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I N D E X

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E X H I B I T S

(None marked this session)

1 P R O C E E D I N G S

2 THE CLERK: All rise for the jury. Please be seated.

3 Court is now in session and has before it for
4 consideration Jury Trial, Day 10 in criminal case
5 21-cr-41-01-JL, United States versus Ian Freeman.

6 THE COURT: Good morning, everybody. Welcome back to
7 court. Have any of you had any conversations with each other
8 or anybody else about the trial during the recess?

9 (The jurors responded in the negative)

10 THE COURT: Have any of you had any exposure or access
11 to information about this trial during the recess?

12 (The jurors responded in the negative)

13 THE COURT: Good. We'll proceed, then.

14 The defense has not yet rested its case but has a
15 little bit more evidence to present. After we hear that, we'll
16 take a short break to rearrange the courtroom a little bit for
17 closing arguments. After that you'll receive my jury
18 instructions, and then you'll be sent to your deliberations all
19 today.

20 Let's proceed.

21 MR. SISTI: Thank you, your Honor. We'll be calling
22 the next witness in one second. There are two. They'll be
23 brief.

24 THE COURT: Sure. The name of the first one?

25 MR. SISTI: Mohammed, last name Ali.

1 A. Yes, sir.

2 Q. And prior to that where did you reside?

3 A. Excuse me?

4 Q. Prior to New York?

5 A. Yeah. I was just, you know, from New York I moved to New
6 Hampshire.

7 Q. Right. And what year was that? That was 13 years ago?

8 A. Yeah, about 13 years ago. Yeah.

9 Q. Okay. I just want to be real straight with you here
10 today. I just need to know whether or not you know a fellow by
11 the name of Ian Freeman.

12 A. Yeah. Mr. Freeman, we used to -- we have a problem in
13 Keene, we don't have a mosque, so we were looking for a mosque
14 for Friday prayer.

15 Q. Can you just point him out in the courtroom? It's a
16 formality, but we need to do it.

17 A. Right here. Mr. Ian.

18 MR. SISTI: Thank you, your Honor. If you could
19 recognize that identification?

20 THE COURT: He has identified the defendant.

21 Q. Thank you. Now, Mohammed, so you first got to know him
22 about what year? Do you remember?

23 A. I think it's about a couple of years.

24 Q. A couple of years now?

25 A. Yes, sir.

1 Q. And you were mentioning to the jury that there was a
2 problem, that you didn't have a place to --

3 A. Yeah. We was looking for the, you know, because there's a
4 very little community in Keene, Muslims community, so we don't
5 have a mosque, so we were looking for a Friday prayer, and
6 finally we bumped into Mr., you know, Ian, and he has some
7 place that also is a church, has a church property. So, he was
8 managing that property, and that's where I met him. I met him
9 on my, you know, friends, Muslim peoples met him, and he just
10 helped us a lot over there.

11 Q. So, you were able to actually worship? He's basically
12 allowing you guys the --

13 A. To, yeah, to pray for the Friday prayer, you know, that he
14 set up a mosque for us to -- we usually do five times prayer a
15 day, so -- I mean, we don't have like a priest, Imam, and
16 that's why we, you know, didn't continue, but basically then
17 that place was closed, so we'd already functioned almost like
18 eight months, seven, eight months like that.

19 Q. Okay. So, other than him helping out the community that
20 way -- and that was through his church?

21 A. Yes.

22 Q. Okay. Other than helping out the community that way, how
23 else do you know him? Does he frequent your restaurant?

24 A. Well, since I met him, then he was a very pleasure to
25 meet. This guy is a very nice guy, and I was telling him about

1 my business, because I used to own the gas station, and in my
2 religion that it's not good to sell beer and all this alcohol.

3 Q. Right.

4 A. So, I'm looking for Halal food, which is real money, and I
5 decide to have good stuff to provide to peoples, you know, so I
6 opened up the restaurant, and that restaurant was very tough
7 call, and I was suffering, and I mentioned to Mr. Ian, and he
8 did help me out with -- he set up the Bitcoin in my store. I
9 did some transaction on it, too. And that's how I know him.
10 And he used to come and bring his friends to support my
11 business. And that's what it is. That's how I know him.

12 Q. So, he helped you set up the Bitcoin aspect of the
13 business?

14 A. Exactly, yes.

15 Q. Did he charge you any fee or anything like that?

16 A. Nothing, nothing.

17 Q. So, he did that completely --

18 A. He would just bring the tablets and what it was that, you
19 know, the transaction you do for the bitcoin, and he put it on,
20 and whenever I have some issues I'd call him up, and he'd come.
21 He never asked me for any penny or something.

22 Q. And has that helped out your business? Is that keeping
23 you going?

24 A. Yes, it did help out in the beginning, but then it's dried
25 up again, you know.

1 Q. So, you're working 20 hours a day again?

2 A. I'm crash -- I'm going to be honest with you, it's a very
3 tough business. The restaurant business is not an easy task.
4 You have to work very hard for it.

5 Q. So, how do you know Ian with regard to his honesty and his
6 integrity?

7 A. Well, you know, to be honest with you, I don't know his
8 personal life, what he does or what he not, but as soon he come
9 to me a very nice man with a nice moral, you know, moral and
10 education. He's always very polite. And, like I said, he
11 bring his friends, and, you know, he tried to help me out and
12 support. That's all I know about him.

13 Q. Okay. I appreciate it, and I'm going to let you get back
14 to work, okay?

15 A. Thank you, sir.

16 Q. All right.

17 THE COURT: Cross-examination.

18 CROSS-EXAMINATION

19 BY MS. MACDONALD:

20 Q. Good morning, Mr. Ali.

21 A. Good morning, ma'am. How are you doing?

22 Q. My name is Georgie MacDonald. I work for the U.S.
23 Attorney's Office, and I just have a few questions for you.

24 A. Sure.

25 Q. You testified that Mr. Freeman helped provide a place for

1 a mosque in Keene; is that correct?

2 A. Yes, yes.

3 Q. And was I correct in hearing your testimony that you were
4 able to practice there for about seven to eight months?

5 A. Yes, we was there. Yes.

6 Q. Okay. And was Will Coley the Imam at that time?

7 A. Well, we don't have an Imam, because what happened, this
8 place was not permanent, and another thing that the community
9 is very, not too much community, it's like 15, 20 or 25 people
10 at the most there, and Imam need more, like, you have a priest
11 and you have a big, huge peoples, that is -- Imam comes from
12 another state, and he need a place to live. You have to
13 support him, you know, because Imam don't go to work; they are
14 just to take care of the mosque and everything.

15 Q. Okay. We've heard some things in this trial about a Will
16 Coley, and I was just wondering whether he was involved with
17 your mosque or whether that was something separate?

18 A. Yeah. Well, yeah. This guy was also, came from another
19 state, I don't know where, and he was a Christian and he
20 converted to Muslims.

21 Q. Okay.

22 A. And, yeah, yes, he was involved there, too. He stayed
23 there for almost, you know, I think four or five months or
24 something. I'm not sure.

25 Q. And do you know anything about whether Mr. Coley was

1 selling bitcoin in the name of the mosque?

2 A. No, no, I don't know.

3 Q. Okay. And so, and bitcoin has nothing to do with the
4 Muslim religion, right?

5 A. No. It's just, bitcoin, bitcoin involved, and, you know,
6 I mentioned to him about my business, and he says, Mohammed, I
7 can set up bitcoin, and maybe that boosts your business up.

8 Q. Okay.

9 A. And that's all I know, and the rest I don't know if he's
10 selling or doing -- I don't know his personal life. I never
11 asked anybody what he do, you know?

12 Q. Okay. Thank you very much. No further questions.

13 A. You're welcome.

14 MR. SISTI: Thank you, Mohammed.

15 THE WITNESS: You're welcome, sir.

16 THE COURT: Sir, you're excused.

17 THE WITNESS: Thank you, sir.

18 (Witness stepped down)

19 THE CLERK: Please remain standing and raise your
20 right hand.

21 **PAUL NIWA**, having been duly sworn by the Clerk, was
22 examined and testified as follows:

23 THE CLERK: Please be seated. For the record, please
24 state your name and spell your last name.

25 THE WITNESS: My name is Paul Niwa. Last name is

1 spelled N-i-w-a, first name is Paul.

2 DIRECT EXAMINATION

3 BY MR. SISTI:

4 Q. All right. Good morning. How are you?

5 A. Very well. Thank you.

6 Q. And thanks for making the effort of being here. I know it
7 was kind of hectic, and you had to do some moving around, so I
8 appreciate it.

9 A. Well, I'm very grateful to Mr. Freeman.

10 Q. All right. Mr. Niwa, can you explain to the jury, you
11 know, where you live and what do you do for a living?

12 A. I live in Newton, Massachusetts. I'm a tenured Professor
13 of Journalism at Emerson College. I'm a former Assistant Dean
14 and also a former Chair of my department.

15 Q. With regard to your contact with Ian Freeman, can you just
16 give us generally what that was about, not the specific
17 statements or anything, but generally what that was about.

18 A. So, in the early summer of 2020, right at the height of
19 the lockdown, I got a call out of the blue, and I picked it up,
20 and it was Mr. Freeman, and he explained that -- he asked me if
21 I was a son of Y. Grace Niwa, and I said, yes, and I was kind
22 of surprised. That's my mother, which he asked me if that was
23 my mother. I verified.

24 Q. Not the blow-by-blow statements, but what was the general
25 conversation? What was the topic that we were dealing with at

1 that time?

2 A. So, he told me that my mother --

3 THE COURT: No, no, no, no.

4 Q. Not the statements.

5 THE COURT: Not the statements. What was the topic of
6 conversation?

7 A. Oh, the topic of the conversation was that my mother had
8 been defrauded, and he was trying to return the money to my
9 mother.

10 Q. Okay. And was this a quick thing, or did the two of you
11 have multiple contacts?

12 A. I think we might have had two phone calls and several
13 texts to try to figure out a way to return the money to my
14 mother.

15 Q. All right. And over what period of time did Ian Freeman
16 work with you in order to get that result?

17 A. It was about three months. I mean, he tried many
18 different ways to try to help my mother, and even when we ran
19 into blocks he still tried to find ways to overcome them and
20 get the money to her.

21 Q. How much money, if you know, was your mother scammed out
22 of?

23 A. It was \$11,000 from my -- it was actually defrauded from
24 my aunt, who's disabled.

25 Q. Okay.

1 A. She was blinded at birth, and it was money that my mother
2 is a steward over to help her. She lives in a group home.

3 Q. Okay.

4 A. And so, that's what she uses to live off of, my aunt does,
5 to be able to pay her groceries and pay her share of the rent.

6 Q. Okay. So, over the three-month period would it be fair to
7 say there were multiple, I don't know, texts back and forth and
8 phone calls, and there was apparently some result that took
9 place?

10 A. We have many texts trying to figure out a way to get the
11 money back. We only had a couple of phone calls, though, so it
12 was -- I haven't spent a lot of time talking to Mr. Freeman.

13 Q. All right. But could you tell the jury the bottom line?
14 I mean, did Ian -- was he capable of getting that money back?

15 A. He was, yes, and all but a very reasonable amount of fees
16 that I asked Ian to take out. I said he should deduct mileage,
17 any financial costs, like, you know, money order costs, the
18 cost of postage, and he did deduct that, but I think it was
19 under \$100, so it was a very reasonable amount, and I think a
20 bank would have charged me a lot more to do the same kind of
21 services.

22 Q. I mean, he actually didn't even charge you. Would it be
23 fair to say you insisted on him taking the money?

24 MR. KENNEDY: Objection.

25 A. He did not want to take any personal charges.

1 THE COURT: You need to disregard that -- well, not
2 that he didn't -- you actually put statements in on that issue.

3 MR. SISTI: Yeah.

4 Q. Did he charge you? How about that?

5 A. No, he did not.

6 Q. All right. And the reason that the money came to him from
7 you is why?

8 A. It's because someone, and we don't know who that person
9 is, had convinced my mother to transfer the \$11,000 into
10 Mr. Freeman's company.

11 Q. Okay.

12 A. And that Mr. Freeman suspected, he told me --

13 MR. KENNEDY: Objection, your Honor.

14 THE COURT: Sustained. Why don't you lead him a
15 little bit.

16 MR. SISTI: Right.

17 Q. What happened was that Freeman suspected something, but he
18 took care of it?

19 MR. KENNEDY: Objection again. He's just repeating
20 what Freeman said as part of the question.

21 THE COURT: Overruled.

22 MR. SISTI: Thank you.

23 Q. And Freeman took care of it, and he brought it to your
24 attention, right?

25 A. Yes. He said that he stopped the transaction.

1 MR. KENNEDY: Objection.

2 THE COURT: Well, yeah. Listen, Professor --

3 THE WITNESS: Yes.

4 THE COURT: -- you've got to be really careful about
5 answering only the question he asks you. We're trying to do
6 this carefully, so not to create hearsay problems --

7 THE WITNESS: Sorry.

8 THE COURT: It's okay. People aren't used to sitting
9 where you're sitting. I understand.

10 MR. SISTI: Thank God, right?

11 THE COURT: But the lawyer is trying to direct you a
12 little bit, and I'm letting him do it, which I don't normally
13 allow, but I'm going to let him continue. Objection sustained.

14 THE WITNESS: Sorry about that.

15 MR. SISTI: Okay. Thank you, Judge.

16 A. I'll try.

17 Q. Don't worry about it, okay? All right? There's rules.

18 So, at the end of the day the money is returned, and a
19 very slight cost or slight bit of money is given to Ian for
20 just doing some work, under \$100, right?

21 A. Agreed.

22 MR. SISTI: Thank you very much.

23 Your witness.

24 THE COURT: Cross.

25 CROSS-EXAMINATION

1 BY MR. KENNEDY:

2 Q. Good morning, Mr. Niwa.

3 A. Good morning.

4 Q. Just a few questions. We'll get you out of here. So, I
5 just want to be clear you were not personally involved in this
6 transaction that involved your mother, correct?

