

SOUTHERN

Sealed  
Public and unofficial staff access  
to this instrument are  
prohibited by court order.

TEXAS

United States Courts  
Southern District of Texas  
FILED  
AUG 24 2007

In the Matter of the Search of  
(Name, address or brief description of person, property or premises to be searched)

U.S. Protection and Investigations, LLC  
11500 NW Freeway, Suite 612  
Houston, Texas 77092  
as further described in Attachment A

Amended  
APPLICATION AND AFFIDAVIT  
FOR SEARCH WARRANT  
Michael N. Milby, Clerk of Court

Case Number: H-07-761M

I, Elbert Cruz, being duly sworn depose and say:

I am a(n) Special Agent, USAID-OIG and have reason to believe  
Official Title

that  on the person of or  on the property or premises known as (name, description and/or location)

U.S. Protection and Investigations, LLC, 11500 NW Freeway, Suite 612, Houston, Texas 77092, as further described in Attachment A

UN-SEALED PER Uiber huted  
W26r US

in the Southern District of Texas there is now concealed a certain person or property, namely (describe the person or property to be seized)

books, records, financial statements, work papers, correspondence, memorandums, bank records and computers as further described in Attachment B

United States Courts  
Southern District of Texas  
AUG 27 2007

Michael N. Milby, Clerk of Court

which is (state one or more bases for search and seizure set forth under Rule 41(e) of the Federal Rules of Criminal Procedure)

property which constitutes evidence of the commission of a criminal offense, contraband, the fruits of a crime or things otherwise criminally possessed and property which is or has been used as the means of committing a criminal offense.

concerning a violation of Title 18 United States Code, Section(s) 286, 287, 1001, 1516, 1519

The facts to support a finding of probable cause are contained in the attached affidavit and made a part hereof.

TRUE COPY I CERTIFY  
AFFIDAVIT:  
Michael N. Milby, Clerk of Court  
By: Marcelle P. Hanna  
Deputy Clerk

Signature of Affiant

Sworn to before me and subscribed in my presence,

August 24, 2007  
Date

at Houston, Texas  
City and State

Frances Stacy, United States Magistrate Judge  
Name and Title of Judicial Officer

Frances H. Stacy  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN THE MATTER OF THE SEARCH OF**

**U.S. Protection and Investigations, LLC  
11500 NW Freeway, Suite 612  
Houston, TX 77092  
As further described in Attachment A**

**AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR SEARCH WARRANT**

I, ELBERT CRUZ, being duly sworn, and deposed, am a Special Agent with the United States Agency for International Development, Office of Inspector General (hereafter "USAID OIG"), duly appointed according to law and acting as such state the following:

1. I have been a Special Agent with USAID OIG since November 2006. My duties and responsibilities include the investigation of criminal violations related to fraud, waste and abuse of USAID funds. Prior to USAID OIG, I was a Special Agent with the Bureau of Alcohol, Tobacco and Firearms for six years and a Special Agent with the former U.S. Customs Service for 10 years. I have a Bachelors Degree in Police Science.

2. USAID is an independent federal government agency receiving overall foreign policy guidance from the Secretary of State. USAID works to advance U.S. foreign policy objectives by supporting economic growth, agricultural development, global health, the advancement of civil society and governance, as well as disaster relief. USAID has overseas offices known as Missions in over 80 countries worldwide and is currently a leading agency in the efforts to rebuild Iraq and Afghanistan.

3. This affidavit is made in support of an application to search and seize evidence and instrumentalities of violations of 18 U.S.C. Title 18 U.S.C. 286 (Conspiracy), Title 18 United States Code (USC) 1001 (false statements), Title 18 USC 287 (false or fraudulent claims), Title 18 USC 1516 (obstruction of a federal audit), and Title 18 USC 1519 (obstruction of a criminal investigation) at the offices of U.S. Protection and Investigations, LLC., (USPI) located at 11500, NW Freeway, Suite 612, Houston, Texas, and at 2624 Old Hempstead Hwy, Waller, TX 77484

4. This affidavit is based upon my knowledge of the investigation, and the investigation of other Federal law enforcement officials and audit professionals. The facts contained herein were obtained by interviewing witnesses and examining documents and data gathered during the course of the investigation, which started in 2005. This affidavit is provided for the purpose of establishing probable cause to support a search warrant. All details or aspects of this investigation are not included in this affidavit, rather only those facts that are most pertinent to establishing probable cause.

