

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 18-CR-80160-WPD

UNITED STATES OF AMERICA

v.

**CLAUDIA PATRICIA DIAZ GUILLEN, and
ADRIAN JOSE VELASQUEZ FIGUEROA,**

Defendants.

ORDER OF FORFEITURE

THIS MATTER is before the Court upon motion of the United States of America (the “United States”) for entry of a Preliminary Order of Forfeiture (“Motion”) against Defendants Claudia Patricia Diaz Guillen (“Diaz”) and Adrian Jose Velazquez Figueroa (“Velazquez”) (collectively, the “Defendants”). The Court has considered the Motion, is otherwise advised in the premises, and finds as follows:

On December 15, 2020, a federal grand jury returned a Superseding Indictment charging the Defendants in Count 2 with conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h), and in Counts 9-10 with money laundering in violation of 18 U.S.C. § 1956(a)(2)(A). Superseding Indictment, ECF No. 44. The Superseding Indictment also contained forfeiture allegations, which alleged that upon conviction of a violation of 18 U.S.C. § 1956, “the defendants shall forfeit to the United States any property, real or personal, involved in such offense, and/or any property traceable to such property, pursuant to Title 18, United States Code, Section 982(a)(1).” *See id.* at 18.

On December 13, 2022, after a trial, a jury returned a verdict convicting Diaz on Counts 2

(conspiracy to commit money laundering) and 10 (money laundering), and Velazquez on Counts 2, 9 (money laundering), and 10. *See* Trial Minute Entries, ECF Nos. 275-76, 278-79, 281, 286, 292, 295, 298, 300, 304, 307; Jury Verdict, ECF No. 310.

The Defendants engaged in a conspiracy whereby Diaz—as treasurer of Venezuela—accepted over \$100 million in bribes through her husband, Velazquez, so that she would provide conspirators access to favorable currency exchange rates by allowing them to purchase U.K. bonds from the Venezuelan treasury. As the Government established at trial, and as credited by the jury in finding the Defendants guilty, it was a conspiracy involving cash hidden in cardboard boxes, offshore shell companies, international wire transfers, Swiss bank accounts, private jet planes, yachts, and even a high-end fashion company. As further described below, from that conspiracy, with an object of promotional money laundering, the Defendants obtained at least \$136,752,007.46 in bribe payments. And as established at trial, that was the amount involved in their conspiracy to commit promotional money laundering. That amount was calculated by adding the amounts from the “AV” spreadsheets sent by Raul Gorrin (“Gorrin”) (\$79,824,051.46), the amounts Gorrin sent from his company Andiron to Invesco Capital Fund (“Invesco”) (\$21,422,956), and the amounts Gorrin paid for private jets for Defendants (\$35,505,000). The latter two amounts were not accounted for on the AV spreadsheets.

In order to purchase U.K. bonds from Venezuela and exploit the difference between official and unofficial exchange rates, individuals needed contacts inside the Venezuelan treasury and to bribe them. (Dec. 2 Tr. at 1007:6-18 (to buy U.K. bond, required to bribe someone in Venezuelan Treasury); Dec. 5 Tr. at 1331:14-1332:3; GEX 2.)¹ For Gorrin (and others), that “contact” was

¹ During the relevant times, Venezuela had two exchange rates for dollars to bolivars. One was the Venezuelan official exchange rate, which during the relevant time period was 4.3 bolivars to dollars. (Nov. 28 Tr. at 43:7-44:1; GEX 2.) The other was an “unofficial,” “open-market,” or

Diaz. And in efforts to conceal that she was receiving bribes, Diaz's husband, Velazquez, acted as Diaz's go-between, accepting the bribes on her behalf. (Dec. 2 Tr. at 1026:6-1027:8.)

