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BY _____ *[Signature]*

Unsealed 9/16/10 MALT

SECRET

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2010 Grand Jury

UNITED STATES OF AMERICA,	)	Case No. 10CR3493	LAB
)		
Plaintiff,	)	<u>I N D I C T M E N T</u>	
)		
v.	)	Title 22, U.S.C., Secs. 2778(b)(2)	
	)	and (c); and 22 C.F.R.	
DOUGLAS NEIL RUBSAM,	)	Secs. 121.1, 123.1, 127.1(a)(1) -	
	)	Export of Defense Articles Without	
Defendant.	)	a License; Title 18, U.S.C.,	
	)	Sec. 554 - Smuggling Goods from	
	)	the United States; Title 18,	
	)	U.S.C., Sec. 1001 - False	
	)	Statement to a Federal Officer	

The grand jury charges:

Counts 1 - 6

On or about the dates set forth below, within the Southern District of California, defendant DOUGLAS NEIL RUBSAM knowingly and willfully exported from the United States to another country, as set forth below, certain articles set forth below that are designated as defense articles on the United States Munitions List, without having first obtained from the Department of State a license for such export or written authorization for such export:

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RSH:nlv:San Diego
8/31/10

1 MALT

Count	Date	Article	Country
1	1/2/08	3X Lens Assembly	Federal Republic of Germany
2	3/14/08	3X Lens Assembly	Slovak Republic
3	3/20/08	M203 Quick Release Bracket	Republic of Finland
4	4/14/08	Light Interference Filter Assembly	People's Republic of China, Hong Kong Special Administrative Region
5	5/2/08	Light Interference Filter Assembly	French Republic
6	5/5/08	Sacrificial Window Assembly	Federal Republic of Germany

All in violation of Title 22, United States Code, Sections 2778(b)(2) and 2778(c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, and 127.1(a)(1).

Counts 7 - 12

On or about the dates set forth below, within the Southern District of California, defendant DOUGLAS NEIL RUBSAM did knowingly sell and facilitate the transportation and sale of certain articles set forth below, prior to exportation, knowing the same articles to be intended for exportation contrary to United States law, without the Department of State export license or other written authorization required by Title 22, United States Code, Sections 2778(b)(2) and 2778(c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, and 127.1(a)(1):

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Count	Date	Article	Country
7	1/2/08	3X Lens Assembly	Federal Republic of Germany
8	3/14/08	3X Lens Assembly	Slovak Republic
9	3/20/08	M203 Quick Release Bracket	Republic of Finland
10	4/14/08	Light Interference Filter Assembly	People's Republic of China, Hong Kong Special Administrative Region
11	5/2/08	Light Interference Filter Assembly	French Republic
12	5/5/08	Sacrificial Window Assembly	Federal Republic of Germany

All in violation of Title 18, United States Code, Section 554.

Count 13

On or about May 23, 2008, within the Southern District of California, defendant DOUGLAS NEIL RUBSAM, in a matter within the jurisdiction of the United States Department of Defense, a department and agency of the United States, did knowingly and willfully make false, fictitious and fraudulent statements and representations as to material facts, in that he did represent and state to an officer of the Defense Criminal Investigative Service, Office of Inspector General, Department of Defense, that there were never as many as 46 filters for night vision goggles in defendant's possession, whereas in truth and fact, as defendant then and there well knew, those statements and representations were false, fictitious and fraudulent when made; in violation of Title 18, United States Code, Section 1001.

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Count 14

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On or about October 21, 2008, within the Southern District of California, defendant DOUGLAS NEIL RUBSAM, in a matter within the jurisdiction of the United States Department of Defense, a department and agency of the United States, did knowingly and willfully make false, fictitious and fraudulent statements and representations as to material facts, in that he did represent and state to an officer of the Defense Criminal Investigative Service, Office of Inspector General, Department of Defense, that he had "cut up" the debit card associated with a PayPal account that Rubsam had used in connection with overseas sales, whereas in truth and fact, as defendant then and there well knew, those statements and representations were false, fictitious and fraudulent when made; in violation of Title 18, United States Code, Section 1001.

DATED: September 1, 2010.

A TRUE BILL:


Foreperson

LAURA E. DUFFY
United States Attorney

By: 
ROBERT S. HUIE
Assistant U.S. Attorney