5. Based on my familiarity with the investigation I am setting forth the following information in support of this warrant:

**The USAID-Financed Rehabilitation of Economic Facilities (REFS) Program**

6. The Afghanistan REFS contract was signed in September 2002 for the purpose of supporting the United States Government's assistance to Afghanistan in the areas of transportation, potable water, electricity transmission and distribution systems, schools and health facilities, local government buildings, municipality solid waste, waste water facilities and irrigation systems. The initial cost of the REFS contract was

estimated at approximately \$181 million for a period of four years. Due to amendments, the value of the contract approximated \$729 million by 2007.

7. USAID awarded the REFS cost-reimbursement contract to the Louis Berger Group Inc. (LBGI). Subsequently, in June 2003, LBGI awarded a non-competitive cost reimbursement subcontract to USPI for \$8.4 million to provide security at project sites and on roads between Kabul to Kandahar. The USPI subcontract, as of August 2005, had increased to approximately \$36 million.

8. Based upon information found on USPI's website, USPI is a security services company with over 20 years of national and international experience in countries around the world such as Afghanistan, Nigeria, Algeria, Brazil, Colombia, Saudi Arabia, Cambodia, and Viet Nam. Barbara Spier is the President and owner of USPI and Del Spier is the Chief Executive Officer and Operations Manager. USPI's security services are performed throughout the entire country of Afghanistan by 45 expatriate employees, 115 national employees, and approximately 3,500 Afghanistan's Ministry of Interior (MOI) supplementary troops. Additionally, USPI engages over 400 vehicles to carry out functions in support of outreach programs and responsibilities.

9. Under the subcontract with LBGI, USPI's primary responsibility is to provide security for all REFS related personnel working in connection with the road projects. Under the subcontract, USPI hires MOI soldiers and pays each soldier \$5.00 per day. Due to USPI's representation that many soldiers are illiterate, each MOI soldier uses his thumbprint to confirm receipt of payment. For the MOI soldiers to patrol the various sections of the road, USPI leases vehicles rather than purchase them. USPI

invoiced LBGI, and LBGI subsequently billed USAID, millions of dollars for the leasing of vehicles, fuel costs, and the payment of thousands of MOI soldiers.

10. The billing process from USPI through LBGI and subsequently to USAID, generally works as follows:

USPI submits an invoice with supporting documentation and a representative of USPI certifies that the cost invoiced is accurate.

- The Finance staff of LBGI in Kabul reviews USPI's invoice for accuracy, and if it is approved, the invoice is forwarded to LBGI in Washington, DC for payment.
- A representative of LBGI in Washington, DC reviews the invoice and supporting documentation from USPI and compiles a summary invoice from LBGI. This includes all costs incurred under the REFS program, including LBGI's subcontractors. The LBGI representative obtains a certification and sends the summary invoice with the voucher to USAID/Afghanistan for payment.
- The vouchers submitted by LBGI do not include supporting documentation from the subcontractors. The vouchers only have summary line items describing how much LBGI is billing for the costs incurred, including subcontractors. A detailed report on labor costs (by labor category) and other direct costs is provided by LBGI.
- After review and approval of the LBGI voucher by USAID/Afghanistan, the authorized certifying officer certifies the voucher for payment.

Vouchers certified for payment are electronically transmitted to the U.S. Treasury.

- Payment is made by the U.S. Treasury via electronic funds transfer to LBGI's bank account.

#### **PROBABLE CAUSE**

11. There is probable cause to believe that USPI defrauded USAID of program funds pursuant to its LBGI subcontract in Afghanistan. Specifically, there is probable cause to believe that USPI may have violated: 18 U.S.C. Section 286 (Conspiracy), 18 U.S.C. Section 287 (False Claims), 18 U.S.C. Section 1001 (False Statements), Title 18 USC 1516 (obstruction of a federal audit), and Title 18 USC 1519 (obstruction of a criminal investigation). Furthermore, the nature of this fraud is continuing unabated and will accelerate losses to USAID in the future given the magnitude of other LBGI subcontracts recently awarded to USPI in Afghanistan.

