

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

CARLOS OSVALDO QUINTERO

UNDER SEAL

aka Carlos Gomez,
aka Miguel Dominguez;

MARTIN QUINTERO

FELIPE DE JESUS MAGANA-CAMPOS

aka Padrino

EDUARDO ANGEL ZALAYARAN-RUIZ

aka Other Inge

JAVIER VERA

aka Ducky

CHRISTIAN GONZALEZ

aka Chris

MIGUEL CORDOVA

aka Mike

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: Between no later than November 17, 2010 and on or about December 15, 2010, at Chicago, in the Northern District of Illinois, Eastern Division, CARLOS OSVALDO QUINTERO, MARTIN QUINTERO, FELIPE DE JESUS MAGANA-CAMPOS, EDUARDO ANGEL ZALAYARAN-RUIZ, JAVIER VERA, CHRISTIAN GONZALEZ, and MIGUEL CORDOVA, defendants herein:

conspired with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute a controlled substance, namely, 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1);

all in violation of Title 21, United States Code, Section 846. I further state that I am a Special Agent of the Department of Homeland Security Investigations, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant
ANDREW SETMEYER
Special Agent, Homeland Security Investigations

Sworn to before me and subscribed in my presence,

December 16, 2010 at Chicago, Illinois
Date City and State

Arlander Keys, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
) ss
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I. Introduction

I, ANDREW SETMEYER, being duly sworn, state as follows:

1. I am a Special Agent employed with the United States Department of Homeland Security Investigations ("HSI"). I have been employed by HSI as a Special Agent for over one year. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510 (7) of Title 18, United States Code, and I am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516, Title 18, United States Code. I have received specialized training in the enforcement of federal narcotics laws, and I have been involved in all aspects of narcotics trafficking investigations, including; the debriefing of defendants, witnesses, and informants, surveillance, and analysis of documentary and physical evidence.

2. The following information is based upon my personal observations, knowledge and information I received from other federal law enforcement officers, legal interception of telephone communications, and video surveillance.

3. This affidavit is submitted in support of a criminal complaint alleging that CARLOS OSVALDO QUINTERO (hereinafter "OSVALDO QUINTERO"), MARTIN QUINTERO, FELIPE DE JESUS MAGANA-CAMPOS (hereinafter FELIPE MAGANA"), EDUARDO ANGEL ZALAYARAN-RUIZ (hereinafter "EDUARDO ZALAYARAN"), JAVIER VERA, CHRISTIAN GONZALEZ, and MIGUEL CORDOVA,

conspired with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute a controlled substance, namely, 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 846. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging OSVALDO QUINTERO, MARTIN QUINTERO, FELIPE MAGANA, EDUARDO ZALAYARAN, JAVIER VERA, CHRISTIAN GONZALEZ, and MIGUEL CORDOVA, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendants committed the offense alleged in the complaint.

II. Factual Basis Supporting Probable Cause

A. Summary

4. HSI began an investigation of an individual using the name Miguel Dominguez (later identified as OSVALDO QUINTERO, aka Carlos Gomez), who was believed to be engaged in a conspiracy to unlawfully smuggle approximately 21,800 pounds of marijuana from Mexico into the United States and to distribute the marijuana in the Northern District of Illinois. On November 17, 2010, Customs and Border Protection ("CBP") agents in Eagle Pass, Texas discovered that a Union Pacific ("UP") train bound for Chicago Heights, Illinois was carrying approximately 21,800 pounds of suspect marijuana. As further described below, law enforcement, with cooperation from UP, surveilled the train as it traveled to a storage warehouse, Illiana

Steel, at 1200 S. State Road, in Chicago Heights, Illinois, with rail road access (hereinafter "the Target Premises").

5. One individual, who has identified himself as "Miguel Dominguez" (and was later identified as OSVALDO QUINTERO, aka Carlos Gomez) spoke with an UP employee, on a consensually monitored and recorded telephone, on a number of occasions to coordinate the delivery of the train cars to the Target Premises. On December 6 through 10, 2010, the train cars were unloaded by a number of individuals, who moved large bundled packages containing marijuana from inside of the train cars, using forklifts, to an industrial facility, Target Premises 2, located approximately 50 yards from the Target Premises.

