



State of Israel
Ministry of Justice
Office of the State Attorney
Jerusalem

To: The Competent Authorities of the United States of America

REQUEST FOR LEGAL ASSISTANCE IN A CRIMINAL MATTER

1. In accordance with the Mutual Legal Assistance Treaty in Criminal Matters between the United States and Israel, the State of Israel hereby requests that the competent authorities of the United States grant legal assistance and execute Letters Rogatory in the manner provided for by the laws of the United States. This assistance is required in order to procure evidence relating to offenses under Sections of Israel's Penal Law 5737-1977, Prohibition on Money Laundering Law 5760-2000, Trademark Ordinance [New Version] 5732-1972, Copyright Law 5768-2007, and Law of Performers' and Broadcasters' Rights [Consolidated Version] 5744-1984.
2. This Request is signed and submitted by the Director of the Department of International Affairs in the Ministry of Justice of the State of Israel, who is authorised to submit requests for legal assistance on behalf of the State of Israel.

Factual Background

3. The Israel Police and the Israeli Tax Authorities are investigating suspicions that since the beginning of 2014, persons who have been directly or indirectly been owning and managing, an Internet site, known as **www.Liveil.TV**, have been infringing copyrights and trademarks by making copies, for commercial purposes, of copyrighted protected television programs and movies, without the consent of the owners or licensees and distributing these copies illegally, to the subscribers of www.Liveil.TV throughout the world, charging its subscribers a monthly fee. Access to said copyrighted and trademark protected programming was obtained fraudulently from Israeli cable and satellite TV networks. Said programming includes television programs and movies, foreign and local, supplied by Israeli cable and satellite TV networks, which hold the rights to broadcast said television programs and movies. Furthermore, it is suspected that the owners/managers of **www.Liveil.TV** are laundering the revenues received from the aforesaid illegal enterprise.
4. The prime suspect of the Israeli investigations is Israeli national **Ofer Zaltzman**, d/o/b May 3, 1970, Social Security number 105888991, Israeli passport number 10904847, (hereinafter: "**Zaltzman**"). Legal Assistance provided by a foreign country shows that Zaltzman received payments from subscribers to www.Liveil.TV. An additional suspect is his wife, Israeli national **Georgiana Morhan**, d/o/b July 14, 1980, Israeli identification number 317845600, Israel passport number 15043558 and Romanian passport number 12644246. A third suspect is Israeli national **Leonid Geikhman**, d/o/b December 15, 1969, Israeli identity number 307799536 (hereinafter: "**Geikhman**") (hereinafter: "**the suspects**").
5. The evidence gathered to date indicates that the suspects have subscribers in the United States for the programs re-broadcasted by their criminal enterprise and receive payments from these subscribers. Zaltzman owns or controls bank accounts in the United States in which it is believed these payments have been transferred. It is believed that American subscribers to www.liveil.TV have been paying for said illegal re-broadcasts through **Paypal**, **Stripe** or by credit

card. The Paypal and Stripe accounts seem to be connected to the following email address used by Zaltzman: ofer70@gmail.com. The Paypal account also seems to be connected in particular to **account no. 9981164125 in Citibank** in the United States.

6. The evidence gathered to date also indicates that the suspects have been laundering the fruits of their crimes in various countries, including in the United States. Therefore, it is possible that American bank accounts also are being used to launder the proceeds of crime in this matter.
7. It is suspected that the suspects have been operating a company named "**VocalNet**" in the United States (hereinafter: "**VocalNet U.S.**"), which is believed to be involved in the afore-stated illegal sale of re-broadcasts of Israeli programs and/or is a recipient of the payments by American subscribers of www.Liveil.TV.
8. According to the evidence gathered to date, Zaltzman and Geikhman have been active in operating the aforesaid www.Liveil.TV illegal re-broadcasting and the laundering of the fruits of these crimes. Georgiana Morhan is known to have been involved in the laundering of the fruits of the crimes and also it is believed that she is the owner/director of record of several of the companies the suspects incorporated in various countries, which were used to receive payments by clients of www.Liveil.TV and to launder those payments.
9. Furthermore, it is suspected that a Romanian company named "**VocalNet Communication**" (hereinafter: "**VolcalNet Romania**") initially was owned by Zaltzman and at some point he transferred its ownership, as explained hereinafter. "VocalNet Romania" seems to be the operator of **www.Liveil.TV**, according to information published on the Internet site and Facebook page of **www.Liveil.TV**. Zaltzman also has a company in Israel, also named "VocalNet". In his LinkedIn account, Zaltzman represents himself as the owner of "VocalNet" and states that his residence is Bucharest, Romania.
10. The investigation has uncovered evidence that "VocalNet Romania" has changed its name to "**Telecom Blue Expert**", with new owners of record. The

new owners are Romanian nationals **Florin Morhan** (d/o/b July 6, 1986) and **Ileana Morhan** (d/o/b February 21, 1960). **It is possible that "VocalNet U.S." also changed its name to "Telecom Blue Expert" or some other name.**

