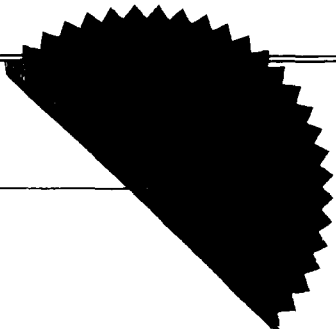


United States District Court

DISTRICT OF MARYLAND



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

9731 SORREL AVENUE
POTOMAC, MARYLAND 20854

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

CASE NUMBER: 05-28904C

I Special Agent Edward S. Cooper being duly sworn depose and say:

I am a Special Agent with the Federal Bureau of Investigation 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)

9731 Sorrel Avenue, Potomac, Maryland 20854 (for more detailed description see Schedule A)

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

See Schedule B

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

property that constitutes evidence of the commission of a criminal offense; or contraband, the fruits of the crime or things otherwise criminally possessed;

concerning a violation of Title 18 United States Code, Sections 201, 1343, 1346, 1349, & 371 and Title 15, United States Code, Section 78dd-1

The facts to support a finding of Probable Cause are as follows:

See Attached Affidavit

Continued on the attached sheet and made a part hereof.

Yes No

Edward S. Cooper

Signature of Affiant
Edward S. Cooper
Special Agent
Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence

August 2, 2005 11:00 P.M.
Date
WILLIAM CONNELL
UNITED STATES DISTRICT COURT JUDGE
Name and Title of Judicial Officer

at GREENBELT, MARYLAND
City and State
William Connell
Signature of Judicial Officer

SCHEDULE A

(Descriptions of Property to be Searched)

The real property and premises known as 9731 Sorrel Avenue, Potomac, Maryland 20854-4732 and any and all outbuildings, appurtenances, storage areas, locked containers, associated therewith and automobiles located thereon.

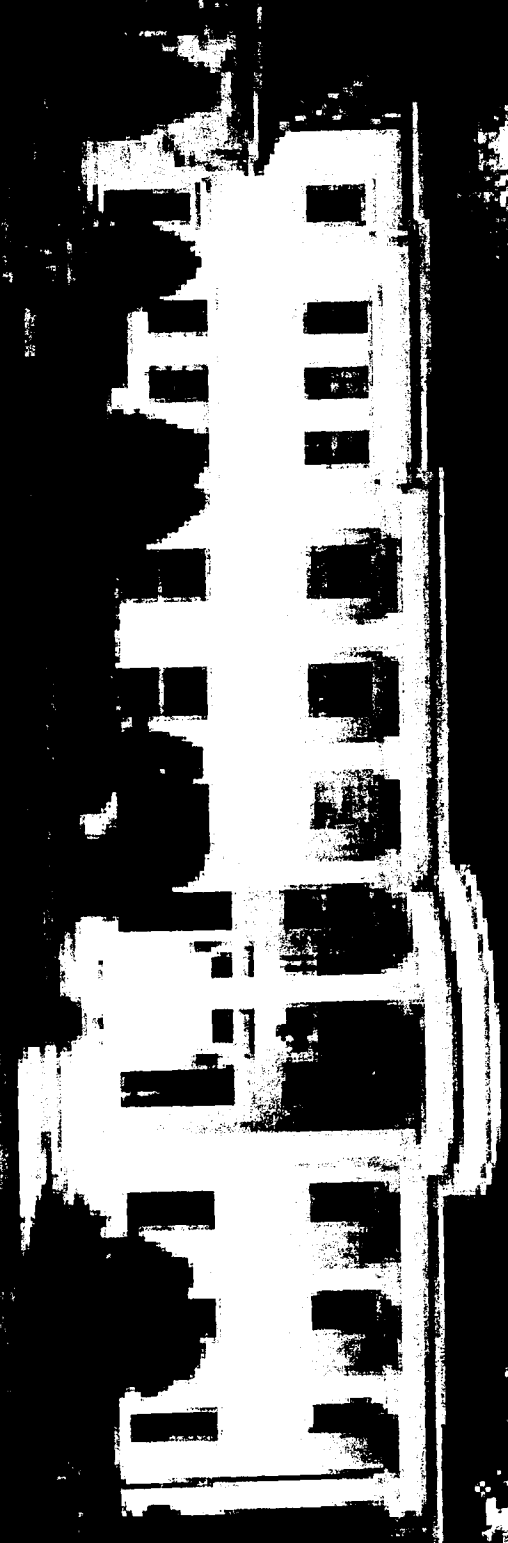
The premises is more particularly described as a two story cream-colored brick single family house with a gray roof. A white double front door is covered by a white portico supported by white columns. An iron gate with gold trim that crosses a light-colored brick driveway leading from Sorrel Avenue toward the front of the house. A white brick mailbox outside the gate on Sorrel Avenue bears the gold numbers "9731."

A photograph of the home is also attached and incorporated herein by reference.

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SCHEDULE B

ITEMS TO BE SEIZED FROM
9731 SORREL AVENUE
POTOMAC, MARYLAND 20854-4732

The following items, records, or information related to evidence of violations of Title 18, United States Code, Sections 201, 371, 1343, 1346 and 1349 and Title 15, United States Code, Section, 78dd-1, et seq:

- A. Cash in \$100 denominations or higher.
- B. A new, reddish-brown colored leather briefcase retailed or manufactured by Bosca;
- C. A reddish-brown colored cloth bag with two draw strings at the top of the bag, with the light colored letters "BOSCA" located on the side of the bag;
- D. All video recording devices, surveillance videotapes, CD's, digital media and any other electronic storage devices related to surveillance of the house grounds, driveway and premises;
- E. All records, logs, or schedules of employees or personnel working at the premises from Monday, July 18, 2005 at 6:00 p.m. through the present;
- F. All records, electronic or otherwise of any and all visitors to the premises recording arrival, departure, or length of stay information;
- F. records and documents, from January 2001 to the present, related to the following entities:
 - 1. IGate, Incorporated, including documents related to the iGate telecommunications/internet business ventures proposed for Nigeria;
 - 2. Rosecom.Net;
 - 3. NDTV;
 - 4. Multimedia Broadband Services, Inc; and
 - 5. W2 IBBS, Limited.

