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KEVIN V. RYAN (CASBN 118321)
United States Attorney

FILED

SEP - 1 2008

E-FILING

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CR 06 00597

**MW
RS**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
SUPER MICRO COMPUTER,)
INCORPORATED)
)
Defendant.)

No.)
VIOLATION: 50 U.S.C. § 1705(b) --
Unlawful Export of Items to the Islamic
Republic of Iran

SAN JOSE VENUE

INFORMATION

The United States Attorney charges:

1. On or about and between December 28, 2001, and continuing until at least January 29, 2002, both dates being approximate and inclusive, in the Northern District of California, and elsewhere, the defendant

SUPER MICRO COMPUTER, INCORPORATED

did willfully violate regulations issued under Chapter 35 of Title 50 of the United States Code, to wit: Title 15 of the Code of Federal Regulations, sections 764.2(a) and 736.2(b)(1), by unlawfully exporting an item subject to said regulations to another country.

INDICTMENT

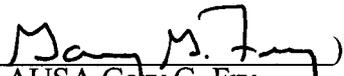
1 2. Specifically, the defendant exported P4SBA+ Motherboards, items subject to the
2 Export Administration Regulations, to the Islamic Republic of Iran without a license or a license
3 exception, when, at the time of the export, the defendant knew that: (1) those items were
4 controlled for a reason indicated in an applicable Export Control Classification number; and (2)
5 when export of these items to the Islamic Republic of Iran required a license for a control reason
6 listed in the Country Chart in Part 738 of the Export Administration Regulations.

7 All in violation of Title 50, United States Codes, section 1705(b).

8
9
10 DATED: 9/11/06

KEVIN V. RYAN
United States Attorney

11
12 
13 JOHN GLANG
14 Acting Chief, San Jose Branch

15 (Approved as to form: 
16 AUSA Gary G. Fry

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Count One: 50 U.S.C. § 1705(b) - Unlawful Export of Items to the Islamic Republic of Iran

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

0 years imprisonment
\$500,000 fine
3 years supervised release
\$400 special assessment fee

CR 06 00597 RMV RS

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

E-FILING

DEFENDANT - U.S.

Super Micro Computer, Incorporated

DISTRICT COURT NUMBER

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction
 - 6) Awaiting trial on other charges } Fed'l State charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Erin Kelly-U.S. Commerce Department

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCP 20, 21 or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

GARY G. FRY

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

**Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Date/Time: _____

Before Judge: _____

Comments: _____

FILED
SEP 7 2006
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE