

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York
By: Alexander J. Wilson
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2453

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
UNITED STATES OF AMERICA	:	VERIFIED COMPLAINT FOR
	:	<u>FORFEITURE</u>
v.	:	
\$1,032,181.98 IN UNITED STATES CURRENCY	:	21 Civ.
FORMERLY HELD IN ACCOUNT NUMBERED	:	ECF case
1000056327 IN THE NAME OF MAYDAISY	:	
CORPORATION AT FOREX CAPITAL MARKETS,	:	
LLC,	:	
	:	
Defendant-in-rem.	:	
-----	X	

Plaintiff United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, for its verified complaint alleges, upon information and belief, as follows:

I. JURISDICTION AND VENUE

1. This is a civil action in rem commenced by the United States of America seeking the forfeiture of \$1,032,181.98 in United States Currency formerly held in account numbered 1000056327 in the name of Maydaisy Corporation at Forex Capital Markets LLC (the "Defendant-in-rem"). The Defendant-in-rem is subject to forfeiture pursuant to (1) Title 18, United States Code, Section 981(a)(1)(A), as property involved in money laundering transactions in violation of Title 18, United States Code, Sections 1956; (2) Title 18, United

States Code, Section 981(a)(1)(B) as proceeds traceable to the sale of controlled substances; and (3) Title 21, United States Code, Section 881(a)(6), as moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance and all proceeds traceable to such an exchange, or intended to be used to facilitate any violation of Subchapter 1, Chapter 13 of Title 21 of the United States Code.

2. The Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. Venue is proper under Title 28, United States Code, Sections 1355(b) and 1395, because acts and omissions giving rise to the forfeiture took place in the Southern District of New York and the Defendant-in-rem was seized in the Southern District of New York.

4. The Defendant-in-rem is presently in the custody of the United States Marshals Service.

II. PROBABLE CAUSE FOR FORFEITURE

5. In or about May 2008, members of a Drug Enforcement Administration Financial Investigation Team (“DEA FIT”) were contacted by representatives of the Commodity Futures Trading Commission regarding suspicious investment account activity at Forex Capital Markets LLC (“Forex”) involving an account in the name of a company called Maydaisy Corporation (“Maydaisy”). The account in question, numbered 1000056327 (the “Maydaisy Account”), was held for the benefit and in the control of an individual named CC-1.

6. Soon thereafter, DEA FIT learned that in March 2008, the anti-money laundering unit of the Zambia Drug Enforcement Commission (“DEC”) had arrested CC-1 for alleged money laundering activities and seized approximately \$7 million in United States

currency from a commercial bank account held in Zambia (the “Zambian Account”).

According to press reports, CC-1 was arrested on grounds that CC-1, acting with others, had created false documents under the auspices of a Jamaican company through which CC-1 had also allegedly received the \$7 million in the Zambian Account. The Zambian authorities believed that the source of these funds was not legitimate.

7. An investigation into the source of the funds then held in the Maydaisy Account revealed that on or about March 20, 2008, \$1,032,181.98 in United States currency was transferred from a Bank of America account ending in -3891, held in the name of Company-1 (the “Company-1 Account”) to the Maydaisy Account. Company-1 was a Futures Commission Merchant and Forex Dealer Member that conducted retail, off-exchange foreign exchanges trading for its customers, and was solely responsible for maintaining all records pertaining to all trades conducted by and on behalf of its customers.

8. DEA FIT further learned that in or around late March 2008, Company-1 had terminated its contractual relationship with CC-1 and Maydaisy as a result of CC-1’s arrest in Zambia. At that time, CC-1 instructed Company-1 to transfer \$1,800,000 in United States currency to a banking institution in Zambia, and further instructed that the balance in the Company-1 Account -- \$1,031,181.98 in United States currency – be wire transferred to the Maydaisy Account; thus, the Defendant-in-rem was deposited into the Maydaisy Account.

9. In May 2008, DEA FIT further learned that the Turks and Caicos Islands Police Force’s Financial Crimes Unit (the “TCI Police”) had been investigating an illegal investment scheme, described herein, involving, among others, Maydaisy, CC-1, individuals

CC-2 and CC-3¹, and another entity, Company-2. TCI Police learned that Maydaisy and Company-2 had transferred at least \$100 million in United States currency to Company-1 since 2006.

10. The TCI Police learned, *inter alia*, that CC-2 has a brother, CC-4, who is a major drug trafficker who imports cocaine from Colombia into Jamaica for further distribution into the United States, and also ships marijuana from Jamaica into the United States. DEA FIT learned that CC-4 at relevant times shipped large amounts of controlled substances from Jamaica to the United States using CC-3 as a conduit.

11. The TCI Police also advised that CC-2 operated an illegal investment scheme in Jamaica and the Turks and Caicos Islands, through which CC-4 launders his narcotics proceeds. The scheme, similar to a Ponzi scheme, comingled illegal drug proceeds with money from “private investors.” The money was layered and integrated through a series of banks and foreign exchange houses located in the Turks and Caicos and the United States.