1. The Defendants' Involvement in Venezuela Treasury Exchange Scheme

Diaz became Venezuela's treasurer after Alejandro Andrade (although not consecutively). (Nov. 28 Tr. at 132:14-18.) While treasurer, Andrade accepted \$1 billion in bribes (Nov. 28 Tr. at 125:5-7, 130:20-131:3; Nov. 29 Tr. at 188:23-25.) Among other individuals, Andrade accepted bribes from Gorrin, a Venezuelan businessman. (Nov. 29 Tr. at 192:20-193:25.)² When Gorrin

"black-market" exchange rate. (Nov. 28 Tr. at 44:7-47:20.) That black-market exchange rate fluctuated; for example between June 2011 and June 2012, it ranged from 8.25 to 9.47 bolivars per dollar. (GEX 2.)

Conspirators purchased U.K. bonds using Venezuelan bolivars at the fixed exchange rate, essentially exchanging bolivars for British pounds, which later were converted to U.S. dollars. Then, conspirators would exchange the dollars back to bolivars using the higher black-market exchange rate, which allowed conspirators to (at times) more than double their money. (Nov. 28 Tr. at 56:23-64:12, 121:12-122:12, 135:25-137:1; Dec. 2 Tr. at 996:18-998:25 (explaining the arbitrage with purchase of U.K. bonds from Venezuelan treasury); Dec. 5 Tr. at 1333:19-1334:12 (by buying bond at legal rate, converting to dollars, and selling at black-market rate, could make a "hefty profit"); GEXs 1, 2.) By way of example:

- Conspirators purchased a \$1 million bond using the Venezuelan government fixed exchange rate of 4.3 bolivars per U.S. dollar, for 4.3 million bolivars;
- Conspirators sold the dollars using the black-market exchange rate of 9.39 per U.S. dollar, receiving 9.39 million bolivars;
- As a result of the transactions, conspirators profited 5.09 million bolivars.

(See GEX 2.) And as the real-life numbers increased (for example, £160 million bonds), so too did the profit. (E.g., 159A (Diaz accepting Gorrin's bid on *inter alia* £160 million bond).)

² As Gorrin explained the exchange schemes to Andrade:

Entrepreneur according to Raul Gorrin, president of Global Vision. Look for allies of the treasury office. Offer them big profits. Make them transfer for free custody of financial instruments to Switzerland. Once your bank has custody of these financial instruments, instruct your bank officials to sell them. Have ready two owners of Venezuelan banks that allow receipt of large quantities of bolivars. Proceed with the sale of the dollar products from the Venezuelan businessmen at the dollar today price.

Cancel the national treasury in bolivars at the official exchange rate of bonds assigned. Don't pay attention to the collateral damage of the Venezuelan economy

bribed Andrade, he did not transfer all the bribe money to Andrade. Rather, Gorrin held onto and accounted for Andrade's bribe payments and paid Andrade's invoices on demand. (*Id.* at 193:21-194:19.) After Andrade resigned from the Venezuelan Treasury, Gorrin asked Andrade to approach Diaz to see if she would continue the same type of monetary exchange transactions that Gorrin was doing with Andrade, *i.e.*, whether she would accept bribes from Gorrin to give Gorrin priority in purchasing bonds. (*Id.* at 200:20-202:7.)

In March 2011, Diaz, Velazquez, and Andrade met in person in Wellington Florida, at a meeting brokered by Gorrin, to ensure that Diaz would become Venezuela's treasurer. (Dec. 2 Tr. at 1027:19-1031:17; GEXs 266 at 2 (Diaz in S. Florida in March 2011), 267 at 3 (Velazquez in S. Florida in March 2011), 268 at 4 (Andrade in S. Florida in March 2011), 269 (Gorrin in S. Florida in March 2011), 270 (Camino in S. Florida in March 2011); *accord* Nov. 29 Tr. at 203:19-205:6; Nov. 30 Tr. at 467:8-14, 417:8-11 (Andrade also called Diaz, who agreed and began doing exchanges with Gorrin).) After that meeting, Velazquez told then-friend and (illicit) business partner Maximillian Camino Beran that the meeting went very well and Diaz likely would be the next treasurer of Venezuela, which turned out to be correct. (Dec. 5 Tr. at 1327:9-23.) Under

on the sale of dollars at the dollar today price.