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- G. All records and documents related to communications and/or correspondence from January 2001 to the present to or from the Vice President of Nigeria, H.E. Alhaji Atiku Abubakar and to or from Congressman William J. Jefferson, regarding the proposed business venture in Nigeria by business venture participants Rosecom.Net, W2-IBBS, Limited and/or iGate, Incorporated;
- H. Congressman Jefferson's June 21, 2005 letter to the Vice President of Nigeria, H.E. Alhaji Atiku Abubakar; and
- I. records and documents related to communications and/or correspondence from January 2001 to the present to or from Jennifer E. Douglas a/k/a Jamilah Jennifer Atiku Abubakar and to or from Congressman William J. Jefferson, regarding the proposed business venture in Nigeria by business venture participants Rosecom.Net, W2-IBBS, Limited and/or iGate, Incorporated.

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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

IN THE MATTER OF THE SEARCH OF)
9731 SORREL AVENUE) CASE NO. 05-28906c
POTOMAC, MARYLAND 20854)

AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEARCH WARRANTS

I, Edward S. Cooper, being duly sworn, depose and state
as follows:

I. INTRODUCTION

1. I am a Special Agent with the Federal Bureau of
Investigation ("FBI"), United States Department of Justice. I
have been employed by the FBI for the past twenty-three years. I
am currently assigned to the Northern Virginia Resident Agency of
the FBI on the public corruption and government fraud squad,
located in Tysons Corner, Virginia. Since becoming an FBI agent,
I have conducted over 100 investigations of criminal offenses.
Several of these matters have involved public corruption. These
investigations have led to my participation in numerous arrests
and the execution of search warrants. I have also participated
in several investigations involving court-authorized interception
of wire, oral, and electronic communications.

II. REASON FOR AFFIDAVIT

2. Based on information obtained by me, including
information relayed to me by other special agents of the FBI, and
other sources to this investigation, there is probable cause to

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believe that there is kept and concealed within the premises known and described as:

9731 Sorrel Avenue
Potomac, Maryland 20854

and any and all outbuildings, appurtenances, storage areas, any locked containers, associated therewith and automobiles located thereon, fruits, instrumentalities and evidence of violations of: a) Title 18, United States Code, Section 201 (bribery of a public official; b) Title 18, United States Code, Sections 1343, 1346 and 1349 (wire fraud - deprivation of honest services); c) Title 18, United States Code, Sections 1343 and 1349 (wire fraud - scheme defraud); d) Title 15, United States Code, Section 78dd-1, et seq., (bribery of a foreign official); and e) Title 18, United States Code, Section 371, (conspiracy to commit bribery, wire fraud, bribery of a foreign official). The location to be searched is the residence of Jennifer E. Douglas, also known as Jamilah Jennifer Atiku-Abubakar, a wife of the Vice President of Nigeria.

3. The location to be searched is described in more detail in Schedule A to this affidavit. The evidence to be seized is described in Schedule B to this affidavit.

4. The facts and information contained in this affidavit are based upon my personal knowledge and the investigation and observations of other officers and agents involved in the investigation. All observations noted below that were not

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personally made by me were related to me by the persons who made such observations. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed by me or known to the government.

III. THE INVESTIGATION

5. This investigation began in approximately March 2005, when Cooperating Witness ("CW"), approached the FBI and communicated CW's suspicion that CW had been a victim of a fraud scheme involving Vernon Jackson, Brett Pfeffer and United States Congressman William J. Jefferson.¹ The CW suspected that these individuals conspired to defraud CW out of \$3.5 million which CW paid to Vernon Jackson's Louisville, Kentucky company, iGate, Incorporated, the developer of a telecommunications technology for use on copper wires. CW related that the money was paid with the understanding that iGate would use it to reacquire the rights to the technology from another company that had already bought them from iGate. According to CW, Jackson could never produce proof that those rights had been reacquired, which CW was to use

¹ CW is a person located in McLean, Virginia, who has been providing reliable and credible information to the FBI since March 2005. In addition, the information provided by CW has been corroborated by consensually recorded conversations that CW has participated in at the direction of the FBI. My statements below, summarizing CW's interactions with others involved in the various iGate business ventures prior to March 2005, are based on numerous interviews of CW by me and Special Agent Timothy Thibault of the FBI.

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for a business venture in Nigeria. In addition, CW related to the FBI that Congressman Jefferson had asked CW for a percentage ownership interest in CW's Nigerian company (five to seven percent to be placed in the names of Congressman Jefferson's children) in exchange for his assistance in supporting the Nigerian business venture.

6. The targets of this investigation include, but are not limited to the following:

a. William J. Jefferson: was born on October 15, 1943, (61 years old) and is currently serving his seventh term in the United States House of Representatives, representing the 2nd District of Louisiana. He is a member of the House Ways and Means Committee (sub-committee on Trade), the Congressional Africa Trade and Investment Caucus, the Congressional Black Caucus and the Congressional Caucus for Nigeria (hereinafter also referred to as the "Nigerian Caucus"). He is a graduate of Southern University AT&T College, Harvard Law School (JD), and Georgetown University (LLM - Tax). Jefferson previously served three terms as a member of the Louisiana State Senate.

b. Vernon Jackson: was born on July 6, 1952, is the 53-year-old President and CEO of iGate, Incorporated ("iGate"), a technology firm that touts its "Triple Play" technology, which enables audio, video, and data to be transmitted over copper

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wire. IGate is headquartered in Louisville, Kentucky and has an office in Hackensack, New Jersey.

c. Brett M. Pfeffer: was born on June 5, 1968, (37 years old) and owns a consulting firm named OTN. Since January 1, 2004, Pfeffer has been employed as the President of an investment firm owned by CW and located in McLean, Virginia. In the mid-1990's, Pfeffer served on the congressional staff of William Jefferson in both his New Orleans and Washington, D.C. offices. Pfeffer resides in Herndon, Virginia.

d. Suleiman YahYah: is the Chairman and Chief Executive Officer of Rosecom.Net, a Nigerian company that represents itself as the leading internet service provider in Abuja, Nigeria.

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IV. SUMMARY OF PROBABLE CAUSE

8. The facts and circumstances described below outline the probable cause that United States Congressman William J. Jefferson, acting in concert with the other targets, has sought, is currently seeking, and in some cases, has already accepted, financial backing and/or concealed payment(s) of equity interests in business ventures located in the United States, Nigeria and elsewhere (things of value) in exchange for his undertaking of official act(s) as a United States Congressman while promoting the business interests of the targets, including Jefferson himself.

