

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America

v.

D-1 TAHIR KAZMI and  
D-2 ZAYD ALLEBBAN

Case No. 12-MJ-30091

AMENDED  
CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2007 through the present in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
TAHIR KAZMI: 18 U.S.C. Section 1512(c) 18 U.S.C. Section 666(a)(1)(B) 18 U.S.C. Section 1951	Obstruction of Justice Federal Program Fraud Extortion
ZAYD ALLEBBAN: 18 U.S.C. Section 1512(c)	Obstruction of Justice

I hereby certify that the foregoing is  
a true copy of the original on file in this  
Office.  
CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

BY: \_\_\_\_\_

Deputy

Amended

This criminal complaint is based on these facts:

See attached Affidavit of FBI Special Agent Robert Beeckman.

Continued on the attached sheet.

\_\_\_\_\_  
*Complainant's signature*

FBI Special Agent Robert F. Beeckman

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

**R. STEVEN WHALEN**

Date: 02/15/2012

\_\_\_\_\_  
*Judge's signature*

City and state: Detroit, Michigan

Honorable R. Steven Whalen, United States Magistrate Judge

\_\_\_\_\_  
*Printed name and title*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AFFIDAVIT

I, Robert F. Beeckman, being duly sworn, state as follows:

**Introduction**

1. I have been employed as a Special Agent by the FBI for 16 years. For the past 15 years, I have been assigned to investigate matters involving public corruption. I am currently investigating allegations involving corruption in Wayne County Government.

2. This affidavit is submitted in support of a complaint and search warrant as more fully set forth below.

3. This affidavit is based upon facts that I have learned through my own investigation, and from information reported to me by other investigators working with me. This affidavit contains only information sufficient to establish probable cause, and does not list every fact known to me.

4. I have been investigating allegations of corruption regarding Wayne County officials Tahir Kazmi and Zayd Allebban. Kazmi is employed as the Chief Information Officer (CIO) for the county, and is currently on leave. Allebban is employed as Director of Enterprise Applications, within the Information Technology (IT) department. Probable cause exists to establish that Kazmi has engaged in the extortion of a county contractor. The evidence that I have collected so far shows that Kazmi, who had authority over IT contracts that the contractor was performing or seeking to perform, used his authority to pressure the contractor to pay Kazmi cash, and to give him expensive

trips and other items of value. Probable cause also exists to believe that Kazmi and Allebban are currently conspiring and attempting to obstruct justice, in that they are attempting to persuade the contractor to lie to the FBI about the contractor's dealings with Kazmi, and fabricating evidence to support those lies.

5. Kazmi resides at XXXXXX, Rochester Hills, MI. The residence is described more fully in Attachment A.

6. In October of 2011, reporters from the local media observed Person A, then an employee of Wayne County, sitting in his/her car in a parking lot in Dearborn. At the time, the local media and the FBI were looking into allegations of corruption within the County, including allegations of corruption and/or malfeasance by Person A. Also under investigation was Person B, a former County employee. Reporters watched as Kazmi walked around a corner of a building and joined Person A in his/her car, where the two engaged in a discussion.

7. On October 19, 2011, agents from the FBI served subpoenas on Wayne County for certain documents, including the personnel files and e-mails between Kazmi, and other individuals then or previously employed by the County. Those records are still being reviewed.

#### **Facts and Circumstances**

8. On January 18, 2012, I participated in the interview of a county contractor [hereinafter referred to as CI1]. CI1 has multiple contracts with Wayne County which are handled by the IT department. CI1 stated that Tahir Kazmi is intimidating, and often threatening, which other witnesses have described as well. According to CI1, Kazmi

made demands for money and expensive items such as trips to Hawaii, Turkey, and Orlando, FL. CI1 stated that CI1 turned over \$80,000 to \$90,000 in cash to Kazmi, in addition to paying for his trips. CI1 turned over documents to me which supported these allegations. CI1 advised that Kazmi's demands grew over time and included forcing CI1 to pay for cellular telephones for Kazmi's children, airline tickets, hotel rooms, and other things of value. Kazmi even demanded that CI1 give 49% of CI1's company to Kazmi's brother-in-law. CI1 turned over an executed copy of a Limited Liability Company Operating Agreement which purports to give 49% of CI1's company to Syed Mohammad Alishah, Kazmi's brother-in-law, dated April 1<sup>st</sup>, 2009. I found CI1's information to be reliable and credible based on 1) his demeanor; 2) documentary evidence provided by CI1 which corroborated certain items of value CI1 gave to Kazmi; 3) the consistency of his statements over multiple meetings; and 4) the consistency of his information with his later recordings of Kazmi and Allebban.

9. I participated in two interviews of Tahir Kazmi on November 29, 2011 and December 6, 2011, during which Kazmi was represented by counsel. This was prior to my first interview with CI1. Among other topics, Kazmi was asked whether CI1 had given Kazmi anything of value. Kazmi replied that he had gone on a fishing trip with CI1 and others, and that each person on the trip shared expenses, and other than this he had not received anything of value from CI1. Neither Kazmi nor his attorneys have ever related to the agents or prosecutors assigned to this investigation that Kazmi attempted to contact CI1 for the purpose of influencing information CI1 might provide to law enforcement. Kazmi and his attorneys were questioned about potential obstruction

matters -- that is, regarding whether Kazmi had engaged in any sort of cover-up of the Wayne County corruption investigation, either when he met Person A in the parking lot, or met offsite with Person B. In both cases, Kazmi or his attorney provided innocent explanations for those meetings and denied that any cover-up or obstruction occurred related to those two incidents.

10. However, CI1's description of Kazmi's activities was completely inconsistent with Kazmi's innocent explanations, both with respect to Kazmi's extortion of CI1, and the attempt to hide that extortion by obstructing justice. According to CI1, shortly after the government began its investigation of Wayne County government, Kazmi, as well as Allebban, contacted CI1 in an effort to establish what CI1 should say to protect Kazmi from the detection of his wrong-doing, should CI1 be contacted by the FBI. In December of 2011, Kazmi requested a meeting with CI1. CI1 agreed and the meeting took place at Great Lakes Crossing mall in Auburn Hills as directed by Kazmi. At that meeting, Kazmi began by hugging, and patting down CI1, to see whether CI1 was wearing a recording device. He then instructed CI1 that if the FBI contacted CI1 with evidence of the money and other items of value which CI1 provided to Kazmi, CI1 should say that the items of value were "loans". He attempted to have CI1 sign a fraudulent and backdated promissory note to support this falsehood. CI1 told Kazmi he "would think about it." CI1 then reported this contact to his attorney.

11. CI1 told me that Kazmi has been continuing to reach out to CI1 through intermediaries, including Zayd Allebban. Kazmi and Allebban were both aware that CI1 had been approached for an interview by the FBI, and that CI1 had retained an attorney.

12. Under the supervision of the FBI, CI1 then began making a series of consensual recordings of Kazmi<sup>i</sup> and Allebban. The recordings both provide corroboration for CI1's statements to law enforcement, and strong evidence that Kazmi and Allebban have committed the crime of obstruction of justice, contrary to 18 U.S.C. §1512(c)(2), which provides, in pertinent part:

(c) Whoever corruptly-

(2) ...obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than twenty years...

In addition, the recordings as well as statements by CI1 and other witnesses, and records collected so far also establish that Kazmi has committed the crime of theft or bribery concerning programs receiving federal funds, contrary to 18 U.S.C.

§666(a)(1)(B), which provides in part that:

(a) Whoever, ...

(1) being an agent of an organization, or of a State [or] local...government, or any agency thereof—

(B) Corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in any business transaction or rewarded in connection with any business transaction, or series of transactions of such organization, government or agency involving any thing of value of \$5,000 or more;

[S]hall be fined under this title, imprisoned not more than 10 years, or both.