Try to be the only supplier of dollars in the Venezuelan market. You must act without scruples. You shouldn't care about whether the food prices, medication, assets or services go up. That's a market problem.

Look for political allies to defend you. With the profits made, purchase TV channels, insurance companies, brokerage houses and banks. Try to break into the oil market.

Lastly, do not reside in Venezuela permanently. Settle in the United States. Some day they might discover your irregular financial operations, and you'll be incarcerated.

(Nov. 29 Tr. at 259:13-261:19; GEX 33, 33A.)

Gorrin’s bribe agreement with Diaz, 50% of profits from the exchange scheme went to Diaz, 25% went to Gorrin, and 25% went to Andrade. (Nov. 29 Tr. at 203:2-18.)

Diaz ultimately accepted bribe payments from Gorrin to award Gorrin and his companies the right to purchase U.K. bonds from the Venezuelan treasury. (Nov. 30 Tr. at 403:6-405:22 (Venezuelan treasury could accept or reject offers to purchase bonds), 409:9-17 (Andrade entered scheme with Diaz and Gorrin); Dec. 5 Tr. at 1037:25-1038:19; GEXs. 124, 124A, 159, 159A.) While treasurer, Diaz would meet with Gorrin and Gustavo Perdomo (“Perdomo”), who is Gorrin’s brother-in-law, once per week, and for his part, Velazquez would meet with Gorrin and Perdomo two to three times per week. (Dec. 6 Tr. at 1398:24-1400:16.) In addition, two to three times per week Velazquez sent Moises Ricardo Zapata Ruiz—Diaz’s bodyguard—to pick up boxes from Gorrin. (*Id.* at 1391:24-1394:12, 1401:3-1403:17.) On two occasions, Zapata saw open boxes—one opened by Velazquez himself, which were full of cash. (*Id.* at 1403:18-1404:16.)

2. Laundering of Bribe Payments to the Defendants

After Diaz became Venezuela’s treasurer, Defendants’ lifestyle “radical[ly]” changed—becoming “exuberant” with “lots of properties” and “lots of vehicles.” (*Id.* at 1404:20-1407:11.) The jury convicted the Defendants on Count 2 of the Superseding Indictment, which charged them with a conspiracy to commit money laundering under 18 U.S.C. § 1956(h). As established at trial, this lifestyle was due to bribes laundered to them by Gorrin. For Diaz and Velazquez, among other purchases and payments, Gorrin funded and/or purchased for them 3 private jets and 2 yachts (the *Oro* and *Sean*), Defendants’ clothing company (Patric Love), real properties, farms, and 10 to 14 vehicles.³ Gorrin made payments to and for the Defendants through a variety of companies he

³ *E.g.*, Dec. 1 Tr. at 761:6-762:8 (Gorrin paid for defendants’ yachts), 785:13-21 (Velazquez was using *Oro*); 803:19-25, 805:15-18 (*Sean* yacht was Velazquez’s), 808:18-19 (Gorrin paid for *Sean* yacht); Dec. 2 Tr. at 870:13-871:2 (Gorrin purchased three private jets for Diaz and Velazquez), 883:1-886:8 (discussing two planes Gorrin purchased for Defendants, for \$5.7 million and \$23.4

owned, including Andiron, IBCDB, Bellsite Overseas, Vineyard Ventures, Mahogany Commercial, and Western Cape.⁴

One of the companies through which the Defendants received the bribe payments was Invesco. Invesco was incorporated in Panama by Camino, with Velazquez as an officer and shareholder. (Dec. 2 Tr. at 1032:13-1035:24.) Invesco provided no services, had no working employees, and produced no products. (*Id.* at 1032:23-1033:6.) Velazquez was an authorized signatory on Invesco's bank account, which received only bribe money. (*Id.* at 1038:17-1039:4; GEX 300.) Velazquez also used email account "InvescoCF@gmail.com" as his email address. (Dec. 5 Tr. at 1064:15-23.) Velazquez arranged for Gorrin's bribes to be paid into Invesco. (*Id.* at 1038:23-1039:18, 1076:17-1078:3.) To hide the bribes, Camino drafted a document saying Velazquez received a \$12 million annual income from Invesco. (*Id.* at 1040:16-1041:20.) In reality, Velazquez did "nothing" to earn the purported \$12 million salary. (*Id.* at 1041:2-20.)