9. Congressman Jefferson has in the recent past and is currently attempting to use his official position as a United States Congressman to commit official acts in promoting the sale of communications equipment and related services offered by iGate, a U.S. communications firm seeking to provide communications, data transfer, media, internet and other services

² Throughout this affidavit, I refer to telephone calls intercepted from the Target Telephone and consensually recorded conversations involving CW and others. With regard to the selected conversations presented here, several caveats apply. Summaries and quotations are preliminary and have been prepared by me or provided to me by other law enforcement agents: final transcripts have not yet been prepared. As a result, it is possible that changes to the summaries and quotations may occur during the preparation of transcripts.

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in Nigeria and other African Nations.³ In exchange for his official acts supporting the proposed business ventures, Congressman Jefferson has already received a 30% equity stake in a Nigerian company controlled by the Cooperating Witness.⁴ At Congressman Jefferson's direction, the stock representing this interest has been placed in the name of a Nigerian L.L.C. held by Jefferson's children.

10. The official acts performed by Congressman Jefferson in exchange for his actual and/or solicited receipt of stock in these foreign entities, and other things of value include: communicating with both the President and Vice President of Nigeria in an effort to secure the iGate business venture there; sending an official letter to the Nigerian Vice President seeking his assistance in overcoming opposition to the iGate business venture from the government-owned Nigerian telephone company; and introducing CW to officials at the Export-Import Bank of the United States to assist CW in obtaining loan guarantees for the Nigerian venture.

³ Evidence also suggests that a \$3.5 million payment made by the cooperating witness in 2004 to iGate in order to obtain the exclusive rights to iGate's technology was not used for the purpose represented, leaving CW's company and another company, which had also paid iGate for exclusive rights to its technology, with competing claims to the same rights.

⁴ The evidence reflects that the Nigerian company controlled by CW was created with the assistance of Congressman Jefferson and one of his daughters, also a lawyer.

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11. In addition, Congressman Jefferson has solicited and continues to solicit CW for substantial amounts of capital to be used by Jefferson in his efforts to take control of iGate from Vernon Jackson through the use of a nominee company Jefferson directs through his children. This financing, of up to \$3 million, was proposed by Jefferson and is to be provided in exchange for official acts by Congressman Jefferson as he promotes the business ventures in Nigeria and elsewhere in Africa.

12. Finally, Congressman Jefferson has also discussed, with CW and others, the payment of bribes to high-ranking foreign government officials to promote the business ventures in Africa. With regard to the Nigerian business venture, Jefferson has discussed the making of payments to high-ranking government officials there, including the Vice President of Nigeria. Congressman Jefferson met with the Vice President of Nigeria on July 18, 2005, in Potomac, Maryland. At that meeting, the Vice President of Nigeria agreed to help secure the necessary approvals for the participants in the Nigerian business venture (iGate, CW's Nigerian company and a Nigerian partner) to commence operations in Nigeria in exchange for at least 50% of the profits planned to be received by CW's Nigerian partner. In addition, Congressman Jefferson has discussed with CW the payment of a substantial monetary sum by CW to the Vice President of Nigeria

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(in the range of up to \$500,000) before the commencement of business operations in Nigeria.

13. Finally, videotape surveillance and consensual recordings reveal that on the morning of Saturday, July 30, 2005, at the Ritz-Carlton Pentagon City in Arlington, Virginia, Congressman Jefferson received \$100,000 in cash from the CW. The money was concealed in a leather briefcase for further delivery by the Congressman to the Vice President of Nigeria to secure his support of the business venture there. On August 1, 2005, Congressman Jefferson advised the CW that he had delivered what he referred to in code as the "African art" to the Nigerian Vice President during the early morning hours of July 31, 2005.

V. STATEMENT OF PROBABLE CAUSE

A. JUNE 2004 - CW SEEKS INVESTMENT OPPORTUNITIES

14. CW has founded and operates an educational technology philanthropic foundation, located in McLean, Virginia, whose mission is to provide technology to public schools nationwide. To help finance this philanthropy, CW hired Brett Pfeffer, a former aide to Congressman Jefferson, to seek out various investment opportunities on CW's behalf.

15. In June 2004, Pfeffer introduced Congressman Jefferson to CW over lunch in New Orleans, Louisiana. At that meeting, Jefferson described a telecommunications company called iGate, and the fact that iGate needed an investor for a business venture

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it was attempting to secure in Nigeria. Jefferson described the opportunity as "a deal you can't refuse." Later, after Jefferson left the meeting, Pfeffer told CW that if Jefferson helped them to secure a good business opportunity, then Jefferson would expect to get something out of it.

B. THE IGATE DEAL IS PRESENTED TO CW

16. From June 2004 through February 2005, CW participated in a number of meetings in Northern Virginia, Washington, D.C., and New Orleans, LA, where the terms of the proposed iGate deal were presented and discussed.⁵ During one such meeting, which took place on June 25, 2004, in Congressman Jefferson's office on Capitol Hill, Jefferson introduced CW to Jackson and vouched for him, indicating that their relationship was a long-standing one and that Jackson was a reputable businessman.

17. Jackson told CW that he had previously worked at Bell Laboratories where he had created a technology called Triple Play, which enabled data, video, and voice transmissions over copper wire. Jackson told CW that he had secured an agreement from Bell Laboratories enabling him to market Triple Play outside of the company and had set up iGate to do so. According to CW, Jefferson said that, as a member of the Congressional Black

⁵ Statements and/or events depicted in this affidavit that occurred before March 17, 2005 are based substantially upon debriefings of CW by agents of the FBI. No statements and/or events that occurred before March 17, 2005 were recorded by the FBI.

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Caucus and as head of the Nigerian Caucus in Congress, his point of contact in Nigeria was the President of the country. At Jefferson's request, CW described CW's history and expressed an interest in investment opportunities in Nigeria.

18. During the June 25, 2004 meeting, a power point presentation entitled "Nigeria Financial Connection" was reviewed and discussed. The meeting was controlled and managed by Jefferson. Jefferson and Jackson proposed that CW invest in iGate's Nigeria project. They told CW that the Nigerian government was building the backbone of a nationwide telecommunications network. Igate's Triple Play technology was described as the vehicle to provide data, video, and voice transmission service to individual subscribers throughout Nigeria. Jefferson said that the Nigerian project would cost a total of approximately \$45 million. Jefferson told CW that CW could make an initial investment and the remainder could be financed.