The recordings, witness statements, and documentary evidence also establish probable cause to believe that Kazmi has committed the crime of extortion under color of official right, contrary to 18 U.S.C. §(a)(b)(2) which provides that:

(a) Whoever in any way or degree...affects commerce...by extortion...or

attempts or conspires so to do, ... shall be fined under this title or imprisoned not more than twenty years, or both.

(b)

(2) The term "extortion" means the obtaining of property from another, with his consent, ... under color of official right.

13. On January 19, 2012, CI1 set up a meeting with Allebban at CI1's office.

FBI agents concealed a recording device in the office, but shortly after arriving, Allebban directed CI1 to leave the office and go to a coffee shop. The majority of this conversation is therefore not recorded. CI1 stated that he spoke to Allebban about Kazmi. CI1 told Allebban that CI1 retained an attorney and that the attorney needed to talk to the FBI. CI1 told Allebban that CI1 had paid for trips for Kazmi and that the expenses were on CI1's credit card. Allebban asked about a trip that Kazmi took to Turkey and CI1 confirmed paying for the trip with his credit card, and that the tickets and expenses for the trip were in Kazmi's name. CI1 also told Allebban that CI1 had no explanation for the cash which had been given to Kazmi. Allebban said that he would talk to Kazmi and get back to CI1.

14. My investigation has revealed that Allebban and Kazmi entered into a course of conduct in which they attempted to get CI1 to provide false information to CI1's attorney and the FBI. Through their efforts they attempted to legitimize some of CI1's prior payments to Kazmi, and hide other payments. They even created false exculpatory evidence. They also asked CI1 to get a list of questions from his attorney that the attorney expected FBI agents would ask CI1. CI1 was to provide the list of questions to Kazmi and Allebban so that the two could craft answers that CI1 would then tell his

attorney and the FBI.

15. On January 20, 2012, CI1 had a meeting scheduled with Allebban at an Einstein's Bagel restaurant in Farmington Hills. CI1 approached Allebban inside the restaurant, and Allebban showed CI1 a text message from Kazmi's cell phone directing Allebban to ask CI1 if he was wearing a wire. CI1 denied wearing a recording device. In fact he did possess a recording device and was monitored by FBI agents. CI1 was heard on the recording reading the text message aloud and making assurances to Allebban. Allebban asked CI1 to meet with Kazmi who was waiting outside. CI1 then sat in a car with Kazmi and Allebban for approximately 90 minutes, surreptitiously recording their conversation.

16. Throughout the meeting, Kazmi expressed suspicion of CI1, and repeatedly brought up the possibility that CI1 was wearing a wire. Kazmi asked if they could sit down somewhere and talk. The following exchange occurred:

Kazmi: Are we clean?  
CI1: Yeah, I'm clean. Are you?

Later in the recording, the following conversation can be heard:

Kazmi: Let, let, let's look at each other, ok? Yes.  
CI1: Listen, no Tahir, listen. There is nothing, I am not telling you I am wired.  
Kazmi: Brother, brother, listen...  
CI1: No, Tahir...  
Kazmi: Check me out.  
Allebban: The, the, the, the... Still you both need to be comfortable.  
Kazmi: Comfortable.  
CI1: I know, but what I am saying...  
Kazmi: Brother...  
CI1: Here, check, check.

At this point in the recording there are muffled sounds consistent with CI1's clothing



being searched. CI1 later told me that Kazmi physically searched CI1's clothing.

17. Near the end of the conversation, Kazmi asked CI1 whether CI1 was working for the government, and admitted that his conversation would be incriminating, in the following exchange:

Kazmi: You're not sitting here on behalf of somebody?

CI1: No.

Kazmi: Ok?

CI1: No.

Kazmi: Because the only way I can go down is this conversation.

18. Throughout the recording, Kazmi pleaded with CI1 not to "throw me under the bus," referring to CI1's anticipated meeting with the FBI. They discussed how to explain credit card entries which show that CI1 paid for Kazmi's trips. Allebban and Kazmi pledged that Kazmi would pay CI1 back for the trips, so that Kazmi and CI1 both would be able to call the expenses a loan. The following excerpt from the recording illustrates their plan:

CI1: So, so, if I, if I, schedule a meeting with the attorney next week, what should I tell him?

