacement airworthiness certificate on or about
October 31, 2012.

b. Aircraft Number: N345SD

1. On or about October 31, 2012, CISLO issued a replacement
airworthiness certificate for aircraft N345SD after HANSEN

1 HELICOPTERS, INC. represented that the original certificate was lost
2 at sea. During this timeframe, aircraft N345SD was on the
3 manufacturer's destroyed list for approximately 10 years and there was
4 no documentation indicating that it was adequately repaired. Had
5 CISLO accessed the FAA's Safety Performance Analysis System
6 before issuing the replacement airworthiness certificate, CISLO would
7 have seen the NTSB accident report, which stated that aircraft
8 N345SD crashed in 2002 and was "*destroyed.*"

9 c. Aircraft Number: N9068F

- 10 1. On or about March 7, 2013, CISLO issued a replacement airworthiness
11 certificate for aircraft N9068F, even though the aircraft was involved
12 in a crash on or about December 6, 1997. The aircraft sustained
13 substantial damage and was reported as being destroyed. There were
14 no FAA Form 337 major repair maintenance record entries for the
15 aircraft on file for structural repairs in accordance with 14 C.F.R.
16 §43.9(d).
- 17 2. Based on the fact that no records were submitted to the FAA to
18 indicate N9068F had been repaired after its December 6, 1997 crash,
19 the FAA sent multiple letters to HANSEN requesting to inspect
20 aircraft N9068F dated May 13, 2015, June 23, 2015, and July 8,
21 2015. Aircraft N9068F crashed on or about September 2, 2015, which
22 killed the pilot and sank into the ocean. On or about September 2,
23 2015, KAPP traveled to the Republic of Marshall Islands to obtain the
24 logbooks and records for aircraft N9068F. On or about September 10,
2015, KAPP made false entries into aircraft N9068F's logbook,
documenting that the necessary inspections and maintenance were
performed on aircraft N9068F, when in fact KAPP did not perform the
stated inspections or required maintenance. KAPP was not in the same
physical location as the aircraft during the time period he specified in
the logbook entries. KAPP subsequently provided the altered
aircraft's logbook entries for N9068F's to CROWE, who then

1 submitted the accident report to NTSB and logbook entries to the FAA
2 as part of the crash investigation into aircraft N9068F.

3 3. On or about September 3, 2015, HANSEN HELICOPTERS, INC.
4 reported that this aircraft crashed and was lost at sea. HANSEN and
5 CROWE sent the FAA a signed affidavit, dated or about March 4,
6 2016, stating that aircraft N9068F crashed at sea and the aircraft's
7 registration and certificate of airworthiness were lost with the aircraft.
8 However, HANSEN and CROWE were in possession of both the
9 registration and certificate of airworthiness for aircraft N9068F, which
10 was found at the HANSEN facility during the FBI search warrant on
11 or about October 26, 2016.

12 12. On or about October 26, 2016, the FBI, DOT-OIG, and other law enforcement
13 agencies executed a search warrant at HANSEN HELICOPTERS, INC., which is located in
14 Harmon, Guam, and its subsidiaries. IRS-CI Special Agent Viranousith Khamvongsa reviewed
15 evidence stored on electronic media and computers seized from the search site that were
16 provided by the FBI.

17 The following tables summarize several Microsoft Excel files, which lists the
18 pilot, mechanic, and marine vessel assignment to HANSEN HELICOPTERS, INC.'s aircraft
19 fleet and identified by their tail numbers. The tables also summarize evidence from a Microsoft
20 Excel file that provided a schedule of the billings and collections activity from companies that
21 leased helicopters from HANSEN HELICOPTERS, INC., or its subsidiaries, for the time period
22 of December 2013 to September 2016.