19. Shortly after that meeting, Pfeffer presented a term sheet to CW for the iGate deal he said had been forwarded to him by Jackson. CW has provided a copy of this document to the FBI and I have reviewed it. The term sheet called for CW to pay iGate \$44,934,400 for the exclusive right to use iGate's patented Triple Play technology and equipment to support the project. CW would pay iGate \$3.5 million in cash up front and then finance

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the balance with a loan to be acquired via the Export-Import Bank of the United States ("Ex-Im Bank"), a federal agency whose mission is to assist in the financing of companies exporting goods from the United States to foreign countries. CW signed the agreement, and, subsequently, approved two wire transfers of funds to iGate from CW's account at the Bank of America branch located in McLean, Virginia: \$1.5 million on July 22, 2004, and \$2 million on September 20, 2004. It was CW's understanding that this money would be forwarded to an entity called "NDTV" (a Nigerian telecommunications company) to secure the rights to distribute iGate's Triple Play technology in Nigeria. I have reviewed the bank records of iGate at Regional Bank located in Indiana, which were obtained pursuant to a grand jury subpoena. Those records reveal that iGate has apparently forwarded to NDTV only \$1.75 million of CW's \$3.5 million total payment. The remaining \$1.75 million appears to have been spent by Jackson for other purposes.

20. In August 2004, Congressman Jefferson introduced CW to a Nigerian named Suleiman YahYah, a representative of Rosecom, a Nigerian telecommunications firm. Jefferson told CW that CW would have to form a Nigerian company to participate in the iGate deal and that Rosecom was going to be a partner in the deal with CW's Nigerian company.

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21. Jefferson also told CW that Jamilia Jefferson, Jefferson's daughter, must be retained by CW to do the legal work for the iGate deal, which included assisting in the formation of CW's Nigerian company, now known to me as "W2-IBBS, Limited." CW agreed to do so and in the next few months paid Jamilia Jefferson's law firm thousands of dollars for legal work.

C. JEFFERSON SOLICITS CW FOR A PERCENTAGE OWNERSHIP IN THE NIGERIAN COMPANY

22. In December 2004, Jefferson and CW had lunch in the Congressional dining room and Jefferson discussed the iGate deal. He told CW that he knew Pfeffer had mentioned to CW that he, Jefferson, would be asking for something in return for his help in the iGate deal. Jefferson then told CW that he wanted CW to give five to seven percent of the ownership of CW's Nigerian company to his five daughters, to be split equally among them.

D. FRICTION BETWEEN CW AND PFEFFER AND JACKSON

23. During the winter of 2004-2005, CW sought more information about Pfeffer's business dealings on CW's behalf. CW came to believe that Pfeffer had forged CW's signature on some documents and that other important documents were missing. In addition, CW came across what CW believed to be evidence that large expenditures were being made by Pfeffer, from CW's company bank accounts, without CW's authorization. As a result, CW also began to have misgivings about CW's involvement in the iGate deal.

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24. In February 2005, CW began to ask Jackson questions about iGate's finances and requested verification that CW's previous investment of \$3.5 million had been used to acquire the rights to iGate's Triple Play technology in Nigeria, as was previously represented to CW by Jackson. Jackson refused and CW broke off ties with him. Suspecting that CW may have been defrauded by Jackson and Pfeffer, among others, CW then furloughed Pfeffer from CW's employment and did not respond to email inquiries from Jefferson and Jackson. I am in possession of an email sent by Jackson to CW's attorney on February 4, 2005 in which Jackson expressed his displeasure with being unable to contact CW. Among other things, Jackson wrote in the email:

I have been in constant discussions with the Nigerian partner, Rosecom, and there are several matters which need to be discussed with [CW]. In addition, I have requested the assistance of US Congressman, William Jefferson; in terms of accompanying me on a trip to Nigeria in an effort to support the iGate-W2-IBBS efforts from a US-African Trade perspective, as we finalized business discussions. (emphasis added).

E. CW CONTACTS THE FBI - BEGINS RECORDING CONVERSATIONS

25. In March 2005, CW contacted the FBI and provided details of the events that had transpired over the preceding nine months regarding the iGate deal and CW's interactions with Jefferson, Pfeffer, Jackson and others. CW agreed to assist the FBI in gathering additional information about the alleged criminal activities by recording conversations with Jackson, Jefferson, and Pfeffer over the telephone and in face-to-face

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meetings. All of CW's conversations after March 2005 and described below were consensually recorded and have been reviewed by me and/or Special Agent Timothy Thibault.

26. On March 31, 2005, CW, acting at the direction of the FBI, met with Pfeffer under the guise of restoring the iGate and EIM deals that Pfeffer had set up.⁶ The two met at the Ritz Carlton Hotel in McLean, Virginia. At the meeting, Pfeffer expressed dismay that the delays by CW may have upset Jackson and Jefferson and hurt the business deals. However, Pfeffer thought they could still count on Jefferson's help with the business deals. Then CW and Pfeffer discussed what Jefferson expected in return for the iGate deal:

Pfeffer: Can he (Congressman Jefferson) help me and you out on other opportunities? Of course he can. That's why he's doing what he's doing. He ain't traveling to Middle East just to see other things. He's going over there to set up other business deals, you know. That's the bottom line. That's what he does.

CW: That's part of his job, though, too, kind of like, you know. I mean, at least in Nigeria, I mean. I don't know about the Middle East.

Pfeffer: That's why . . . I mean, he would want a piece of EIM if something happens. You know he ain't going over there to be nice to me and Bruce (Bruce Lyman, President of EIM).

CW: What do you think he would want?

⁶ In August 2004, Pfeffer led CW to invest approximately \$3.2 million in another company called EIM, which, at the time, CW also expected Congressman Jefferson to promote.

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Pfeffer: You'd probably have to put his brother-in-law on the payroll, or something. I don't know. I mean, who knows? You know, Bruce says we'll take care of him anyway we have to take care of him. I mean he won't ask for anything crazy. He knows.... He's a businessman.

27. At the conclusion of the March 31, 2005 meeting, Pfeffer told CW that he would contact Jefferson as soon as possible to assess his willingness to continue assisting Pfeffer and CW. About one hour after the meeting, Pfeffer called CW and left a voicemail saying he had just spoken to the Congressman and that the Congressman had expressed a willingness to move forward on the deals.

F. THE IGATE-CW NIGERIAN VENTURE IS BACK UP AND RUNNING

28. Over the next several weeks, CW, Pfeffer, and Congressman Jefferson had numerous communications about getting the iGate deal established and operating in Nigeria. Congressman Jefferson and Pfeffer also told CW that they had communications with Jackson, whose relationship with CW at the time was, and is still today strained.