6. This affidavit includes summaries of recorded conversations (consensually recorded and legally intercepted) pertaining to this delivery of approximately 21,800 pounds of marijuana. The times given are approximate. Some of the summaries do not include references to all the topics covered during the course of the conversations. In addition, the summaries do not necessarily include references to all statements made by the speakers on the topics that are referred to. The language that is quoted from the recorded conversations is based upon a preliminary review of the conversations and is not a final transcription of the recorded conversations. In addition, some of the summarized conversations were conducted in Spanish, and were monitored and translated into English by law enforcement officers or HSI monitors fluent in the Spanish language. At various points in the affidavit, I have included in brackets my interpretation of words and phrases used in the recorded conversations. My understanding and interpretations of the conversations discussed below are based upon

my experience and training, the context of the conversations, information obtained in the investigation to date, conversations with other law enforcement officials, and information provided by a cooperating individual.

B. The Subject Cars

7. On November 17, 2010, as part of a border inspection, in Eagle Pass, Texas, CBP officers conducted an inspection of a UP train entering the United States from Mexico. During the inspection, CBP officers observed a number of large bundled packages, referred to as "super sacks" in six cars on the train ("the Subject Cars"). The bill of lading ("BoL") associated with the Subject Cars, number 581270101109, states that the Subject Cars each contain fifty-eight super sack packages, for a total of approximately 340 super sacks. According to the BoL, the super sacks in the Subject Cars contain packages listed as "TITANIUM PIGMENTS OR."

8. During the border inspection on November 17, 2010, a CBP canine trained to detect narcotics alerted to the presence of narcotics in the Subject Cars near several of the super sacks. CBP officers then opened a super sack and observed 13 cubic bundles, which were encrusted in a thick layer of fine red masonry pigment dust.

9. CBP officers broke open several of these cubic bundles and observed a green leafy substance. CBP officers field tested the green leafy substance for the presence of marijuana, with positive results. In total, CBP observed that approximately 109 super sacks in the Subject Cars contain cubic bundles which agents believe are comprised of a green leafy substance. CBP weighed thirteen of the cubic bundles from one super sack and determined that those thirteen bundles weighed approximately 200 pounds. Based upon the above observations, CBP officers believe

that the Subject Cars are carrying approximately 21,800 pounds of marijuana. Based on my training and experience and my conversations with other law enforcement officers, 21,800 pounds of marijuana has an estimated street value of \$22,000,000.

10. After discovering the suspect marijuana, CBP officers contacted HSI special agents for further investigation. HSI agents then placed the suspect marijuana back into the Subject Cars, and sealed the cars. The Subject Cars were then put back into the normal course of commerce, where HSI agents have maintained constant surveillance.

11. According to the BoL for the Subject Cars, the Subject Cars were loaded and sent by a company called Comercializadora De Minerale, located at Av Artesanos no 4713, in Junta, Jalisco, Mexico. According to the BoL, the Subject Cars were being imported by a company called Earth Minerals Corp., located at 2250 Moen Avenue, in Rockdale, Illinois.

C. Earth Minerals Corporation

12. On several occasions on November 17 and November 18, 2010, CBP officers spoke with a customs broker, Individual A, who works in Eagle Pass, Texas. A customs broker is a private individual who is licenced by CBP to assist importers and exporters in meeting federal requirements governing imports and exports. Individual A stated that he had been hired as a customs broker by Earth Minerals. Individual A also stated that a man identifying himself as Miguel Dominguez had called Individual A multiple times on November 17, 2010 (the date of the marijuana seizure in Eagle Pass) to inquire about the whereabouts and estimated arrival date for the Subject Cars.

13. Individual A provided documents to CBP that Individual A stated had been provided to Individual A by Earth Minerals Corp. The documents provided by Individual A state that Miguel Dominguez (who as explained below has been identified as OSVALDO QUINTERO) is on the board of directors of Earth Minerals Corporation, and list Miguel Dominguez's social security number as XXX-XX-6334 ("the 6334 SSN"). These documents further list an Internal Revenue Service ("IRS") Tax Identification Number for Earth Minerals Corp. as 26-1292609. The documents also list Miguel Dominguez's cellular telephone number as (773) 940-9233 (hereinafter "Target Phone 1"), and his telephone number as (815) 730-7683 (hereinafter "Target Phone 2").

14. HSI agents conducted a search of public databases, including the Illinois Secretary of State. These searches did not identify Chicago Earth Minerals Corporation or Earth Minerals Corporation as a registered corporation, LLC, or other business in Illinois.

15. A search of a SSN database for the 6334 Social Security Number indicates that it is registered to a Miguel Dominguez in Puerto Rico, and was issued in 1970.

16. A search of the IRS database and other public databases revealed that the IRS tax ID number 26-1292609 is not registered to any business.

17. On December 1, 2010, at approximately 9:30 a.m., two undercover agents (UCs), posing as prospective renters, entered 2250 Moen Avenue Rockdale, Illinois, the address for Earth Minerals. The UC's met with an owner (the "Building Owner") of the property, who showed the UC's around the building. While inside the building at 2250 Moen Avenue, the following occurred:

a. The Building Owner showed the inside of the warehouse at 2250 Moen Avenue to the UCs. The Building Owner pointed to a section of the warehouse, approximately 2,000 square feet in size, which the Building Owner stated belonged to Earth Minerals.

b. The Building Owner also showed the UCs an area of the warehouse that had 40-50 pallets stacked with bags. The Building Owner told the UCs these pallets belonged to Earth Minerals, and that Earth Minerals imports things from Mexico. The Building Owner further stated that he believed that Earth Minerals is no longer in business, but the Building Owner does not bother Earth Minerals about the pallets because Earth Minerals pays the rent each month.

c. On the pallets, the UCs observed what appeared to be bags of ceramic mix powder. According to a billing document attached to the pallets, the materials on the pallets were shipped from Mexico.

d. The Building Owner showed the UCs a small office space with a desk and a computer, and stated that the desk belonged to the Building Owner, but that all of the other materials and documents in that area belonged to Earth Minerals. While standing near the desk, the UCs observed, in plain view, a piece of mail on the desk which was addressed to "Carlos Gomez" (an alias used by OSVALDO QUINTERO), care of Earth Minerals, at 2250 Moen Avenue, Rockdale, Illinois.

D. Information Derived From Target Phone 1

18. As stated above, Target Phone 1 bears a telephone number that was given to the customs broker, Individual A, by Miguel Dominguez of Earth Minerals.

19. On the afternoon of November 23, 2010, agents tracked Target Phone 1 to an address ("Subject Address 1") in Berwyn, Illinois, based on location information obtained from the service provider. The surveillance agents ("Surveillance") observed a vehicle parked at the address (hereinafter, the "Vehicle"). According to index checks, the Vehicle is registered to "Carlos Quintero." According to arrest records maintained by the Chicago Police Department ("CPD"), OSVALDO QUINTERO has previously used the alias Carlos Quintero.

20. While at Subject Address 1, Surveillance observed a Hispanic male, subsequently identified as OSVALDO QUINTERO, operating a cell phone and exiting from the building located at Subject Address 1. OSVALDO QUINTERO entered the Vehicle alone and left the area. Agents maintained surveillance of the Vehicle, and the Vehicle's location correlated with the information obtained from the cellular tracking system as to the location of Target Phone 1.

21. On the evening of November 23, 2010, agents tracked Target Phone 1 to several addresses in Chicago, based on location information obtained from the service provider. Agents observed the Vehicle parked on the street near one of the addresses to which Target Phone 1 had been tracked. Shortly thereafter, OSVALDO QUINTERO was observed entering the driver's side of the Vehicle.

E. Telephone Calls to Union Pacific

22. On or about November 23, 2010, at approximately 9:37 a.m., a customer service representative ("the CSR") from UP, the train company that shipped the Subject Cars, called Target Phone 1, in a consensually monitored and recorded call. An unidentified woman, Individual B, answered Target Phone 1 by stating, "Minerals."

The CSR then identified herself and asked Individual B if the CSR could speak to the person who "handles the rail traffic." Individual B stated that "Miguel Dominguez" was the person who handled the rail traffic, and that Dominguez was not available to speak at the moment. The CSR left her name and phone number, and asked that Dominguez call the CSR back.