Kazmi: Just tell them I'm uh, gonna give you all the documents, whatever you need.

CI1: Mmm hmm.

Kazmi: Ok? I'm putting that together.

Allebban: On the money side though, Tahir needs to square that up with you.

Kazmi: With you.

Allebban: That way you can honestly say you've never given him anything.

Kazmi: You've never given me anything, ok?

CI1: Ok.

Kazmi: Ok?

CI1: Ok. Given him? ...or not?

Allebban: No, no, that you've never given him anything.

CI1: Ok. To the attorney?

Allebban: Right.

During this recording, Kazmi repeated several times that if CI1 went to the FBI and told the truth about the items of value given to Kazmi by CI1, that Kazmi would commit suicide. He also asked CI1 if he should leave the country, ostensibly to avoid prosecution. I have observed Kazmi during several hours of de-briefings to have an anxious and nervous affect. Specifically I have observed him to have intermittent rapid speech, perspiration, and a tendency to move from topic to topic in disjointed succession. In addition, I know that Kazmi has recently traveled out of the country to Turkey.

19. On the night of January 22, 2012, Allebban scheduled a meeting with CI1 in a parking lot. They sat in Allebban's car, as CI1 recorded the conversation which was monitored by nearby FBI agents. Allebban gave CI1 \$14,000.00 in cash, which he said came from Kazmi. Allebban said that this amount of money was going to cover CI1's credit card bills which showed that CI1 paid for extensive travel for Kazmi. They discussed coming up with a receipt to explain that this money was a loan. Allebban said that the credit card statements were critical because Kazmi's name was on the travel documents.

20. At certain places in this and other recordings, Allebban characterized what Kazmi did as "borrowing" money from CI1. Based on the January 22, 2012, recording however, it is clear that CI1 would not be repaid in full for the cash and other items of value which he provided to Kazmi. CI1 wanted to know what to say to the FBI if they noticed large sums of cash leaving CI1's bank account. Allebban offered this explanation:

CI1: If they ask about the other, the cash... what should I do?

Allebban: Ok, the cash, uh, this is what Tahir told me yesterday. Over the next...  
He's borrowing money from different people.  
CI1: Ok.  
Allebban: Over the next week, two weeks.  
CI1: Mm hmm.  
Allebban: He's gonna, he's gonna borrow between twenty and thirty thousand.  
CI1: Ok.  
Allebban: And give that to you.  
CI1: Ok.  
Allebban: He wants to know if the rest of it you can explain yourself.  
CI1: By saying what? I mean, and I gotta have an explanation.  
Allebban: Yeah well.  
CI1: What should I say?  
Allebban: I mean he, I don't know man, he, he, told me something about  
gambling.  
CI1: (laughs) Gambling? Ok now I am a gambler? Ok I w...  
Allebban: No, no, he  
CI1: I don't gamble, I don't gamble. Ok, it's ok. I don't gamble but,  
Allebban: This is what he told me.

21. Later in the January 22, 2012, recording, Allebban offered yet another possible explanation which CI1 might be able to give the FBI:

Allebban: And the cash stuff, honestly [CI1], you're over-thinking this. You can explain that many different ways, and say you keep cash on the side. I mean your parents are sick and you always want to have cash in the house, and whatever.  
CI1: Mm hmm.

22. Allebban wrapped up the conversation by telling CI1 to get the list of questions which CI1's attorney wanted CI1 to answer. He tried to calm CI1's anxiety with this advice about the FBI:

Allebban: It's just fishing, it's the standard questions that they, they ask of vendors of you know, municipal government, um... You tell them no, you didn't give any gifts and they go away.

23. On January 26, 2012, CI1 met Allebban at a FedEx Office store in

Farmington Hills, wearing recording equipment and monitored by agents nearby. Allebban logged onto a computer and accessed his email, pulling up phony receipts which falsely claimed that CII had been paid back by Kazmi. In a recorded conversation, Allebban solicited CII's input in making up dates and amounts of money to put on the receipts. When they were finished, Allebban printed the receipts and told CII to sign them. He said that he would keep the receipts so that he could get Kazmi's signature on them, and then deliver copies of them to CII.

