

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:

Borna Faizy
a/k/a Brad Faizy
4405 Newcastle Drive
Frisco, TX 75034

Touraj Ghavidel
a/k/a Brent Dell
6617 Tamarron Lane
Plano, TX 75024

Signal Micro Systems, Inc.
d/b/a Techonweb
16837 Addison Road
Addison, TX 75001

Respondents

ORDER RELATING TO BORNA FAIZY,
TOURAJ GHAVIDEL, AND SIGNAL MICRO SYSTEMS, INC.

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has notified Borna Faizy a/k/a Brad Faizy, Touraj Ghavidel a/k/a Brent Dell, and Signal Micro Systems, Inc. d/b/a Techonweb (collectively, the “Respondents”) of its intention to initiate an administrative proceeding against Respondents pursuant to Section 766.3 of the Export Administration Regulations (the “Regulations”),¹ and Section 13(c) of the Export Administration Act of 1979, as amended (the “Act”),² through the issuance of a

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2014). The charged violation occurred between 2005 and 2012. The Regulations governing the violation at issue are found in the 2005-2012 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2014 Regulations set forth the procedures that apply to this matter.

² 50 U.S.C. app. §§ 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001

Proposed Charging Letter to Respondents that alleges that each Respondent committed one violation of the Regulations. Specifically, the charge is:

Charge 1 15 C.F.R. § 764.2(d) – Conspiracy

Beginning at least in 2008, and continuing through in or about January 2012, Faizy, Ghavidel and Techonweb conspired and acted in concert with others, known and unknown, to bring about an act that constitutes a violation of the Regulations. The purpose of the conspiracy was to bring about the export of computers, items classified as 5A992 on the Commerce Control List and valued at \$1,015,757, by Techonweb from the United States through the United Arab Emirates (“UAE”) to Iran, without the required U.S. Government authorization.³ Items classified as 5A992 are subject to control for Anti-Terrorism reasons, and, pursuant to Section 742.8 and 746.7(a) of the Regulations, a license was required to export these items to Iran at all times pertinent hereto. The items were also subject to the Iranian Transaction Regulations (“ITR”)⁴ administered by the Department of the Treasury’s Office of Foreign Assets Control (“OFAC”). The Regulations also prohibited the export or reexport to Iran, whether directly or transshipped through a third country, of any item subject to both the Regulations and the ITR, if the transaction was not authorized by OFAC.⁵ In order to avoid duplication, exporters and reexporters were not required under the Regulations to seek authorization from both BIS and OFAC for exports or reexports subject to both the EAR and the ITR, and accordingly an authorization granted by OFAC was considered authorization for purposes of the EAR as well. However, Faizy, Ghavidel, and Techonweb did not seek or obtain authorization from BIS, or from OFAC, in connection with any of the activities or transactions alleged herein.

Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 7, 2014 (79 Fed. Reg. 46959 (Aug. 11, 2014)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*) (2006 & Supp. IV 2010).

³ Pursuant to Section 734.2(b)(6) of the Regulations, the export of an item from the United States to a second country intended for transshipment to a third country is deemed to be an export to that third country.

⁴ 31 C.F.R. Part 560 (2008-2012). Subsequent to the violation charged herein, OFAC changed the heading of 31 C.F.R. Part 560 from the Iranian Transactions Regulations to the Iranian Transactions and Sanctions Regulations (“ITSR”), amended the renamed ITSR in part, and reissued them in their entirety. See 77 Fed. Reg. 64,664 (Oct. 22, 2012). 31 C.F.R. Part 560 remains the same in pertinent part.

⁵ Pursuant to Section 560.204 of the ITR, an export to a third country intended for transshipment to Iran was a transaction that required OFAC authorization at all times pertinent hereto. See also notes 3 and 4, *supra*.