12. The DEA learned from other sources that:

a. For approximately nine months in 2007, CC-2 was listed as a principal of Company-1 based on his having 100% of the firm’s capital. CC-2 was also the primary customer of Company-1.

b. CC-2 also operated Company-2, which appeared to be an investment club for high net worth individuals. The Financial Services Commission (the “FSC”) of Jamaica had investigated CC-2 and Company-2 for allegedly offering illegal securities, and issued a cease and desist order in March of 2006 that, *inter alia*, prevented

¹ CC-3 was arrested in Cuba in 1998 on drug smuggling charges and at times relevant to this complaint was believed to be involved in the smuggling of cocaine and marijuana into the United States from the Caribbean.

Company-2 from accepting new members. The Jamaican Supreme Court upheld FSC's cease and desist order in December 2007. After the FSC issued the cease and desist, CC-2 relocated his business operations to the Turks and Caicos Islands.

c. The TCI Police obtained a Restraint Order against CC-2, as a result of which approximately \$10.5 million in various assets were restrained in 2008.

d. CC-2 created Maydaisy Corporation and CC-1 worked for CC-2.

III. CLAIMS FOR FORFEITURE

13. Incorporated herein are the allegations contained in paragraphs one through Twelve of this Complaint.

14. Pursuant to Title 18, United States Code, Section 981(a)(1)(A), "[a]ny property, real or personal, involved in a transaction or attempted transaction in violation of section 1956, 1957 or 1960 of this title, or any property traceable to such property" is subject to forfeiture to the United States.

15. Title 18, United States Code, Section 1956(a) provides:

(1) Whoever, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity—

(i) with the intent to promote the carrying on of specified unlawful activity; or

...

(B) knowing that the transaction is designed in whole or in part— (i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity

shall be guilty of a crime. 18 U.S.C. § 1956(a)(1).

16. Title 18, United States Code, Section 1956(a)(2) provides:

Whoever transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument or funds from a place in the

United States to or through a place outside the United States or to a place in the United States from or through a place outside the United States—

- (A) with the intent to promote the carrying on of specified unlawful activity; or
- (B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer is designed in whole or in part— (i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity; or (ii) to avoid a transaction reporting requirement under State or Federal law

shall be guilty of a crime. 18 U.S.C. § 1956(a)(2).

17. A “financial transaction” is “(A) a transaction which in any way or degree affects interstate or foreign commerce (i) involving the movement of funds by wire or other means or (ii) involving one or more monetary instruments.” 18 U.S.C. § 1956(c)(4).

18. “[S]pecified unlawful activity” means—

- (B) with respect to a financial transaction occurring in whole or in part in the United States, an offense against a foreign nation involving—
 - (i) the manufacture, importation, sale, or distribution of a controlled substance (as such term is defined for the purposes of the Controlled Substances Act);

18 U.S.C. § 1956(c)(7).

19. Because the Defendant-in-rem relates to the concealment and laundering of the proceeds of narcotics sales abroad, it is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(A) as property involved in a transaction or attempted transaction in violation of section 1956(a)(1) and (2), and property traceable to such property.

20. Title 18, United States Code, Section 981(a)(1)(B) subjects to forfeiture

- (B) Any property, real or personal, within the jurisdiction of the United States, constituting, derived from, or traceable to, any proceeds obtained directly or indirectly from an offense against a foreign nation, or any property used to facilitate such an offense, if the offense—

(i) involves trafficking in nuclear, chemical, biological, or radiological weapons technology or material, or the manufacture, importation, sale, or distribution of a controlled substance (as that term is defined for purposes of the Controlled Substances Act), or any other conduct described in section 1956(c)(7)(B);

(ii) would be punishable within the jurisdiction of the foreign nation by death or imprisonment for a term exceeding 1 year; and

(iii) would be punishable under the laws of the United States by imprisonment for a term exceeding 1 year, if the act or activity constituting the offense had occurred within the jurisdiction of the United States.

18 U.S.C. § 981(a)(1)(B).

21. The Defendant-in-rem constitutes or is traceable to the proceeds of the sale of controlled substances, which crime is a felony in the countries in which the sales occurred and would have been a felony if committed in the United States, and is therefore forfeitable pursuant to Section 981(a)(1)(B).

22. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture

“all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter [subchapter I, of Chapter 13, Title 21], all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter”

21 U.S.C. § 881(a)(6).

23. The Defendant-in-rem is subject to forfeiture pursuant to Title 21, United States Code, Section 881(a)(6) as proceeds traceable to exchanges of controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) and 846.


WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendant-in-rem and that all persons having an interest in the Defendant-in-rem be cited to appear and show cause why the forfeiture should not be decreed,

and that this Court decree forfeiture of the Defendant-in-rem to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
November 10, 2021

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York
Attorney for the Plaintiff
United States of America

By:

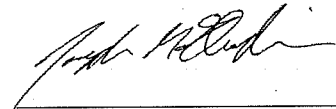


Alexander J. Wilson
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel No. (212) 637-2453

DECLARATION OF VERIFICATION

Joseph Ghedina, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury that he is a Special Agent with the United States Drug Enforcement Administration; that he has read the foregoing Verified Complaint and knows the contents thereof; that the same is true to the best of his knowledge, information and belief; and that the sources of his information and the grounds of his belief are conversations with law enforcement officers and others, official records and files of the DEA and the United States Government, and information obtained directly or indirectly by deponent during an investigation of the violations alleged.

Executed on November 10, 2021



JOSEPH GHEDINA
Special Agent
Drug Enforcement Administration