12. Government investigators have obtained evidence showing that USPI deliberately and systematically created phony receipts and invoices to justify the billing of millions of dollars in expenditures for which USPI did not have supporting documentation. An audit, initiated by LBGI, and conducted by A.F. Ferguson, of all of USPI's billings for the period June 3, 2003 to March 31, 2005, identified \$160,830 in ineligible costs and over \$17 million in costs not supported by adequate documentation. Officials from USPI initially claimed not to have most of the supporting documentation for the \$17 million in questioned costs. However, they later provided receipts and invoices to support the billings. Government investigators learned from a witness that he, with the assistance of other USPI employees in Kabul, Afghanistan, and with the

knowledge of Del Spier, Operations Manager for USPI in Houston, Texas, witnessed and/or participated in the fabrication of receipts and invoices to support the \$17 million in questioned costs.

13. In August 2004, a Confidential Source (CS 1) reported to LBGI officials that USPI was defrauding LBGI and USAID by billing the same labor cost to several U.S Government contracts and by invoicing for vehicles that were never leased.

14. CS 1 later sent several emails to various LBGI officials alleging that Del Spier, after finding out about CS 1's statements to LBGI, threatened him and wanted him to depart Afghanistan immediately. CS 1 claimed that Jon Wolfe, Security Coordinator for USPI, told him that Del Spier had instructed him to tell CS 1 that if he did not leave right away, he (Del Spier) would have to "get dirty." According to CS 1, in late 2004 Del Spier showed up at his house with a plane ticket for CS 1 to depart Afghanistan the following day. CS 1 left Afghanistan and stopped working for USPI.

15. In January 2005, David H. Eckenrode, at the time LBGI Manager of Corporate Security in Afghanistan, learned about CS 1's allegations and reported them to the USAID/Afghanistan Mission. The information was subsequently sent to the USAID OIG investigator in Manila, Philippines, and an investigation was opened.

16. During the investigation, USAID-OIG Special Agent Marvin Burgos interviewed Bill Dupre, Deputy Managing Director for USPI in Afghanistan, who stated that from around March 2004 until about June 2005, he was working as a security coordinator on a Japanese financed project at which time his salary was not billed to the USAID REFS contract. However, the Ferguson audit identified 100% of Dupre's time as

being billed to the USAID REFS contract during the audit period (approximately \$200,000). Dupre confirmed that Barbara and Del Spier handle USPI payroll from Texas.

17. In November 2006, Special Agent Burgos contacted Del Spier via email and officially requested copies of the documents that were not available during the audit that questioned the \$17 million. Specifically, Special Agent Burgos requested the list of all client organizations to which USPI has been providing security in Afghanistan and related accounting records. Agent Burgos also requested attendance sheets, and any other reports that were previously not available to substantiate the more than \$6 million paid to the MOI soldiers, copies of log books for leased vehicles, and fuel consumed reports.

18. Special Agent Burgos communicated with a source (CS 2), who claimed that when he was hired by USPI, he was instructed by Barbara Spier, president and owner of USPI, and William Dupre to collect the monthly separation maintenance allowance (SMA), even though he told them that he did not have a family. The SMA is an extra payment that expatriate employees separated from their families may be entitled when working in hardship posts such as Afghanistan. CS 2 also claimed that Dupre told him that if he didn't take it, somebody else would collect it for him and keep it. CS 2 claimed that everybody at USPI was collecting the SMA even if they didn't have a family and were not entitled to it. In addition, CS 2 alleged that Dupre instructed new USPI security coordinators that if money was needed at USPI's security camps to purchase items such as ink cartridges, printers, ammunition, or other petty cash items, "You were to put an extra 10 or 15 guards on the payroll that did not exist [to cover the cost]. If you ever sent up [to Kabul] an expense reimbursement report you were threatened with losing your job."