11. It is suspected that, Georgiana Morhan has been receiving transfers into one of her Israeli bank accounts, from an Internet clearer and also from a foreign company, that amount to a total of over 400,000 €. Georgiana Morhan has failed to report to the Israeli authorities a legal source for these funds and in addition is suspected of income tax evasion regarding the receipt of these funds, which the Israeli authorities suspect are sourced in the crimes elaborated herein. Also according to the evidence gathered to date, Georgian Morhan has been transferring the aforesaid funds on a regular basis between her various Israeli bank accounts.
12. The **domain names** for the Internet site of **www.Liveil.TV** and for **VocalNet** were purchased by an American company named "**Dynadot**". Information received from "Dynadot" led investigators to IP addresses in Romania, which in turn indicated that the Internet server of **www.Liveil.TV** is located in Romania.
13. **Cloudflare Inc.** provided the suspects with services that conceal the aforesaid domains for www.Liveil.TV and for VocalNet, making it difficult to determine the owners/operators of the websites. Cloudfare Inc. is located at 101 Townsend Street, San Francisco, CA 94107.
14. To the best of the knowledge of the Israeli authorities, the following American bank accounts are being used, or have been used, by the suspects in furtherance of the perpetration of their crimes:

The following bank accounts owned or controlled by Zaltzman:

- bank account number 3304077 at Citibank;
- bank account number 53698748 at Citibank;
- bank account number 9981164125 at Citibank;
- bank account number 9981295010 at Citibank ;
- bank account number 4011559358378 at First Country Bank N.A.

The following bank account in the name of VolcalNet:

- bank account number 3300898143 at the Silicon Valley Bank.

Purpose of the Request

15. The American authorities are requested **to freeze immediately** the afore-referenced bank accounts in order to prevent further money laundering and the concealment or other disposition of the assets. Eight suspects have been arrested in Israel and their release from detention is expected to occur shortly, providing them with the opportunity to obstruct justice in this matter.

16. A further, and less immediate purpose of this Request is to obtain information and documents, which will provide investigatory leads and will constitute evidence.

Details of the Request

17. American authorities are requested **to place an immediate freeze** on the afore-referenced bank accounts, owned and/or controlled by the suspects or their companies.

18. The American authorities are requested to provide information and documentation regarding a transfer from account number 9981164125 at Citibank to account 644806937 at Bank of China in the name of Walaborg.

19. The American authorities are requested are requested to provide information and documents involving bank accounts and other assets held or controlled by the afore-referenced suspects or their companies or regarding which they are beneficiaries or have signatory rights. These documents should include, *inter alia*, the following:

- The identity of each asset;
- The name of the bank and the address of the bank branch in which the account is held;
- The names of the account owners, beneficiaries and persons with signatory rights and their/its identifying information (i.e.: address, passport or other identity information, contact information and if a corporation – its corporate registration number);
- Documents related to the opening of the account and related to the account owners, signatories and beneficiaries;
- Bank statements from the time the account was opened until the present;
- Documents showing withdrawals or transfers into and out of the account;
- Copies of orders, emails or documentation of phone conversations regarding the account;
- Any other relevant information or documentation.

20. The American authorities are requested to provide information and documents regarding any companies owned by the suspects or regarding which they are directors or officers.

21. The American authorities are requested to provide information and documents regarding the Paypal, Stripe and credit card payments from subscribers to www.Liveil.TV.

22. The American authorities are requested to provide all information and documentation regarding the internet sites and domains VolcalNet and Liveil.TV and the involvement of Cloudfare in concealing those domains.

Time Constraints

23. Eight suspects have been arrested in Israel in this matter and it is expected that they will be released shortly from detention. In order to prevent them from

undertaking further money laundering activities and concealing or disposing of their assets, it is essential that an immediate freeze order be imposed upon their bank accounts.

Confidentiality

24. In consonance with the need for confidentiality during these stages of the investigation, the State of Israel kindly requests that this Request, and the activities undertaken pursuant to the Request, be kept confidential to the fullest extent possible under American law. If confidentiality cannot be maintained regarding any part of this Request, please immediately inform the Israeli authorities before revealing any information related to the Request and its execution.