23 The information being summarized also focuses on the ten (10) helicopters
24 identified in paragraphs 9 and 10, which were certified by FAA Safety Inspector CISLO on or
about February 27, 2015 as being airworthy after CISLO received an airplane from CROWE,
WALKER, REED, and HANSEN HELICOPTERS, INC. on or around June 25, 2014, even
though CISLO did not properly inspect the helicopters. In addition, the information also
summarizes three other helicopters identified in paragraph 11, which were also certified by FAA
Safety Inspector CISLO as being airworthy, when they were not.

a.

Aircraft Number	Marine Vessel	Company	Total Payments
N2949P	No Data	No Data	\$ 0.00
N369PF	Sea Quest	Sea Quest, Inc.	120,000.00
N4250N	Ocean Galaxy	Fong Kuo Fishery	323,717.42
N454S	Friesland	Fishing Company Friesland	732,271.82
N501FC	American Eagle	Ching Fu Shipbuilding	145,191.28
N501FC	Shun Fa 8	Golden Village Global	594,090.22
N504WW	Win Far 636	Kuo Hsiung Fishery Co.	119,950.00
N74AM	Fong Kuo 189	Fong Kuo Fishery	789,450.34
N9056F	Fong Kuo 866	Fong Kuo Fishery	185,259.37
N9162F	Fong Kuo 889	Fong Kuo Fishery	300,000.00
N9162F	Kwilla 888	TSP Marine Industries	145,806.40
N9212F	Lim Joon Discoverer	Kiribaati and Hansung Fisheries	417,419.36
N243D	Atun Planti	Ocean Lucky Limited	504,838.72
N345SD	Ocean Challenger	Ocean	929,217.28
N9068F	Atun Kalap	Ocean Lucky Limited / Top Wealth Global Limited	279,796.87

13. After analyzing the records from WALKER AGRICOLA LLC.'s Community Bank and Trust business bank account, xxx4056, CALEDONIAN AGENCY, INC.'s Bank of Hawaii corporate bank account, xxxx-xx9134, HANSEN NORTHERN HELICOPTERS, INC. Bank of Hawaii corporate bank account, xxxx-xx3534, and HANSEN HELICOPTERS, INC. Bank of Hawaii corporate bank account, xxxx-xx 5448, IRS-CI Special Agent Viranousith Khamvongsa identified that of the \$ 5,587,009.08 attributable to SUA proceeds calculated from the seized electronic media identified in the *paragraph 12*, \$5,018,114.45 is traceable through the aforementioned bank accounts.

14. Beginning in February 2014, an aggregate amount of \$5,018,114.45 was deposited, by using wire communications that moved through interstate commerce, into Bank of Hawaii account ending in 9134 in the name of CALEDONIAN AGENCY, INC., and traceable to SUA proceeds of 18 U.S.C. §1343 (Wire Fraud). These wires were to pay for helicopters leased from HANSEN HELICOPTERS, INC., which FAA Safety Inspector CISLO deemed

1 airworthy, even though they were not, because FAA Safety Inspector CISLO was bribed and
2 influenced by various individuals and businesses, to include JOHN D. WALKER aka JON
3 WALKER.

4 15. From December 14, 2016 to December 16, 2016, the sum of \$4,190,870.48 of the
5 above-referenced \$5,018,114.45 SUA proceeds was transferred to other accounts, which were
6 \$3,990,870.48 to Bank of Hawaii account ending 3534, and \$200,000 to Bank of Hawaii account
7 ending 5448. As of December 30, 2017, \$178,035.72 of the SUA proceeds was used, and
8 \$649,208.25 of the SUA proceeds remained in the Bank of Hawaii account ending in 9134 in the
9 name of CALEDONIAN AGENCY, INC.

