

The Honorable Eric T. Schneiderman
Attorney General of the State of New York
The Capitol
Albany, New York 12224

The Honorable Joon H. Kim
Acting United States Attorney
United States Attorney's Office for the Southern District of New York
One St. Andrew's Plaza
New York, NY 10007

RE: Request for investigation of money laundering through Trump Ocean Club
Panama

December 20, 2017

Dear Attorney General Schneiderman and Acting U.S. Attorney Kim,

Earlier this year, we asked the New York Attorney General's Office and the U.S. Attorney's Office for the Southern District of New York to investigate the Trump Organization and its executives, including now-President Donald J. Trump, for corrupt dealings with foreign investors.¹ A recent report by Global Witness provides substantial new evidence (much of it previously unreported) in support of your investigation. The newly-released report, entitled *Narco-a-Lago: Money Laundering at the Trump Ocean Club Panama*, describes how the Trump Ocean Club International Hotel and Tower in Panama became a haven for money laundering.²

The *Narco-a-Lago* report discusses several highly suspicious transactions during the Trump Ocean Club's 2006-07 pre-construction sales period. For example, one buyer was David Helmut Murcia Guzmán of Colombia.³ In 2010, Guzmán, whom the previous U.S. Attorney for the Southern District of New York described as the "Bernie Madoff of

¹ See Letter to Acting U.S. Atty. Kim, Mar. 17, 2017, <http://bit.ly/FSFP-Kim031717>; Letter to Atty. Gen. Schneiderman, Mar. 17, 2017, <http://bit.ly/FSFP-NYAG2>; Letter to Atty. Gen. Schneiderman, Feb. 15, 2017, <http://bit.ly/FSFP-NYAG1>. We also recently asked your offices to investigate Trump Organization executives for potential crimes arising from a fraudulent real estate scheme associated with the former Trump SoHo project. See Letter to Atty. Gen. Schneiderman, Nov. 2, 2017, <http://bit.ly/FSFP-NYAG3>; Letter to Acting U.S. Atty. Kim, Nov. 2, 2017, <http://bit.ly/FSFP-Kim110217>.

² See Global Witness, *Narco-a-Lago: Money Laundering at the Trump Ocean Club Panama* (Nov. 2017), <https://www.globalwitness.org/documents/19294/Narco-A-Lago-Money-Laundering-at-the-Trump-Ocean-Club-Panama.pdf> ("*Narco-a-Lago*").

³ *Narco-a-Lago*, *supra*, at 11-13.

Colombia,” pled guilty to conspiracy to launder the proceeds of narcotics trafficking.⁴ The U.S. Attorney later noted that “Murcia Guzmán wove an intricate web of deception across continents to disguise his dirty drug money and support his lavish lifestyle.”⁵ According to the *Narco-a-Lago* report, Murcia Guzmán bought multiple Trump Ocean Club units with the proceeds of narcotics trafficking, through a broker named Alexandre Henrique Ventura Nogueira.⁶

The *Narco-a-Lago* report also alleges that Ventura Nogueira attracted multiple Russian and Eastern European buyers with suspected links to criminal activity, including Alexander Altshoul, Igor Anopolskiy, Stanislav Kavalenka, and Boris Mikhailov.⁷ Finally, the report provides information suggesting that money laundering may have continued even after the Trump Ocean Club’s formal opening in July 2011.⁸

The alleged use of the Trump Ocean Club for money laundering purposes redounded to the financial benefit of the Trump Organization and of now-President Trump. To be sure, the *Narco-a-Lago* report does not specifically allege that particular Trump Organization executives, including Mr. Trump, were personally aware of this money laundering at their project. But two factors warrant your investigation.

First, two of Mr. Trump’s own children, Eric and Ivanka, were reportedly closely involved with overseeing the project.⁹ Reportedly, Eric and Ivanka each visited the project at least four times, and Ivanka met with Ventura Nogueira at least ten times.¹⁰

Second, the Trump Organization’s history of suspicious foreign investments suggests that the company, and Mr. Trump personally, take little care to ensure that their projects do not facilitate money laundering or other international criminal conspiracies.¹¹ Indeed, in May 2012, Mr. Trump told CNBC that the Foreign Corrupt Practices Act, a cornerstone of U.S. law against international corruption, is a “horrible law” that “should be changed.”¹² The Trump Organization may also have cultivated a practice of deliberate ignorance of

⁴ U.S. Atty., S.D.N.Y., *Leader of International Money Laundering Organization Pleads Guilty in Manhattan Federal Court*, Nov. 23, 2010, <https://www.justice.gov/archive/usao/nys/pressreleases/November10/murciaguzmandavidpleapr.pdf>.

⁵ U.S. Drug Enforcement Admin., *Leader of International Money Laundering Organization Sentenced in Manhattan Federal Court to Nine Years in Prison*, July 11, 2011, <https://www.dea.gov/divisions/nyc/2011/nyc071111.shtml>.

⁶ *Narco-a-Lago*, *supra*, at 11-14.

⁷ *Id.* at 15-18.

⁸ *Id.* at 19-20.

⁹ *Id.* at 10.

¹⁰ *Ibid.*

¹¹ See, e.g., Adam Davidson, *Donald Trump’s Worst Deal*, *New Yorker*, Mar. 13, 2017, <http://nyer.cm/8l8fdNA>.

¹² *Trump: Dimon’s Woes & Zuckerberg’s Prenuptial*, *CNBC*, May 15, 2012, <http://cnb.cx/2cyYK2E>.

money laundering at some of its foreign projects.¹³ If it comes to light (through your investigation or otherwise) that the project was part of a corrupt conspiracy, then ignorance of the scheme will not be a viable defense. A person cannot evade liability by consciously avoiding information that would reveal his or her role in a prohibited scheme.¹⁴

We urge you to use your respective offices and authorities to investigate whether the Trump Organization and its executives, including President Trump, were involved in criminal activity at the Trump Ocean Club Panama. Please let us know if we may be of assistance in this proceeding.

Sincerely,

Ronald A. Fein
John C. Bonifaz
Free Speech For People

Ben T. Clements
Clements & Pineault LLP

¹³ See Davidson, *supra*, *Donald Trump's Worst Deal*.

¹⁴ See, e.g., *United States v. Kozeny*, 667 F.3d 122, 132 (2d Cir. 2011) (where there were easily discoverable signs of corruption, defendant doing business in Azerbaijan was not able to establish ignorance of the conspiracy without implicating himself under a conscious avoidance theory).