7 A. Do you mean in returning the money or --

8 Q. No. So, the transaction where your mother sent money to
9 Mr. Freeman, you were not involved in that, correct?

10 A. No, no. I can only tell you what my mother told me.

11 Q. Okay. So, your knowledge about that transaction is based
12 on what Mr. Freeman told you, correct?

13 A. Yes.

14 Q. And what your mother told you, correct?

15 A. Yes.

16 Q. And you don't have any of the records related to that
17 transaction, correct?

18 A. I was given the picture that was used to try to convince
19 Mr. Freeman to make the transaction.

20 Q. And this was a picture of your mother?

21 A. It was a picture of my mother with her driver's license
22 and a note saying, I authorize the purchase of bitcoin.

23 Q. How old is your mother, Mr. Niwa?

24 A. 80 years old.

25 Q. Where does she live?

1 A. She lives in Orange County, California.

2 Q. So, again, so your knowledge is just basically what you've
3 heard from Mr. Freeman and from your mother, correct?

4 A. Those are the only two sources, yes.

5 Q. So, you don't know whether or not Mr. Freeman had his bank
6 account frozen as a result of this transaction, correct?

7 A. Frozen, no. He did tell me he had difficulty being able
8 to make a check because of banks. He specifically told me that
9 Chase Bank had closed his account.

10 Q. Okay. So, a bank closed his account as a result of this
11 transaction?

12 A. No. I was never told it was because of that transaction.

13 Q. Okay. So, you don't know whether or not this transaction
14 triggered his account to be frozen, correct?

15 A. No, I do not.

16 Q. And you don't know whether or not Mr. Freeman was
17 returning the money in an attempt to unfreeze his account,
18 correct?

19 A. I do not have that information either, no.

20 Q. And I assume you don't know whether or not Mr. Freeman
21 sent any bitcoin in this case, correct?

22 A. I know that he didn't send any bitcoin.

23 Q. So, Mr. Freeman didn't lose any money on this transaction,
24 correct?

25 A. I don't know. I have no idea.

1 Q. Okay. Well, your mother sent \$11,000, correct?

2 A. Yes, my mother sent \$11,000, and I asked Mr. Freeman to
3 deduct any charges that he incurred.

4 Q. We'll take it just piece by piece. Your mother sent
5 \$11,000 to Mr. Freeman, correct?

6 A. Yes.

7 Q. And Mr. Freeman did not send any bitcoin, correct?

8 A. He did not send any bitcoin, no.

9 Q. And then he returned the \$11,000 minus some fee?

10 A. Yes.

11 Q. And your only interactions with Mr. Freeman are with
12 respect to this one transaction involving your mother, correct?

13 A. Yeah, that's the extent of my conversation. I would say
14 you are saying that my mother sent Ian Freeman the money, and
15 that's not my mother -- or I would say I don't know that, to be
16 honest. I know that money was sent to the Church of the
17 Invisible Hand, which is a business entity, but I don't know
18 what that relationship or what the -- if he's a sole proprietor
19 or if that's a corporation, I don't know.

20 Q. Okay. So, what you know is that \$11,000 was sent from
21 your mother's account to an account in the name of Church of
22 the Invisible Hand?

23 A. Yes.

24 Q. Okay. I don't have anything further for you. Thank
25 you.

1 THE COURT: Redirect.

2 MR. SISTI: Thank you. It'll be real brief.

3 REDIRECT EXAMINATION

4 BY MR. SISTI:

5 Q. Thank you. It will be real brief. What you know is
6 11,000 was sent, right?

7 A. Yes.

8 Q. Freeman got in touch with you, right?

9 A. Yes.

10 Q. He helped you over a period of three months, correct?

11 A. Yes.

12 Q. And the \$11,000 got back to your mother?

13 A. Minus nominal, you know, small charges, yes.

14 Q. Okay. I appreciate it. Thank you.

15 THE COURT: Professor, you're excused. Thank you.

16 THE WITNESS: Thank you.

17 MR. SISTI: Defense rests at this time, Judge.

18 THE COURT: All right. Ladies and gentlemen of the
19 jury, the defense has arrested its case. What we're going to
20 do now is rearrange the courtroom a little bit so the attorneys
21 can give their summations, so you don't have to wait while we
22 do that. We're going to give you a short break.

23 THE CLERK: All rise.

24 (The jury exited the courtroom)

25 THE COURT: Anything for the Court?

1 MR. SISTI: We didn't get rulings on the motions, the
2 Rule 29s, and I would renew motions at this point in time.

3 THE COURT: Motions renewed, remain under advisement.

4 MR. SISTI: Thank you.

5 THE COURT: Quick question. Please be seated. So,
6 that's a different mosque than the mosque of the video?

7 MR. AFRAME: No, we don't think so.

8 THE COURT: Same mosque?

9 MR. AFRAME: We think so.

10 THE COURT: Has the video been provided to defense
11 counsel yet?

12 MS. MACDONALD: We played it yesterday.

13 THE COURT: All right. Okay. Let me know when you're
14 ready.

15 THE CLERK: All rise.

16 (Recess taken from 9:40 a.m. to 9:55 a.m.)

17 THE CLERK: All rise for the jury.

18 (The jury entered the courtroom)

19 THE CLERK: Please be seated.

20 THE COURT: All right, ladies and gentlemen of the
21 jury. The evidence portion of the trial is now over. You've
22 heard all the evidence. What you're going to hear now are
23 closing arguments from the attorneys or what we call
24 "summation."

25 I want to remind you of something I said in my

1 preliminary instructions and I will remind you again after, is
2 that closing arguments are not evidence; they are arguments
3 about the evidence. The lawyers are going to tell you what
4 they think you should interpret from the evidence and what
5 conclusions they want you to draw, but they're not evidence.
6 Keep that in mind.

7 Under our Rules of Procedure, the prosecution provides
8 the first opening; then the defense responds with its
9 opening -- I'm sorry -- closing. We're at the end, not the
10 beginning. The prosecution starts with its closing; then the
11 defense closes; and, if it wishes, the prosecution gets to do a
12 shorter rebuttal. That's the rules.

13 So, who's closing for the prosecution?

14 MR. AFRAME: I am, your Honor.

15 THE COURT: Mr. Aframe, you may proceed.

16 MR. AFRAME: Thank you.

17 CLOSING ARGUMENT

18 BY MR. AFRAME: You've heard plenty of excuses during this
19 trial from Ian Freeman, and I'm going to address many of them
20 as I talk to you, but the most absurd of all is the idea that
21 he is somehow not responsible for his conduct in the case
22 because the government cannot find the scammers who hired him
23 to obtain the bitcoin.

24 You know from Special Agent McBrearty that these
25 scammers are extraordinarily difficult to find because they

1 hide their tracks, and you know how they do it: overseas
2 locations, fake names, spoofed phone numbers, phony emails,
3 and, most importantly for this case, the hidden money trail,
4 because you know now that bitcoin is anonymous; once it's sent,
5 it's gone, and nobody knows who it went to.

6 So, let's think about it for a moment. Did any of
7 these scammers really want to use Ian Freeman? He charged a
8 lot of money and fees for sending along anonymous bitcoin. For
9 the Telegram customers you know that it was at least 10
10 percent. The scammer could have made a heck of a lot more
11 money if he could have just cut Freeman out of the deal and get
12 the money directly from his victim, but they didn't do that.
13 Why? Because, of course, it would have left tracks. They had
14 to hide those tracks, and the scammers hired Ian Freeman to
15 turn the victim's money into anonymous bitcoin. No tracks,
16 hide the money. That was Freeman's purpose. That was his job.

17 Consider Dannela Varel and the so-called Jerry Harmon.
18 If Varel had sent her money directly to Harmon at that 10
19 percent fee, \$755,000, \$75,500 went to Ian Freeman for sending
20 that bitcoin. That's a lot of money that Jerry Harmon had to
21 give up, but Freeman was a cost of Harmon doing his business.
22 What was his business? The scamming of people on the Internet.

23 Freeman was offering an important service for which
24 scammers were willing to pay. What was that service? The
25 anonymous moving of bitcoin. He moved large quantities of

1 funds, Freeman offered his users anonymity, and they paid him a
2 pretty penny for it. That's money laundering. He's the one
3 that makes the scammers hard to find, and that's a serious
4 crime, and that's what this trial was all about.

5 The evidence in this case showed you conclusively that
6 Freeman intentionally set up a bitcoin money-transmitting
7 business to help scammers and other criminals. He bought large
8 amounts of bitcoin to the tune of many millions of dollars.
9 You saw the bank records. You saw the millions of dollars
10 going to the exchanges. That's right. He was buying bitcoin
11 in the normal way at exchanges. These are real companies that
12 try to collect real information from their customers so that
13 their service is not used for money laundering. And what did
14 he pay for that bitcoin that he purchased? Less than 1
15 percent.

16 I invite you to look at the Kraken records that we
17 presented at this trial. It was Exhibit 914. \$280,000 worth
18 of bitcoin bought by Ian Freeman from Kraken for \$440. Even
19 when he advertised on LocalBitcoins, he sent one advertisement
20 to buy for himself, what percent did he offer to pay? Go look
21 at Exhibit 1201. He offered to pay 1 percent.

22 Once Freeman acquired all that bitcoin, he sold it,
23 right? He sold it through kiosks, he sold it on
24 localbitcoins.com, and, most importantly for this case, he sold
25 it on Telegram, and he sold it for big fees. You saw the kiosk

1 charge 14 percent, you saw Freeman tell people that he would
2 charge a 10 percent flat fee on Telegram, and you saw that the
3 LocalBitcoins advertisement went up to a 21 percent charge.

4 Why? Why was Freeman able to sell this bitcoin for so
5 much more than he bought it? Because he offered something
6 special. He offered something valuable. He offered his
7 customers absolute anonymity.

8 In his opening statement Mr. Sisti said, You won't see
9 any scammers walk arm and arm with Mr. Freeman, and that's
10 right. Ian Freeman's too smart for that. He didn't proceed by
11 locking himself arm in arm. He proceeded with the scammers by
12 the wink and the nod. So, what was the wink? It was those
13 advertisements on LocalBitcoins. It was those rules posted on
14 the kiosks and that he put on the Internet. What did those
15 rules and advertisements say? Anonymity.

16 Let's look at the kiosk for a minute on the screen,
17 Exhibit 502. What does the rule say? Number 4: Our staff
18 love crypto and are happy to discuss them, but they don't need
19 to know why you want them. Keep that to yourself.

20 Exhibit 302: Do not tell our staff why you want to
21 buy the cryptocurrency.

22 And you know these are the rules posted right on the
23 kiosks.

24 In Exhibit 1541 these are the rules that Mr. Freeman
25 wanted to be posted on a website about his kiosks. Rule Number

1 1: Don't tell our staff why you want the coins. Anonymity.

2 And the LocalBitcoins was the same. Exhibit 1201, it
3 contained all the advertisements, and you know that they all
4 said the same thing, so just here's an example: What you do
5 with your bitcoin is your business. Don't tell me what your
6 plans are.

7 In our opening statement we called these promises of
8 anonymity invitations, but really they were dog whistles. The
9 dogs knew what Freeman was promising with these ads and rules
10 guarantying anonymity. Don't ask, don't tell. Get me the
11 cash, I'll get you the bitcoin. No questions no matter how
12 suspicious the transaction, no matter how vulnerable the
13 purported buyer appeared to be. Process the sale, send the
14 bitcoin, keep the fee to the tune of millions of dollars.

15 And those dogs, they came in packs. Many of these
16 dogs were, as you learned, they were dirty dogs, they were
17 scammers, they were criminals.

18 But let's not overstate things. Was every person who
19 bought bitcoin from Ian Freeman a criminal? I'm sure not. I'm
20 sure not. I'm sure that there were people who conducted
21 smaller transactions at the kiosks or even the occasional
22 legitimate transaction on LocalBitcoins. But in this case we
23 were talking about the big customers, the repeat customers, the
24 ones he wanted to take offline to Telegram, where no one could
25 see what he was doing.

1 Agent McBrearty told you she interviewed between 30
2 and 40 people from that Telegram folder on his computer. Not
3 one of them said they were buying bitcoin for their own desire,
4 not one.

5 Agent Thibault said there were so many SARs filed by
6 banks on Ian Freeman transactions she couldn't deal with them
7 all; she had to just deal with the higher value ones because it
8 was overwhelming.

9 And you have not seen a single witness testify at this
10 trial who says that he or she bought from Freeman because they
11 wanted the bitcoins for themselves, not a single person. But
12 even for the moment, assuming that there are legitimate
13 transactions mixed in, that has nothing to do with this case.

14 The pertinent question here for you is this: Did Ian
15 Freeman know that he was creating an operation for criminals to
16 use to hide their tracks by buying his bitcoin? He did. And
17 how do you know? He told you. At that midnight meet-up with
18 his crypto buddies in Keene Central Square on June 20, 2020, in
19 an unguarded moment among friends he spilled it. Unfortunately
20 for him, when he did that, he didn't know that an FBI -- an IRS
21 undercover agent was taping that admission.

22 But here's what he said at that meet-up: If you fall
23 in love with a guy from Africa, I can't talk you out of it, you
24 know, so it is what it is. The vending machine is a way for
25 them to take the money they have and send it to the person

1 they've fallen in love with. He knows. He knows the kiosks
2 are a way to complete these Africa scams. Could he tell you
3 any more plainly that he knows that he's in the business of
4 helping scammers complete their crimes?

5 And he knows all about these romance scams. He knows
6 they prey on old people, and he knows they originate in Africa.

7 Let's listen to his own words.

8 (Audio recording played)

9 MR. AFRAME: He knows how these scams work, he knows
10 who does them, and he knows who they victimize. He had two
11 international ads on LocalBitcoins. You can see that in
12 Exhibit 1201. One of them was for the Nigerian naira. Was
13 Nigeria a random choice of countries to pick? I don't think
14 so. He believes, and you just heard, there are plenty of
15 scammers in Africa, so he decided that's where he was going to
16 try to blow his dog whistle the loudest.