million), 875:1-9; Dec. 5 Tr. at 1128:15-20 (*Oro* was a payment by Gorrin for FOREX contracts signed by Diaz); Dec. 6 Tr. at 1404:20-1407:11 (describing "radical" change in Defendants' lifestyle and purchases); GEXs 123, 123A (Velazquez directed Unique Jet Aviation to invoice Gorrin for \$6,405,000 purchase of private jet), 120, 120A (showing payments by Gorrin to Patric Love, MJ Box Tool, Interglobal Yacht Sales), 135, 135A (showing payments by Gorrin to Patric Love and for the "ORO"), 98, 98A (discussing and showing payments by Gorrin to Interglobal Yacht Sales and Unique Jet Aviation), 148, 148A (noting "charge" for \$4 million payment to Patric Love for "AV"); 149, 149A (Patric Love invoice forwarded to Gorrin for payment), 167, 167A (invoice for Defendants' yacht sent to Gorrin), 179, 179A (Interglobal Yachts sending invoice for *Oro* to Gorrin), 252, 252A (email re: Gorrin paying \$5.7 million for private jet for Defendants), 961, 961A (payment by Gorrin to Interglobal Yacht, in Miami, for \$281,055); 1122-1135.

⁴ Dec. 1 Tr. at 767:11-14 (IBCDB was one of Gorrin's companies); GEX 501 (identifying Gorrin as one of IBCDB's beneficial owners); Dec. 5 Tr. at 1077:19-1078:3 (identifying "Bellsite, Vineyard," and "Hancock" as Gorrin's companies), 1079:8-14; GEX 601 (identifying Gorrin as beneficial owner of Andiron); GEX 700 (identifying Gorrin as beneficial owner of Bellsite); GEX 800 (identifying Gorrin as beneficial owner of Vineyard Ventures); GEX 900 (identifying Gorrin as beneficial owner of Mahogany); GEX 970 (Gorrin signatory on Western Cape's bank account); *see* GEX 168 (payment from IBCDB); *see also* GEX 608 (Gorrin signatory on Andiron's bank account).

In or around October 2012 Camino transferred all Invesco stock to Velazquez and Velazquez's brother at Velazquez's request, because Velazquez wanted to control his money. (*Id.* at 1066:5-1071:7; GEXs 48, 48A, 37, 37A.) Similarly, Camino transferred control over Invesco's bank account to Velazquez at Velazquez's request. (Dec. 5 Tr. at 1071:8-1075:6; GEX 57.)

Another company through which Defendants received the bribery proceeds was MJ Box Tool. Velazquez purchased MJ Box Tool, a small Venezuelan oil service company, in 2012 in order to "funnel money from the bribes." (Dec. 2 Tr. at 1035:3-25; Dec. 5 Tr. at 1123:4-1124:5.) Velazquez opened an account for MJ Box Tool in Switzerland at BSI, stating the company had over \$50 million in assets and expected to receive \$95 million in the first 12 to 18 months of the banking relationship. (GEXs 400, 404, 404A, 407, 407A.) And as of December 31, 2012, MJ Box Tool's portfolio was worth approximately \$98.8 million. (GEX 408.)

Defendants also created Patric Love, a clothing or "couture" company, intended for Diaz to run after she left the Treasury. (Dec. 5 Tr. at 1125:20-1127:4.) Defendants owned, were the presidents of, and financed Patric Love. (Dec. 7 Tr. at 1781:20-1782:4; GEX 231.) To "launch" Patric Love, Defendants/Patric Love received \$4 million from Gorrin (via Andiron). (GEX 610, 610A, 1113, 1117; Dec. 7 Tr. at 1839:5-1841:23.⁵) And Defendants would invoice Gorrin for Patric Love's expenses. (*E.g.*, GEX 214, 214A (Velazquez asking Ms. Matsuo to invoice IBCDB for Patric Love and to email to Gorrin), 216, 216A.)

To track bribe payments and to account for amounts he owed Defendants (the same way

⁵ While Defendants tried to disguise this bribe payment as a loan repayment, Maria Mercedes Matsuo testified she never was told that the payment was based a loan or would have to be repaid, and that her signature was taken from her passport and forged on the loan documents. (Dec. 7 Tr. at 1846:6-1857:16; GEXs 157, 157A, 158, 158A.) In finding the Defendants guilty on Count 10, the jury credited Ms. Matsuo's testimony and did not believe that the \$4 million payment was a loan repayment.

that he did for Andrade), Gorrin created spreadsheets, which he would email to the Defendants periodically through Velazquez. (*E.g.*, Nov. 29 Tr. at 194:20-25, 213:3-217:21, 221:10-223:24, 228:11-229:13, 232:24-234:23, 249:10-250:7; GEXs 11, 11A, 13, 13A, 16, 16A, 18, 18A, 20, 20A, 25, 25A, 26, 26A, 28, 28A, 32, 32A; 98, 98A, 101-103, 101-103A, 105-106, 105A-106A, 109-120, 109A-120A, 135, 135A.)

3. The Defendants Received At Least \$136,752,007.46 in Bribe Payments

Testimony and documentary evidence at trial established that Defendants received at least \$136,752,007.46 in U.S. currency in bribe payments based on bank records documenting transfers to Invesco (\$21,422,956), Gorrin's AV spreadsheets (\$79,824,051.46), and the aircraft that were purchased for the Defendants (\$35,505,000).

First, Homeland Security Investigations Special Agent Brittney Suarez testified concerning bank documents received from Switzerland. (Dec. 7 Tr. at 1628:10-1631:7; GEX 1168.) Looking at Invesco's Swiss bank account (GEXs 300, 301), Special Agent Suarez testified concerning the following wire transfers (totaling \$21,422,956) from Gorrin's companies into the Invesco account:

- On October 18, 2011, \$4,134,806.00 from Vineyard Ventures to Invesco (GEX 309); and
- On January 26, 2012, \$17,288,150.00 from Bellsite Overseas to Invesco (GEX 311).⁶

(Dec. 7 Tr. at 1631:12-1633:16.) And ultimately, after the Invesco account was closed, all amounts in this Invesco account were transferred to MJ Box Tool.⁷ (GEXs 317.)

⁶ Additionally, Special Agent Suarez testified concerning two additional wires into Invesco's Swiss bank account—on October 12, 2011, \$1,399,898.02 (GEX 310), and on April 16, 2012, \$3,840,000.00 (GEX 312). While the transfers contained bribery proceeds, they were transfers between Invesco accounts and it is unclear whether these amounts were accounted for elsewhere. The Government was not using these amounts in calculating the money judgment.

⁷ Later, the MJ Box Tool account was closed and all amounts were transferred to an account held

Second, Jailyne Padron—a Deloitte forensic accountant working for HSI—reviewed the “AV” spreadsheets contained in Government Exhibits 105, 106, 109-118, and 135, and prepared a summary chart of payments from Gorrin to the Defendants based on Gorrin’s own accounting of his bribes. (GEX 1150.) As compiled and summarized by Ms. Padron in her summary charts, Gorrin’s spreadsheets account for \$79,824,051.46 in bribes paid to Diaz and Velazquez. (*Id.*) These amounts transferred to Invesco totaling \$21,422,956 (described above) were not accounted for in Gorrin’s spreadsheets. (*See id.* (summarizing GEXs 105, 106, 109-118, and 135).)