24. On January 31, 2012, CII had another consensually-recorded meeting with Allebban. When Allebban set up the meeting with CII, Allebban claimed that he wanted the meeting to be in Dearborn, because Allebban was at a doctor's appointment. In fact, during the morning of January 31, 2012, Allebban was observed by FBI surveillance agents in a parking lot in Eastern Market in Detroit, meeting with Kazmi. Allebban left the meeting with Kazmi and drove to Dearborn, where he met in a parking lot with CII. Allebban began the conversation by saying that he did not like the previous plan with five different receipts. He gave CII a new document to sign which purportedly showed that Kazmi and CII agreed that whatever money each had borrowed from the other had been paid back as of August, 2011. It should be noted that there is no evidence that CII ever borrowed money from Kazmi. August, 2011 is significant, because it is approximately one month before the beginning of news media coverage of a scandal involving other Wayne County officials and is approximately two months before the FBI served Wayne County officials with grand jury subpoenas for records. One of the individuals who was served with a subpoena was Kazmi.

25. CI1 asked Allebban what CI1 should say if pressed for details about when these alleged repayments occurred. Allebban advised that CI1 should say that all transactions with Kazmi were paid back within a week or two. During this meeting, Allebban gave CI1 \$10,000 in cash toward reimbursing CI1 for prior payments to Kazmi. Allebban explained the corrupt purpose of the new receipt in the following exchange:

Allebban: If FBI is digging that deep in the bank account, and they start asking about transactions, and then they start saying... these are cash transactions... Ok, did they go to Tahir... This is stuff that's already, [CI1], unlikely, but if they say that, then you can say we agreed last summer that everything was paid off. Yes, I loaned him money, and he paid me back. Then you can produce this. That's the way I see it.

CI1: I will.

At various points in the recording, such as when CI1 protested that CI1 did not want to lie, Allebban told CI1 that CI1 should not lie. When Allebban explained what CI1 should say, however, it was clear that lying is precisely what Allebban was urging CI1 to do, based on the conversation as a whole. Allebban explained this to CI1 in the following excerpt:

Allebban: Just be careful with these guys, you know if he says, if you tell him (unintelligible), you know, 'I gave cash to Tahir and he paid me back' or whatever... Then, [CI1], I don't know what this guy's gonna think, ok? He's probably gonna say ok, let's uh... If he says something like, let's, let's, let's tell the feds you gave cash to Tahir... and they could go after Tahir, saying that he arranged contracts for you. So that we cut a deal, so that [CI1's company] is totally out of this so that, you know, now it's whatever. I don't know how these attorneys think. You know what I mean?

CI1: Oh, oh, oh.

Allebban: That's, that's, what worries me. But [CI1], you need to be able to say [CI1], uh, with a clear conscience man, that you paid Tahir, he paid you back, even if that means more cash has to come. Which it does.

26. The above quotation makes it clear that Allebban wanted CI1 to lie and say

that CI1 was paid back last summer, when the truth is that Allebban and Kazmi were promising to continue to make secret cash payments towards reimbursing CI1.

27. On February 2, 2012, Allebban again met with CI1. At that meeting, CI1, wearing a recording device and monitored by nearby agents, CI1 went over the questions I prepared, which were purportedly the questions that CI1's lawyer assumed the FBI would ask. In addition, Allebban provided CI1 with a copy of the sham receipt signed by Kazmi and CI1. CI1 provided me with the copy.

#### **Additional Probable Cause in Support of Search Warrant**

28. As noted above, Kazmi has been the Chief of IT services for Wayne County since 2007. In that capacity, he supervised all employees in the department and had specialized knowledge in computer and systems usage. He further was responsible for assessing and recommending certain contracts and/or vendors.