17 When Freeman told the IRS undercover in their Telegram
18 chat that old ladies put \$40,000 into those kiosks, based on
19 everything I just played for you, what was he saying? Wink,
20 wink, nod, nod. Those are romance scam victims sending money.
21 Why? Because he offered something special. He offered
22 something valuable. He offered anonymity to those fake
23 boyfriends in Africa.

24 And in that same recording of the meet-up that I just
25 quoted for you Mr. Freeman claimed that what these people were

1 doing, what these old ladies who were putting \$40,000 into the
2 machine were doing, was none of his business. But, of course,
3 it was his business. Literally this was his business, turning
4 dollars into bitcoin. That was his business. He intentionally
5 turned a blind eye to what was happening because he knew he was
6 helping people complete their crimes. He set this thing up to
7 invite the scammers to use his operation. That was the plan.
8 Don't ask, don't tell.

9 What did he tell the IRS undercover about those kiosk
10 machines? He disabled everything. No identification, no
11 forms, no facial recognition. And it's not that those things
12 don't exist on the form. Read closely the Telegram chat with
13 the undercover. Freeman said he disabled them; he turned them
14 off. They were there. They were there to help make
15 transactions safe, to help stop the money laundering, but he
16 turned them off. Why? Because that's how he kept those kiosk
17 transactions anonymous. That was his promise. He knew why
18 people wanted to use the machine. He told you why. He set it
19 up to make those transactions completely anonymous. He allowed
20 the bitcoin to be sent. He kept the commission. Freeman knew
21 exactly what he was doing: bitcoin to a scammer, money in his
22 pocket, old lady losing her life savings.

23 Let's look closely at Freeman's communication with the
24 IRS undercover. There's more evidence there that Freeman knew
25 exactly what he was doing. The undercover had been buying

1 bitcoin and leaving all sorts of hints about all the cash that
2 he had that he needed to get rid of. Were there any questions
3 from Freeman? No. When the undercover broached the idea of
4 sending money in the mail to Freeman, he asked Freeman what
5 mail service he should use. What did Freeman say to that?
6 Let's listen to Exhibit 606.

7 (Audio recording played)

8 MR. AFRAME: Freeman's concern was about search
9 warrants. Do you think about search warrants when considering
10 whether you're going to use FedEx or the Post Office? I doubt
11 it. He knew that the undercover's cash was suspicious, and he
12 advised him accordingly.

13 Do you remember Mr. Sisti's questioning in response to
14 that clip? That was an absurd moment in this trial. Freeman,
15 the anti-government libertarian, was supposedly advising the
16 undercover, according to the questioning, to use the
17 government's mail service because he thinks that FedEx and UPS,
18 the private companies, are full of criminals and thieves. Come
19 on. You're supposed to believe that Freeman thinks the
20 government can be trusted to deliver the mail when he doesn't
21 think it can be trusted to do anything else? That argument
22 smacked of desperation, because this was evidence that Freeman
23 knew. Freeman suspected the undercover was engaged in criminal
24 activity, and he advised the undercover accordingly, because he
25 knew.

1 And then, when the undercover finally told Freeman
2 explicitly that he was a drug dealer, look closely at Freeman's
3 response. Quote: You got a little too loose-lipped, so I'm
4 not opposed to the sale of drugs. I do need to be careful.
5 Sadly, that means I can't KNOWINGLY, in all capital letters,
6 sell you bitcoin.

7 I'd ask you to apply your common sense to that
8 conversation. If Freeman believed that the undercover was a
9 legitimate business person who had been investing in bitcoin
10 who then sprung out of the blue that he was actually a criminal
11 drug dealer using Freeman's services to launder funds, how
12 would you expect Freeman to act? Anger? Disgust? Get away
13 from me? Not Ian Freeman. He chastises the undercover for
14 being too loose-lipped, for violating the Don't tell me what
15 you're doing with the bitcoin golden rule, and he says he
16 cannot any longer help him KNOWINGLY, all caps. In other
17 words, just keep it on the down low, and we're fine. Freeman
18 knew all along it was all part of the plan. The undercover
19 violated the wink-and-nod agreement. Freeman knew.

20 How else do you know Freeman knew? Consider the red
21 flags that Ian Freeman ignored in these transactions, the
22 obvious facts showing that these transactions were suspicious.
23 Why did he ignore them? Once again, because he knew, he knew
24 his business was laundering criminal proceeds under this
25 no-questions-asked policy. That was his plan: Look the other

1 way. He was what the judge will describe to you; he was
2 willfully blind.

3 Let's look now at some of those red flags that Ian
4 Freeman ignored. Let me start with cash. People sending
5 enormous amounts of cash, that's an obvious red flag for
6 possible criminal activity. And some of those LocalBitcoins
7 chats that were read to you in this trial, frankly, were
8 ridiculous, people sending Freeman hundreds of thousands of
9 dollars in the mail.

10 Here's an example: The LBC customer says, I need to
11 cash out about \$500,000, U.S. dollars to bitcoin, but I need to
12 do it slowly. Did Freeman ask a single question about the
13 origin of all that cash? Of course not. What was his
14 response? My direct rate is 10 percent.

15 Here's another one, Exhibit 1216. Remember this guy,
16 Arnaiz, this guy from Mexico? He wanted to buy 17 bitcoin. Go
17 back to the chat. If you do the math, you'll see that was
18 almost \$100,000. How did he propose sending it? Cash in the
19 mail. Did Freeman have any questions about that? No. What
20 was his response? You can send it overnight.

21 Language. We know that Ian Freeman is aware that many
22 of these scams originate abroad, and we also know that Freeman
23 is sensitive to the language that people use in the chats. Ian
24 Freeman is not stupid. When the people who are working for
25 him, like Renee Spinella and Chris Rietmann, report suspected

1 scams to him either on LocalBitcoins or at one of the kiosks,
2 Freeman does not entirely blow them off. Why? Because he
3 knows that even his friends won't tolerate what he will when no
4 one else is watching.

5 Let's look for an example at Exhibit 819. This is
6 Renee talking to Ian about a LocalBitcoins chat that she's
7 doing. So, Renee says, I don't know about this guy. Probably
8 ripping someone off or just dumb. Ian says, I'll take a look,
9 and then he says, Ha. How many Brendas say bro? Renee says,
10 Good point. In other words, Freeman suspects in that situation
11 that the person pretending to be Brenda is a fraud, because the
12 language that person used in the chat doesn't match the
13 identity the person was claiming. Freeman is sensitive to the
14 language in these chats. He's not stupid. But then look at
15 what Freeman will let go with no questions asked when he thinks
16 no one else is watching. Here are two examples, but there are
17 many.

18 So, let's look at Exhibit 1221 for a second, and I'll
19 point your attention to the ones in yellow:

20 "Hello. Am using my partner. We are working together
21 but after deposit the money I'll do whatever you want me to do.
22 My account was freeze from btc before using my partner. My
23 partner received the it, but I'll deposit it on his ba half
24 (sic) and do whatever you want me to do. We have trade before.
25 My username is Kgreg89, but my account was hack so am using my

1 partner."

2 Who supposedly sent that? Karen Greene, a woman born
3 in 1971, from Travelers Rest, South Carolina. Brendas don't
4 say bro, and middle-aged women from South Carolina don't say,
5 My account was freeze or my account was hack. Freeman knew.

6 Another example was Patrick Brown, Exhibit 1225.
7 Patrick Brown said, "Friend, I am comparatively fresh on LBC,
8 but I have traded good. Yea, I read it that's how your release
9 time is so less. I completely understand that. I can trade
10 offline with you. I have been trading offline since long using
11 Coinbase Pro, but they have some technical issue going on, as
12 they mention on my account BTC help are in there."

13 You met Patrick Brown. You know Patrick Brown is a
14 60-some-odd-year-old Caucasian man from Texas who grew up in
15 Oklahoma. He doesn't write like that, and he doesn't describe
16 something as comparatively fresh. Brendas don't say bro.
17 Freeman knew.

18 Another red flag that Freeman ignored time and time
19 again are the third-party trades. Those are the trades when
20 someone else is sending Freeman cash and then asking Freeman to
21 send the bitcoin to a third person. Those kinds of
22 transactions are so suspicious that the itBit witness, Kate
23 Eyerman, says her company never does them. Look at the
24 loveshotz chat. They're against the LocalBitcoins terms of
25 service. But you don't even know all that -- you don't even

1 need to know all that, because Ian knows that they are not a
2 good idea when someone else is watching, because listen to him
3 on his radio show when he said he doesn't usually do them.

4 (Audio recording played)

5 MR. AFRAME: I generally don't do them either, but, of
6 course, you know when Freeman thinks no one else is watching he
7 does them all the time.

8 Remember the loveshotz chat? Chiedu from Nigeria
9 wants Mary Hurd in Nevada to send Freeman money so that Freeman
10 can send a bitcoin to Chiedu. Chiedu says that Mary is his
11 in-law. On another day he says his company accountant,
12 Barbara, will be sending the cash.

13 Here is Chiedu. Does this guy without a shirt look
14 like he's the company CEO? I don't think so. But no questions
15 asked, not a single one. Send the bitcoin, collect the fee.

16 And can you believe that Ian Freeman doubled down on
17 his LocalBitcoins feedback yesterday? Who was writing the
18 feedback? The scammers were writing the feedback. You saw it,
19 the big fight with Chiedu, and then how does Mr. Freeman end
20 it? Send me positive feedback. The person scamming Patrick
21 Brown, the person scamming James Rossell, they were the ones on
22 LocalBitcoins. They are the ones writing the feedback. Those
23 are Mr. Freeman's reviewers. Of course they love him; he's an
24 expert money launderer. No questions asked, quick release
25 time, next trade, again and again and again. It's a scammer's

1 dream.

2 And I just mentioned James Rossell. Let's talk about
3 him for a second. He was the firefighter from New Jersey who
4 was being scammed out of his wife's life insurance by Mary
5 Romeo. Mary wasn't the smartest scammer around, to be
6 perfectly honest with you, because she was actually passing on
7 through those chats to Freeman the actual information Rossell
8 was providing to her. So, initially Mary says Rossell was
9 buying 67,000 for personal investment. You know from Mr.
10 Rossell that was a lie. But when the bank stopped Rossell's
11 wire, why did they do that? Because it appeared fraudulent.
12 In sort of a not-too-bright move Mary put that in the chat to
13 Mr. Freeman. What did Freeman do with that information?
14 Nothing. Not a single question, nothing.

15 Instead, Freeman called Rossell. Why did he call him?
16 He wanted his money. And Mary got Rossell to write a check.
17 Remember that? But Rossell didn't have enough money to cover
18 the check. He had written the first, the wires for 67,000, and
19 now some time had gone by, and he told Mary he needed to wait
20 for his pension check to arrive to make good on the full
21 \$67,000. Mary again, in what I would describe as not too
22 bright a move, decided to put that in the chat to Freeman, too.
23 Did Freeman have any questions about that? No.

24 Would someone like Rossell, who you saw here, be
25 investing his very last cent in bitcoin? Does that cause

1 Mr. Freeman any concern? Nope. He just wants to make sure
2 that Rossell mails the checks Priority.

3 And after that, after all that suspiciousness, out of
4 nowhere Rossell now has two new clients, third-party trades,
5 people from Wisconsin and Florida, older men who are going to
6 send money to Mr. Freeman so that the bitcoin can be sent to
7 James Rossell and, of course, really to Mary. Third-party
8 trades from a firefighter with no money out of the blue. Does
9 that make any sense? Of course not. Questions from Freeman?
10 Of course not.

11 And read the end of the jrossell11313 chat when you're
12 back there. How much percent do you charge?, says the chat.

13 Brendas don't say bro.

14 And let's look at this chart. This was the story from
15 the Telegram folder of Elizabeth Corley from Iowa, born in
16 1965. She makes some kind of trade with Freeman on November
17 2019, and then between November 19th and February 7th she
18 supposedly sends one, two, three, four, five, six other people
19 to do trade with Mr. Freeman on her behalf from Illinois,
20 Florida, New Jersey, Nevada, Pennsylvania, North Carolina,
21 ranging from -- dates of birth ranging from 1946 to 1994, all
22 within a short period of time.

23 Does he ask a single question about what's going on
24 here; why are all these people sending money from wherever they
25 are to Ian Freeman to send bitcoin to the Elizabeth Corley in

1 Iowa? It doesn't make sense. He didn't ask a single question.
2 It's just take the money.

3 This is Schmidt. Go back and look at the records from
4 Chris Reitmann and the Bank of America account. This is the
5 guy who sends two wires within a couple of days for \$130,000
6 with a memo line that says: Orphanage. Not a single question.
7 Go back and look at the photos, go back and study this. It
8 doesn't make sense. It doesn't matter.

9 Freeman did these third-party trades constantly.
10 They're all over the LBC chats. They're all over the Telegram
11 folders. They are the most suspicious trades of all, someone
12 sending him money to send the untraceable, anonymous bitcoin to
13 someone else. He didn't ask a single question about any of
14 them. Ignore the red flags, do the trade, make the money time
15 and time again.

16 And, of course, there were many red flags within that
17 Telegram folder on Ian Freeman's laptop. That folder was
18 exactly as it was on his computer the day it was seized. You
19 saw every single folder just as Freeman compiled it himself.
20 And so, let's start with the most obvious red flag of all, the
21 age of the folks in all of those sub-folders.

22 Members of the jury, we're talking about bitcoin, not
23 mutual funds, not bonds, not IRAs. We're talking about
24 bitcoin, a highly speculative, volatile, new investment vehicle
25 that requires sophisticated, cutting-edge technology so that it

1 can be used. And the communications that were made were all on
2 Telegram. I ask you how many of you knew what Telegram was
3 before you stepped foot in this courtroom two weeks ago? Who
4 would you expect to be investing large sums of money in bitcoin
5 using Telegram? I suggest to you by and large younger people,
6 folks who are more comfortable with the technology, folks who
7 have lots of earning years ahead of them so that they can
8 afford losses based on speculating in virtual currency. Where
9 are the young people who should be predominating Freeman's
10 Telegram business, if it really was legitimate? They are
11 nowhere. They are completely absent.