19. In January 2007, Special Agent Burgos interviewed a third source (CS 3) who admitted witnessing and/or assisting in the creation of false documents to support the \$17 million in questioned costs. CS 3 provided the following information in part:

- CS 3 advised Government investigators that he saw USPI employees in the Kabul office use all their fingers to make the thumbprint next to the name of each soldier in order to expedite the process. CS 3 stated that about only 50 percent of the guards for which USPI billed LBGI actually existed.
- CS 3 advised investigators that the soldiers were entitled a salary of \$150 per month and that Del Spier would typically bill for 600 MOI soldiers while knowing that approximately 300 actually worked for USPI.
- CS 3 told investigators that fuel was bought by USPI, but not as much as USPI claimed. CS 3 advised that fuel receipts were fabricated at the USPI office in Kabul by Bezhad Mehr, Executive Assistant to Del Spier.
- CS 3 informed that Mehr, Executive Assistant to Del Spier, routinely fabricated receipts for the vehicles to support the charges and that CS 3 personally asked Mehr to produce receipts for up to 50 vehicles. CS 3 stated that he saw Mehr sign the receipts as the person submitting the invoice to USPI and then sign on behalf of the fake car rental company as the person receiving payment from USPI. The car rental company does not exist, and all the invoices were fabricated by Mehr.
- CS 3 also informed Government investigators that Mehr routinely fabricates receipts for the MOI soldiers. CS 3 stated that Mehr would write down fake

Afghan names and would give the list to his assistant to put thumbprints next to the names.

20. CS 3 provided Special Agent Burgos with a number of documents, including the following:

- Original troop assignment confirmation certificates, purporting to come from the "Afghan Deputy Security Minister of Interior for Highway and Security and Traffic," for the months of October and November 2006, which show that for each month, USPI retained 1,635 MOI soldiers. CS 3 stated that both documents were phony and had been fabricated by Mehr. CS 3 pointed out that the signature and stamp on both documents were superimposed by Mehr who scanned it from another document and created a separate JPEG file that is stored on USPI's computers. Mehr uses the same stamp and signature for every month's MOI assignment confirmation document.
- Sample MOI soldiers' receipt showing that USPI, in October 2006, paid \$150 to each soldier. The document lists fourteen names and contains what is purportedly each soldier's thumbprint acknowledging receipt of payment. CS 3 advised that this document is phony and was fabricated by USPI employees in Kabul.
- Two receipts for the rental of 228 vehicles for the months of July and October 2004. The cost for the 228 vehicles is \$228,000. The receipts purportedly were issued by "Raza-i-Private Vehicle Provider Company" in Kabul. CS 3 advised that the receipts are phony and were fabricated by Mehr.

- Two receipts for gasoline for the months of May and June 2004 totaling \$165,561. The receipts were purportedly issued by "N. Mohammad Oil Seller" to USPI. CS 3 stated that the receipts were fabricated by Mehr.
- Four fuel receipts of payment certificates for various USPI projects for March and April 2004, totaling \$18,718.65, issued by USPI to the fuel supplier, "Nik Mohd." CS 3 advised that the receipts were false and admitted that he fabricated the template for the receipts. CS 3 pointed out that the payment certificates are not signed by the fuel supplier acknowledging receipt of payment, but contain Del Spier's signature as the person making the payment.

21. In February 2007, Special Agent Burgos met with Jerry Philbrook, who identified himself as Deputy Managing Director for USPI in Afghanistan, to obtain copies of all the documents that had been requested from Del Spier in November 2006. Philbrook told investigators that the supporting documentation for the \$17 million in questioned costs were not previously available because the receipts were in the various vendors' warehouses. He claimed to have sent his employees to the various warehouses where the receipts were stored and they brought them back. Philbrook claimed to have been in his office when his employees arrived with the receipts.

22. Subsequent to the meeting with Philbrook, a current USPI employee who works in Kabul, Afghanistan, confirmed CS 3's allegation that the receipts for the fuel that USPI claimed to have purchased, and the invoices for the vehicles that USPI claimed to have leased, had been fabricated by him and other USPI employees. The employee described how after fabricating the fuel delivery receipts, he and other employees put them in a warehouse where USPI stored diesel to make the receipts look authentic.