29. On April 12, 2005, CW, Pfeffer and Congressman Jefferson met over dinner and discussed the iGate deal in Washington, D.C. During this meeting, Congressman Jefferson explained the plan to obtain financing through the Ex-Im Bank to help finance the iGate deal. During the meeting, CW asked Jefferson how long he planned to stay in Congress. He replied:

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"I'm gonna get your deal out of the way . . . and I probably won't last long after that."

30. On April 27, 2005, CW met Congressman Jefferson for dinner at a restaurant in Tysons Corner, Virginia. During the conversation, the Congressman reiterated to CW how the Nigerian iGate project would unfold, even estimating the amount of revenue the project would generate per month. He talked again about how CW's Nigerian company would have to form a joint venture with Rosecom and Nitel, the Nigerian government-owned telephone company.

31. Congressman Jefferson then mentioned that the Vice President of Nigeria (not further identified) was scheduled to arrive in Washington, D.C. on May 1, 2005. He went on to describe the Vice President as a businessman who has "more deals going than the goddamn man in the moon." Jefferson then said, "He's a very, well, the word might be...corrupt." At this point CW asked Jefferson whether he had talked to him about the iGate deal and Jefferson responded, "He thinks it's great. He can easily be involved in this." Then, Jefferson described a role the Vice President could play in the iGate project in Nigeria:

All we are talking about here is someone who will go to Nitel and say, look, do one of two things, partner with these guys (CW's Nigerian company and Rosecom) or let them lease your lines. For a reasonable figure. You know, ten bucks... per customer, or something. Five bucks, seven bucks a customer. Something like that.

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32. On May 4, 2005, Congressman Jefferson spoke with CW over the telephone and informed CW that Suleiman YahYah, the President of Rosecom, was in the United States and had spoken with the Congressman. According to Jefferson, YahYah told him the Nigerian iGate deal was progressing nicely. Jefferson went on to tell CW that Jefferson would not seek the Vice President's help unless Suleiman YahYah was unable to work out an agreement with Nitel on the deal in Nigeria:

Jefferson: But when I heard from YahYah, we figured we didn't need to talk to him (the Vice President of Nigeria) unless we find out we need that level of political help.... See, if YahYah can work the deal out with Nitel, we don't need to talk to anybody.

CW: I see.

Jefferson: And it's better not to bring all those hands into the pot if we don't need to.

CW: I agree. And it complicates matters, too, though.

Jefferson: If there's a need for that, I can always see him when I go to Nigeria.

CW: OK. OK.

Jefferson: He'll grant me an audience if I need to see him. OK?

CW: Sounds good.

33. On May 12, 2005, CW met Congressman Jefferson for dinner in Washington, D.C. Jefferson discussed the Nigerian iGate deal in great detail, focusing on significant changes in the deal which had been agreed upon by YahYah and Jackson during

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a previously held strategy session in Louisville, Kentucky. Congressman Jefferson then talked about how he and Jackson had pitched the iGate deal to YahYah and the Nigerian Communications Commission in Nigeria during a previous trip there:

. . . so I took him [YahYah] over to Vernon's place where I showed him some stuff [iGate technology]. Then he went over and started writing back about specifics about the technology. . . (unintelligible). And then by and by, we made this trip over there and we made, we took this stuff with us and demonstrated it to the Nigerian Communications Commission, Nitel, all of 'em.

34. Later, during the same conversation, Jefferson told CW that YahYah's role in the iGate deal may include paying bribes to various officials in Nigeria:

Jefferson: . . . But we need him (YahYah). We got to motivate him really good. He's got a lot of folks to pay off. In his mind, he's gotta...he'll tell me I've got to give the Minister something (unintelligible). I'll say I don't want to know about that. Whatever you gotta do, you do. We don't want to hear about the Minister. All the stuff you got to pay the local people, that's your business.

CW: He's worried about the local market. And that's his thing and that's his job.

Jefferson: That's right. He's gotta, if he's gotta pay Minister X, we don't want to know. It's not our deal. We're not paying Minister X a damn thing. That's all, you know, international fraud crap. We're not doing that. We're not doing any of that gets us (Unintelligible). Whatever they do locally, that's their business.

35. As the May 12, 2005, dinner continued, Jefferson proposed significant changes in the distribution of profits from

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the iGate deal. Jefferson negotiated with CW a larger share of the profits from the iGate deal for Jefferson's own children. As they discussed the issue, CW and Jefferson were writing notes to each other on a piece of paper at the table.⁷ Jefferson wrote "c" on the paper and then, adjacent to that letter he wrote "18 - 20." As he wrote, Jefferson said, "The old deal was at seven percent," referring to his original solicitation of five to seven percent of the shares of CW's Nigerian company for his five daughters back in December 2004. After writing on the paper for a few moments in silence and then showing his writings to CW, the conversation then continued:

Jefferson: Does that make any sense to you?

CW: Uh huh. I understand what you're saying. That's the big picture. I see.... What's this say?

Jefferson: That's, this (unintelligible), the "c" is like for "children."

CW: Uh huh.

Jefferson: I wouldn't show up in there.

CW: Say that again. I'm sorry.

Jefferson: I make a deal for my children. It wouldn't be me.

36. As they continued to write figures on the paper, Congressman Jefferson began laughing and said, "All these damn

⁷ CW has provided to the FBI originals of the documents and handwritten notes referred to during this recorded conversation. I have reviewed these materials.

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notes we're writing to each other as if we're talking, as if the FBI is watching."

G. IGATE BROCHURE NOTES CONGRESSMAN JEFFERSON'S CONCEALED INTEREST - INDICATES JACKSON'S KNOWLEDGE

37. On the evening of May 24, 2005, CW met for approximately one hour with Congressman Jefferson over dinner in Washington, D.C. During the meeting, Jefferson gave a color brochure to CW that had been created using iGate's logo and was labeled "W2-IBBS/Rosecom Broadband Project in Nigeria." The brochure, which contained various financial projections for the iGate deal, appeared to have been produced by iGate and was labeled "confidential." One part of the brochure contained a five-year earnings projection giving, by color-coded bar chart, the earnings projections for each person/entity involved in the iGate deal: "W2-IBBS, Rosecom, 3rd Party, and iGate." According to the brochure, by the 5th year operations, the Nigerian business venture was projected to have total annual combined earnings of over \$200 million per year. Congressman Jefferson talked with CW concerning each of the projections contained in the brochure. When he got to the section on "3rd Party," Jefferson said to CW: "you can guess who that is." CW understood Jefferson's statement to refer to Jefferson's concealed interest in the iGate deal.⁸

⁸ Based on your affiant's knowledge of the facts of this investigation, your affiant can reasonably conclude that Jackson

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8/2/05

F. CW'S PAYMENT TO JEFFERSON IN EXCHANGE FOR OFFICIAL ACTS PROMOTING THE NIGERIAN BUSINESS VENTURE

38. On June 8, 2005, CW met with Congressman Jefferson for dinner in Washington, D.C. At the meeting, CW delivered a stock certificate to Jefferson, which amounted to a 30% equity stake in CW's Nigerian company.⁹ CW's delivery of the stock certificate to Jefferson was captured on video tape. The certificate was placed in the name of "Global Energy & Environmental Services, LLC," ("Global") pursuant to Jefferson's request during previous discussions with CW.¹⁰ CW further signed a joint venture agreement between CW's Nigerian Company and Rosecom, which called for CW to make an additional payment of \$3.5 million to fund the initial capital of the joint venture by July 22, 2005. The joint venture also detailed that the parties would obtain additional financing through the Ex-Im Bank of the United States in the

either created or at least, reviewed the iGate brochure discussed above - indicating that Jackson has knowledge of Congressman Jefferson's concealed interest in the Nigerian business venture.

⁹ Over the course of their dealings, Congressman Jefferson and CW have discussed different percentage amounts of stock in CW's Nigerian company as well as different ways in which that stock could be transferred. i.e., stock options and/or stock certificate transfers. By June 8, 2005, Congressman Jefferson had agreed to receive a 30% interest in the stock of CW's Nigerian company.

¹⁰ On May 31, 2005, Jefferson described Global as a Nigerian company in the name of Jefferson's children which has been in existence for the past two to three years. Jefferson told CW that his son-in-law runs Global and he suggested that another son-in-law should be employed by the joint venture to run things in Nigeria.

EC W.C.
8/2/05

amount of \$10.75 million to further the business venture in Nigeria.

H. CONGRESSMAN JEFFERSON'S OFFICIAL ACTS IN SUPPORT OF THE NIGERIAN BUSINESS VENTURE

39. Since June 8, 2005, Congressman Jefferson has continued to promote the Nigerian business venture through official acts in his capacity as a United States Congressman.

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EC v.c.
8/2/05

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45. On June 14, 2005, CW and Congressman Jefferson spoke over the telephone. During the conversation, Jefferson spoke about the situation with the Vice President of Nigeria. Jefferson said that he planned to fax a letter to the Vice President's wife in Maryland hoping to pin down the Vice

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8/2/05

President for a meeting with him during the Vice President's July 18, 2005 trip to the United States.

46. On June 29, 2005, Congressman Jefferson faxed to CW a copy of the letter he had written to the Vice President of Nigeria. CW gave a copy of the letter to law enforcement and I have reviewed it. The letter is dated June 21, 2005 and is addressed to ". . . Vice President" at the address of the Nigerian Embassy in Washington, D.C. The letter is unsigned and the signature block at the end of the letter provides "William J. Jefferson; Member of Congress."

47. The letter begins with the greeting "Dear Mr. Vice President" and continues with "I wish to bring a project to your attention by which a U.S. Company desires to invest USD \$50,000,000 to provide high speed internet service to Nigeria over Nitel's copper wire infrastructure." The letter details the problems encountered by Nitel's decision to order products from a Chinese competitor to iGate and specifies why the iGate product would be superior. Jefferson further wrote:

From the point of view of U.S. business, it is very important to be able to rely on the acceptance of an offer as a deal if U.S. Investment is to be encouraged in Nigeria. Thus it is important that Nitel recognize the acceptance by Rosecom, on behalf of itself and its U.S. partner, and permit them to launch their project in Nigeria as expected.

Congressman Jefferson closed the letter by stating:

I hope you will be able to check into this matter with the Managing Director of Nitel prior to your trip to

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8/2/05

the U.S. in July 2005. I look forward to having a chance to meet with you then to discuss or to conclude this matter at that time.

48. Congressman Jefferson's letter failed to disclose a number of important facts concerning the business venture in Nigeria. Most importantly, Jefferson made no reference to Jefferson's 30% interest in CW's Nigerian company, Rosecom's U.S. partner referred to in the latter. In addition, the letter made no reference to Jefferson's existing ownership of stock in iGate.¹¹

I. CONGRESSMAN JEFFERSON DISCUSSES BRIBE PAYMENTS TO THE VICE PRESIDENT OF NIGERIA

49. During two separate and consensually recorded meetings between CW and Congressman Jefferson, one on June 8, 2005 and the other June 17, 2005, the possibility of paying a bribe to the Vice President of Nigeria and the specific means of making the bribe payment was discussed. In sum, Congressman Jefferson told CW that the Vice President's wife currently lives in the United States (Maryland) and operates a foundation there. Jefferson suggested that a payment to the Vice President could be made by way of a payment to the foundation. Jefferson described to CW the manifest purpose of the foundation - to help Nigerian women - but later described it as a likely "front."

¹¹ As is discussed below, in June 2005, Congressman Jefferson disclosed to CW that he was already a part owner of iGate via a Louisiana LLC maintained in the name of his wife and children.

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8/2/05

50. In a July 12, 2005 meeting with CW, Congressman Jefferson related that the direction of the Nigerian business deal depended on obtaining assistance from the Vice President of Nigeria. Congressman Jefferson explained he would request the Vice President to assist with two key issues related to the deployment of iGate technology in Nigeria:

a. Assistance in extinguishing a \$2 million debt with NDTV that relates to a previous NDTV procurement of rights to deploy iGate technology in Nigeria.

b. Assistance in gaining Nitel's cooperation for the co-location of iGate technology at Nitel facilities.

51. On the evening of July 18, 2005, Congressman Jefferson and CW traveled 9731 Sorrel Avenue, Potomac, Maryland, within the District of Maryland, to visit the Vice President of Nigeria and his wife. Upon arrival, Congressman Jefferson and the Vice President met privately for approximately one hour. After the visit, Congressman Jefferson and the CW went to a restaurant in Tysons Corner, Virginia. During the meeting in Tysons Corner and at a subsequent meeting on July 21, 2005, Congressman Jefferson described his private communications with the Vice President of Nigeria that evening. Jefferson advised CW that the Vice President had agreed to provide the assistance Jefferson had requested with respect to securing the necessary approvals from Nitel for the participants in the Nigerian business venture

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4/2/05

(iGate, CW's Nigerian company and a Nigerian telecommunications partner) to commence operations in Nigeria. Jefferson stated that the Vice President had also assured him that iGate's approximate \$2 million debt to NDTV had already been extinguished as Jefferson had hoped. Jefferson further indicated that, in exchange for his assistance, the Vice President of Nigeria was requesting a share of the profits expected to be earned through the iGate project by Rosecom.Net, CW's Nigerian partner in the joint venture.