Specifically, in furtherance of the conspiracy, Faizy, Ghavidel and Techonweb, which was owned by Faizy and Ghavidel and for which Faizy served as President and Director and Ghavidel served as Chief Financial Officer and Director, participated in a scheme to export computers to Iran without the required licenses. In or about 2008, Faizy and Ghavidel attended a computer trade show in Dubai, UAE, to recruit and obtain contact information from potential customers in Iran. After forming the conspiracy, Faizy and Ghavidel then communicated with their co-conspirators through electronic mail, instant messaging and other forms of electronic communication, using fictitious names and coded language to obscure the true identities and locations of the ultimate consignees. Faizy and Ghavidel, through Techonweb, obtained computers from various suppliers in the United States for the purposes of selling and exporting the computers to Iran. Additionally, in furtherance of the conspiracy, from December 2009 through March 2011, Faizy and Ghavidel, through Techonweb, exported 1,038 computers, valued at \$1,015,757, from the United States through the UAE to Iran. Faizy and Ghavidel, through Techonweb, filed or caused to be filed Electronic Export Information falsely stating that the computers were destined for ultimate consignees in Dubai, UAE. As alleged above, Faizy, Ghavidel, and Techonweb did not seek or obtain the required U.S. Government authorization in connection with any of the activities or transactions alleged herein.

WHEREAS, BIS and Respondents have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations, whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein;

WHEREAS, I have approved of the terms of such Settlement Agreement; and

WHEREAS, in doing so, I have taken into consideration the plea agreement that Faizy and Ghavidel have entered into with the U.S. Attorney's Office for the Northern District of Texas;

IT IS THEREFORE ORDERED:

FIRST, that for a period of ten (10) years from the date of this Order, Borna Faizy a/k/a Brad Faizy, with a last known address of 4405 Newcastle Drive, Frisco, TX 75034, and when acting on his behalf, his successors, assigns, employees, agents or representatives, Touraj Ghavidel a/k/a Brent Dell, with a last known address of 6617 Tamarron Lane, Plano, TX 75024, and when acting for or on his behalf, his successors,

assigns, employees, agents or representatives, and Signal Micro Systems, Inc. d/b/a Techonweb, with a last known address of 16837 Addison Road, Addison, TX 75001, and when acting for or on its behalf, its successors, assigns, directors, officers, employees, agents or representatives (each a “Denied Person” and collectively the “Denied Persons”), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

- A. Applying for, obtaining, or using any license, License Exception, or export control document;
- B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or
- C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

SECOND, that no person may, directly or indirectly, do any of the following:

- A. Export or reexport to or on behalf of any of the Denied Persons any item subject to the Regulations;

- B. Take any action that facilitates the acquisition or attempted acquisition by any of the Denied Persons of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby any of the Denied Persons acquires or attempts to acquire such ownership, possession or control;
- C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from any of the Denied Persons of any item subject to the Regulations that has been exported from the United States;
- D. Obtain from any of the Denied Persons in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or
- E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by any of the Denied Persons, or service any item, of whatever origin, that is owned, possessed or controlled by any of the Denied Persons if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

THIRD, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to any of the Denied Persons by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

FOURTH, Respondents shall not take any action or make or permit to be made any public statement, directly or indirectly, denying the allegations in the Proposed Charging Letter or the Order. The foregoing does not affect Respondents' testimonial obligations in any proceeding, nor does it affect their right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of Commerce is not a party.

FIFTH, that the Proposed Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

SIXTH, that this Order shall be served on Respondents and shall be published in the *Federal Register*.

This Order, which constitutes the final agency action in this matter, is effective immediately.


David W. Mills
Assistant Secretary of Commerce
for Export Enforcement

Issued this 18th day of October, 2014.