23. The same employee also acknowledged that the MOI certificates listing the number of soldiers that USPI employs every month from the MOI had been fabricated by Mehr. Similar to the information obtained from CS 3, this employee explained that Mehr has an Afghanistan MOI stamp scanned in his computer, which he uses to create the MOI certificates. Mehr prepares the document and then writes the numbers and signs the certificate regardless of the actual number of troops. The employee stated that Mehr went back and fabricated MOI certificates for every month, since the beginning of the project in 2003. The employee also said that Philbrook is aware that the MOI certificates are being manufactured by Mehr and that Del Spier knows about all these activities.

24. CS 3 provided Government investigators with a number of USPI documents and emails that he kept in his laptop computer when he left USPI. After reviewing the documents investigators uncovered two emails which further indicate that the MOI certificates are not official documents from the Afghanistan MOI as claimed by USPI, and that these certificates are in fact being fabricated by Mehr at the USPI Kabul office with the knowledge of Del and Barbara Spier who manage the USPI business from their office in Houston, Texas.

25. In one email that CS 3 sent on November 14, 2005 to Mehr, copied to Del Spier, CS 3 stated, "Further to Del's request this afternoon, the information I gave you last time contains exact MOI figures for REFS projects thru March 2005; you should be able to produce the certificates JAN05 – MAR05 using this information. In the meantime, I will gather the MOI figures since April 2005 and transmit these to you for creation of MOI certificates up until NOV". On December 13, 2005, CS 3 sent an email to Laura Caraballo, Contracts Manager for LBGI in Washington: "Please find attached MOI guard

certifications that [are] signed, stamped and dated by Ministry of Interior. This document includes April – October 2005, and we will be updating you monthly by means of further certificates."

26. In April 2007, Government investigators obtained evidence of the involvement of Barbara Spier, at USPI's office in Houston, Texas, in deceiving the DCAA auditor who had questioned the salary of James Furland, a Security Coordinator, who worked for USPI for about five weeks. Furland's time sheets show him as being in Afghanistan from September 20 to October 30, 2004. USPI accordingly billed LBGI/USAID for \$21,000: 35 days at \$400 per day, plus danger pay and post differential. While conducting an audit of LBGI's incurred costs in Afghanistan, a DCAA auditor reviewed an invoice that had been submitted to LBGI by USPI, and found hotel receipts and plane tickets showing that Furland was in Dubai, United Arab Emirates, on September 21 and that he departed Afghanistan on October 24<sup>th</sup>. When the DCAA auditor requested evidence from LBGI to show that Furland was in Afghanistan the 35 days he was billed, Laura Caraballo, Contracts Administrator for LBGI in Washington, asked Barbara Spier for the supporting documentation. Barbara Spier sent an email to CS 3, at the time USPI's Financial Manager in Afghanistan, and explained the problem that the DCAA auditor had identified. Barbara admitted in her email that she knew exactly when Furland left the U.S for Afghanistan, and when he departed Afghanistan. She also acknowledged that USPI had "Invoiced Berger for six days too many."

27. On November 1, 2005, Barbara Spier sent a follow up email to CS 3 giving him the answers to each of the issues identified by the DCAA auditor. She informed CS 3 that she would tell Caraballo that Furland only worked for USPI for five

weeks and that his salary was not charged to the USAID REFS project. Government investigators reviewed invoice number 14, which USPI submitted to LBGi for reimbursement and learned that Furland's salary was in fact billed to the project. The invoice shows that USPI billed LBGi/USAID \$21,000 for Furland's salary.

28. USPI payroll is prepared at the USPI office in Kabul and then sent to Barbara Spier to the USPI office in Houston. According to a USPI employee, Barbara Spier pays the salaries of the employees via wire transfers. The wire payments for the salaries are based on the time sheets where post differential and danger pay are calculated. These records are required by federal regulation to be maintained for three years.