12 Here's who they were (indicating). These are the
13 people in Mr. Freeman's Telegram folder. Virtually all the
14 people in the Telegram folder are precisely in the age that Mr.
15 Freeman said are the people who are targets for romance scams.
16 He knows it. He knows what's going on. He just doesn't care
17 as long as they send these pictures with the wire slips or the
18 deposit slips that contain the magic words.

19 And so, let's talk for a minute about that, these
20 selfies and magic words. His computer and his LBC chats were
21 littered with them. This was his so-called KYC.

22 Why did Freeman want these pictures? It had nothing
23 to do with knowing his customers and certainly not with
24 protecting any of these people from fraud. It had everything
25 to do with protecting himself. If Freeman sent the bitcoin and

1 the bank called back the wire, the bitcoin was gone. Freeman
2 can't get it back. He was the loser. So, to avoid that
3 outcome he needed some evidence to fight with the bank if they
4 tried to reverse a transaction, a selfie to show the bank that
5 in a particular transaction the person took the photo and wrote
6 the words. And Freeman proudly told you yesterday he was able
7 to win those fights with the banks; they would give him usually
8 his money back. After all, it shows the person, it shows they
9 wrote the words. You can see how that might be effective.

10 And is it possible -- put yourself in the shoes of a
11 bank person. Is it possible that in a single case an older
12 person wants to buy bitcoin? Of course it's possible.

13 Dale Chapman testified yesterday, that 75-year-old
14 former Spanish teacher from Amherst, she was interested in
15 bitcoin. But I also asked her were any of her friends? No.
16 And so the selfie helps; it helps Freeman suggest that this was
17 one of those unusual older people who wanted to buy bitcoin for
18 him or herself.

19 But what the bank doesn't get is what you got. You
20 got to see the entire contents of this Telegram folder. They
21 see one selfie from one transaction. The bank doesn't know
22 that virtually all the Telegram clients are older folks buying
23 under these circumstances. But you've seen all that. You know
24 all that. This was CYA for Ian Freeman; it was not KYC
25 protection for his customers. For banks he needed evidence to

1 fight, when necessary, and to do that he papered his file with
2 these meaningless photos.

3 Compare that with the kiosks where Freeman
4 intentionally made sure there were no photos. What's the
5 difference? In the kiosks he had the cash in hand. It was in
6 the box. No bank could reverse that. No wires to be reversed,
7 no deposits to be turned around, so no pictures. Less evidence
8 is better. But for the wire situation and the cash deposits
9 with the banks there was risk, so he did this (indicating).
10 Those selfies were 100 percent about Ian Freeman protecting his
11 wins, nothing more, nothing less.

12 And you know the most absurd part of this fighting
13 with the banks is what he said to TD Bank in Exhibit 707.
14 Here's the selfie that he attaches to the bank, and there's a
15 long email that you can read all of when you're deliberating,
16 but here is the part I want to emphasize: As long as they jump
17 through all the hoops, it's almost...totally fine. That's what
18 he tells the bank, and, based on what you've seen in this
19 trial, it's never fine. It's money laundering over and over
20 and over.

21 Let's look at one other red flag in that Telegram
22 folder, the fees Freeman charged. You have learned that, if
23 anonymity is not your number one concern, you can buy a bitcoin
24 -- you can buy bitcoin for a heck of a lot less than Ian
25 Freeman was selling it. I already said the \$280,000 from

1 Kraken, \$445. Kate Eyerman said that itBit, another real
2 exchange, charges .3 percent, \$100 of bitcoin for less than a
3 penny.

4 Consider Patrick Brown. Ian Freeman bought \$280,000
5 of bitcoin from Kraken. Patrick Brown supposedly bought
6 \$280,000 worth of bitcoin from Ian Freeman. If we assume the
7 Telegram rate of 10 percent, that would have cost Brown for
8 using Freeman \$28,000 to buy that bitcoin. Brown could have
9 bought that same bitcoin from Kraken for \$444, and if he went
10 to itBit it would have cost \$980.

11 If these were legitimate transactions, why would older
12 folks want to pay huge sums of their investment money to
13 purchase anonymity? Why would anonymity be so important to any
14 of these people? The answer is it wouldn't be. There is
15 absolutely no reason for it. It makes no sense. Freeman knew
16 what was going on. The scammers needed the anonymity. He
17 turned a blind eye, because anonymity was his promise to the
18 people who are behind these pictures.

19 And you also know that, if Freeman had asked these
20 older folks a single probing question about what they were
21 doing, these scams would have collapsed almost instantly. The
22 people you met were not trying to hide anything from Freeman.
23 Consider Dannela Varel as an example. She would have told
24 Freeman she was sending money to Harmon to help him on his oil
25 rig. Indeed, despite Freeman's instructions to put lies on the

1 wire forms, Varel wasn't totally comfortable with that, but she
2 also put the true reason: Oil drilling equipment. What did
3 Freeman do with that? Well, of course, nothing.

4 Harold Jones wasn't hiding anything. Karla Cino
5 wasn't hiding anything. None of them were hiding anything.
6 Freeman knew that, and so he was careful not to ask. If he was
7 going to call them at all, it was a quick authorization and get
8 off the phone as soon as possible.

9 Rebecca Aut told you that her call with Ian Freeman
10 lasted but a few seconds. That was just more papering the
11 file. It's better to tell the bank that I spoke to the person.
12 That might be good evidence. It's more evidence to present to
13 a bank, if needed. That's not KYC. That's CYA. It was
14 papering the file.

15 Mr. Freeman had the nerve to go up there yesterday and
16 tell you he was fooled by all these people because he asked
17 them basic questions and they all lied to him. Really? The
18 guy who built this whole business on a premise of, What you do
19 with your bitcoin is your business, don't tell me what your
20 plans are, was asking them basic questions? Look at those LBC
21 chats, go through them, look for one single invasive probing
22 question. Look for one. You won't find it.

23 He didn't save the Telegram chats, and I think you can
24 guess why, but he did save one for this guy Manfred Rodriguez.
25 Read that one. That guy was giving 17, 16, thousands and

1 thousands of dollars of cash every single day. Look for a
2 single question about why and where all this cash was coming
3 from. You won't find it.

4 These people weren't hiding why they were buying
5 bitcoin. They knew they were buying bitcoin. The only lie
6 these people told was the lie Freeman required them to tell,
7 the lie to the banks, and those lies were, frankly, ridiculous.
8 Church donation, rare coins, investments. Freeman suggested to
9 you yesterday those somehow were not lies. Were any of these
10 people investing, thinking about rare coins, any of the people
11 you met? No. They were all being scammed by someone who
12 claimed to be a desperate love interest, and if Freeman asked
13 any questions about that he would have known that in seconds.

14 And one last thing. Look at the velocity of the
15 transactions for many of the people in that Telegram folder.
16 Kate Eyerman told you that was a red flag, but you really
17 didn't need her to tell you that. It's common sense. If a
18 senior is going to make a significant bitcoin purchase as an
19 investment, I suggest you would expect a single transfer, but
20 these people -- many of these people didn't do that. They sent
21 lots of money in quick succession in multiple transactions.
22 Why? Because the scammers were pressuring them for more and
23 more cash as fast as possible before the victims realized they
24 were being scammed.

25 There were many examples: Patrick Brown, three

1 transactions, six days, \$280,000. Donald Huffman sent \$100,000
2 in a week. Dannela Varel, \$755,000 in six days in multiple
3 transactions. These are examples. Study the Telegram folder.
4 They're all in there, frequent large-dollar transactions.
5 Freeman just ignored it.

6 And when Freeman finally learned that someone had said
7 they were a fraud victim, what was Freeman's response? Let's
8 look at this conversation with Renee, 854:

9 The LBC buyer turned out to be a scam victim. Now I
10 get to lose my bank account likely and maybe the money. On
11 hold with the bank now.

12 You heard this morning that in some transaction where
13 Mr. Niwa didn't know much about it, that when Freeman didn't
14 send the bitcoin he was willing to send back the money. This
15 is the real situation. When Mr. Freeman knows when he sent the
16 bitcoin, when he's lost the money, what are his concerns? His
17 precious bank accounts and keeping the cash. He's not
18 interested in what happened to that scam victim. He is
19 interested in himself.

20 Members of the jury, everything I've said up to now
21 proves beyond a reasonable doubt the most important fact in
22 this trial: Based on his own statements, his own conduct, you
23 know that Ian Freeman was running a money-laundering business;
24 you know that Freeman was intentionally catering to scammers
25 and other criminals that were engaged in wire fraud. They were

1 using computers to convince victims to part with their money on
2 false pretenses, Harold Jones, Rebecca Aut, James Rossell, all
3 of them. And you know that Freeman helping these scammers was
4 a key part of the scheme. He was helping them hide the tracks
5 by making the money trail invisible. That's what money
6 laundering is, hiding the origin of the funds. It's money
7 laundering pure and simple.

8 Now, Freeman understood that there were two
9 institutions that could cause him trouble with his scheme, and
10 those were the government and the banks. So, let me talk to
11 you for a minute about the government. This is where the
12 unlicensed money servicing business comes in. You learned from
13 FinCEN representative Mr. Valahakis that money transmitters
14 present a particular danger of money laundering, and for that
15 reason money transmitters must register with the government.
16 They must follow certain rules under the Bank Secrecy Act.
17 Why? To stop money laundering they have to have real
18 procedures for identifying suspicious transactions and then
19 filing Suspicious Activity Reports if they encounter any of the
20 red flags, and you know Freeman didn't file any of those.

21 Freeman was running a money-transmitting business. A
22 money transmitter is someone in the business of transferring
23 funds by any means, and Judge Laplante will tell you that
24 bitcoin is funds; and you know that Freeman accepts fiat
25 currency, dollars, and, in return, he sends bitcoin to a

1 bitcoin address.

2 You remember Ali Comolli. I did the example with the
3 car, and she sent me bitcoin, and her wallet went down, my
4 wallet went up. She transmitted bitcoin to me. Pretty simple
5 idea.

6 That makes him a money transmitter. He needs to
7 register, and he needs to follow basic rules about something --
8 he needs to follow basic rules to stop money laundering.

9 Now, I want to be clear about something right here.
10 Transmitting bitcoin is not a crime. It is not a crime. It
11 just requires that those who choose to engage in it take
12 certain steps to prevent money laundering. So, to the extent
13 you've heard it suggested at some point in this trial that this
14 case is somehow about whether it's legal to sell bitcoin,
15 that's just wrong. It is legal to sell bitcoin as long as you
16 do it responsibly. This trial, at least partly, is about
17 someone who wanted to do that without following those rules,
18 because he wanted to launder money. It's these rules that
19 Freeman didn't want to follow, because he knew that Suspicious
20 Activity Reports were bad news.

21 Look briefly at Exhibit 1205. Here's one of his LBC
22 chats: Eric, I'm sorry. I cannot risk a SAR being filed. At
23 the end, This could trigger an investigation.

24 Of course he didn't want them filed on him, but he
25 also didn't want to file them on other people, because that

1 would draw attention to himself, especially since so many of
2 these transactions were so plainly suspicious. That could blow
3 the whole thing up.

4 So, how do you do that? How do you avoid filing SARs?
5 How do you avoid having the anti-money-laundering program?
6 Simply don't register. Hopefully you can just stay under the
7 radar, and when the government sends you a letter telling you
8 to register, you ignore it, and you just hope the government
9 goes away.

10 Listen to Freeman in his own words describing the
11 registration, 845B.

12 (Audio recording played)

13 MR. AFRAME: And 861A.

14 (Audio recording played)

15 MR. AFRAME: He knows you can't be a money launderer
16 and follow the rules, so he had to make a choice: follow the
17 rules or be a money launderer. He chose the latter.

18 The banks, they presented a more complicated problem
19 for Ian Freeman. Unlike the government, he couldn't just
20 ignore them. He needed them. He needed to move money around,
21 millions in from victims from around the country, millions out
22 to exchanges to get more bitcoin to send to scammers. That was
23 the business. It was big business. And you can't move all
24 that money without banks. So, Freeman needed banks, but he
25 just couldn't let them know exactly what he was doing.

1 And that brings us to another of the excuses that were
2 presented at this trial. Time and again it was suggested to
3 you that the banks were at fault because they did not stop
4 people from sending money to Freeman. But really what was the
5 actual evidence about the banks? Agent Katie Thibault said
6 that the banks had filed so many Suspicious Activity Reports on
7 these transactions she couldn't deal with them all. Rossell
8 told you his wire was returned from the bank because they
9 thought it was fraudulent. Harold Jones told you that the
10 banks told him that the transactions appeared fake. And
11 several of the banks shut their customers' accounts down
12 because of the sending wires to Mr. Freeman.

13 And what about Freeman's accounts? He was constantly
14 getting them shut down.

15 Remember Hope Cherry from the credit union in
16 Washington, D.C.? She thought Freeman's account was suspicious
17 from the start. She watched it for a couple of weeks, learned
18 of the tall tales of depositors from around the country through
19 her colleagues, and saw deposits coming from everywhere with no
20 rational explanation. She shut that account down within a
21 couple of weeks.

22 Freeman even had to keep a list on his computer of all
23 the banks that, as he put it, broke up with him so that he
24 could keep track of all the closings. He had so many accounts
25 closed that he needed other people to falsely open accounts in

1 their own names and let him control those accounts. Chris
2 Rietmann, Colleen Fordham, Renee Spinella, Mr. Nobody, they all
3 did that. Those accounts were closed, too. And this is all
4 despite the efforts Freeman took to conceal what he was doing
5 from the banks.

6 Remember when he told Renee to pose as a financial
7 dominatrix? Why did he tell her to do that? Because Wells
8 Fargo was on his trail and sent a letter saying that they
9 thought he was a money transmitter. That truly was pathetic.

10 And this is where the so-called churches come into the
11 case. Freeman needed a reason to explain the volume of cash
12 coming into his account. His brilliant idea was to say he was
13 operating a church and the money from the customers was for
14 donations. It was said in the opening these churches were
15 real. They were not.