Third, Gorrin purchased three airplanes for the Defendants—tail numbers N90RZ, N64AV, and N452AC. (Dec. 2 Tr. at 872:9-14.) Those planes, in total, cost \$35,505,000. (GEXs 123, 123A (purchase of N90RZ for \$6,405,000), 141, 141A (same), 252, 252A (purchase of N64AV for \$5,700,000), 242, 242A (purchase of N452AC for \$23,400,000); Dec. 2 Tr. at 873:22-874:14, 875:25-876:12, 881:21-883:6, 883:16-886:8.) The Gorrin spreadsheets reviewed by Ms. Padron, however, did not account for the purchase of the three airplanes⁸ (or yachts he purchased for their benefit, including the *Oro or Sean*⁹).

in the name of Niham Corp. (GEX 433.) Exhibit 433—received via MLAT—was not admitted at trial but still may be considered. Fed. R. Crim. P. 32.2(b)(1)(B) (“The court’s determination may be based ... on any additional evidence or information submitted by the parties and accepted by the court as relevant and reliable.”). That exhibit is covered by the parties’ stipulation, GEX 1168, addressing authenticity and hearsay. In any event, the rules of evidence do not apply. Fed. R. Evid. 1101(d)(3) (“(d) Exceptions. These rules — except for those on privilege — do not apply to the following: ... (3) miscellaneous proceedings such as: ... sentencing.”); *United States v. Kenner*, 443 F. Supp. 3d 354, 361 n.6 (E.D.N.Y. 2020) (“because criminal forfeiture is ‘viewed as part of the sentencing process,’ the Federal Rules of Evidence do not apply.”).

⁸ While Gorrin paid \$35,505,000 for the three airplanes through Unique Aviation (*see supra*), the spreadsheets account for only \$6,356,071.46. (GEX 1150 at 1.)

⁹ There were only \$86,044.80 in payments in Gorrin’s spreadsheets where the line item listed was for the *Oro*. (GEX 1150 at 1.) And while there were four transactions where the line item listed was Interglobal Yacht Sales, a yacht broker, for \$873,181 (GEX 1150 at 5), the *Sean*’s declared value alone was \$3.9 million. (GEX 199.) The AV spreadsheets thus did not account for the full

Based on the record in this case, the total value of the property involved in the money laundering conspiracy offenses of conviction is \$136,752,007.46 in U.S. currency, which sum may be sought as a forfeiture money judgment pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

The United States has also not been able to locate all of the directly forfeitable property. It is the conclusion of Special Agent Moreno in the attached Declaration [EX 1] that other directly forfeitable property cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty. *See* Decl. Thus, pursuant to 21 U.S.C. § 853(p), the United States is authorized to forfeit substitute property.

Accordingly, based on the foregoing, the evidence in the record, and for good cause shown, the Motion is **GRANTED**, and it is hereby **ORDERED** that:

1. Pursuant to 18 U.S.C. § 982(a)(1) and Rule 32.2 of the Federal Rules of Criminal Procedure, a forfeiture money judgment in the amount of \$136,752,007.46 is hereby entered against the Defendants.

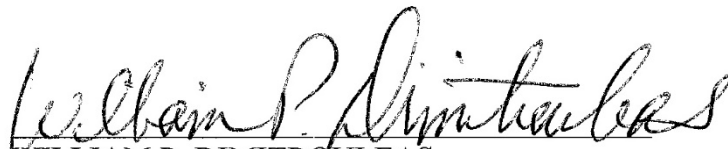
2. The United States is authorized to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, and to resolve any third-party petition, pursuant to Rule 32.2(b)(3), (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order is final as to the Defendant.

purchase price of the *Sean* or *Oro*. Due to the unclear nature of how the *Oro* and *Sean* were financed, the Government did not include either yacht in its calculation of the money judgment amount. For that reason, among others, the Government's calculation is conservative.

4. The Court shall retain jurisdiction in this matter for the purpose of enforcing this Order, and pursuant to Rule 32.2(e)(1) of the Federal Rules of Criminal Procedure, shall amend this Order, or enter other orders as necessary, to forfeit additional specific property when identified.

DONE AND ORDERED in Fort Lauderdale, Florida, this 19th day of April 2023.


WILLIAM P. DIMITROULEAS
United States District Judge