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:

Borna Faizy

a/k/a Brad Faizy
4405 Newcastle Drive
Frisco, TX 75034

Touraj Ghavidel

a/k/a Brent Dell
6617 Tamarron Lane
Plano, TX 75024

Signal Micro Systems, Inc.

d/b/a Techonweb
16837 Addison Road
Addison, TX 75001

Respondents

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and between Borna Faizy a/k/a Brad Faizy, Touraj Ghavidel a/k/a Brent Dell, and Signal Micro Systems, Inc. d/b/a Techonweb (collectively, the “Respondents”), and the Bureau of Industry and Security, U.S. Department of Commerce (“BIS”) (collectively, the “Parties”), pursuant to Section 766.18(a) of the Export Administration Regulations (the “Regulations”),¹ issued pursuant to the Export Administration Act of 1979, as amended (the “Act”).²

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2014). The charged violation occurred between 2008 and 2012. The Regulations governing the violation at issue are found in the 2008-2012 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2014 Regulations set forth the procedures that apply to this matter.

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WHEREAS, BIS has notified Respondents of its intentions to initiate an administrative proceeding against Respondents, pursuant to the Act and the Regulations;

WHEREAS, BIS has issued a Proposed Charging Letter to Respondents that alleges that each of the Respondents committed one violation of the Regulations, specifically:

Charge 1 15 C.F.R. § 764.2(d) – Conspiracy

Beginning at least in 2008, and continuing through in or about January 2012, Faizy, Ghavidel and Techonweb conspired and acted in concert with others, known and unknown, to bring about an act that constitutes a violation of the Regulations. The purpose of the conspiracy was to bring about the export of computers, items classified as 5A992 on the Commerce Control List and valued at \$1,015,757, by Techonweb from the United States through the United Arab Emirates (“UAE”) to Iran, without the required U.S. Government authorization.³ Items classified as 5A992 are subject to control for Anti-Terrorism reasons, and, pursuant to Section 742.8 and 746.7(a) of the Regulations, a license was required to export these items to Iran at all times pertinent hereto. The items were also subject to the Iranian Transaction Regulations (“ITR”)⁴ administered by the Department of the Treasury’s Office of Foreign Assets Control (“OFAC”). The Regulations also prohibited the export or reexport to Iran, whether directly or transshipped through a third country, of any item subject to both the Regulations and the ITR, if the transaction was not authorized by OFAC.⁵ In order to avoid duplication, exporters and reexporters were not required under the Regulations to seek authorization from both BIS and OFAC for exports or reexports subject to both the EAR and the ITR, and accordingly an authorization granted by OFAC was considered authorization for

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⁴ 31 C.F.R. Part 560 (2008-2012). Subsequent to the violation charged herein, OFAC changed the heading of 31 C.F.R. Part 560 from the Iranian Transactions Regulations to the Iranian Transactions and Sanctions Regulations (“ITSR”), amended the renamed ITSR in part, and reissued them in their entirety. See 77 Fed. Reg. 64,664 (Oct. 22, 2012). 31 C.F.R. Part 560 remains the same in pertinent part.

⁵ Pursuant to Section 560.204 of the ITR, an export to a third country intended for transshipment to Iran was a transaction that required OFAC authorization at all times pertinent hereto. See also notes 3 and 4, *supra*.

purposes of the EAR as well. However, Faizy, Ghavidel, and Techonweb did not seek or obtain authorization from BIS, or from OFAC, in connection with any of the activities or transactions alleged herein.

Specifically, in furtherance of the conspiracy, Faizy, Ghavidel and Techonweb, which was owned by Faizy and Ghavidel and for which Faizy served as President and Director and Ghavidel served as Chief Financial Officer and Director, participated in a scheme to export computers to Iran without the required licenses. In or about 2008, Faizy and Ghavidel attended a computer trade show in Dubai, UAE, to recruit and obtain contact information from potential customers in Iran. After forming the conspiracy, Faizy and Ghavidel then communicated with their co-conspirators through electronic mail, instant messaging and other forms of electronic communication, using fictitious names and coded language to obscure the true identities and locations of the ultimate consignees. Faizy and Ghavidel, through Techonweb, obtained computers from various suppliers in the United States for the purposes of selling and exporting the computers to Iran. Additionally, in furtherance of the conspiracy, from December 2009 through March 2011, Faizy and Ghavidel, through Techonweb, exported 1,038 computers, valued at \$1,015,757, from the United States through the UAE to Iran. Faizy and Ghavidel, through Techonweb, filed or caused to be filed Electronic Export Information falsely stating that the computers were destined for ultimate consignees in Dubai, UAE. As alleged above, Faizy, Ghavidel, and Techonweb did not seek or obtain the required U.S. Government authorization in connection with any of the activities or transactions alleged herein.