The Relevant Provisions of Israeli Law

25. The suspects allegedly perpetrated the following Israeli crimes:

- **Obtaining a Matter by Deceit (Fraud)**, offences under Section 415 of the Penal Law 5737-1977, which provides as follows:

"415. If a person obtains a thing by deceit, then he is liable to three years imprisonment; if the offense is committed under aggravating circumstances, then he is liable to five years imprisonment."

- **Conspiracy to Commit a Felony**, offenses under Section 499(a)(1) of the Penal Law 5737-1977, which provides as follows:

"499. (a) If a person conspires with another to commit a felony or misdemeanor, or to commit an act in a place abroad which would be a felony or misdemeanor if it had been committed in Israel – and which also is an offense under the Laws of that place, then he is liable – (1) if the offense is a felony, to seven years imprisonment or to the punishment prescribed for that offense, whichever is the lighter punishment;"

- **Money laundering**, offenses under Sections 3 and 4 of the Prohibition on Money Laundering Law 5760-2000, which provide as follows:

"3. (a) A person performing a property transaction involving property described in paragraphs (1) to (4), (in this Law referred to as "prohibited property"), with the object of concealing or disguising its source, the identity of the owners of the rights, the location, movement or disposition with respect to such property, shall be liable to ten years imprisonment or a fine twenty times greater than the fine specified in section 61(a)(4) of the Penal Law -

(1) property originating directly or indirectly in an offense;

(2) property used to commit an offense;

(3) property enabling the commission of an offense;

(4) property regarding which an offense was committed.

(b)(1) A person performing a property transaction or transmitting false information with the object of preventing any reporting under sections 7 or 8(a) or in order not to report under section 9, or to cause incorrect reporting under the aforesaid sections, shall be liable to five years imprisonment or a fine eight times greater than the fine in section 61(a)(4) of the Penal Law; for the purposes of this section, "transmitting false information" shall include failure to deliver updated information about any item required to be reported.

(2) A person transmitting false information, as stated in paragraph (1), regarding prohibited property, shall be liable to the punishment established in subsection (a).

4. A person performing any property transaction, knowing that it is prohibited property, and that such property falls within one of the categories of property specified in the Second Schedule, and at the value determined therein, shall be liable to seven years imprisonment or a fine ten times the fine stated in section 61(a)(4) of the Penal Law; for the purposes of this section, "knowing" does not include disregarding, within the meaning specified in section 20(c)(1) of the Penal Law.";

- **Copyright Infringement**, offenses under Section 61 of the Copyright Law 5768-2007, which provides as follows:

"61. (a) A person shall not make an infringing copy for purposes of trading therein.

(b) A person shall not import into Israel an infringing copy of a work for purposes of trading therein.

(c) A person shall not engage in the selling, letting for hire or distributing of an infringing copy of a work.

(d) A person shall not sell, let for hire or distribute infringing

copies of a work on a commercial scale.

(e) A person shall not possess infringing copies of a work for purposes of trading therein.

(f) A person shall not make or possess an object designed for the making of copies in contravention of sub-section (a).";

Section 62 of the above act, provides the following punishments:

"62(a) A person who does one of the following, shall be liable to up to five years imprisonment or fine in the amount of ten times the fine provided for in section 61(a)(4) of the Penal Act, 57371977 (hereinafter referred to as "the Penal Act"): (1) Makes an infringing copy for the purpose of trading therein; (2) Imports to Israel an infringing copy of a work for the purpose of trading therein. (b) A person who does one of the following, shall be liable to up to three years imprisonment or fine in the amount of seven times the fine provided for in section 61(a)(4) of the Penal Act: (1) Engages in the sale, letting for hire or distribution of an infringing copy of a work; (2) Sells, lets for hire or distributes infringing copies of a work on a commercial scale; (3) Possesses an infringing copy of a work for the purposes of trading therein. (c) A person producing or in possession of an object designated for the production of copies of a work for the purpose of committing an offence under sub-section (a)(1) shall be liable to imprisonment for a term of one year or twice the fine stated in section 61(a)(4) of the Penal Act. (d) Where an offense under this section has been committed by a corporate entity, -such corporate entity shall be liable to double the fine provided for that offence".

