Department of Justice

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LARGE GROUP OF DVD AND CD COUNTERFEITERS AND SUPPLIERS INDICTED

Metropolitan Parkway Warehouse Was Allegedly Major Supply Hub for Pirated Movies and Music

Atlanta, GA - On May 19, 2009, a federal grand jury indicted 13 defendants for their involvement in counterfeiting and distributing counterfeit DVD movies, music CDs and disc packaging. Arraignment and bond hearings for the defendants will begin on May 21, 2009, at 3:30 p.m. before Magistrate Judge Linda T. Walker.

United States Attorney Nahmias stated, "CD and DVD counterfeiters and their suppliers foster and live off an underground economy at the expense of this country's creative artists and the citizens who earn a legitimate livelihood in bringing American films and music to audiences worldwide. Those who traffic in pirated movies and music violate federal law and face federal prosecution and prison."

"The creation, smuggling and sale of counterfeit goods is not a victimless crime," said Kenneth A. Smith, Special Agent in Charge of the Immigration and Customs Enforcement (ICE) Office of Investigations in Atlanta. "Products that are produced illegally do harm to trademark holders, may be smuggled into the country and distributed by organized crime groups and sold to the detriment of local businesses and communities who derive no financial gain from the illegal sales. ICE is committed to an aggressive approach toward enforcing the nation's laws to protect intellectual property rights."

"Today's arrests serve as a reminder that the FBI remains committed to the investigation and enforcement of intellectual property laws," said FBI Special Agent in Charge Gregory Jones. "These individuals allegedly conspired as a group to profit on a large scale from the copyrighted material of others and their extensive counterfeiting and distribution operation illustrates this fact. The theft of such intellectual property is not only inherently unfair to the individual, artist, or company, but it remains illegal with stiff criminal penalties."

The defendants include: SCOTT AHN, 40, of Lawrenceville, Georgia; WON AHN, 68, of Atlanta, Georgia; ALPHADIO BAH, 34, of Atlanta, Georgia; SEDIKEY SANKANO, 40, of Atlanta, Georgia; MOUSSA BARADJI, 28, of Atlanta, Georgia; BADEMBA BARRY, 24, of Fairburn, Georgia; MAMADOU SADIO BARRY, 39, of Atlanta, Georgia; AMADOU DIALLO, 31, of Austell, Georgia; IBRAHIM DIALLO, 25, of Atlanta, Georgia; OUMAR DIAN DIALLO, 43, of Decatur, Georgia; CHARLES NDHLOVU, 32, of Fairburn, Georgia; SULAIMAN JALLOH, 29, of Lithonia, Georgia; and MAMADOU ALIOU SIMAKHA, 33, of Atlanta, Georgia.

According to United States Attorney Nahmias, the charges and other information presented in court: SCOTT AHN, WON AHN and ALPHADIO BAH, the alleged suppliers of blank discs, counterfeit artwork and other raw materials, such as jewel cases and trays, allegedly operated in and around the Metropolitan Warehouses on Metropolitan Parkway in Southwest Atlanta. These defendants allegedly conspired with the counterfeit disc duplicators and wholesale vendors, SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, IBRAHIM DIALLO, MAMADOU SADIO BARRY, AMADOU DIALLO, MOUSSA BARADJI, and MAMADOU ALIOU SIMAKHA, to manufacture and distribute motion picture DVDs and music CDs. The indictment alleges that the movies "Gran Torino," "Changeling," "Righteous Kill" and "Dark Knight" were among the copyrighted works that were copied and sold without the consent of the copyright holder. It is also alleged that the defendants pirated the copyrighted recordings of Lil Wayne, Kanye West, T.I. and Robin Thicke, among other artists.

All defendants except OUMAR DIAN DIALLO were indicted for conspiring to traffic in counterfeit DVD movies, music CDs and disc packaging. SEDIKEY SANKANO, SULAIMAN JALLOH, BADEMBA BARRY, CHARLES NDHLOVU, IBRAHIM DIALLO, MAMADOU SADIO BARRY, AMADOU DIALLO, MOUSSA BARADJI and MAMADOU ALIOU SIMAKHA were also charged with criminal infringement of copyrighted materials. ALPHADIO BAH is also charged with OUMAR DIAN DIALLO in one substantive count of trafficking in counterfeit packing for copyrighted materials.

The conspiracy charge and trafficking in counterfeit packaging charge each carry a maximum sentence of 5 years in prison. The criminal copyright infringement charge carries a maximum sentence of 10 years in prison. In addition, the defendants could be fined up to $250,000 on each count. In determining the actual sentence, the Court will consider the United States Sentencing Guidelines, which are not binding but provide appropriate sentencing ranges for most offenders.

This case is being investigated by Special Agents of the Federal Bureau of Investigation and the Department of Homeland Security, Immigration and Customs Enforcement, together with officers of the Atlanta Police Department Organized Crime Unit, College Park Police Department, East Point Police Department, and the Recording Industry

Association of America.

Assistant United States Attorney Brian Pearce is prosecuting the case.

Members of the public are reminded that the indictment contains only allegations. A defendant is presumed innocent of the charges and it will be the government's burden to prove a defendant's guilt beyond a reasonable doubt at trial.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.