23. Approximately three minutes later, an individual called the CSR at the phone number that the CSR had provided to Individual B. According to UP's phone system, the call was placed from Target Phone 3. The call was consensually monitored and recorded by UP. The person using Target Phone 3 was a male, who identified himself to the CSR as "Miguel Dominguez" from "Earth Minerals." The CSR stated that she had "six cars heading your way," and Dominguez responded, "yes." The CSR and Dominguez then discussed the logistics and location for delivery of the six cars to the Chicago area. Dominguez asked the CSR, "what would you need me to do to get those cars over there?" Dominguez ended the call by asking the CSR if Dominguez could have "someone from the warehouse" call the CSR back with more information. The CSR stated, "sure, that's no problem."

24. Approximately one hour later, a caller who again identified himself as "Miguel Dominguez" from "Earth Minerals" called the CSR, in a consensually monitored and recorded telephone call. According to UP's phone system, the call was placed from Target Phone 3. The CSR and Dominguez discussed the logistics of the delivery of the Subject Cars. The CSR then asked Dominguez if his phone number was Target Phone 2, and Dominguez stated, "yeah, that's my cell phone, you can use that number."

25. On November 24, 2010, at approximately 11:30 a.m., a caller who identified himself as "Miguel Dominguez" from "Earth Minerals" called the CSR, on a consensually monitored and recorded telephone call. According to UP's phone system, the call was placed from Target Phone 3. The CSR stated, "you have six cars that are coming to you, is that right?" to which Dominguez responded, "yes." Dominguez confirmed that the destination for the six cars was "1200 South State," at a company called Illiana Steel (hereinafter, "the Target Premises"). Dominguez confirmed that he was shipping the Subject Cars to the Target Premises, and then unloading the cars at that facility. Dominguez stated that he had been communicating with a person, Individual C, who Dominguez believes owns Illiana Steel. Dominguez provided a telephone number for Individual C to the CSR. Dominguez stated that Individual C is expecting a call from UP.

26. A few minutes later, the CSR called the telephone number that Dominguez had given the CSR for Individual C. The call was consensually recorded by the CSR. An unknown woman, Individual D, answered the phone, and the CSR identified herself and asked to speak with Individual C. The CSR stated that she needed to speak with Individual C about "some cars that are headed his way." Individual D stated that Individual C will be out of the office for several weeks, but that Individual D was the person who "would be handling it." Individual D stated that "Earth Minerals is a tenant" of the warehouse. Individual D and the CSR discussed the delivery of the Subject Cars, and concluded the conversation by agreeing that next Tuesday or Wednesday [referring to November 30 or December 1, 2010] "would be fine" for delivery.

27. At no later than 2:30 p.m., on November 24, 2010, the CSR called Target Phone 3, in a consensually monitored and recorded telephone call. A male voice answered the phone by stating "Earth Minerals." The CSR asked for "Miguel" and identified herself. The male voice confirmed that he was Miguel. The CSR and Dominguez then discussed the logistics of delivering the Subject Cars. The CSR further stated, "we're scheduling you right now for those cars to get in next Wednesday morning ... December 1st, between 8 a.m. and 12 p.m." Dominguez stated that Dominguez "and some other worker too" would be at the Target Premises to meet the train conductor.

F. The Target Premises and Delivery of the Subject Cars

28. On December 1, 2010, at approximately 8:00 a.m., a customer service representative for UP received a call from an individual who identified himself as Miguel Dominguez. This call was not recorded. According to UP's telephone system, the call was placed from Target Phone 3. According to the customer service representative, Dominguez inquired about the cars that were to be delivered to him. The customer service representative informed Dominguez that she did not handle deliveries and asked Dominguez if he had a phone number at which Dominguez could be reached by another UP employee. Dominguez provided telephone number (773) 800-8479 (hereinafter Target Phone 4).

G. Test Car

29. According to the CSR, on December 1, 2010, at approximately 8:10 a.m., the CSR made a consensually recorded call to Target Phone 4. A male who answered Target Phone 4 stated, "Earth Minerals." The CSR asked, "is Miguel there?" and the

male answered that he was Miguel. The CSR identified herself, and told Dominguez that the delivery time had been re-scheduled, and that the cars would arrive "today [December 1, 2010] between 2 p.m. and 6 p.m." Dominguez responded, "Okay."