WHEREAS, Respondents have reviewed the Proposed Charging Letter and are aware of the allegations made against them and the administrative sanctions that could be imposed against them if the allegations are found to be true;

WHEREAS, Respondents fully understand the terms of this Agreement and the Order ("Order") that the Assistant Secretary of Commerce for Export Enforcement will issue if he approves this Agreement as the final resolution of this matter;

WHEREAS, Respondents enter into this Agreement voluntarily and with full knowledge of their rights, after having consulted with counsel;

WHEREAS, the Parties enter into this Agreement having taken into consideration a plea agreement entered between Faizy and Ghavidel and the U.S. Attorney's Office for the Northern District of Texas;

WHEREAS, Respondents state that no promises or representations have been made to them other than the agreements and considerations herein expressed;

WHEREAS, Respondents neither admit nor deny the allegations contained in the Proposed Charging Letter; and

WHEREAS, Respondents agree to be bound by the Order, if issued;

NOW THEREFORE, the Parties hereby agree, for purposes of this Settlement Agreement, as follows:

1. BIS has jurisdiction over Respondents, under the Regulations, in connection with the matters alleged in the Proposed Charging Letter.
2. The following sanction shall be imposed against Respondents in complete settlement of the alleged violation of the Regulations relating to the transactions specifically detailed in the Proposed Charging Letter:

For a period of ten (10) years from the date of the Order, Borna Faizy a/k/a Brad Faizy, with a last known address of 4405 Newcastle Drive, Frisco, TX 75034, and when acting on his behalf, his successors, assigns, employees, agents or representatives, Touraj Ghavidel a/k/a Brent Dell, with a last known address of 6617 Tamarron Lane, Plano, TX 75024, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives, and Signal Micro Systems, Inc. d/b/a Techonweb, with a last known address of 16837 Addison Road, Addison, TX 75001, and when acting for or on its behalf, its successors, assigns, directors, officers, employees, agents or representatives (each a "Denied Person" and collectively the "Denied Persons"), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or

technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

- i. Applying for, obtaining, or using any license, License Exception, or export control document;
- ii. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or
- iii. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

3. Subject to the approval of this Agreement pursuant to Paragraph 7 hereof, Respondents hereby waive all rights to further procedural steps in this matter (except with respect to any alleged violations of this Agreement or the Order, if issued), including, without limitation, any right to: (a) an administrative hearing regarding the allegations in any charging letter; (b) request a refund of any civil penalty paid pursuant to this Agreement and the Order, if issued; and (c) seek judicial review or otherwise contest the validity of this Agreement or the Order, if issued.

4. Respondents shall not take any action or make or permit to be made any public statement, directly or indirectly, denying the allegations in the Proposed Charging

Letter or the Order. The foregoing does not affect Respondents' testimonial obligations in any proceeding, nor does it affect their right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of Commerce is not a party.

5. This Agreement is for settlement purposes only. Therefore, if this Agreement is not accepted and the Order is not issued by the Assistant Secretary of Commerce for Export Enforcement pursuant to Section 766.18(a) of the Regulations, no Party may use this Agreement in any administrative or judicial proceeding and the Parties shall not be bound by the terms contained in this Agreement in any subsequent administrative or judicial proceeding.