29. The affiant requests approval for the government to serve the search warrants, regardless of the time of day or night. The government intends to serve the warrants at 7 a.m. on Tuesday, August 28, 2007. However, agents in Kabul, Afghanistan plan to serve a search warrant for USPI's Kabul, Afghanistan office at 10 am Kabul time on Tuesday, August 28, 2007. There is a time difference of 10 hours between Kabul and Houston, thus the government plans to serve the Kabul warrant at midnight, Tuesday, August 28, 2007 Houston time. In the event that USPI employees in Kabul tip off Barbara Spiers, Delmar Spiers, or any of their employees in Houston or Waller, and in the event one of the Spiers or their employees shows up at either location to be searched in the very early morning hours of Tuesday, August 28, 2007 Houston time, affiant requests permission to serve the warrants at that time in order to prevent any potential destruction or removal of evidence from the Houston and Waller USPI locations.

30. Based on the above information, we believe that there is probable cause that USPI officers and employees described herein violated 18 U.S.C. Sections: 1001, 286, 287, 1516, and 1519 in connection with the sub-contracts that LBGI, the USAID prime contractor, awarded to USPI. Further, we believe that the property and evidence, fruits and instrumentalities of these offenses are being kept at the two USPI offices (PREMISES) located at 11500, NW Freeway, Suite 612, Houston, Texas, 77092, and at 2624 Old Hempstead Highway, Waller, Texas, 77484.

31. In July 2007, Federal Bureau of Investigations (FBI) Special Agent Jean-Pierre Njock visited the PREMISES and confirmed that the locations were the correct addresses for the two USPI offices. Special Agent Njock took several pictures of the outside of the PREMISES.

32. WHEREFORE, your deponent respectfully requests that a search warrant be issued authorizing your deponent and any Agent of the USAID-OIG, and of the FBI, with appropriate assistance from other law enforcement authorities, to enter the said PREMISES KNOWN AND DESCRIBED AS THE OFFICE SPACE, FILES AND COMPUTERS OCCUPIED AND/OR USED BY PERSONS EMPLOYED BY THE U.S. PROTECTION AND INVESTIGATION LLC. Items to be seized include any and all items pertaining to USPI's accounting records for its contracts with the various organizations in Afghanistan, and the invoicing for goods and services submitted by USPI to various contractors and companies doing business in Afghanistan and financed by USAID and/or other local and international organizations as further alleged in Attachment B. ~~From the period 2003 to the present including but not limited to the financial records, as follows:~~

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FHS 8/27/07

- Books, records, ledgers, journals, statements, sales records, receipts, invoices, billings, financial statements, balance sheets, notes, and work papers;
- All correspondence, letters, memorandums, applications, e-mails, and listings, which contain financial information, such as income, expenses, assets, liabilities, transfer of money, clients, or accounts;
- Bank or financial institution records, including bank statements, passbooks, deposit slips, deposited items, withdrawal slips, cancelled checks, bank receipts, bank checks, money order receipts, wire transfers, credit and debit memos, and safe deposit keys and records;
- Bank and financial institution records and other records, showing acquisition, conversion, movement, transfer and disbursement of United States and foreign currency. Any safe or locked storage container or any contents thereof if and to the extent said contents fall within the categories stated above.
- All computers or other electronic devices which are capable of analyzing, creating, displaying, converting, storing or transmitting electronic computer impulses or data, that relate in any way to the items set forth in this section, including, but not limited to, computer hardware and software, electronic data processing and storage devices, internal and peripheral storage devices, systems documentation, operating logs and documentation, and instruction manuals to be searched and/or seized in the manner and by the means described herein. Any computer, computer system and related peripherals: tapes, cassettes, cartridges, streaming tape.

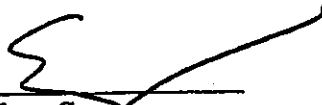
WME

refer to WME  
attachment  
B to the  
search  
warrant as if  
incorporated  
pulled  
check



- Any and all invoices, purchase orders, checks, receipts, sales receipts, fax cover sheets, memoranda and shipping orders.
- All documents related to employees or consultants, including time cards, leave slips, correspondence, emails, W-2 forms, 1099 forms, work schedules, payroll records, periods of employment, check stubs; personnel records reflecting current and former employees, Social Security Numbers, dates and places of birth, last known residence address and telephone numbers, annual salaries, bonuses, dividends, or other remuneration, as well as separation agreements and contracts.