16 You heard from Freeman's own friends, Chris Rietmann,
17 Colleen Fordham and Melanie Neighbours. None of them knew a
18 single substantive thing about this church, not a service, not
19 a meeting, nothing. Neighbours, who lived with Freeman at
20 Leverett Street, told you Freeman would only invoke the church
21 when he was trying to get some kind of advantage, a tax break,
22 and that's exactly what Freeman said on the stand yesterday.
23 He told you the church owns his car, his house, pays his food,
24 pays his gas, pays his travel, and then he told you he had no
25 income.

1 This church is a manipulation strategy. It's a tool.
2 It's a tool to mislead the banks. It's a tool to hide income
3 from the IRS so that he can say he owes no taxes. It's a
4 farce.

5 Freeman kept mentioning the church yesterday and then
6 saying "we" for everything he said it did. That "we," that was
7 the royal "we." Not a single person came into this courtroom
8 and said one single substantive thing about that church.
9 Freeman was the only one.

10 Freeman has suggested that Shire Free Church is real
11 because he made some donations in its name. The only records
12 you saw in this case about donations was that in 12 years he
13 gave \$6,400 to a homeless shelter in Keene. That's it. He
14 made more money on the single James Rossell transaction than he
15 ever gave to that homeless shelter.

16 And you heard some people testify yesterday about
17 their impressions of Mr. Freeman. Think about their testimony.
18 Do you think any one of them described a truly charitable act?
19 I don't think so. But the fact that someone makes a donation,
20 or the fact that someone does something kind, that makes them
21 charitable? That may make them kind. It doesn't make them a
22 church. You don't become a church, a mosque or a synagogue
23 because you made a charitable donation. That is completely
24 made up. Freeman used the church as a way to throw banks off
25 the trail for as long as he possibly could, and he didn't stop

1 with one church.

2 The Church of the Invisible Hand with Pope Nobody,
3 that's another farce. The documents for it were on Freeman's
4 own computer. He pretended to be Mr. Nobody when confronting
5 Bank of America on the church account. When it was convenient
6 he then said he was treasurer. Does that seem like the right
7 thing to say at the moment? The only evidence in this case is
8 the Church of the Invisible Hand was a front for Freeman to
9 open bank accounts. It was fake. And what about Renee's
10 Crypto Church? In describing it she said, I think as clearly
11 as one could possibly say it, The church equals moi. She is
12 the church. That really does sum it up.

13 Chris Rietmann, the so-called director of the Crypto
14 Church, Ian's friend, testified he had no idea what it is.
15 Freeman said yesterday Rietmann was a minister of the church.
16 Rietmann signed formation documents for Freeman. He did it for
17 him as a favor. Once again, Freeman simply made the facts fit
18 his theories.

19 And how about Freeman's efforts to get Renee to write
20 letterhead for the church so he could get a fake community
21 service letter? Remember this? This was Renee's response at
22 Exhibit 834A:

23 (Audio recording played)

24 MR. AFRAME: Does that sound like any minister you
25 know? And when Freeman asked Renee to open another account

1 later in the Crypto Church's name, here was Renee's response:

2 (Audio recording played)

3 MR. AFRAME: She's right. The church was a joke. And
4 how about Freeman? He needed two churches. The fake Shire
5 Free Church wasn't enough for him. He decided in 2020 that he
6 needed the New Hampshire Peace Church. Why? To have another
7 name in which he could open bank accounts. It's just like he
8 said to Renee: We just have to get you a church, another name
9 to confuse the bank for a while until they figure out what's
10 going on. And that New Hampshire Peace Church account at
11 Santander Bank, that's where poor Patrick Brown and Rebecca
12 Aut, among other victims, sent their money so Freeman could
13 launder it and send the bitcoin to the scammers.

14 The churches and the people willing to open accounts
15 for Freeman were key to his success. It gave him a way to get
16 accounts opened, and then he instructed his customers to lie to
17 the banks about the reason for the transaction, to keep the
18 account open as long as he could. For a church account have
19 them write Church donation. If it's a business account at
20 Local 101 Goods, have them write Purchase of rare coins.
21 Freeman had no interest in the real reason for these
22 transactions but was very concerned they write a proper lie to
23 the bank. He only cared that the real reason was written down
24 when it was all said and done so he could get his precious
25 selfie, because, if he ever needed to try to claw back his

1 money, he had a way to do it. It was all a bunch of lies.

2 Given the effort Freeman put into lying to the banks,
3 it's ironic that he spent so much time at this trial faulting
4 the banks. It's all irrelevant to whether Freeman's guilty, it
5 has absolutely nothing to do with it, but it's still pretty
6 amazing. He spends his time lying to the banks, he's
7 eventually caught lying to the banks, and then comes to court
8 to tell you it's all the banks' fault. That in a nutshell is
9 Ian Freeman. He's a manipulator to the end.

10 And then there's the grand finale. After setting up a
11 money-laundering business that earned him lots of money he
12 decided not to pay a penny of tax. Why? Because, as usual,
13 Freeman just creates his own rules. Do you remember the Stop
14 paying taxes stop sign on his porch? Do you remember Exhibit
15 612? Only suckers pay tax on crypto. Also, how was the
16 obligation to pay taxes created in the first place? I'd like
17 to see where I opted in, because I didn't, unless it was under
18 duress.

19 Freeman doesn't want to pay taxes, so he doesn't. No
20 returns, no nothing. It must be nice. And he hides it by,
21 once again, invoking the church in the nonsense that he's a
22 minister. And, by the way, ministers pay taxes, too, just not
23 Freeman.

24 How many checks did you see written directly by
25 Freeman to Freeman from Colleen Fordham's account when she

1 signed blank checks over to him? Many. This whole thing, this
2 church, it's just a giant word game. The Bitcoin business is a
3 church outreach program when it suits Ian Freeman, and when it
4 doesn't suit him it isn't. It then becomes his own cash cow
5 with checks being written to himself.

6 And then he has the audacity to come here and say to
7 you that he is not responsible for willfully failing to pay
8 taxes because the IRS didn't send him a letter inviting him to
9 pay.

10 Think about that for one second. FinCEN sent him a
11 letter asking him to register his money-transmitting business
12 or at least explain why he didn't need to. You already know
13 what Freeman did with that. In his own words he ignored it.
14 But his tax defense is that the government didn't send him a
15 letter telling him he should do what every honest American
16 knows is his or her responsibility, file a tax return? That's
17 the ultimate joke. There really is no bottom to what he'll
18 say.

19 So, that is the case. Freeman set up a
20 money-laundering business by transmitting bitcoin in exchange
21 for dollars under a don't ask, don't tell policy, knowing that
22 it would cater to scammers and other criminals. He took
23 millions of dollars from victims, shaved off a handsome
24 commission, and sent the bitcoin anonymously to a scammer. The
25 scammer wins, Freeman wins. The victimized older person,

1 they're the loser. He did his best to conceal the despicable
2 business by hiding it from the government, lying to the banks
3 about what he was doing, and, to top it off, he never filed a
4 tax return so he could keep every single penny from this
5 criminal enterprise.

6 But, of course, in the trial what you, the jury, are
7 going to be asked to do in a few minutes is actually apply
8 facts to elements. The judge is going to tell you in a few
9 minutes the elements of each of the charges, and before I sit
10 down I want to make sure I just review with you those specific
11 elements that you're actually going to be asked to find. And
12 so, let's start with operating an illegal --

13 THE COURT: Counsel, quick sidebar.

14 (SIDEBAR CONFERENCE AS FOLLOWS):

15 THE COURT: I'm sorry to interrupt you. I'm just
16 giving the reporter a second. You've really been flying.

17 MR. AFRAME: Sorry.

18 THE COURT: It's okay. I'm going to give her a chance
19 to breath for a second.

20 MR. SISTI: Is there a time limit on these things?

21 THE COURT: Yeah, this is long.

22 MR. SISTI: It is long.

23 THE COURT: About an hour. It's not a problem. How
24 long do you have?

25 MR. AFRAME: Ten minutes.

1 THE COURT: Okay. Try and breathe. You're really
2 flying.

3 MR. AFRAME: Really?

4 THE COURT: Yeah. You don't know because you're doing
5 it.

6 (END OF SIDEBAR CONFERENCE)

7 THE COURT: Okay.

8 MR. AFRAME: So, what I want to do now is just quickly
9 go through just some of the elements before I wrap up, just so
10 that I can make clear to you the government's position on the
11 elements as you are going to be instructed.

12 The first is an illegal money-servicing business. You
13 have to find that the defendant first controlled a business
14 engaged in money transmitting, and that's easy. A
15 money-transmitting business simply means something more than
16 the isolated transmitting of funds. And you know that Freeman
17 was transmitting bitcoin constantly and that he was in charge
18 of the business. It was all on his computer. He wrote the
19 contracts with his workers. You saw the Telegram chats with
20 Renee. You saw the chats with Aria. Freeman was the boss.

21 The second thing is that that business affected
22 interstate commerce. You saw time and again that Freeman
23 accepted money from people out of state, from people out of the
24 country, and then he sent them bitcoin. His money-transmitting
25 business moved millions of dollars in and out of New Hampshire.

1 That's an effect on interstate commerce.

2 And, finally, the business must be unlicensed. There
3 are two ways that the business that's relevant to this case can
4 be unlicensed. The most obvious is the business didn't
5 register with FinCEN. The FinCEN witness told you that all
6 money transmitters, businesses, no matter their size, must
7 register and follow the Bank Secrecy Act. He told you that
8 neither Freeman, his entities nor his confederates registered.
9 That's it. Freeman's effort to talk about state law
10 registration or a lawyer letter he obtained years before he got
11 the letter from FinCEN telling him to register have nothing to
12 do with this case. Freeman didn't register the business. That
13 makes him guilty. The reasons for it are just absolutely not
14 relevant.

15 And there's a second way the law considers Freeman's
16 business unlicensed. Even if he had registered it, which he
17 didn't, he would still be guilty if the funds in the business
18 were derived from criminal activity. You know they were.
19 Freeman set the whole thing up to help criminals hide their
20 assets. He knows the money flowing through the business was
21 dirty. That, too, makes him guilty.

22 And he's charged with conspiracy to run an unlicensed
23 money-servicing business. A conspiracy just means an
24 agreement. He was in an agreement with others to help him run
25 the business. He was -- I'll focus just on two people,

1 although there were others.

2 Chris Rietmann. Rietmann knows that a
3 money-transmitting business needs to be licensed. He told you
4 so himself. He was planning his own kiosk business. He called
5 it Flyby Coins, and he said he intended to register it with
6 FinCEN if he ever opened it. So, he knew what the requirements
7 were. Nevertheless, Rietmann helped Freeman manage the kiosk
8 at Route 101 Goods, open bank accounts. Rietmann knew he was
9 helping Freeman run this business.

10 And Renee was trading bitcoin for Freeman. She was
11 opening accounts for him. She was collecting money from the
12 kiosks. She expressly said -- look at 861 -- that Ian -- she
13 knew Ian was running an unlicensed money-transmitting business.
14 It was unregistered, as she said, and nevertheless she went on
15 helping Freeman to run it.

16 You'll also have to find what's called an "overt act."
17 That just means something done in furtherance of the
18 conspiracy. There were many overt acts. The most obvious is
19 these folks opened bank accounts, turned them over to Freeman,
20 and Freeman paid them for it. That makes him guilty of
21 conspiracy to operate an unlicensed money-transmitting
22 business.

23 Money-laundering conspiracy. Freeman conspired with
24 lots of different folks to launder money. The scammers were
25 his conspirators. The judge is going to tell you a conspiracy

1 is an agreement, spoken or unspoken. It doesn't need to be
2 formal. There doesn't need to be a specific plan in which
3 everyone involved sat down together to work out the details.
4 There need not be an express or formal agreement, and it is
5 sufficient so long as the conspirators came to a mutual
6 understanding that they were going to launder money. It's not
7 even necessary that Freeman knew the conspirators by their
8 names, and it doesn't need to be every transaction or even most
9 transactions. Any agreement with another person to launder
10 money is enough. In other words, there's no requirement that
11 Freeman and these scammers were arm and arm. The wink and the
12 nod does it, and, as I've discussed in detail, Freeman sent
13 that wink and nod through his ads and rules, and the criminals
14 came in droves.

15 Freeman had another partner, however, in this
16 endeavor, Aria DiMezzo. Remember her presentation and
17 association with the Shire Free Church? She had the same don't
18 ask, don't tell rule as Freeman. I won't play it for you now,
19 but go listen to Exhibit 1554, and you can hear it.

20 And she had a June contract she signed with Freeman to
21 sell bitcoin. And just look at this. She signed that contract
22 in June, and what happens right after that? The money starts
23 to flow in. She's now in his business with him, his church,
24 him, his church, her church. Sign a contract, go into
25 business. And, of course, they shared many of the same people.

1 I'll just hold this one up for a second. These are all the
2 people who were on Ian Freeman's laptop in that Telegram folder
3 and on Aria DiMezzo's cell phone. They were sharing clients.
4 They were working together. And you'll also see -- go back and
5 listen to the voice memos from Aria's telephone. They're
6 talking about the business. He was giving her instructions.
7 Listen to those. She was part of the money-laundering
8 business. She was his junior partner. They were conspirators.
9 They were conspirators to launder the wire fraud proceeds of
10 romance scammers.

11 And so, let's discuss now the money-laundering count.
12 I have no doubt that in a couple of minutes Mr. Sisti is going
13 to stand here and tell you that Freeman declined the
14 undercover's request to use the kiosks. He will argue that
15 Freeman did not engage in a financial transaction when his
16 Thirsty Owl kiosk sent bitcoin to the undercover's wallet. But
17 did Freeman really refuse? Listen closely to it. He didn't
18 say, No. He didn't say, Get away. Rather, he told the
19 undercover the kiosk was there at the Thirsty Owl and then told
20 him, I can't tell you you can use it. But that's the same
21 thing as when he said just before in all caps, I can't
22 KNOWINGLY sell you bitcoin. Just keep it on the down low. By
23 that point Freeman had already told the undercover that the
24 kiosks were completely anonymous. Freeman and the undercover
25 both knew that the undercover could use the kiosk and there

1 would be no record. It was the same wink and nod.