52. On July 21, 2005, Congressman Jefferson again met with CW to further discuss the business venture in Nigeria. CW, looking for reassurance, had the following conversation with Jefferson:

CW: Do we have a deal, you know, with, with, you know, the VP of Nigeria first?

Jefferson: Uh, yes, we do have a deal with him.

CW: Excellent, Okay.

Jefferson: Um, I'm gonna see him again before we go, and, uh, we have a deal with him on the back end and maybe, I know what we're playing with . . . on the front end. . .

In cryptic language, Congressman Jefferson and CW discussed what Congressman Jefferson meant when he referenced "front end."

Congressman Jefferson stated that he believed they needed half of the \$1 million they had previously discussed would be available to "play with things." Congressman Jefferson explained to CW

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8/2/05*

that a payment on "the front end" would ensure "the little hook is in there." With respect to what they both referred to as "the back end", Congressman Jefferson explained to CW that the Vice President of Nigeria wanted half of Rosecom.Net's share of the profits, which share was 25% of the joint venture's profits.

Later in the conversation, CW summarized it as follows:

Okay. I'm seeing it better. So more or less, if I can just say back to you what I think I understand. I think that he's looking for about half of the twenty-five percent. That's about right. And probably somewhere in the vicinity of about, you know, what, 500 K up front, not more than that?

There was no audible response from Congressman Jefferson to this comment. CW then continued:

Okay. All right. Now I think, uh, I think, I just want to be sure it wasn't going to grow or get larger or . . . and that you feel confident he'll do what he says he's gonna do. He has your, you know, trust and confidence. And that's all I need to know.

Congressman Jefferson replied, "We spent a lot of time talking about it. I spent a lot of time thinking about it. . . . There's a lot more on the back end than on the front end . . ." CW then told Congressman Jefferson: "I think it's good he has something on the front end, though, just as a motivating factor. So he doesn't forget what he's working for (laughs)." There was no audible response from Jefferson. Then CW stated: "That's good."

53. During the July 21, 2005, meeting, Jefferson advised CW that he (Jefferson) was going to prepare two letters - one from CW's company addressed to Nitel requesting approval of the

EC W.C.
4/2/05

matters discussed (namely, co-location of technology) and one from Nitel to CW's company providing such approval. Jefferson further advised that he intended to provide those letters to the Vice President before the Vice President left the United States so that the Vice President could deliver the letters to Nitel and have the second letter signed by Nitel, which would then enable them to begin business operations in Nigeria.

54. On July 26, 2005, the CW and Congressman Jefferson met to further discuss the status of the Nigerian venture and the possible takeover of iGate by Jefferson with the financial backing of CW. During this meeting, Jefferson advised that he believed the Vice President of Nigeria was returning to Nigeria on Monday, August 1st. The CW then stated:

My thinking was and I don't know what was your thoughts on sending him back with, you know, a phrase I will never say again . . . I'll never write it again, I can say it . . .

To this, Jefferson replied "Right. To do that, he must have that," referencing what CW later reported to be the word "cash" that Jefferson had written on a piece of paper. CW asked, "What if we did a smaller amount in that and then followed it with something, you know, that is wired?" Jefferson responded that money could be sent to Nigeria through an investment in the stock market. Shortly thereafter, CW stated, "if it would help matters, I thought I could (pause) probably no more than 100, you know, K, I could produce, you know, that word [cash, according to

cc w.c.
4/2/05

CW] . . with a promise of what you're suggesting . . . how about the two together?" Congressman Jefferson replied, "Good idea." Jefferson also stated that the CW needed to get the money together by Saturday because he intended to deliver the two letters to the Vice President on Saturday, July 30th.

55. On July 28, 2005, Jefferson and the CW agreed to meet on Saturday, July 30, 2005, at the restaurant at the Ritz Carlton Hotel located at Pentagon City, Virginia, within the Eastern District of Virginia, so that the CW could deliver to Jefferson the \$100,000 in cash for subsequent delivery by Jefferson to the Vice President of Nigeria at his (the Vice President) wife's home in Potomac, Maryland, which home is located at 9731 Sorrel Avenue, Potomac, Maryland.

56. On July 30, 2005, Congressman Jefferson met the CW at the Ritz-Carlton Pentagon City in Arlington, Virginia at approximately 8:30 a.m. During the meeting, the CW and Congressman Jefferson again spoke about the status of the Nigerian and Ghana business ventures and Jefferson's formation of a new company, Multimedia Broadband Services, Inc., which he intended to succeed iGate's role in the business ventures. At the close of the meeting, the CW and Congressman Jefferson stood before the open trunk of the CW's car. At that time, Congressman Jefferson reached in and removed a reddish-brown colored leather briefcase containing \$100,000 cash in denominations of \$100

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8/2/05

bills. He placed the briefcase in a reddish-brown colored cloth bag, which contained the letters "BOSCA" imprinted on the side. Jefferson then took the bag, containing the briefcase and the \$100,000 in cash, and placed it inside the passenger compartment of his 1990 Lincoln Town Car and drove off. Congressman Jefferson's receipt of the briefcase containing \$100,000 in cash was video taped by the FBI from several vantage points.

57. On August 1, 2005, Congressman Jefferson met CW at the Ritz-Carlton Pentagon City in Arlington, Virginia, at approximately 10:15 a.m. During the meeting, CW broached the topic of the "package" she had given to Jefferson to give to the Vice President. Jefferson expressed a reluctance to talk about the subject. The conversation then continued:

CW: Um, I apologize, but, um, all I want to know is...you did deliver it and he did....

Jefferson: Ah, I gave him the African art that you gave me and he was very pleased.

Jefferson went on to say that he had given "this art thing" to the Vice President on Saturday night at midnight (July 30/31, 2005). CW has not given Jefferson African art to be delivered to the Vice President. I believe that when referring to "African art" and "art," Jefferson is referring in a cryptic fashion to the \$100,000 cash he received from CW on July 30, 2005, with the understanding that he would deliver it to the Nigerian Vice President. Jefferson also indicated that he had delivered the

EL
8/2/05

"African art" late at night because the Vice President was leaving at 5:00 a.m. for an 8:00 a.m. flight.