29. On January 18, 2012, I interviewed an individual, (CI2), who worked closely with Kazmi in the IT Department. I learned from CI2 that pursuant to a Freedom of Information Act (FOIA) request directed to the County, CI2 restored the content of the county computers formerly used by Person B and Person A and put the contents on a hard drive for review by Wayne County Corporation Counsel and public dissemination pursuant to FOIA requests. Attorneys with Wayne County Corporation Counsel have confirmed that there have been numerous FOIA requests relating to Person B and Person A since approximately September of 2011. According to CI2, in mid-October of last year, CI2 was approached by Kazmi, who requested a copy of the hard drive CI2 had created. CI2 provided the copy to Kazmi. Sometime after giving him the hard drive,

Kazmi requested a meeting with CI2. At the first of these meetings, Kazmi told CI2 that the drive was partially corrupt. Specifically, he noted that there was one .pst file that he could not open. He noted that he “needed to remove things that shouldn’t be there.” CI2 told Kazmi that if he removed anything, CI2 would still have the original hard drive and that he should not remove anything from his copy. CI2 told me that it was his impression that Kazmi wanted CI2 to help Kazmi impermissibly remove materials that were potentially responsive to the FOIA request.

30. Sometime shortly after that meeting, Kazmi asked CI2 to meet with him outside of the County office space in the Guardian Building. At the second meeting, there was no mention of the hard drive copy. Instead, Kazmi told CI2 that “Person A has recommended you as Director of IT at the airport.” This would be a significant promotion for CI2. CI2 believed this to be an attempt to curry favor with CI2, possibly in an effort to persuade CI2 to wipe the original hard drive. CI2 believed that Kazmi had a close relationship with Person A and that Kazmi was tacitly indicating that he could influence, or had influenced, Person A with respect to the airport IT position.

31. At the second meeting, Kazmi also gave Person B’s County issued laptop computer to CI2. Person B had left County employment several weeks previously, but had failed to turn in his/her laptop pursuant to County protocol. Notwithstanding the fact that Corporation Counsel had been looking for the laptop, Kazmi never mentioned to anyone that he was in possession of it. Noteworthy here is that Person A’s laptop has not been retrieved to date, despite his/hers claims that s/he left it in the trunk of his/her County car, which was retrieved in October of 2011. CI2 took custody of Person B’s

laptop.

32. The following day, CI2 decided that s/he was uncomfortable being involved in the custody or control of the laptop under such unusual circumstances, including the time period during which the laptop was unaccounted for. CI2 gave the laptop back to Kazmi. At an interview with Kazmi, he told me that he had taken the laptop, placed it in the trunk of his car and forgotten about it. After possessing the laptop for approximately 6 weeks, Kazmi turned it over to his attorney, who returned, or caused it to be returned, to the County.

33. On its return, CI2 inspected the laptop with an attorney for Wayne County Corporation Counsel. CI2 noticed that there was only one screw, rather than two, in the hard drive compartment (the back which protects the hard drive). CI2 believed that this meant that the hard drive, or at least the back protecting the drive, had been removed and replaced.

34. CI2 also told agents that immediately after the subpoenas were served by the FBI on October 19, 2011, Kazmi began copying County documents for himself, without authorization by County officials.

35. At an interview with Kazmi, he provided agents with a sophisticated hard-drive, which included links to copied County contracts, memoranda, correspondence and e-mail, most of which were generated by and belonged to the county. Because Kazmi was out on extended leave at the time the hard drive was provided, it tends to corroborate CI2's information that Kazmi copied documents after the subpoenas were served, but prior to his leave. It also corroborates Kazmi's advanced skills and knowledge with



respect to IT and computer systems. Kazmi also provided agents with memos and outlines he had created, while on leave, indicating that he had been "up all night" preparing them and the hard drive. From this statement, I concluded that it was likely that Kazmi had prepared the document at home and therefore it is likely that the computers he used to create the hard-drive are also located at his residence.