2 Moreover, you know that Freeman followed closely when
3 people put large amounts of money in the kiosks. Look at the
4 chats with Renee. He was constantly telling her, Whale, big
5 spender at the machine. He was following it. The undercover
6 put almost \$20,000 in the machine that day. He was a whale.
7 Freeman knew he did it. And what happened when it was all
8 over? Freeman reached out to the undercover and invited him to
9 a New Year's Eve party. Is that how you treat someone who
10 tried to launder funds using your business without your
11 permission? I don't think so.

12 And the evidence shows that Freeman was participating
13 in the undercover financial transactions by giving him the wink
14 and the nod to use that machine. It was the same wink and nod
15 as everything else in the case.

16 And that transaction, too, affected commerce. The
17 undercover came from New York with cash, and money was sent to
18 the blockchain, an international system of computers. The
19 defendant engaged in money laundering with the undercover.

20 And, finally, tax evasion. There's no dispute that
21 Freeman didn't file taxes, and you have seen he had major
22 income. Whether he likes that word or not, he said it to
23 Renee, he never spends to his income, and he did it willfully
24 in his own words, Only suckers pay tax on crypto, and he did it
25 under the guise of the fake church. He set up accounts in the

1 churches' names and had people write these were church
2 donations. It's how he hid the money. It's how he
3 affirmatively concealed his income. That's tax evasion.

4 Ian Freeman is big on excuses. Blame everyone else.
5 Blame the banks when they didn't uncover transactions
6 immediately because Freeman lied to the banks about the reason
7 for the accounts and told the scammers to lie about the reasons
8 for the transactions. Blame the FBI for not finding the
9 scammers when he's the one who laundered the money, making them
10 difficult to find. Blame the IRS for not sending him a letter
11 to pay taxes, when he says, Only suckers pay taxes, and ignores
12 other government letters that try to explain the law to him.
13 Blame FinCEN for sending the registration letter by email and
14 not including the salutation that Freeman deemed sufficient.
15 Blame the government for using a SWAT Team to conduct a safe
16 entry to his house when that house, as you know, is filled with
17 rifles. And when all else fails, just blame it on what Freeman
18 called yesterday "legal land" and declare yourself exempt from
19 those requirements that everyone else has to follow. He said
20 he didn't like the FinCEN guidance, so he didn't follow it.
21 It's everyone else's fault. It's the law's fault. It's never
22 Ian Freeman's fault.

23 Freeman is smart. He knew how to blow a dog whistle.
24 He knew how to invite criminals. He knew how to look the other
25 way when the criminals arrived. He knew how to paper his file.

1 He knew how to get people to help him. He knew how to hide
2 from the government and the banks. In short, he knew how to
3 launder money, and, by hiding the money trail from his
4 scammers, Freeman created a trail of tears for these people.

5 Freeman is a money-laundering tax cheat who refused to
6 register with FinCEN so that he could operate his criminal
7 scheme under the radar. It's no one else's fault. It's his.

8 Ian Freeman paraded witnesses in here to tell you he's
9 a good guy, and whether he is or isn't isn't for any of us to
10 decide, but what we know from this trial is that, when it comes
11 to selling bitcoin, what he did was no good at all. That was
12 criminal. He's a manipulative, lying money launderer. He used
13 bitcoin to help scammers steal old people's savings for a
14 handsome profit. You should find him guilty on the counts with
15 which he is charged.

16 THE COURT: Thank you, Counsel. We're going to give
17 the jury a break as well as the court reporter, so we will
18 resume at 11:30.

19 THE CLERK: All rise.

20 (The jury exited the courtroom)

21 (Recess taken from 11:14 a.m. to 11:34 a.m.)

22 THE CLERK: All rise for the jury. All rise for the
23 Honorable Court.

24 (The jury entered the courtroom)

25 THE COURT: Please be seated. All right, ladies and

1 gentlemen of the jury, you've heard the closing statement by
2 the prosecution. Now defense counsel will present his closing,
3 and you may hear a short rebuttal by the prosecution. After
4 that, you'll get your lunch break. We're buying lunch now.
5 That's the way it works now, once the trial comes to an end.
6 So, we will be buying lunch, and then you are going to hear my
7 instructions on the law right after lunch, and then after that
8 you'll begin your deliberations.

9 Mr. Sisti, please proceed.

10 MR. SISTI: Thank you, your Honor. I appreciate it.

11 CLOSING ARGUMENT

12 BY MR. SISTI: It's still morning. Good morning. Needless to
13 say, I do have a bit to suggest to you. It won't come in the
14 form of a fiery argument, but it's going to come in the form of
15 an objective, rational reflection of what you folks have
16 already seen here over the last couple of weeks.

17 I want to start by saying, first of all, that Ian and
18 I appreciate your service. It's a pain in the butt. I know.
19 It's December, it's not the time to be hanging around in a
20 federal courthouse, but you guys stepped up, and we really
21 appreciate it.

22 Over two weeks ago you were selected as jurors in this
23 case, and you made some pretty important promises, and I think
24 the judge told you that there's a few services as a citizen in
25 the United States that are really super important. One of them

1 we all know is military service. One of them, folks, is where
2 you guys are. Jury service is huge. Without jury service we
3 don't have a country of laws; it just runs amuck.

4 Because what are you, if you think about it? Just
5 think about what you are. You're actually the people that are
6 sitting between the government and the citizen, and you're
7 peers, and by peers you have to have an understanding of what
8 others do and how others act in certain situations; and, as
9 peers and as good jurors, you have to say to yourself, if I was
10 sitting over there with Ian next to Sisti, who would I want on
11 my jury? And we wanted you, okay? I just want you guys to
12 know that. And we know it's a sacrifice. It's an important
13 sacrifice. It's one we appreciate more than you think.

14 In this particular case, folks, you are going to get
15 some general instructions, some really good instructions, and
16 the instructions have to do with no speculation, no wondering,
17 no wishing, no second thoughts. It has to do with proof beyond
18 a reasonable doubt, the presumption of innocence, and your
19 common sense. Proof beyond a reasonable doubt is the highest,
20 highest standard in the world, all right, in criminal cases.
21 You've probably heard horror stories of other countries and how
22 they have a one-day trial and they hang the guy three days
23 later, something like that. This is not the way it is around
24 here. It's really important to hold the government to the
25 highest standard of proof possible in the world, and you guys

1 have got to do it. That's your job.

2 The other thing that you have to remember, and the
3 judge will tell you this, is that there's a presumption of
4 innocence. I don't have to be standing up here at all. We
5 didn't have to put on one witness. Ian didn't have to take the
6 stand. He could be acquitted just on the lack, insufficiency
7 of the evidence presented to you. He could be, because, quite
8 frankly, that case that was put on for you over the last two
9 weeks is just jam-packed full of speculation, innuendo and a
10 wish list.

11 I found it interesting that Mr. Aframe, who, by the
12 way, is a wonderful prosecutor, suggested that I may have made
13 absurd arguments during the trial or posited absurd positions,
14 and I thank him for telling you that I was going to be up here
15 talking about certain things with regard to an undercover
16 agent, or taxes or whatever. I'll use my own words. I know
17 what I've got to do up here, okay? But the one thing I'm going
18 to ask you not to do is speculate. When you leave -- after you
19 return with a verdict, it's over, it's done, you can't go home
20 wondering, so I'm going to ask you to keep that in the
21 forefront of your mind as I go through this.

22 And what I want to do is address a few things
23 initially that the prosecutor cherry-picked in his closing, a
24 good example of cherry-picking. Let me show you something.

25 That's cherry-picking (indicating). That's

1 cherry-picking. Do you know how many transactions, do you have
2 any idea how many transactions Ian Freeman has gone through
3 over the last few years? Remember the testimony? FBI agents
4 talking about thousands, 6,000 I think is one of the numbers,
5 and they're cherry-picking. Most of these folks didn't even
6 get to sit up here, and we didn't get to ask them questions,
7 and you know whose burden that is? Not ours. And we're going
8 to go through this, okay?

9 But the other thing that, you know, is kind of almost
10 insulting is that, because somebody might be over 65 years old
11 they're too damned stupid to get involved in Bitcoin or a
12 financial situation. Now, that's not insulting to me, but it
13 sure could be insulting to them (indicating).

14 The other thing that's cherry-picking and screams out
15 as if they don't have a burden is showing you a picture of Aria
16 DiMezzo, okay, and inferring that she's in some huge criminal
17 conspiracy with Ian Freeman. You know what? We didn't see
18 her. She didn't come up on the witness stand. In fact, you
19 didn't see anybody that went up on the witness stand and said,
20 You know what? I conspired with Ian Freeman. I agreed to
21 enter into a criminal activity with Ian Freeman.

22 You know what you did see? You saw anybody that was
23 up here that had any relationship with Freeman say, one, he was
24 either a good guy with integrity and honesty, or, two, My name
25 is Renee Spinella, I want to withdraw my plea, and I never

1 agreed to do anything illegal with Ian Freeman. It just
2 happened a couple of days ago.

3 Rietmann, who they just mentioned, did he say, I
4 wanted to engage in a criminal conspiracy with Ian Freeman, I
5 wanted to further a crime by engaging with Ian Freeman? No.
6 In fact, he said, I was going to start a business. It's
7 different than the kiosk business at 101. I, Reitmann, will go
8 to FinCEN, if I do that, because I don't have the inventory
9 that the church does. I have to be a transmitter. It's a
10 different situation altogether; the two aren't the same.

11 But we're going to get to that, because they're
12 leaving you folks out here hanging, speculating. When their
13 burden is to explain things, their burden is to make it clear
14 to you as to what transmission is, what transfer is. When
15 somebody comes up to you and says, Well, it's simple, there's
16 nothing to this, it goes from one wallet to another, the minute
17 somebody says, It's simple, there's the red flag that should be
18 raised. That's when you wonder who's winking and nodding. But
19 we'll get to that.

20 The innuendo that was mentioned, I want to address
21 that, the innuendo that on his radio show that is open to the
22 public that you can pick up podcasts on overseas, even in
23 Afghanistan while you're serving, the innuendo that Ian
24 Freeman, because he is broadcasting about scammers and
25 broadcasting that there are certain scams that people should be

1 on the lookout for, somehow is a criminal is quite interesting.

2 What is he really doing? He's warning people on the
3 open airwaves about scams, about romance scams, about scammers.
4 But, boy, we can turn that right around, can't we? Because he
5 knows about scammers, he must be a criminal? Folks, there's a
6 lot of us that know about scammers. A lot of us can't stop it.
7 It happens every day with gift cards. It happens every day
8 with direct deposits and wires. It happens every day. You
9 don't have to have any kind of bitcoin connection to get
10 scammed.

11 The church is an illusion to the prosecution. Just
12 this morning, he was just on for a short time, Mohammed was on.
13 The church sure wasn't an illusion to him. The church sure
14 wasn't an illusion to him. Ian's church reached out to the
15 Muslim community. Ian's church helped them so that they could
16 pray and have a spot to pray, one church helping another. To
17 Mohammed that's not an illusion, that's not a scam, that's not
18 a cover. That's somebody helping him exercise his faith in a
19 small town in New Hampshire, where there's limited space and
20 the need for it, for prayer.

21 Forget about -- I'm not even going to say forget about
22 it. You should keep in the forefront of your mind that the
23 prosecution, if they are going to paint that church as a scam,
24 should be bringing in somebody, all right, to let you folks
25 know that there's an opinion about that one way or the other

1 that holds some legal weight that that church is an illusion,
2 that it's a scam.

3 You know, they had an IRS person come in, and we'll
4 talk about her. Why didn't they go through that with her? Why
5 didn't they present that to her? Because they don't want to
6 face up to a few facts that they can't run from. That church
7 is as much a church as any other church in the world. No, you
8 don't need a shrine, okay? You don't need a cathedral ceiling,
9 you don't need bells, you don't need an organ to be a church,
10 and they don't have anybody that can come in and say
11 differently. That church reaches out. It does charitable
12 giving, it has a mission, it touches the community. It goes so
13 far to have even done certain community service ratifications
14 for the local District Court. Did they bring somebody in and
15 say that didn't happen? Ian testified to it. They didn't
16 bring anybody in to say it didn't happen, because it happens.
17 It's a church. And don't just bury it because they want you to
18 bury it.

19 In fact, it's a church sometimes that seems to have
20 higher ideals than a lot of others. If you look at the mission
21 statement and you look at their forefront, their mantle is
22 really just an institution that caters to peace and giving and
23 charitable giving. The innuendo that continued throughout the
24 closing, it's incredible, but I want to go through this in an
25 orderly fashion so you understand where we are and what our

1 position is.

2 You're going to hear instructions from the judge.
3 I'll touch on those a bit at the end, but they're real good,
4 and they're basically like a road map. If you follow it,
5 you'll make the right decisions, okay?

6 When the name calling was done at the end of the
7 prosecutor's closing, the reality wasn't touched upon, and the
8 reality is that anybody and everybody that knew Ian knew him as
9 a good guy, that's true, an honest guy, and somebody with
10 integrity. Now, he's not flamboyant, he doesn't drive an
11 expensive car, has a 2007 Rav4, he lives in a humble abode in
12 Keene that has been there for years for all the world to see,
13 the comings and goings of Ian Freeman and the church.

14 The FBI knew about it for years. Ian knew that the
15 FBI knew about it for years, and you know what? He didn't run
16 and hide. He didn't delete stuff off his computer. He didn't
17 throw the thing in the river. You know why? Because he had
18 nothing to hide from. He's been targeted, and there's no
19 question. But you know what they know about him? They know
20 that he's peace-loving. He's got a peace flag on his front
21 porch. It's a multicolored peace flag on the front porch.
22 It's been hanging there for years.

23 They've been observing him for months and months and
24 months and months. They had information on him, folks, that
25 you can't even explain. But you know what they knew? They

1 knew he was not violent. They knew that people inside that
2 house were not violent. They knew that the people inside that
3 house were not advocating for any violent overthrow of the
4 nation or threatening cops or anything else. They knew that.
5 They knew that.