- **Trademark Infringement**, offenses under Section 60 of the Trademark Ordinance [New Version] 5732-1972, which provides as follows:

"60. (a) A person who commits any of the following acts shall be liable to imprisonment for a term of three years or a fine seven times the fine provided for in section 61(a)(4) of the Penal Law, 5737-1977 (hereinafter referred to as "the Penal Law")

(1) applies for the purpose of trade, without the permission of the proprietor of the mark or any person acting on his behalf, a registered trade mark or an imitation of such mark, on goods in respect of which the mark is registered in the Register or on the packaging of such goods, and which is likely to mislead any other person in this manner;

(2) imports for the purpose of trade, without the permission of the proprietor of the mark or any person acting on his behalf, goods or their packaging marked by a trade mark registered in the Register in respect of such goods, or an imitation of the aforesaid mark, and the

mark is likely to mislead any other person; however, the provisions of this paragraph shall not apply in respect of goods marked with the permission of any person who is the proprietor of the mark in the country in which the mark was made;

(3) engages in the sale, hire or distribution of goods marked or imported to Israel contrary to the provisions of paragraphs (1) and (2), or sells, lets for hire or distributes such goods on a commercial scale;

(4) is in possession of goods marked or imported to Israel contrary to the provisions of paragraphs (1) and (2) for the purposes of trading in such goods).

(b) Where an offence under subsection (a) is committed by a body corporate, such corporate body shall be liable to double the fine provided for the offence.

(c) A person passing on false information to the Registrar in connection with an application for registration of a mark in the Register shall be liable to imprisonment for a term of one year.

(d) (1) A senior officer of a body corporate shall be obliged to supervise and take any action necessary to prevent any of the offences set forth in this section (hereinafter referred to as "an offence") by a body corporate or any of its employees. Where such officer is in breach of his aforesaid obligation he shall be liable to the fine stated in section 61(a)(4) of the Penal Law.

(2) Where an offence has been committed by a body corporate or any of its employees, there is a presumption that the senior officer was in breach of his obligation under paragraph (1), unless it is proved that he took any action necessary to perform his aforesaid obligation.

(3) In this subsection, "senior officer" means an active manager of a body corporate, a partner - excluding a limited partner - and an officer responsible on behalf of the body corporate for the field in question in which the offence was committed.";

- **Performers' and Broadcasters' Rights Infringement**, offenses under Section 6 of the Law of Performers' and Broadcasters' Rights [Consolidated Version] 5744-1984, which provides as follows:

"6. (a) A person who commits one of the following shall be liable to three years imprisonment, or to a fine seven times what is said in section 61(a)(4) of the Penal Law 5737—1977 (Hereinafter – the Penal Law):

(1) Makes an infringing copy of a performance for a commercial purpose.

(2) Deals in selling, renting or distribution of an infringing copy of a performance, or he is selling, renting or distributing infringing copies of a performance in a commercial capacity.

(a1) a person who holds an infringing copy of a performance for purpose of dealing in it commercially, he shall be liable to imprisonment of a year or a fine of up to five time the said fine in section 61(a)(4) of the Penal Law.

(a2) in subsections (a) and (a1), "infringing copy" – copy of a performance or reproduction of a copy of a performance, made without the consent of the performer, contrary to the provisions of section 2 and 3, except for if their making was permitted under a provision of the provisions of this Law or they were made with the consent of another person who holds the right to permit so under the provisions of this Law.

(a3)(1) The following are liable to imprisonment of six months or double the fine aforesaid in section 61(a)(3) of the Penal Law:

(a) a person who make an infringing copy of a broadcast for a commercial purpose.

(b) a person who deals in the sale, renting or distribution of an infringing copy of a broadcast, or, he sells or rents or distributes infringing copies of a broadcast in a commercial capacity. In this subsection, "infringing copy" – a copy of a broadcast or reproduction of a copy of a broadcast, made without the consent of the broadcaster, contrary to the provisions of section 4A1, except for if their making was permitted under the Law.

(a4) If an act under subsections (a), (a1) or (a3) was committed by a firm, it shall be liable to twice the set fine for the offence.

(b) If a person presumes to give agreement for purposes of section 2 without being authorized to do so or in digression from the authorization, shall be liable to a fine."

Supplementary Information

26. The State of Israel will submit any additional information, which the American authorities may require in order to enable them to accede to this Request.

27. The Department of International Affairs of the Office of the State Attorney in the Ministry of Justice may be contacted with respect to any issues or questions regarding this Request. Ms. Nina Mansur is handling this matter and can be reached by e-mail Ninah@justice.gov.il, Tel: + 972-506216206 or Fax: + 972-2-5419644.

28. The State of Israel takes this opportunity to express its appreciation to the American authorities for their co-operation and assistance in this case and offers its assurance of reciprocal assistance.

Jerusalem, ___ day of _____, 2019

___ day of _____, 5779

Yuval Kaplinsky, Director
Department of International Affairs
Office of the State Attorney
Ministry of Justice
State of Israel