30. On December 1, 2010, agents arranged for the delivery of test train car ("the Test Car") to the Target Premises. The Test Car was not known to contain marijuana. At approximately 4:45 p.m., agents attempted to deliver the Test Car to the Target Premises. Upon arrival at the Target Premises, the gate was locked, so the Test Car was parked outside the Target Premises.

31. On December 2, 2010, at approximately 9:00 a.m., agents observed OSVALDO QUINTERO and three unidentified male individuals arrive at the Target Premises. OSVALDO QUINTERO was driving one vehicle, and the other individuals arrived in a separate vehicle. Agents observed OSVALDO QUINTERO and the others push the Test Car inside of the Target Premises, using a mechanical device. Later that afternoon, agents further observed OSVALDO QUINTERO and the others transporting cargo from the Test Car onto pallets, using a fork lift. Using aerial surveillance, agents further observed the pallets being loaded onto a white semi-tractor trailer, with a flatbed.

32. On December 3, 2010, at approximately 10:10 a.m., the CSR received a telephone call from a telephone number that UP's phone system identified and recorded as Target Phone 4. The call was consensually monitored and recorded. The caller identified himself as "Miguel [Dominguez]." Dominguez asked the CSR questions about how long Dominguez was able to keep UP's train cars, without having to pay an extra fee. The CSR stated that Dominguez likely had 48 hours to keep the

cars, without having to pay an extra fee. The CSR further stated that additional cars would be delivered to Dominguez "on Monday [December 6, 2010], between about 8 and noon, just as long as you guys have someone there to open up that gate." Dominguez responded, "I'll be there if I have to."

H. Unloading of the Subject Cars

33. On December 6, 2010, agents caused the Subject Cars to be delivered to train tracks adjoining the Target Premises. Agents observed OSVALDO QUINTERO and several other individuals arrive at the Target Premises. Agents further observed that individuals moved one of the Subject Cars inside of the Target Premises, using a mechanical device.

34. On or about November 29, 2010, Chief Judge Holderman of the Northern District of Illinois entered an order authorizing the interception, by means of closed circuit television (hereinafter "CCTV") and for a 30-day period, of visual, non-verbal conduct occurring in the Target Premises.

35. On December 7, 8, 9, and 10, 2010, agents observed individuals unloading the large super sacks from the Subject Cars. Specifically, utilizing both court-ordered CCTV inside of the Target Premises and aerial surveillance, agents observed the following pattern of activity:

- a. Approximately four individuals utilized forklifts to unload super sacks from one of the Subject Cars that was parked inside of Target Premises.
- b. The individuals loaded the majority of the super sacks from the Subject Car onto a flatbed semi-truck. Once the semi-truck bed had been filled with super sacks, the truck was driven approximately 50 yards to an industrial facility

located to the west of Target Premises (hereinafter referred to as "Target Premises 2"). Target Premises 2 is an approximately 26,000 square foot storage warehouse.

c. The individuals then unloaded the super sacks from the semi-truck, using a forklift, and transferred the super sacks inside of Target Premises 2, where the super sacks are currently stored. On or about December 10, 2010, Chief Judge Holderman of the Northern District of Illinois entered an order authorizing the interception, by means of CCTV, for a 30-day period, of visual, non-verbal conduct occurring in Target Premises 2. Agents observed super sacks being driven into two separate doors of Target Premises 2: the southernmost door and the second-most northern door (both on the east side of Target Premises 2). Agents also observed super sacks being stored in the southernmost portion of Target Premises 2. Over the course of December 7, 8, and 9, and 10, 2010, the process of unloading the super sacks from the Subject Cars and then transporting the super sacks to Target Premises 2 was repeated for each of the six Subject Cars. The final Subject Car was unloaded on December 10, 2010.