6 And if you want to put a face on the case, it's easy
7 to do, and I'm going to ask you in a few minutes to go back and
8 think about what happened on March 16th, 2021. You want to
9 think about that, where five people living in a house got a
10 wake-up call a little after 5:00 a.m. in the morning, five
11 people with a history of nonviolence, five people that were
12 living in a very small, humble place, five people that weren't
13 threatening anybody, five people, you know, that were probably
14 like you and me, five people that do what they do at 5:15 in
15 the morning, probably either just waking up or in bed, and five
16 people that saw the sun come up after this took place.

17 If you'd play G for me, please.

18 (Video recording played)

19 MR. SISTI: Thank you.

20 That's the face of this investigation, folks. The
21 face of this investigation is exaggerated, like that. It jumps
22 to conclusions, like that. It's an overreaction, like that.
23 And you know what? It's just damn mean. There is no reason
24 for what you saw: Two BearCats, two battering rams smashing
25 through property, destroying windows, doors, camera equipment.

1 If we want to start calling names and saying things, we could
2 do that pretty easy.

3 That's where Ian Freeman lived. That's where Bonnie
4 lives, back there. That's not where Osama bin Laden lived.
5 That's not where some drug kingpin lived. That's not where
6 some weapons dealer lived. You sit back and you go why, why
7 would they do that to him, who they got the book on, who they
8 know is nonviolent, who they know doesn't threaten people? Why
9 would they do that? Why would they target him? Maybe they
10 just don't like him. Maybe they don't like him.

11 In case the prosecutors are going, Oh, officer safety,
12 the big thing here is nobody got hurt, let me suggest to you
13 that in the middle of the night I'll betcha Bonnie doesn't
14 forget that. I'll betcha Mr. Nobody doesn't forget that. I
15 know Ian doesn't forget it. Nobody got hurt? In a way I think
16 we all got hurt. We all got hurt. You know what really hurt?
17 That was the face of the FBI.

18 Now, I don't want to sit here bad-mouthing federal
19 agencies, and we hear it back and forth on the radio waves and
20 television all the time, but, God, you just saw it yourself
21 with your own eyes. That was disgusting, it was despicable,
22 and there was no need for it. It was overdone. It was
23 overdone, just like this prosecution is. It was misguided,
24 just like the prosecution is.

25 Let me speak to the charges for a second. You know,

1 you're the judges of what's going to be going on here from now
2 on. When we all shut up, when you're instructed, and when you
3 get the case, you're the boss, and, you know, it's an awesome
4 responsibility. But I want to go through this a little at a
5 time, because there's a defense to every charge, and when you
6 go back in the deliberation room your job is to sift through
7 those instructions and together go through the facts and see
8 whether or not you've got a match for proof beyond a reasonable
9 doubt. If the government fails, the government failed, and
10 it's okay in this country to come back through that door and
11 say, "Not guilty," because everybody wins when you do the job
12 right, and the judge will tell you that.

13 But the very premise on the operating the unlicensed
14 money business is that it gets stopped right in its tracks from
15 the beginning, because it's not a business, and we have flatly
16 denied throughout the course of this trial that it's a
17 business. And what you heard from the prosecution is like
18 Sub-Accounting 101. These profits or these gains have not been
19 examined, his worth hasn't been examined, and where the money
20 goes to hasn't been examined. Ian says it's a church. Ian
21 says that it goes into the community. Ian says that there's
22 reinvestment in bitcoin.

23 You know, if you sell something for \$200,000, and you
24 take the \$200,000 and you put it back in and buy a product for
25 \$200,000, you're not making \$200,000, you're reinvesting the

1 \$200,000.

2 But let's stop here for a second. If they want to
3 make believe it's a business, all right, then they should
4 analyze it as a business. But they don't analyze it as a
5 business. They don't put anything in front of you that has
6 anything to do with overhead. They don't talk about profit and
7 loss. They don't talk about margins. They don't look at this
8 thing at all like a business. They conclude out of the gate,
9 they just jump to the conclusion that it's some criminal
10 enterprise and that this business is some kind of a fake, shell
11 operation. Well, it's not. We say no. We push back on that.
12 Do they bring somebody in that says, I'm an expert, I can make
13 this analysis; I'm from the IRS, this isn't a church? No.
14 They want you to go home wondering.

15 Money transmission. That's number two. Just on this
16 one charge alone, this one charge alone -- "money transmission"
17 means transmission, moving it from one place to another, one
18 location to another, moving it, moving it. Ian, the only one
19 in this court over the last two weeks that probably knows
20 anything about this operation, Bitcoin and cryptocurrency,
21 stated without any reservation yesterday that it doesn't move;
22 there isn't any transmission. It's not, as the prosecutor
23 said, simple. It isn't simple. It's extremely complex. I'm
24 not even going to try to touch on it. It's mathematical. It's
25 algorithms. It's computer generated. It's not one wallet to

1 another. In fact, the entity doesn't even exist in the same
2 form. It's literally destroyed and reconstructed. But is that
3 our burden, to explain transmission? You guys are supposed to
4 go back in the deliberation room and wonder what that is?

5 "Transmission" means something in the statute. You
6 have to consider whether the prosecution satisfied their burden
7 beyond a reasonable doubt, that they've explained it, that
8 they've brought in the expert, that they brought in the
9 blockchain expert. Anybody come in here and explain that?
10 You're supposed to go back there and wonder about it? If
11 you're wondering about it, if you don't understand it because
12 they didn't clarify it for you because they just couldn't bring
13 themselves to get an expert up here to explain what that
14 process is, then it's their fault, they failed.

15 The license requirement. Again, the license
16 requirement is for the business. If it's not a business, it's
17 not required. The license requirement is for the transmission.
18 If it's not transmitting, it's not required. Ian looked at
19 that email from FinCEN and initially thought it was a scam.
20 The next time you get an official government document through
21 the email you should question it, too. Think about it yourself
22 and use your common sense on that.

23 With regard to the transmitting, with regard to
24 anything concerning that, did anybody take the stand and say,
25 Yes, I am in the business with Ian Freeman to transmit funds?

1 That's what we do. Did anybody say that? Did Renee say it?
2 No. She said, I didn't agree or do anything with Ian Freeman
3 that was illegal. Did Reitmann say it? No. He's the one that
4 said, I'm going to get a FinCEN license, because I'm doing
5 something different than Ian Freeman. Did DiMezzo say it? Who
6 knows? They didn't have time or effort to bring her in.
7 You're going to go back and wonder about that, too.

8 There is no agreement. There is no conspiracy.
9 They've got nobody to say that there was an agreement. They
10 want you to just speculate. They want you to see what sticks
11 to the wall after they throw everything they can at it, on one
12 hand, but on the other hand they don't want you to know
13 specifically about a lot of things.

14 The positive feedback file, for instance, they know
15 there's thousands of positive feedbacks in there. They want
16 you, through innuendo, through speculation, to think the
17 positive feedback is coming from scam artists. There's the
18 witness stand (indicating). There it is. Put somebody up
19 there. The documents are right over here (indicating),
20 thousands of positive feedbacks. Why would somebody get
21 thousands of positive feedbacks? They want to make it evil.
22 They want you to believe, without one scintilla of proof, not
23 one, that scammers were loading that box. That's cute. It's
24 also not in evidence. And what is it asking you to do? It's
25 asking you to speculate. It's asking you to buy that argument

1 without any proof, because it's comfortable for them to say,
2 and they sure would have liked to have had evidence like that,
3 but they don't, and you don't, so you can't consider that.
4 It's interesting rhetoric, but it sure isn't evidence.

5 The innuendo that Freeman sells at a higher rate than
6 others is an interesting statement. It's cute. Did they bring
7 in any other vendors? Did they bring in anybody else selling
8 on Telegram or LocalBitcoin to back that up? No. Why should
9 they? Well, they can just say it and get away with it, I
10 guess, but they can't get away with it. You won't let them.
11 If they want to say Freeman is selling at a higher rate, prove
12 it. Don't just come in here and say it. I mean, this is where
13 we prove things or we fail to prove things, and they failed to
14 prove that, but they sure say it, and they want you to believe
15 it without anybody sitting up there. Without direct
16 examination and without cross-examination they want you to buy
17 in. Don't buy in. That's not your job. Your job is not to
18 just sit here and go, The prosecutor says it, so I'll believe
19 it, the government said it, so I've got to believe it. In
20 fact, your job's just the opposite. Your job is to take what
21 is said, throw it into the crucible, and see how it survives
22 after cross-examination, but they're not going to give you that
23 opportunity. They want you to speculate. So, if Freeman says
24 he's selling at 10 percent, they're going to say, Oh, that's
25 terrible, but they don't bring in anybody else and say it's

1 terrible.

2 How many other people sell on Telegram? How many
3 other people sell through LocalBitcoin? How many others?
4 Thousands. Do you think this is the guy in the world? Do you
5 think he just came up with this great idea that you can buy
6 bitcoin at X price and sell it at Y price? No. It's an open
7 market. It's an open market. There's dozens and dozens and
8 hundreds and hundreds of vendors out there, and you didn't get
9 to see one, but you got to hear a bunch of speculation. And
10 you're not going to get the answer, all right, from somebody
11 that came in from itBit and talked about possibly the margin
12 they have on their \$8 million worth of bitcoin they move within
13 24 hours and equate that with Ian Freeman. That's like a mouse
14 and an elephant; it's apples and oranges. But don't come to
15 that conclusion because they said it. Hold them to it. Make
16 them prove stuff.

17 You know, there has to be something more than the mere
18 fact that Freeman is selling bitcoin or engaged in
19 cryptocurrency to make this giant leap that he's somehow some
20 kind of a money launderer, since there's thousands of people
21 selling bitcoin. And real criminals, by the way, if you want
22 to start talking about reality, delete everything or destroy
23 their computers and records if they want to continue in their
24 trade. There's been no evidence that Ian Freeman tried to
25 delete anything from his computers, tried to tear anything out

1 of his filing cabinet, even though he knew at least from 2018
2 that the FBI was looking at him. I guess you could say stupid,
3 if you want to come to that, although, Mr. Aframe makes him out
4 to be the most intelligent guy in the world. Is he guilty
5 because he keeps all of his records, or is he saying, I have
6 nothing to fear; I'm not doing anything wrong?

7 The worst and maybe the most pathetic example of the
8 government in this case was the buffoon-like activity of the
9 IRS undercover agent trying to entrap Ian Freeman. He did it
10 to no avail, and Ian did exactly what any law-abiding citizen
11 would do, and that is refuse to engage in that activity. But,
12 if you're the prosecutor, you're saying, because he refused to
13 engage, he must be a criminal. How about this one, folks?
14 Because he refused to engage in criminal activity he's
15 innocent. Try as they will, they can't accept the reality of
16 what took place with their IRS undercover agent.

17 And if you could play 610A, please.

18 Listen closely.

19 (Video recording played)

20 MR. SISTI: We may have to replay that. In fact, we
21 have to replay it.

22 (Video recording played)

23 MR. SISTI: I can't let you do that. I can't let you
24 do that. I can't say you can do that. And he says, Oh, okay,
25 and Ian walks away from him.

1 By the way, folks, he was 30 miles away from Keene.
2 That's not Keene. That's 30 miles down the road. And without
3 his knowledge -- and, by the way, don't speculate, don't
4 utilize innuendo -- without Ian's knowledge this clown goes to
5 Keene, he goes to the Thirsty Owl, and he pumps in \$20,000 of
6 your money, and Ian doesn't know what he's doing. If he was so
7 closely buddy-buddy with Ian and they were engaged in this
8 criminal money-laundering scheme, why didn't Ian cut him the
9 break he cut him when he wasn't doing something illegal?

10 And you guys remember it. We brought it up. When he
11 first met this guy he cut him a break, and he managed to drop
12 the fee from 14 percent to 10 percent. Do you remember that,
13 the first engagement? Did you see that happening there?
14 They're telling you Ian can remotely control that. Guess what?
15 He can. Did he do it for him there? No.

16 I guess you can come to two conclusions, folks. One
17 is that Ian is law-abiding, completely law-abiding, he's either
18 law-abiding or completely ignorant of what is going on. But
19 how many times does somebody have to say, No, I don't want to
20 do business with you? And then he gets served up this
21 innuendo, well, he must be doing business with him, he must be
22 engaged in money laundering because he invited him to a New
23 Year's Eve party months later. But what is that? What is
24 that? He's not saying he hates the guy's guts, but he's saying
25 he's not doing business with him, and he's not doing business

1 with him because it would be money laundering, something he
2 doesn't want to do. What else do you have to do in this
3 country, hold a sign up: I don't want to engage in business
4 with you?

5 This is the second time. You saw. That film is the
6 second time in a month that he told him he didn't want to deal
7 with him, and they have no evidence, none, zero, that Ian was
8 monitoring any kind of a transaction at the Thirsty Owl hours
9 later with this guy, but they want you to speculate. You can't
10 do it, you cannot speculate, and there's no proof to back that
11 up. There's no connection at all, nothing.

12 You know what would be a great connector? Think about
13 this: If, after that wink and nod, Ian dropped the rate from
14 14 percent to 10 percent, what would that tell you? You'd jump
15 right on the bandwagon. But right now there's no bandwagon to
16 jump on. They've got a wagon without a horse, is what they've
17 got, and they've got no connection between Ian and his
18 transaction later that day, 30 miles away. That
19 money-laundering charge, frankly, is a joke. It's pathetic
20 and, quite frankly, moronic the way that that played out.

21 Money-laundering conspiracy. Again, bring one person
22 in. Let's hear about it. Point the finger at a bunch of
23 people that they say that he was doing this with, conspiring
24 with for an illegal purpose, doing it willfully, doing it
25 voluntarily, doing it knowingly. Bring them in. I'd love to

1 question them. But if the people they bring in say, No, that
2 wasn't him, what are you going to conclude there?

3 Income tax evasion 2016, 2017, 2018, 2019. It's kind
4 of interesting. You can go through an hour and a half of
5 testimony with the tax person, and you know what you come up
6 with at the end to a question that I'd asked, How much does he
7 owe? Could it be he doesn't owe any taxes? Remember that
8 question? Remember the answer? Don't know. May not.