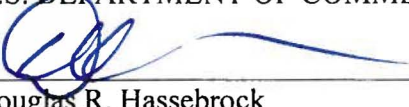
6. No agreement, understanding, representation or interpretation not contained in this Agreement may be used to vary or otherwise affect the terms of this Agreement or the Order, if issued; nor shall this Agreement serve to bind, constrain, or otherwise limit any action by any other agency or department of the U.S. Government with respect to the facts and circumstances addressed herein.

7. This Agreement shall become binding on the Parties only if the Assistant Secretary of Commerce for Export Enforcement approves it by issuing the Order, which will have the same force and effect as a decision and order issued after a full administrative hearing on the record.

8. BIS will make the Proposed Charging Letter, this Agreement, and the Order, if issued, available to the public.

9. Each signatory affirms that he/she has authority to enter into this Settlement Agreement and to bind his/her respective party to the terms and conditions set forth herein.


BUREAU OF INDUSTRY AND
SECURITY
U.S. DEPARTMENT OF COMMERCE



Douglas R. Hassebrock
Director of Export Enforcement

Date: 10/2/14


BORNA FAIZY



Borna Faizy

Date: 9/25/14

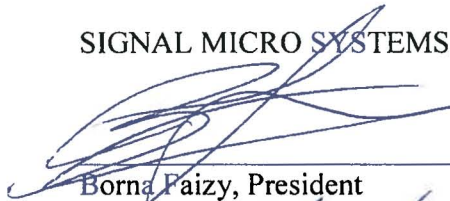
TOURAJ GHAVIDEL



Touraj Ghavidel

Date: 9/25/14

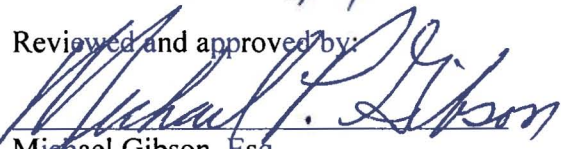
SIGNAL MICRO SYSTEMS, INC.



Borna Faizy, President

Date: 9/25/14

Reviewed and approved by:



Michael Gibson, Esq.
Burlison, Pate & Gibson
Counsel for Respondents

Date: 9/25/14

PROPOSED CHARGING LETTER

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Borna Faizy
a/k/a Brad Faizy
4405 Newcastle Drive
Frisco, TX 75034

Touraj Ghavidel
a/k/a Brent Dell
6617 Tamarron Lane
Plano, TX 75024

Signal Micro Systems, Inc.
d/b/a Techonweb
16837 Addison Road
Addison, TX 75001

Dear Messrs. Faizy and Ghavidel,

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has reason to believe that you, Borna Faizy, a/k/a Brad Faizy (“Faizy”), and you, Touraj Ghavidel, a/k/a Brent Dell (“Ghavidel”), and your company, Signal Micro Systems, Inc., d/b/a Techonweb (“Techonweb”), all of Addison, Texas (collectively, the “Respondents”), have each violated the Export Administration Regulations (the “Regulations”),¹ which issued under the authority of the Export Administration Act of 1979, as amended (the “Act”).² Specifically, BIS alleges that each of you committed the following violation:

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2014). The violation alleged occurred between 2008 and 2012. The Regulations governing the violation at issue are found in the 2008-2012 versions of the Code of Federal Regulations, 15 C.F.R. Parts 730-774 (2008-2012). The 2014 Regulations govern the procedural aspects of this case.

² 50 U.S.C. app. §§ 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 7, 2014 (79 Fed. Reg. 46959 (Aug. 11, 2014)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*) (2006 & Supp. IV 2010).

