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NOVEMBER 21, 2008 CEDAR RAPIDS, IA

Agriprocessors and management criminally indicted Charges include conspiracy, harboring illegal aliens, aggravated identity theft, document fraud and bank fraud

CEDAR RAPIDS, Iowa - Agriprocessors Inc., its former CEO, three company managers and a company human resources employee were all charged here Friday with federal immigration crimes in a 12-count indictment unsealed in U.S. District Court. The charges were announced by U.S. Attorney Matt M. Dummermuth, Northern District of Iowa, and resulted from an investigation by U.S. Immigration and Customs Enforcement (ICE).

The indictment charges Agriprocessors Inc., a Postville, Iowa, meat processing company, and Sholom Rubashkin, 49, of Postville, with conspiracy to harbor illegal aliens for profit, harboring illegal aliens for profit, conspiring to commit document fraud, aiding and abetting document fraud, aiding and abetting aggravated identity theft, and bank fraud

Agriprocessors operations manager Brent Beebe, 51, of Postville, is charged with conspiring to harbor illegal aliens for profit, harboring illegal aliens for profit, conspiring to commit document fraud, aiding and abetting document fraud, and aiding and abetting aggravated identity theft. Beebe was arrested at noon on Friday at the Agriprocessors plant by ICE agents and U.S. Marshals. He appeared for arraignment at 3:30 p.m. the same day in federal court in Cedar Rapids.

Agriprocessors poultry managers Hosam Amara, 44, last known to live in Postville, and Zeev Levi, also last known to live in Postville, are charged with conspiring to harbor illegal aliens for profit, harboring illegal aliens for profit, conspiring to commit document fraud, and aiding and abetting document fraud.

Amara and Levi are fugitives, and ICE is seeking the public's assistance in locating them. Anyone with information as to their whereabouts is urged to call ICE at 1-866-347-2423. Photos of Amara and Levi are available at: www.usdoj.gov/usao/ian/press/Nov_08/11_21_08_CVJ_photos.html.

Agriprocessors human resources employee Karina Pilar Freund, 29, of Fayette, is charged with conspiring to harbor illegal aliens for profit, and harboring illegal aliens for profit. The harboring charge is restated from a prior indictment; the harboring conspiracy charge is new.

The indictment unsealed in court Friday alleges that, beginning about late April 2008, Amara and Levi told a poultry supervisor that several employees were supposed to be terminated because they were working under bad documents. Amara and Levi later allegedly identified six of those employees who would be allowed to keep their employment at Agriprocessors if they got new documents. The poultry supervisor allegedly obtained new fake documents from the employees and gave them to Levi, but a problem was identified with the documents. The employees were allegedly allowed to continue working using their old documents.

The indictment also alleges that the week before a May 12 worksite enforcement operation conducted by ICE at Agriprocessors, Sholom Rubashkin - who at the time was CEO of Agriprocessors - loaned \$4,500 in \$100 bills to employees known to have bad identity documents. Beebe allegedly gave the money to a beef supervisor who later distributed money to illegal alien

employees to purchase new fake U.S. permanent resident cards ("green cards") in different names. The indictment alleges that a foreman arranged the purchase of the documents, and Rubashkin allegedly asked human resource employees to work Sunday afternoon, May 11, to complete new application paperwork for several people. Beebe was allegedly present that afternoon and assisted with the paperwork.

According to a previously filed complaint, about 96 fake green cards and employment applications were seized from the Agriprocessors human resources offices the following day, May 12, when ICE agents administratively arrested 389 illegal alien workers. The complaint alleges that about 90 of the fake green cards bore alien registration numbers that were assigned to other people.

The indictment also alleges that on Feb. 29, Rubashkin, on behalf of Agriprocessors, made a false certification to a lending bank that Agriprocessors was in compliance with the law, despite knowing that the company was harboring hundreds of illegal workers. The indictment also alleges that in September 2008, Rubashkin diverted customer payments that were part of the bank's collateral for a \$35 million loan. To conceal the diversion of funds, Rubashkin allegedly caused Agriprocessors' books to inaccurately reflect that no such payments had been received.

Rubashkin and Freund previously appeared in federal court. Freund was released after being affixed with an electronic monitoring device. Thursday, U.S. Magistrate Judge Jon S. Scoles ordered Rubashkin detained without bail until trial.

Arraignments for Agriprocessors Inc., Rubashkin, and Freund are scheduled for Nov. 26 at 10 a.m. Rubashkin's and Freund's trial had previously been set for Jan. 20 in U.S. District Court in Cedar Rapids.

Agriprocessors faces a possible penalty of a fine of the greater of \$500,000 or twice the financial gain for each of the conspiracy, harboring, document fraud, and identity theft charges. On each of the bank fraud charges, it faces a fine of the greater of \$1 million or twice the loss caused.

Rubashkin faces a possible maximum sentence of 30 years in prison and a fine of the greater of \$1 million or twice the loss caused on each of the bank fraud charges. He faces a possible maximum penalty of 10 years in prison and a \$250,000 fine on each charge of conspiring to harbor illegal aliens, harboring illegal aliens, aiding and abetting document fraud. He faces five years in prison and a \$250,000 fine for conspiring to commit document fraud; and a mandatory consecutive two years in prison and a \$250,000 fine for each charge of aiding and abetting aggravated identity theft.

Beebe faces a possible penalty of 10 years in prison and a \$250,000 fine for each charge of conspiring to harbor illegal aliens, harboring illegal aliens, and aiding and abetting document fraud. He faces five years in prison and a \$250,000 fine for conspiring to commit document fraud; and a mandatory consecutive two years in prison and a \$250,000 fine for each count of aiding and abetting aggravated identity theft.

Amara faces a possible maximum penalty of 10 years in prison and a \$250,000 fine for each charge of conspiring to harbor illegal aliens, harboring illegal aliens, and aiding and abetting document fraud. He faces five years in prison and a \$250,000 fine on the charge of conspiring to commit document fraud.

Levi faces a possible maximum penalty of 10 years in prison and a \$250,000 fine for each charge of conspiring to harbor illegal aliens, harboring illegal aliens, and aiding and abetting document fraud. He faces five years in prison and a \$250,000 fine on the charge of conspiring to commit document fraud.

Freund faces a possible maximum penalty of 10 years in prison and a \$250,000 fine for each charge of conspiring to harbor illegal aliens and harboring illegal aliens.

As with any criminal case, a charge is merely an accusation; a defendant is presumed innocent until and unless proven guilty.

The investigation began in October 2007 and has continued since the May 12 execution of federal search warrants at Agriprocessors. The investigation is ongoing.

Assistant U.S. Attorneys Peter Deegan, C.J. Williams, and Matthew Cole, Northern District of Iowa, are prosecuting this case. The investigation has been led by U.S. Immigration and Customs Enforcement with assistance from the FBI. Assistance has also been provided by the U.S. Marshals Service, U.S. Postal Inspections Service, Iowa Department of Public Safety, Iowa Department of Transportation, Internal Revenue Service's Criminal Investigations, U.S. Department of Labor, U.S. Public Health Service, U.S. Department of Agriculture, U.S. Environmental Protection Agency, Iowa Department of Natural Resources, U.S. Drug Enforcement Administration, Waterloo Police Department, and Postville Police Department.

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