9 How in the world, how in the world is this tax evasion
10 when they don't even know, when they can't even put a number on
11 what he owes? When the IRS agent who came up here and sat down
12 and did thousands of audits said she doesn't know if he owes
13 taxes, well, there's a lot of reasons why they don't know if he
14 owes taxes; because, unlike the rest of us, Ian didn't get a
15 letter, Ian didn't get a heads-up, Ian didn't get a chance to
16 walk into an IRS office, even though it's not the greatest
17 thing in the world, with a tax accountant or a lawyer and sit
18 down and explain things, like, We really believe we're a
19 church. I really don't have income. Here we go. Let's talk
20 about it. Let's chat. I'm at an address. I have a Social
21 Security number. I'm an identifiable individual. Reach out.
22 Come and get me. I'd be happy to explain my position.

23 Does he want to pay taxes? Hell no. Does anybody?
24 No. From the humblest person to Presidents of the United
25 States and corporate heads, people don't want to pay taxes.

1 But you know what? I bet you they all get a chance to explain
2 their position, if invited. We don't get to be invited.
3 There's no invitation. All they've got to do is say, Come on
4 in. Don't guess. Don't give me a standard deduction. Bring
5 in somebody with you, sit down, and let's go over a real audit.

6 And, while we're on the subject, how much is Ian
7 worth? Nobody knows to this day, because he wasn't touched in
8 2020, they didn't ask him to come in in 2021, and they haven't
9 asked him to come in in 2022. That's one hell of an analysis,
10 huh?

11 I'm going to wrap this up in a few seconds, and you
12 deserve a break, but I don't get to stand up here again.
13 Mr. Aframe gets a chance to stand up here and answer what I had
14 to say. I don't get that chance. You can rest assured, you
15 can rest assured I can answer anything he's got. I don't get
16 to stand up for Ian Freeman, but you guys do. That's your job
17 now. The job of a jury is to test the government's case, just
18 as if you were sitting over there (indicating). I don't get to
19 stand up, but 12 of you will be able to, and I'm asking you to
20 do that.

21 Remember the rules when we picked you over two weeks
22 ago. You promised, you swore that you would follow the rules,
23 and we believed you, and that's why you're sitting here, okay?
24 We need you, and you would need a jury, too, if you were in his
25 place. It's an enormously important task. It's a serious

1 task.

2 I know it's the holiday season. Don't rush it. Do
3 what you've got to do back there. The case is yours. When you
4 get it, it's yours; you're in control.

5 One thing I'm going to ask you before I leave is, you
6 know, don't do him a favor. I know it's Christmastime,
7 Chanukah, no time to give the government a gift, and all we're
8 asking and all we're begging you to do is follow the rules and
9 use your common sense and help each other back there when you
10 deliberate. It's your case.

11 And thank you very much. We really appreciate your
12 service.

13 Thank you, Judge.

14 THE COURT: Thank you, Counsel. Mr. Aframe.

15 REBUTTAL CLOSING ARGUMENT

16 BY MR. AFRAME: I do know I stand between you and lunch, so I
17 know I need to be efficient, and I will do that, but there's a
18 couple of things I do want to say.

19 So, Mr. Sisti ended by saying don't do the government
20 a gift. That's exactly right. You're not going to give the
21 government a gift. The government doesn't receive a gift by
22 anyone being convicted or not convicted. The judge will tell
23 you justice is done no matter what you decide, as long as what
24 you decide is just and based on the evidence, and that is
25 exactly right. Nobody gets a gift. That's not what this is

1 all about. I just want that to be clear with you, and you
2 should understand that.

3 Let me just talk about a few of the things that were
4 said. Let me just start with the search, not actually the
5 search, but the entry to Mr. Freeman's house. So, the first
6 point about that, of course, is it's irrelevant to anything you
7 are going to be asked to decide. You're not going to hear a
8 single element that's going to ask you to make any evaluation
9 of the SWAT Team entry to the house. It's just not part of it.
10 What might have been part of it is if there had been questions
11 about the evidence used in that house: Was the computer
12 tampered with? Was something untoward about how the evidence
13 was collected? That, of course, should be relevant, because
14 what happens in here is based on the evidence, and not a single
15 question was asked about anything having to do with the
16 evidence collection, the evidence processing, nothing, because
17 there are no questions, I guess, to be asked about that. So,
18 the focus is, Look over here, look at this shiny object, and
19 this shiny object has nothing to do with the case.

20 Nevertheless, what are the facts that came out about
21 that? What did the FBI know when it decided -- when it got the
22 search warrant to execute at Mr. Freeman's house? Well, pretty
23 clearly Mr. Freeman is an antigovernment person. That's pretty
24 clear from what he said yesterday. That's clear from the radio
25 show. That's fact one. People had been seen on the porch of

1 that house with weapons. You heard about a guy with a sword.
2 You heard about guns. And people they knew rented rooms in and
3 out of that house. It was a situation that presented some -- a
4 significant possibility of danger.

5 I understand Mr. Sisti tells you he's a nonviolent
6 person, no one had a criminal record, but let's just look one
7 more time at Exhibit 312.

8 That's what was in that house. That was on the same
9 floor that Ian Freeman lived. It's a powder keg. Didn't
10 happen. Special Agent McBrearty told you that the way you make
11 something like that not turn into something truly horrible is
12 to use SWAT, use overwhelming force. That's how you do it,
13 because that was there, that was there that day, and to say it
14 wasn't in Freeman's room, that doesn't matter a single iota.
15 It was there for anybody to use. This was the moment, and that
16 could have happened, and so the techniques that were used were
17 the appropriate techniques to stop that from turning into
18 something truly, truly horrible. It has nothing to do with the
19 case, nothing at all, but those are the facts. Those are the
20 facts.

21 So, Mr. Sisti said that we cherry-picked. You saw
22 every single folder in that Telegram folder. Go back through
23 them again, every single one, and just ask yourself, if you
24 were running the kind of business you know Mr. Freeman is
25 running, does that make sense? Is that the clientele, is that

1 the frequency, is that the way they would be depositing money?
2 Does any of it make sense? Nothing cherry-picked. It's all
3 there for you to look at.

4 Now, of course, you know, Mr. Sisti said, well, he
5 clearly had nothing to fear because he didn't throw anything
6 away. Well, they had an encrypted computer that you heard had
7 to be decrypted by the Quantico FBI to actually see what was in
8 the computer. And what wasn't saved? Well, all the Telegram
9 chats. There was only one. We showed it to you because, for
10 whatever reason, he decided to save that one, but none of the
11 rest of them were.

12 So, we showed you the LocalBitcoins chats to get as
13 much of a flavor as we could give you, given the existing
14 records of how he did his business. Study them. Look for a
15 single probing question. He told you yesterday he had basic
16 questions. Look for one. Look for any invasive question that
17 he asked where you think he had any interest in figuring out
18 what the transaction was about. I suggest to you, you won't
19 find a single one. That's because that's how he ran his
20 business, and that's how he was able to collect a clientele
21 that looked like this (indicating). It was not an accident, it
22 was a plan, and it was a plan he executed over a long time.

23 This doesn't make sense, that's really all I can tell
24 you, and if you match it up with the LocalBitcoins chats, when
25 you see how he operates his business, you know why. If you

1 look at his advertisements and you see this is the outcome, you
2 know why. That's the evidence. That's what proves he knew
3 what he was doing.

4 You heard from several of these people. Did he ask
5 them a single -- did he ask them any invasive questions? No.
6 All he could tell you yesterday was they forgot. They don't
7 remember the probing questions that I asked them, okay? Well,
8 that's convenient, but that doesn't match the LocalBitcoins
9 chats, that doesn't match the evidence, that doesn't match the
10 ads, that doesn't match how he runs the business. That just is
11 what he felt like saying yesterday, because it was convenient.

12 He said he's not transmitting. Well, he's the only
13 one who told you that. Ali Comolli explained to you -- first
14 of all, "transmitting" is not a fancy word. It means to send,
15 to transfer. Ali Comolli explained how Bitcoin works: My
16 wallet goes up, your wallet goes down. It was the same with
17 the money. If we did a significant transaction for a car, I'm
18 not going to bring you, probably, a suitcase full of cash.
19 We're going to do something through a bank, and your account is
20 going to have a higher number, and my account is going to have
21 a lower number. I sent you money, the computers changed, your
22 account looks better, mine looks worse, your bitcoin wallet
23 looks better, mine looks worse. It's currency. It's being
24 transmitted. Ali Comolli told you it. Ted Valahakis told you.
25 Kate Eyerman told you from Paxos. She said they're a money

1 transmitter. They do the same thing as him. They just follow
2 the Bank Secrecy Act and do what they're supposed to do, but
3 they're doing the same thing. It's transmitting.

4 Ian said that the license requirement letter was a
5 scam, that's what he told you yesterday, and so he ignored it.
6 You heard the audio yesterday, today and yesterday. You heard
7 what he really said in real time about that letter. I'm just
8 not, blanking, going to follow their, blanking, regulations.
9 That's what he said in real time, which brings me to a lot of
10 what Mr. Sisti said, was, Ian said, Ian said, Ian said. And
11 Ian said something interesting yesterday, which probably flew
12 by you, because it was not really -- didn't seem that important
13 at the time. He was talking about a scam that happened
14 somewhere, and he said a guy put money into an account, then he
15 went in, and he convinced the bank to give him the money back,
16 and he used a term for that I had never heard before. "Social
17 engineering" is the term he used. I had never heard that
18 before, but he defined it as the ability to convince people of
19 something that isn't so. I submit to you, you saw social
20 engineering yesterday. Look at the records, look at the
21 evidence, look at all the stuff that has been presented before
22 you. That's where the truth in this trial lies.

23 DiMezzo is not a conspirator, he says. Again,
24 evidence. There's a contract. A contract is an agreement.
25 There's 1554, where DiMezzo says, I am working with the Shire

1 Free Church to do something, to sell bitcoin, and she explained
2 I'm going to do it -- we have to do it in the same don't ask,
3 don't tell way as Ian. They're sharing the customers. They're
4 talking about all the issues that are coming up. You can see
5 Harold Jones and the same Raymond Miller scammers in both of
6 their things. Look at the Aria Telegram chat. They are
7 suspicious, to say the least. They're working together. It's
8 just clear they're working together.

9 He talked about fees. Mr. Sisti said we didn't put in
10 any evidence about that Mr. Freeman charges a higher fee than
11 other people. Let me say two things. One, we did, because you
12 saw what you could buy it for at Kraken or itBit, literally a
13 fraction, like small fraction of the cost, and all you have to
14 do if you want to go there is give up the anonymity; but, of
15 course, the people who go to Freeman, that's their number-one
16 thing, so they'll pay thousands of -- hundreds of times what
17 they would pay at Kraken they choose to pay him. Suspicious.

18 But even he says it to you. This is literally what he
19 says. He's talking about getting cryptocurrency: The cheaper
20 method requires you to give up personal-identifying
21 information, like your bank account, but our vending machines
22 at Route 101 Local Goods and Thirsty Owl are basically
23 anonymous. You'll pay more for the convenience. You'll pay
24 more for the convenience. That's what he's offering. That was
25 the secret sauce. That was the special thing he offered.

1 He talked about Pavel and however he described it, but
2 Ian said yesterday he knew Pavel was an undercover, but he
3 didn't push him away because you want to keep your enemies
4 close, a pretty strange strategy. They tape you. Like, we
5 played you some of the tape, right? Ian knows what's going on.
6 He didn't think he was an undercover, but the guy was too
7 loose-lipped, just like he told you, so he wanted to proceed
8 with the same wink and nod; and Ian's careful, so he doesn't
9 say the magic words, but everyone knows why.

10 Why doesn't he have any identification stuff on that
11 machine when it's there? Why? Why doesn't he? Because he
12 doesn't want people to have to do that, because that would ruin
13 it, because that's, again, the secret sauce. That's why you
14 don't register, that's why you don't follow the rules, that's
15 why you keep everything anonymous, so you can engage in the
16 wink and the nod.

17 About income. I guess the argument was made -- well,
18 one was the letter, but I've addressed that, but the final one
19 that was made was he asked -- Mr. Sisti asked a hypothetical
20 question about whether Mr. Freeman would have owed taxes if he
21 took deductions, but he didn't take deductions because he chose
22 to not file tax returns. The testimony and the law says a
23 person can't get deductions if they don't file a tax return,
24 right? If you don't write it down on your tax return, that's
25 not a thing. That's what it is. That's how it works.

1 Mr. Freeman just decided he doesn't like to pay taxes.

2 Bottom line is Mr. Freeman really told you yesterday
3 he doesn't want to live in legal land, he wants to do it his
4 own way, because his own way lets him do what he wants. What
5 he wants is to hurt people like that (indicating), not because
6 he cares about hurting them, I don't think he cares about them
7 at all, but it gives him a way to make a lot of money. Renee
8 told him he's rich. He didn't dispute it. You saw the letters
9 from Melanie Neighbours. You saw how those came. Ian gave her
10 the information, 2.5 million, 300,000, big numbers, big, big
11 numbers. Ian Freeman did this to get rich. He didn't care who
12 he hurt. That's what this case is all about. That's the crime
13 he committed, because it's money laundering. Thank you.

14 THE COURT: Nothing from counsel, either side?

15 All right. Ladies and gentlemen, I'm going to give
16 you the lunch break now. It appears to be 12:45. We'll
17 reconvene at 1:45, and at that point I'll give you your
18 instructions, and you can begin your deliberations.

19 THE CLERK: All rise.

20 (The jury exited the courtroom)

21 THE COURT: Please be seated.

22 We don't need a record for this.

23 (Discussion held off the record)

24 (Lunch recess taken at 12:50 p.m.)

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C E R T I F I C A T E

I, Brenda K. Hancock, RMR, CRR and Official Court Reporter of the United States District Court, do hereby certify that the foregoing transcript constitutes, to the best of my knowledge, skill, ability and belief, a true and accurate transcription of the within proceedings.

Date: 3/10/23

/s/ Brenda K. Hancock
Brenda K. Hancock, RMR, CRR
Official Court Reporter