

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**CRIMINAL NO. 08-306 (RMC)**

**UNITED STATES PROTECTION AND  
INVESTIGATIONS, LLC,  
DELMAR D. SPIER,  
BARBARA E. SPIER,  
WILLIAM F. DUPRE,  
and  
BEHZAD MEHR,**

**Defendants.**

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**UNITED STATES' NOTICE OF INTENT TO USE  
SEIZED EVIDENCE PURSUANT TO RULE 12(b)(4)(B)**

The United States of America, through the undersigned counsel, herein provides notice pursuant to Rule 12(b)(4)(B) of the Federal Rules of Criminal Procedure and the Court's May 22, 2009 Order of it's intent to use seized materials in its case-in-chief.

- A. The United States intends to use the following categories of evidence seized from United States Protection and Investigations, LLC's (USPI) offices in Kabul, Afghanistan on August 28, 2007. The seized evidence includes, but is not limited to:**
1. Documentation related to vehicle rental and fuel costs incurred by USPI during the conspiracy period identified in the Indictment.
    - a. Requests for Reimbursement ("USPI Vouchers"), wire transfer requests, vehicle contracts, and invoices purporting to be supporting documentation for vehicle rental and fuel costs from Afghan Commercial Services Provider, Brothers Transport, Raza-i-Private Vehicle Provider Company, Afghan Car Rental, and AZ Good Vehicles Fair Prices, including, but not limited to, USPI Vouchers:

<u>Voucher</u>	<u>Project</u>
1	Kandahar to Herat
4	Kandahar to Herat
6	Kandahar to Herat
8	Kandahar to Herat
10	Kandahar to Herat
12	Kandahar to Herat
14	Kandahar to Herat
17	Kandahar to Herat
19	Kandahar to Herat
22	Kandahar to Herat
24	Kandahar to Herat
26	Kandahar to Herat
29	Kandahar to Herat
31	Kandahar to Herat
33	Kandahar to Herat
34	Kandahar to Herat
36	Kandahar to Herat
38	Kandahar to Herat
39	Kandahar to Herat
40	Kandahar to Herat
42	Kandahar to Herat
44	Kandahar to Herat
45	Kandahar to Herat
46	Kandahar to Herat
47	Kandahar to Herat
48	Kandahar to Herat
50	Kandahar to Herat
51	Kandahar to Herat
52	Kandahar to Herat
53	Kandahar to Herat
54	Kandahar to Herat
55	Kandahar to Herat
56	Kandahar to Herat
57	Kandahar to Herat
58	Kandahar to Herat
60	Kandahar to Herat
61	Kandahar to Herat
62	Kandahar to Herat
63	Kandahar to Herat
64	Kandahar to Herat
65	Kandahar to Herat

67	Kandahar to Herat
68	Kandahar to Herat
69	Kandahar to Herat
70	Kandahar to Herat
71	Kandahar to Herat
72	Kandahar to Herat
73	Kandahar to Herat
74	Kandahar to Herat
75	Kandahar to Herat
1	Kabul to Kandahar
3	Kabul to Kandahar
5	Kabul to Kandahar
7	Kabul to Kandahar
8	Kabul to Kandahar
9	Kabul to Kandahar
11	Kabul to Kandahar
12	Kabul to Kandahar
13	Kabul to Kandahar
15	Kabul to Kandahar
16	Kabul to Kandahar
17	Kabul to Kandahar
18	Kabul to Kandahar
19	Kabul to Kandahar
20	Kabul to Kandahar
21	Kabul to Kandahar
24	Kabul to Kandahar
26	Kabul to Kandahar
28	Kabul to Kandahar
30	Kabul to Kandahar
32	Kabul to Kandahar
34	Kabul to Kandahar
37	Kabul to Kandahar
39	Kabul to Kandahar
42	Kabul to Kandahar
44	Kabul to Kandahar
46	Kabul to Kandahar
49	Kabul to Kandahar
51	Kabul to Kandahar
53	Kabul to Kandahar
54	Kabul to Kandahar
56	Kabul to Kandahar
58	Kabul to Kandahar
60	Kabul to Kandahar

61	Kabul to Kandahar
63	Kabul to Kandahar
65	Kabul to Kandahar
5	Power-Dams
8	Power-Dams
10	Power-Dams
12	Power-Dams
15	Power-Dams
17	Power-Dams
20	Power-Dams
22	Power-Dams
24	Power-Dams
27	Power-Dams
29	Power-Dams
31	Power-Dams
32	Power-Dams
33	Power-Dams
34	Power-Dams
36	Power-Dams
37	Power-Dams
39	Power-Dams
41	Power-Dams
43	Power-Dams
46	Power-Dams
47	Power-Dams
48	Power-Dams
49	Power-Dams
50	Power-Dams
51	Power-Dams
52	Power-Dams
54	Power-Dams
55	Power-Dams
56	Power-Dams
58	Power-Dams
59	Power-Dams
60	Power-Dams
61	Power-Dams
64	Power-Dams
65	Power-Dams
66	Power-Dams
67	Power-Dams
68	Power-Dams
69	Power-Dams