58. Jefferson's statement to CW that he visited the Nigerian Vice President around midnight on July 31, 2005, has been corroborated to some extent. Cell site information relating to activations on Jefferson's cellular telephone, (202) 225-0675, reflects an activation from Jefferson's phone at around 12:07 a.m. on early Sunday morning, July 31, 2005, at a cell site with a physical address of 10301 Grosvenor Place, Rockville, Maryland. The next activation on Jefferson's cell phone takes place at around 12:31 a.m. on the same morning at a cell site with a physical address of 5202 River Road, Bethesda, Maryland, 20816. The physical addresses of these two cell sites clearly indicate that Jefferson's cell phone was in suburban Maryland in the general vicinity of the residence located at 9731 Sorrel Avenue, Potomac, Maryland, in the approximate time frame Jefferson claimed to have delivered the "African art" to the Nigerian Vice President. The locations of these cell sites are a considerable distance from Jefferson's Capitol Hill residence.

The FBI Special Agent who drove Congressman Jefferson and CW to the home of the wife of the Nigerian Vice President on July 18, 2005, has reported that he observed a surveillance camera located on the premises located at 9731 Sorrel Avenue, Potomac, Maryland, 20854. Other officers who have conducted surveillance

42 v.c.
8/2/05

of this location have also observed an ADT security system that may have the capacity for conducting and recording surveillance of the house grounds, driveway and premises.

VI. PROBABLE CAUSE THAT EVIDENCE OF THE OFFENSES DESCRIBED HEREIN WILL BE FOUND AT 9731 SORREL AVENUE, POTOMAC, MARYLAND

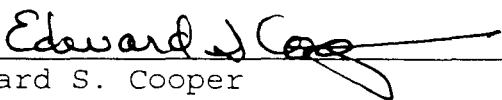
59. Based upon my knowledge of the facts of this investigation, I respectfully submit that there is probable cause to believe that evidence related to the criminal offenses discussed herein is likely to be found at 9731 Sorrel Avenue, Potomac, Maryland. For reasons stated above, there is probable cause to believe that a search will reveal (1) some, if not all, of the \$100,000 that Congressman Jefferson reported he had delivered to the Vice President at that residence; (2) written communications between Congressman Jefferson and the Vice President of Nigeria and/or his wife; (3) surveillance tapes that reflect Congressman Jefferson arriving at that location on July 18, 2005, and on or about July 31, 2005, and (4) other items on Schedule B.

VII. CONCLUSION

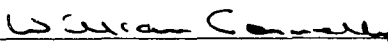
60. Based upon the foregoing, I respectfully submit that there is probable cause to believe that the above-described premises contains property constituting evidence of the commission of: a) bribery of a public official, in violation of Title 18, United States Code, Section 201; b) wire fraud (scheme

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4/2/05

or artifice to deprive persons of honest services) in violation of Title 18, United States Code, Sections 1343, 1346 and 1349; c) wire fraud (scheme or artifice to obtain money) in violation of Title 18, United States Code, Sections 1343 and 1349; d) bribery of a foreign official in violation of the Foreign Corrupt Practices Act, Title 15, United States Code, Section 78dd-1 et seq., and e) conspiracy to commit bribery, wire fraud, bribery of a foreign official and to defraud the United States with regard to the above-referenced crimes, in violation of Title 18, United States Code, Section 371, and the fruits of crime and property designed or intended for use and which is and has been used as the means of committing the above-described offenses, and those items listed in Schedule B, which is incorporated herein by reference.


Edward S. Cooper
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me
this 2nd day of August, 2005.


The Honorable William Connelly
United States Magistrate Judge

SCHEDULE A

(Descriptions of Property to be Searched)

The real property and premises known as 9731 Sorrel Avenue, Potomac, Maryland 20854-4732 and any and all outbuildings, appurtenances, storage areas, locked containers, associated therewith and automobiles located thereon.

The premises is more particularly described as a two story cream-colored brick single family house with a gray roof. A white double front door is covered by a white portico supported by white columns. An iron gate with gold trim that crosses a light-colored brick driveway leading from Sorrel Avenue toward the front of the house. A white brick mailbox outside the gate on Sorrel Avenue bears the gold numbers "9731."

A photograph of the home is also attached and incorporated herein by reference.

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9/2
8/2/05

SCHEDULE B

ITEMS TO BE SEIZED FROM
9731 SORREL AVENUE
POTOMAC, MARYLAND 20854-4732

The following items, records, or information related to evidence of violations of Title 18, United States Code, Sections 201, 371, 1343, 1346 and 1349 and Title 15, United States Code, Section, 78dd-1, et seq:

- A. Cash in \$100 denominations or higher.
- B. A new, reddish-brown colored leather briefcase retailed or manufactured by Bosca;
- C. A reddish-brown colored cloth bag with two draw strings at the top of the bag, with the light colored letters "BOSCA" located on the side of the bag;
- D. All video recording devices, surveillance videotapes, CD's, digital media and any other electronic storage devices related to surveillance of the house grounds, driveway and premises;
- E. All records, logs, or schedules of employees or personnel working at the premises from Monday, July 18, 2005 at 6:00 p.m. through the present;
- F. All records, electronic or otherwise of any and all visitors to the premises recording arrival, departure, or length of stay information;
- F. Records and documents, from January 2001 to the present, related to the following entities:
 - 1. IGate, Incorporated, including documents related to the iGate telecommunications/internet business ventures proposed for Nigeria;
 - 2. Rosecom.Net;
 - 3. NDTV;
 - 4. Multimedia Broadband Services, Inc; and
 - 5. W2 IBBS, Limited.

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4/2/05

- G. All records and documents related to communications and/or correspondence from January 2001 to the present to or from the Vice President of Nigeria, H.E. Alhaji Atiku Abubakar and to or from Congressman William J. Jefferson, regarding the proposed business venture in Nigeria by business venture participants Rosecom.Net, W2-IBBS, Limited and/or iGate, Incorporated;
- H. Congressman Jefferson's June 21, 2005 letter to the Vice President of Nigeria, H.E. Alhaji Atiku Abubakar; and
- I. records and documents related to communications and/or correspondence from January 2001 to the present to or from Jennifer E. Douglas a/k/a Jamilah Jennifer Atiku Abubakar and to or from Congressman William J. Jefferson, regarding the proposed business venture in Nigeria by business venture participants Rosecom.Net, W2-IBBS, Limited and/or iGate, Incorporated.

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8/2/05