*Refer to attachment B to top search warrant as it fully incorporated herein.  
8/27/07*

  
 Elbert Cruz  
 Special Agent  
 US Agency for International Development  
 Office of Inspector General

Sworn to before me this  
 24<sup>th</sup> day of August, 2007

*Frances H. Stacy*

Frances H. Stacy  
 UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF TEXAS

*one file*

## **Attachment A**

**U.S. Protection and Investigations, LLC**

**11500 NW Freeway, Suite 612**

**Houston, Texas 77092**

**The premises are described as a ten story tan glass building. It is located in a large corporate office park setting. At the approach to the building there is a large header that reads Greater Texas Title in red lettering and the number 11500 in blue lettering. In the building lobby next to the elevator there is a tenant sign that lists all tenants to the building. This sign list USPI at suite 612. On the sixth floor opposite the elevator there is a framed sign arrow pointing left to suites 600, 601, and 612. The door has a frame sign that reads 612 U.S. Protection & Investigation.**

**ATTACHMENT B**  
**PROPERTY TO BE SEIZED**

**I. Definitions**

As used herein:

1. **"USPI"** means U.S. Protection and Investigations, LLC; any predecessor, parent, or subsidiary thereof, and any officer, director, employee or agent thereof.
2. **"Document"** refers to all written or graphic matter, however produced, reproduced or stored, or to any other tangible permanent record, including but not limited to, letters, correspondence, records, memoranda, minutes, notes, summaries, telephone records, books, schedules, reports, studies, appraisals, analyses, lists, interviews, books of account, telegrams, interoffice communications, intraoffice communications, results of investigations, working papers, computer data, papers similar to any of the foregoing, including originals and all photo static or microfilmed copies in whatever form, and all sound records or electronic data compilations, or photographs in whatever form, and all copies or reproductions which differ in any respect from the original or which bear any notation, marking, or information not on the original, which are in the possession, custody or control of USPI.
3. **"Including"** means including but not limited to.
4. **"Person"** means any natural person, public or private corporation, whether or not organized for profit, partnership, association, cooperative, sole proprietorship, joint venture, governmental or educational entity, whether local, county, state or federal, or other form of business or legal entity.

5. "Predecessor" includes any person acquired by USPI, whether by stock or asset purchase, merger or otherwise.

6. "Relate to" means discuss, describe, refer to, reflect, contain, analyze, study, report on, comment on, evidence, constitute, set forth, consider, recommend, concern, or pertain to, in whole or in part.

7. "USAID" means the United States Agency for International Development

8. "FBI" means the Federal Bureau of Investigation

9. "Computer" includes computer equipment or other devices capable of obtaining, processing, or storing documents. The term "electronic storage device" may include facsimile and telephone devices with memory or recording capability, personal electronic data devices such as Palm Pilots, thumb drives and similar such devices, and laptop computers.

10. "Computer hardware" includes all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar computer impulses or data. Hardware includes, but is not limited to, any data-processing devices (such as) central processing units, memory typewriters, and self-contained "laptop," "notebook," "thumb drive", or "palmtop" computers); any electronic organizer, internal and peripheral storage devices; peripheral input/output devices; and related communications devices; devices, mechanisms, or parts that can be used to restrict access to computer hardware.

11. "Computer software" is digital information which can be interpreted by a computer and any of its related components to direct the way they work. Software is stored in electronic magnetic, optical or other digital form.

12. "LBGI" means Louis Berger Group, Inc; any predecessor, parent, or subsidiary thereof, and any officer, director, employee or agent thereof.