70	Power-Dams
71	Power-Dams
6	Provincial Roads
8	Provincial Roads
10	Provincial Roads
12	Provincial Roads
14	Provincial Roads
17	Provincial Roads
19	Provincial Roads
22	Provincial Roads
24	Provincial Roads
26	Provincial Roads
29	Provincial Roads
31	Provincial Roads
33	Provincial Roads
34	Provincial Roads
36	Provincial Roads
37	Provincial Roads
38	Provincial Roads
39	Provincial Roads
40	Provincial Roads
41	Provincial Roads
42	Provincial Roads
43	Provincial Roads
44	Provincial Roads
45	Provincial Roads
46	Provincial Roads
6	Schools and Clinics
8	Schools and Clinics
10	Schools and Clinics
12	Schools and Clinics
14	Schools and Clinics
17	Schools and Clinics
19	Schools and Clinics
24	Schools and Clinics
38	Schools and Clinics
40	Schools and Clinics
42	Schools and Clinics
44	Schools and Clinics
45	Schools and Clinics
47	Schools and Clinics
48	Schools and Clinics

- b. Invoices, vehicle contracts, certifications of payment, receipts, copies of checks, wire transfers, and email communications involving Badar Union Transport, Amini and Brothers (aka Ryder Car Rental), Hamid Car Rental, Commander Wahab, Zemarai Car Rental Company, Yama, Azizi Faryab, Colonel Dilawar Chamto, Colonel Wodod, Chief Mohammed Hamayum Azizi. The United States will provide the defendants electronic copies of this evidence.
2. Documentation related to the employment of security personnel from the Afghan Ministry of Interior during the conspiracy period identified in the Indictment, including, but not limited to,
  - a. USPI Vouchers identified in Paragraph 1(a) above, wire transfer requests, pier-diem sheets, fingerprint cards, and invoices purporting to be supporting documentation for costs incurred for security personnel employed by USPI.
3. Images from Defendant Behzad Mehr's computers and external drives, including
  - a. Internal/corporate spreadsheets identifying vehicle rental and fuel contractors and documenting costs incurred by USPI for vehicle rentals and fuel from July 2005 through May 2007.
  - b. Computer templates and working files for vehicle rental and fuel companies matching the companies submitted as supporting documentation for USPI vouchers.
  - c. Computer templates and working files purporting to be certifications from officials of the Afghan Ministry of Interior regarding security personnel matching those submitted as supporting documentation for USPI vouchers.
  - d. Computer images of scanned signatures of officials from the Afghan Ministry of Interior matching those submitted as supporting documentation for USPI vouchers.
  - e. Outlook files of email communications involving USPI employees, including, Delmar Spier, Barbara Spier, William Dupre, Daniel Bayes, Rick Tillery, Mike Warren, Robert Walker, Rebecca Lunsford, Charles Vopat, Corinne Silliker, Vivian Veroma, Jerry Philbrook, and Margarita Cronin from The Louis Berger Group. The United States will provide the defendants electronic copies of this evidence.

4. Fax cover sheets and Federal Express invoices.
- B. The United States intends to use the following categories of evidence seized from USPI offices in Houston and Waller, Texas on August 28, 2007. The seized evidence includes, but is not limited to:**
1. Images from Defendant Barbara Spier's computers.
    - a. Computer template and scanned image for vehicle rental and fuel company, Afghan Commercial Services Provider.
    - b. Outlook files of email communications involving USPI employees, including, but not limited to, Delmar Spier, Barbara Spier, William Dupre, Daniel Bayes, Robert Walker, Rebecca Lunsford, Charles Vopat, Corinne Silliker, Rich Tillery, Mike Warren, Vivian Veroma, Greg Owen, Jerry Philbrook, and The Louis Berger Group, employee, Margarita Cronin.
  2. Corporate accounting records.
  3. Corporate bank records.
  4. Payroll records for USPI executives and employees.
  5. Fax cover sheets and Federal Express invoices.

Respectfully submitted,

STEVEN A. TYRRELL  
Chief, Fraud Section

By: /s/ Jennifer R. Taylor  
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Dated: June 29, 2009  
Washington, DC

**Certificate of Service**

I hereby certify that a true and correct copy of the United States' Notice Of Intent To Use Seized Evidence Pursuant To Rule 12(b)(4)(B) was served, via the Electronic Filing System, to counsel of record on this 29th day of June, 2009.

*/s/ Jennifer R. Taylor*  
Jennifer R. Taylor