36. Since January 27, 2012, Kazmi has been under surveillance by FBI agents. As of February 6, 2012, Kazmi has rarely been seen leaving his house. When he has left, it has been for routine matters, such as doctor's appointments and drug store visits. One notable exception to this pattern occurred on January 31, 2012. On that date, Allebban had a previously scheduled meeting with CI2. Prior to the appointed time of the meeting, Kazmi was observed leaving his house in Rochester Hills and driving to Eastern Market in Detroit. He and Allebban met there outside of their cars and engaged in a discussion. He then returned directly home.

38. Agents have received County related electronic data thus far principally from 2 sources: 1) Wayne County; and, 2) Tahir Kazmi. Among other electronic data received from the County by FBI are e-mails of high level county officials, including Tahir Kazmi. Kazmi has similarly provided some Wayne County documents via the hard drive he created for agents, as noted above. On February 2, 2012, I discovered that a particular document e-mailed to other County officials, had been provided to FBI by Kazmi. The document Kazmi provided is relevant to my investigation of potential fraud within Wayne County government. Specifically, the e-mail relates to an allegedly corrupt Wayne County contract venture. An FBI agent looked for the same document in

the e-mail which had been provided to the FBI by the County. While Kazmi had the document on the hard drive he provided to FBI, it was not on the electronic record of the e-mail provided to us by the County. Its absence is noteworthy due to the fact that the County had provided, pursuant to grand jury subpoena, all e-mail for the individuals copied on the noted e-mail. This adds support to CI2's concern that Kazmi was seeking to remove, and may have removed, electronic data from the County as well as Kazmi's systematic copying of materials from Wayne County after the FBI subpoenas were served. Further support is added by the recording of the January 20, 2012 meeting between Allebban, Kazmi and C11. Kazmi can be heard to say to C11 "this is to help you. This may get me into a lot of trouble...I'll make you a copy. Because this is really County information. And this is public information...there are tons of e-mails in there that I have store e-mails in there (sic)." I believe that Kazmi has collected, both physically and electronically, evidence that would tend to incriminate others involved in the Wayne County investigation, and that he has two potential reasons for doing so: 1) the records gathered could support a whistleblower claim, which claim would be offset by Kazmi's criminal activity as described above; 2) the records could provide Kazmi with "insurance" against anyone exposing his criminal activity.

39. As noted above, Kazmi rarely has left his house during approximately 10 days of surveillance. He has not visited another residence, nor has he visited a bank or storage facility. As noted, he has been seen leaving for the doctor, and the drugstore, and returning home. Other than these trips, he met at Eastern Market with Allebban prior to Allebban's meeting with C11. This limited travel, the unlikelihood that evidence of his

obstruction could be concealed in a drugstore or doctor's office, as opposed to a safe deposit box or storage facility, and the statement that he had been "up all night" (presumably at home) organizing electronic information on the hard drive he provided to FBI lead me to conclude that there is probable cause to believe that evidence of corrupt activity at Wayne County as well as a cover-up scheme, and obstruction of justice will be found at Kazmi's residence at XXXXXX, Rochester Hills, MI.

37. As described above and in Attachment B, this application seeks permission to search and seize records that might be found at Kazmi's residence, in whatever form they are found. In addition to the reasons set forth above, I submit that if a computer or electronic medium is found on the premises, there is probable cause to believe those records will be stored in that computer or electronic medium, for at least the following reasons:

a. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a hard drive, deleted or viewed via the Internet. Electronic files downloaded to a hard drive can be stored for years at little or no cost. Even when files have been deleted, they can be recovered months or years later using readily available forensics tools. This is so because when a person "deletes" a file on a home computer, the data contained in the file does not actually disappear; rather, that data remains on the hard drive until it is overwritten by new data.

b. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space--that is, in space on the hard drive that is not currently being used by an active file--for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file.

c. Similarly, files that have been viewed via the Internet are typically automatically downloaded into a temporary Internet directory or "cache." The browser often maintains a fixed amount of hard drive space devoted to these files, and the files are only overwritten as they are replaced with more recently viewed Internet pages or if a user takes steps to delete them.