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Specifically, in furtherance of the conspiracy, Faizy, Ghavidel and Techonweb, which was owned by Faizy and Ghavidel and for which Faizy served as President and Director and Ghavidel served as Chief Financial Officer and Director, participated in a scheme to export computers to Iran without the required licenses. In or about 2008, Faizy and Ghavidel attended a computer trade show in Dubai, UAE, to recruit and obtain contact information from potential customers in Iran. After forming the conspiracy, Faizy and Ghavidel then communicated with their co-conspirators through electronic mail, instant messaging and other forms of electronic communication, using fictitious names and

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coded language to obscure the true identities and locations of the ultimate consignees. Faizy and Ghavidel, through Techonweb, obtained computers from various suppliers in the United States for the purposes of selling and exporting the computers to Iran. Additionally, in furtherance of the conspiracy, from December 2009 through March 2011, Faizy and Ghavidel, through Techonweb, exported 1,038 computers, valued at \$1,015,757, from the United States through the UAE to Iran. Faizy and Ghavidel, through Techonweb, filed or caused to be filed Electronic Export Information falsely stating that the computers were destined for ultimate consignees in Dubai, UAE. As alleged above, Faizy, Ghavidel, and Techonweb did not seek or obtain the required U.S. Government authorization in connection with any of the activities or transactions alleged herein.

In so doing, Faizy, Ghavidel and Techonweb each committed one violation of Section 764.2(d) of the Regulations.

* * * * *

Accordingly, Faizy, Ghavidel and Techonweb are hereby notified that an administrative proceeding is instituted against them pursuant to Section 13(c) of the Act and Part 766 of the Regulations for the purpose of obtaining an order imposing administrative sanctions, including, but not limited to any or all of the following:

- The maximum civil penalty allowed by law of up to the greater of \$250,000 per violation, or twice the value of the transaction that is the basis of the violation;⁶
- Denial of export privileges;
- Exclusion from practice before BIS; and/or
- Any other liability, sanction, or penalty available under law.

If Faizy, Ghavidel or Techonweb fails to answer the charges contained in this letter within 30 days after being served with notice of issuance of this letter, that failure will be treated as a default. *See* 15 C.F.R. §§ 766.6 and 766.7. If Faizy, Ghavidel or Techonweb defaults, the Administrative Law Judge may find the charges alleged in this letter are true without a hearing or further notice to Faizy, Ghavidel or Techonweb, as applicable. The Under Secretary of Commerce for Industry and Security may then impose up to the maximum penalty for the charges in this letter.

Faizy, Ghavidel and Techonweb are further notified that they are entitled to an agency hearing on the record if he files a written demand for one with his answer. *See* 15 C.F.R. § 766.6. Faizy, Ghavidel and Techonweb are also entitled to be represented by counsel

⁶ *See* International Emergency Economic Powers Enhancement Act of 2007, Pub. L. No. 110-96, 121 Stat. 1011 (2007).

or other authorized representative who has power of attorney to represent them. *See* 15 C.F.R. §§ 766.3(a) and 766.4.

The Regulations provide for settlement without a hearing. *See* 15 C.F.R. § 766.18. Should Faizy, Ghavidel or Techonweb have a proposal to settle this case, they should transmit it to the attorney representing BIS named below.

Faizy, Ghavidel and Techonweb are further notified that under the Small Business Regulatory Enforcement Flexibility ACT, they may be eligible for assistance from the Office of the National Ombudsman of the Small Business Administration in this matter. To determine eligibility and get more information, please see:
<http://www.sba.gov/ombudsman/>.

The U.S. Coast Guard is providing administrative law judge services in connection with the matters set forth in this letter. Accordingly, Faizy, Ghavidel and Techonweb's answer must be filed in accordance with the instructions in Section 766.5(a) of the Regulations with:

U.S. Coast Guard ALJ Docketing Center
40 S. Gay Street
Baltimore, Maryland 21202-4022

In addition, a copy of Faizy, Ghavidel and Techonweb's answer must be served on BIS at the following address:

Chief Counsel for Industry and Security
Attention: Peter Klason
Room H-3839
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Peter Klason is the attorney representing BIS in this case; any communications that Faizy, Ghavidel or Techonweb may wish to have concerning this matter should occur through him. Mr. Klason may be contacted by telephone at (202) 482-8049.

Sincerely,

Douglas R. Hassebrock
Director
Office of Export Enforcement