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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2002 Grand Jury

UNITED STATES OF AMERICA,	)	CR 03-_____
)	
Plaintiff,	)	<u>I N D I C T M E N T</u>
)	
v.	)	[18 U.S.C. § 951: Failure to
	)	Notify Attorney General of
JOHN JOUNGWOONG YAI and	)	Foreign Agent Relationship; 31
SUSAN YOUNGJA YAI,	)	U.S.C. §§ 5316(a)(1)(B),
	)	5322(a): Failure to Report
Defendants.)	)	Importation of More Than
	)	\$10,000 in Monetary
	)	Instruments; 18 U.S.C. § 1001:
	)	False Statement within
	)	Jurisdiction of Federal
	)	Government; 18 U.S.C. § 371:
	)	Conspiracy]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 951]

Between approximately December 1997 and approximately April 2000, in Los Angeles County, within the Central District of California, defendant JOHN JOUNGWOONG YAI knowingly acted in the United States as an agent of a foreign government, namely the Democratic People's Republic of Korea, without giving the prior notification to the Attorney General of the United States that was required by law.

LSM:DSG:SK

COUNT TWO

[31 U.S.C. §§ 5316(a)(1)(B), 5322(a)]

On or about April 30, 2000, in Los Angeles County, within the Central District of California, defendants JOHN JOUNGWOONG YAI and SUSAN YOUNGJA YAI knowingly and willfully transported, at one time, more than \$10,000 in monetary instruments, that is, approximately \$18,179 in United States currency, from a place outside the United States to a place inside the United States, and willfully failed to report such transportation.

COUNT THREE

[18 U.S.C. § 1001]

On or about April 30, 2000, in Los Angeles County, within the Central District of California, defendants JOHN JOUNGWOONG YAI and SUSAN YOUNGJA YAI knowingly and willfully made the following materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States: Upon arrival at Los Angeles International Airport from Switzerland, defendants JOHN JOUNGWOONG YAI and SUSAN YOUNGJA YAI stated to an official of the United States Customs Service that they were not carrying more than \$10,000 between them, whereas in truth and fact, as defendants JOHN JOUNGWOONG YAI and SUSAN YOUNGJA YAI then well knew, they were carrying substantially more than \$10,000 from Switzerland to the United States, namely \$18,179 in United States currency.

1 District of California, including, but not limited to, the
2 following:

3 1. In a telephone conversation with defendant SUSAN YOUNGJA
4 YAI on May 17, 2000, defendant JOHN JOUNGWOONG YAI agreed to ask
5 a travel agency whether a traveler leaving Los Angeles
6 International Airport must report taking more than \$10,000 cash
7 out of the country.

8 2. On May 17, 2000, defendant JOHN JOUNGWOONG YAI asked a
9 travel agency whether a traveler leaving Los Angeles
10 International Airport must report taking more than \$10,000 cash
11 out of the country.

12 3. In a telephone conversation with defendant JOHN
13 JOUNGWOONG YAI on May 17, 2000, defendant SUSAN YOUNGJA YAI
14 proposed that she and defendant JOHN JOUNGWOONG YAI tell the
15 United States Customs Service that they took the money out of the
16 United States, wanted to buy certain things, but brought the
17 money back on their return.

18 4. In or about May 2000, defendant JOHN JOUNGWOONG YAI
19 submitted a letter to the United States Customs Service
20 petitioning for relief from forfeiture of the \$18,100 in seized
21 money and stating that defendant JOHN JOUNGWOONG YAI and his wife
22 had carried this money when they left Los Angeles for Vienna on
23 April 22, 2000; that they had saved cash for this special
24 occasion for 3-4 years; that they had intended to purchase some
25 fine jewelry and watches in Europe or at an airport duty free
26 shop but could not find anything they wanted to purchase, so they
27 brought back most of the money on their return home on April 30,
28 2000; and that they misunderstood the currency reporting system

1 because of their lack of knowledge and because it was the first
2 time in their lives that they carried large amounts of cash.

3 5. In a telephone conversation on July 24, 2000, defendants
4 JOHN JOUNGWOONG YAI and SUSAN YOUNGJA YAI discussed what story
5 they would tell the United States Customs Service.

6 6. On August 8, 2000, defendants JOHN JOUNGWOONG YAI and
7 SUSAN YOUNGJA YAI went to the offices of the United States
8 Customs Service in Long Beach, California, where SUSAN YOUNGJA
9 YAI stated that she and her husband had been saving cash for the
10 trip and had each taken out \$10,000 in currency with them.

11 7. On August 10, 2000, at the offices of the United States
12 Customs Service in Long Beach, California, defendant JOHN
13 JOUNGWOONG YAI signed an affidavit falsely stating that when he
14 and his wife traveled to Vienna, Austria for an eight-day
15 vacation, they each had \$10,000 in U.S. currency on their person.

16 8. On August 10, 2000, at the offices of the United States
17 Customs Service in Long Beach, California, defendant SUSAN
18 YOUNGJA YAI signed an affidavit falsely stating that when she and
19 her husband traveled to Vienna, Austria for an eight-day
20 vacation, they each had \$10,000 in currency on their persons.

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COUNT FIVE

[18 U.S.C. § 1001]

On or about August 10, 2000, in Los Angeles County, within the Central District of California, defendant JOHN JOUNGWOONG YAI knowingly and willfully made the following materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States: In an affidavit he provided to the United States Customs Service, defendant JOHN JOUNGWOONG YAI stated that when he and his wife Susan traveled to Vienna, Austria for an eight-day vacation, they "each had \$10,000 in United States currency on [their] persons," whereas in truth and in fact, as defendant JOHN JOUNGWOONG YAI then well knew, they did not each have \$10,000 on their persons when they traveled to Vienna, Austria for an eight-day vacation.

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COUNT SIX

[18 U.S.C. § 1001]

On or about August 10, 2000, in Los Angeles County, within the Central District of California, defendant SUSAN YOUNGJA YAI knowingly and willfully made the following materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States: In an affidavit she provided to the United States Customs Service, defendant SUSAN YOUNGJA YAI stated that when she and her husband traveled to Vienna, Austria for an eight-day vacation, they "had each taken out \$10,000 in currency with [them] when [they] departed the United States," whereas in truth and in fact, as defendant SUSAN YOUNGJA YAI then well knew, they had not each taken \$10,000 with them when they departed the United States.

A TRUE BILL

Foreperson

DEBRA W. YANG
United States Attorney

JACQUELINE CHOOLJIAN
Assistant United States Attorney
Chief, Criminal Division

LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Public Corruption and Government Fraud Section