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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

A

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMR MOHSEN,
ALY MOHSEN

Defendants.

Criminal No. CR 03-095 WBS

**DECLARATION OF AUSA ROBIN L.
HARRIS IN SUPPORT OF CJA
REIMBURSEMENT INQUIRY**

Date: August 3, 2006
Time: 10:00 p.m.
Courtroom: D, 15th Floor

I, Robin L. Harris, declare as follows:

1. I am an Assistant United States Attorney (“AUSA”) in the San Francisco Office of the Northern District of California’s United States Attorney’s Office. I have been assigned primary responsibility for the prosecution of the above-captioned case. I have personal knowledge of the following facts, except for those facts stated on information and belief, and as to those facts, I believe them to be true.

2. On or about July 21, 2006, I received a telephone call from the United States Marshal Service advising me that defendant Amr Mohsen had recently received a check in excess of \$47,000 from Cadence Design Systems (“Cadence”). On or about July 25, 2006, I spoke with Sargent Melanie Ditzenberger of the Alameda County jail, which is where Mohsen is currently incarcerated. Sargent Ditzenberger confirmed that Mohsen had received multiple checks from Cadence in the past and had recently received a large check from Cadence. On July 27, 2006, I again spoke to Sargent Ditzenberger. Sargent Ditzenberger advised me that on July 19, 2006, Mohsen filled out a Property Release form requesting the jail to release the \$47,148.85 check from Cadence (*see* paragraph 3 below) to his wife, Mervat Mohsen.

3. On July 26, 2006, I contacted the Orrick, Harrington & Sutcliffe law firm which represents Cadence. Orrick provided me with the following information. Amr Mohsen was an investor in a company now owned by Cadence. Cadence has made numerous payments to Mohsen which represent Mohsen’s share of an “earn out” from the company that Mohsen invested in. I specifically requested information from Orrick concerning all checks sent to Amr Mohsen at the Alameda County jail by Cadence from the period of April, 2005 (when the Court declared Mohsen indigent and eligible for CJA counsel) through the present. I also requested that Orrick provide me with copies of the checks Cadence mailed to Mohsen while Mohsen was incarcerated which I will provide to the Court and defense counsel when I receive the same.

On April 13, 2005, Cadence mailed Amr Mohsen check # 330843 made payable to

Declaration of AUSA Harris
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Mohsen in the amount of \$8,062.04. This check was cashed on June 17, 2005, after the Court appointed counsel for Mohsen under the Criminal Justice Act. On July 12, 2006, Cadence mailed Amr Mohsen check # 352267 made payable to Amr Mohsen in the amount of \$47,148.85. (On July 19, 2006, Mohsen requested the jail to release this check to Mohsen's wife, Mervat. *See* paragraph 2 above). On July 19, 2006, Cadence mailed check #352962 in the amount of \$21,258.57 "care of Amr Mohsen" made payable to Advanced Investment Management. I am informed and believe that Advanced Investment Management is a company founded and controlled by Amr Mohsen. The total amount of money sent by Cadence to Amr Mohsen during the time period of April, 2005 (when the Court found Mohsen eligible for CJA counsel) through July 19, 2006 is approximately \$76,468.00.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in San Francisco, California on July 27, 2006.

KEVIN V. RYAN
United States Attorney


ROBIN L. HARRIS
Assistant United States Attorney

1 CERTIFICATE OF SERVICE

2 The undersigned hereby certifies that she is an employee of the office of the United States
3 Attorney, Northern District of California and is a person of such age and discretion to be
4 competent to serve papers. The undersigned certifies that she caused copies of

5
6 **UNITED STATES' REPLY MEMORANDUM RE: CONFLICT OF INTEREST AND**
7 **REQUEST FOR CJA REIMBURSEMENT INQUIRY**
8 **AND**
9 **DECLARATION OF AUSA ROBIN L. HARRIS IN SUPPORT OF CJA**
10 **REIMBURSEMENT INQUIRY**

11 in the case of UNITED STATES v. AMR MOHSEN, ALY MOHSEN, CR 03-095 WBS to be
12 served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed
13 as follows which is the last known address:

14 **BRUCE LOCKE, ESQ.**
15 **916-569-0665**

16 **JOHN PAUL BALAZS, ESQ.**
17 **916-557-1118**

18 **NINA WILDER, ESQ.**
19 **415-552-2703**

20 **FRANK UBHAUS**
21 **408-998-5388**

22 **HONORABLE WILLIAM SHUBB**
23 **916-930-4106**

24 _____ (By Personal Service), I caused such envelope to be delivered by hand to the person or
25 offices of each addressee(s) above.


26 X (By Facsimile), I caused each such document to be sent by Facsimile to the person or
27 offices of each addressee(s) above.

28 _____ (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed
in the United States mail at San Francisco, California.

_____ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address
listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 27, 2006


KAREM ALVAREZ
United States Attorney's Office