## II. Instructions

If computer equipment or other device capable of obtaining, processing or storing documents is found, it may be examined on site for documents specified in this attachment if this is practical. If, however, the quantity of information to be examined is unreasonably large and an on site examination would unduly prolong the period during which agents must maintain control of the search premises and thereby prevent or interfere with routine business at that location or if it is possible that relevant information is hidden, encrypted, or deleted but subject to restoration, the equipment or device (including all hardware, software, documentation, passwords and other things necessary for a qualified forensic examination to determine if relevant documents are present) may be seized and the forensic examination may be conducted at such times and at offsite locations which the seizing agents determine to be efficient and reasonable for this forensic examination.

## III. Documents and Items to Be Seized

1. All documents that show USPI's full legal name, principal office address, date of formation, place of formation, and form of organization, including organization charts, employee lists, Articles of Incorporation and By-Laws.

2. All documents related to employees or consultants, including time cards, leave slips, W-2 forms, 1099 forms, work schedules, payroll records, periods of employment, social security numbers, dates and places of birth, visa status, last known business and residence address as well as any and telephone numbers, annual salaries,

bonuses, dividends, or other remuneration, as well as separation agreements and contracts.

3. For each person identified in response to paragraph 2 above, such documents as will show: (a) his or her social security number; (b) his or her date and place of birth; (c) the position(s) held and dates of service therein; (d) the nature of duties in each position held; (e) the name of his or her immediate supervisor; (f) all business and home telephone numbers and extensions; and (g) last known business and residence addresses.

4. All customer lists.

5. All documents that pertain to the invoicing for goods and services submitted by USPI to LBGI, contractors and companies doing business in Afghanistan and financed by USAID and/or local and international organizations.

6. All documents for any service financed by USAID and/or local and international organizations that have been pre-signed, backdated or altered in any manner, including any and all documents that discuss the removal or alteration of documents, documents that disclose the identity of the person or persons authorizing or participating in such removal or alteration, the date of such removal or alteration, the means to accomplish the removal or alteration, or any other circumstances concerning the removal or alteration.

7. All documents relating to written procedures and records for invoicing USPI services.

8. All documents relating to complaints about USPI relating to the services that they provide to USAID-funded programs. These documents include but are not

limited to, complaints or objections from any customer, consumer, or federal, state, or local governmental agency, and records of evaluations or investigations conducted pursuant to a service complaint.

9. All internal or external audits of the complaint and adverse event investigation and reporting procedures.

10. Any complaint or other initial pleading or charging document for each lawsuit to which USPI has been a party and any additional documents required to identify the case name, court where filed, date of filing, and the name, address, and telephone number of the attorneys for all parties.

11. All documents relating to or concerning communications between USPI and any foreign, federal, state, or local governmental agency.

12. All documents, including letters and notes or memoranda of conversations, relating to or concerning communications between USPI and LBGI.

13. All documents sufficient to show the name, business address, and telephone number of the persons or entities handling USPI financial matters or otherwise serving as USPI accountants.

14. Copies of federal, state, and local corporate, partnership, business, employment, and sales and use tax returns, filed or not filed, and supporting notes, work papers, summary sheets and analyses used in preparation of the tax returns.

15. Financial records, as follows:

(a) Books, records, ledgers, journals, statements, sales records, receipts, invoices, billings, financial statements, balance sheets, notes, and work papers;

(b) All correspondence, letters, memorandums, applications, e-mails, and

listings, which contain financial information, such as income, expenses, assets, liabilities, transfer of money, clients, or accounts;

(c) Bank or financial institution records, including bank statements, passbooks, deposit slips, deposited items, withdrawal slips, cancelled checks, bank receipts, bank checks, money order receipts, wire transfers, credit and debit memos, and safe deposit keys and records;

(d) Bank and financial institution records and other records, showing acquisition, conversion, movement, transfer and disbursement of United States and foreign currency.

16. Any safe or locked storage container or any contents thereof if and to the extent said contents fall within the categories stated above.

17. All computers or other electronic devices which are capable of analyzing creating, displaying, converting, storing or transmitting electronic computer impulses or data, that relate in any way to the items set forth in this section, including, but not limited to, computer hardware and software, electronic data processing and storage devices, internal and peripheral storage devices, systems documentation, operating logs and documentation, and instruction manuals to be searched and/or seized in the manner and by the means described in this Attachment.