10 16. From December 14, 2016 to December 16, 2016, an aggregate amount of
11 \$3,990,870.48 of the above-referenced SUA proceeds was transferred into the Bank of Hawaii
12 account ending 3534 in the name of HANSEN NORTHERN HELICOPTERS, INC. From
13 December 19, 2016 to December 20, 2016, \$3,967,806.32 of the \$3,990,870.48 SUA proceeds
14 was transferred to Community Bank and Trust account ending 4056 in the name of WALKER
15 AGRICOLA, LLC. As of December 30, 2017, \$23,064.16 of the SUA proceeds remained in the
16 Bank of Hawaii account ending in 3534 in the name of HANSEN NORTHERN
17 HELICOPTERS, INC.

18 17. On or about December 16, 2016, \$200,000 of the above-referenced SUA proceeds
19 was transferred into the Bank of Hawaii account ending 5448 in the name of HANSEN
20 HELICOPTERS, INC. As of December 30, 2017, \$174,116.67 of the SUA proceeds were used,
21 and \$25,883.33 of the SUA proceeds remained in the Bank of Hawaii account ending in 5448 in
22 the name of HANSEN HELICOPTERS, INC.

23 18. From December 19, 2016 to December 20, 2016, the sum of \$3,967,806.32 of the
24 above-referenced SUA proceeds was transferred in to the Community Bank and Trust account
ending 4056 in the name of WALKER AGRICOLA, LLC. On or about January 22, 2018,
\$2,924,544.16 of the \$3,967,806.32 SUA proceeds was transferred to National Financial
Services, LLC account ending 6330. As of February 6, 2018, \$1,043,262.16 of the SUA
proceeds remained in the Community Bank and Trust account ending in 4056 in the name of
WALKER AGRICOLA, LLC.

19. On or about January 22, 2018, \$2,924,544.16 of the above-referenced SUA
proceeds was transferred in to the National Financial Services, LLC account ending 6330 in the

1 name of JOHN D. WALKER. As of March 7, 2018, \$2,924,544.16 of the SUA proceeds
2 remained in the National Financial Services, LLC account ending in 6330 in the name of JOHN
3 D. WALKER.

4 **IV. CLAIM FOR RELIEF**

5 20. Plaintiff incorporates the allegations of paragraphs 1 through 19, above.

6 21. Based on the foregoing, Defendant Property is hereby alleged to be any property,
7 real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C.
8 §1957 (Money Laundering) or any property traceable to such property and thereby subject to
9 civil forfeiture under 18 U.S.C. § 981(a)(1)(A); and is hereby alleged to constitute or be derived
10 from proceeds traceable to a violation of 18 U.S.C. §1343 (Wire Fraud) which is an offense that
11 constitutes “specified unlawful activity” under 18 U.S.C. §1956(c)(7), as listed in section 1961
12 (1), and thereby subject to civil forfeiture under 18 U.S.C. § 981(a)(1)(C).

13 **V. PRAYER FOR RELIEF**

14 WHEREFORE, the Plaintiff prays that due process issue to enforce the forfeiture of
15 Defendant Property, *in rem*; that due notice of this action be given to all interested persons to
16 appear and show cause why forfeiture of Defendant Property, *in rem*, should not be decreed; that
17 due proceedings be had thereon; that the Defendant Property be forfeited and condemned to the
18 United States of America; that the Plaintiff be awarded its costs and disbursements in this action;
19 and for such other and further relief as this Court deems proper and just.

20 DATED this 4th day of May, 2018.

21 SHAWN N. ANDERSON
22 United States Attorney
23 Districts of Guam and the NMI

24 By: /s/ Stephen F. Leon Guerrero
STEPHEN F. LEON GUERRERO
Assistant U.S. Attorney

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VERIFICATION

I, Viranousith Khamvongsa, hereby verify and declare under penalty of perjury that I am a Special Agent with the Internal Revenue Service-Criminal Investigation, in Guam, that I have read the foregoing Verified Complaint for Forfeiture *In Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent.

I hereby verify and declare under penalty of perjury that the foregoing information is true and correct.

DATED this 04 day of May, 2018.



Viranousith Khamvongsa, Special Agent
Internal Revenue Service-Criminal Investigation