38. Because several people share the house as a residence, it is possible that the house will contain computers that are predominantly used, and perhaps owned, by persons who are not suspected of a crime. If agents conducting the search nonetheless determine that it is possible that the things described in this warrant could be found on those computers, this application seeks permission to search and if necessary to seize those computers as well. It may be impossible to determine, on scene, which computers contain the things described in this warrant.

39. Based upon my knowledge, training and experience, I know that searching for information stored in computers often requires agents to seize most or all electronic storage devices to be searched later by a qualified computer expert in a laboratory or other controlled environment. This is often necessary to ensure the accuracy and completeness of such data, and to prevent the loss of the data either from accidental or

intentional destruction. Additionally, to properly examine those storage devices in a laboratory setting, it is often necessary that some computer equipment, peripherals, instructions, and software be seized and examined in the laboratory setting. This is true because of the following:

a. The volume of evidence. Computer storage devices (like hard disks or CD-ROMs) can store the equivalent of millions of pages of information. Additionally, a suspect may try to conceal criminal evidence; he or she might store it in random order with deceptive file names. This may require searching authorities to peruse all the stored data to determine which particular files are evidence or instrumentalities of crime. This sorting process can take weeks or months, depending on the volume of data stored, and it would be impractical and invasive to attempt this kind of data search on-site.

b. Searching computer systems for criminal evidence sometimes requires highly technical processes requiring expert skill and properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert is qualified to analyze the system and its data. In any event, however, data search processes are exacting scientific procedures designed to protect the integrity of the evidence and to recover even "hidden," erased, compressed, password-protected, or encrypted files. Because computer evidence is vulnerable to inadvertent or intentional modification or destruction (both from external sources or from destructive code

imbedded in the system as a "booby trap"), a controlled environment may be necessary to complete an accurate analysis.

40. In light of these concerns, I hereby request the Court's permission to seize the computer hardware (and associated peripherals) that are believed to contain some or all of the evidence described in the warrant, and to conduct an off-site search of the hardware for the evidence described, if, upon arriving at the scene, the agents executing the search conclude that it would be impractical to search the computer hardware on-site for this evidence.

41. Searching computer systems for the evidence described in Attachment B may require a range of data analysis techniques. In some cases, it is possible for agents and analysts to conduct carefully targeted searches that can locate evidence without requiring a time-consuming manual search through unrelated materials that may be commingled with criminal evidence. In other cases, however, such techniques may not yield the evidence described in the warrant. Criminals can mislabel or hide files and directories, encode communications to avoid using key words, attempt to delete files to evade detection, or take other steps designed to frustrate law enforcement searches for information. These steps may require agents and law enforcement or other analysts with appropriate expertise to conduct more extensive searches, such as scanning areas of the disk not allocated to listed files, or peruse every file briefly to determine whether it falls within the scope of the warrant. In light of these difficulties, the FBI intends to use whatever technology may be necessary to carry out the directives of this search warrant.

**Conclusion**

Based on the above information, there is probable cause to believe that Zayd Allebban and Tahir Kazmi have engaged in obstruction of justice in contravention of Title 18, United States Code, Section 1512(c); and that Tahir Kazmi has also engaged in federal program fraud in contravention of Title 18, United States Code 666(a)(1)(B); as well as extortion in contravention of Title 18, United State Code, Section 1951, and that evidence of these offense will be found at XXXXXX, Rochester Hills.

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ROBERT F. BEECKMAN  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn before me  
this 15<sup>th</sup> day of February, 2012.

**R. STEVEN WHALEN**

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HONORABLE R. STEVEN WHALEN  
United States Magistrate Judge

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<sup>1</sup> Because Kazmi is represented by counsel, the FBI has followed Department of Justice practice and employed a taint team consisting of an agent from an unrelated squad and an AUSA with no responsibilities for this investigation. The taint team has reviewed all recordings of Kazmi, and has redacted all portions in which Kazmi discussed subject matters in which he is represented by counsel. The AUSAs assigned to the case and I have reviewed only redacted versions of these recordings in which Kazmi proposed to commit new crimes, specifically obstruction of justice.