I. December 6, 2010

36. On December 6, 2010, Chief Judge Holderman of the Northern District of Illinois also authorized agents to intercept wire communications over Target Phone 4, a telephone that OSVALDO QUINTERO (posing as "Miguel Dominguez") had used to contact UP concerning the Subject Cars. As detailed below, between December 6 and December 15, 2010, agents intercepted conversations over Target Phone 4 discussing the logistics of unloading the Subject Cars and distributing the marijuana. Agents have compared the voice of the person using Target Phone 4 to the voice of the

individual who spoke with UP in recorded conversations about the Subject Cars, claiming to be "Miguel Dominguez." Based upon this comparison, I believe that the same person is speaking on all of these calls. As explained below, I believe that OSVALDO QUINTERO is the user of Target Phone 4, and that Miguel Dominguez is an alias used by QUINTERO.

37. On December 6, 2010, agents intercepted a number of conversations between QUINTERO,¹ who was using Target Phone 4, and other co-conspirators related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 6, 2010, at approximately 8:32 p.m. (Call 2), OSVALDO QUINTERO spoke to an Unidentified Male (UM), on an unknown telephone number. During the conversation, QUINTERO stated that he has to "take his father [referring to MARTIN QUINTERO, hereinafter "M-QUINTERO"] and show him what to do" tomorrow. QUINTERO further stated that he is going to leave his father "in

¹ The identification of OSVALDO QUINTERO in this Affidavit is based upon the following: First, agents and monitors have been able to identify OSVALDO QUINTERO's voice because that voice has been intercepted numerous times as the user of Target Phones 4. Second, on December 9, 2010, at approximately 10:52 p.m. (Call 464), MARTIN QUINTERO called Target Phone 4, and when a woman answered, MARTIN QUINTERO asked, "where is OSVALDO?" Third, agents have observed that OSVALDO QUINTERO was present in the same locations where, according to information provided by the service provider, Target Phones 1 and 4 were also present. Fourth, during particular intercepted calls, OSVALDO QUINTERO arranged to personally meet with another co-conspirator and the meeting was surveilled by law enforcement who determined that the individual present at the meeting was, in fact, OSVALDO QUINTERO. Fifth, when QUINTERO was arrested on December 15, 2010, he was in possession of Target Phone 4. Sixth, following OSVALDO QUINTERO's arrest, he waived his Miranda rights and admitted that it was his voice on several calls intercepted over Target Phone 4. Finally, an agent familiar with the voice of the user of Target Phone 4 listened to OSVALDO QUINTERO speak during his post-arrest interview and determined that OSVALDO QUINTERO was, in fact, the user of Target Phone 4.

charge tomorrow,” once QUINTERO teaches his father what to do. QUINTERO stated that he is “aiming for this week Thursday to be done [unloading the Subject Cars], but that he is going to see how “everything turns out with the shipment.”

b. On December 6, 2010, at approximately 8:54 p.m. (Call 8), QUINTERO spoke to JAVIER VERA, aka Ducky, who was using an unknown telephone number.² During the conversation, QUINTERO asked VERA if VERA is “going tomorrow [to help unload the Subject Cars]?” VERA stated that he did not know, because he has a personal issue that came up. QUINTERO stated that if VERA cannot make it, QUINTERO will “still look out for the days he went [QUINTERO will pay VERA for the day he helped unload the Test Car].”

J. December 7, 2010

38. On December 7, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators, related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 7, 2010, at approximately 6:40 a.m. (Call 19), QUINTERO spoke with CHRISTIAN GONZALEZ, aka Chris, who was using telephone

² The identification of JAVIER VERA, aka Ducky, in this Affidavit is based upon the following: First, agents and monitors have been able to identify VERA’s voice because that voice has been intercepted numerous times over Target Phone 4 (used by QUINTERO). Second, when VERA was arrested on December 15, 2010, he was in possession of a cellular telephone assigned telephone number (773) 850-2130 – the telephone that was intercepted over Target Phone 4. Finally, an agent familiar with the voice of the user of the telephone number (773) 850-2130 listed to VERA speak during his post-arrest interview and determined that VERA was, in fact, the user of the telephone number (773) 850-2130.

number 773-742-1927.³ QUINTERO stated that QUINTERO's "dad [M-QUINTERO]" is going to be "there [at the Target Premises], but that QUINTERO is at the hospital [other intercepted phone conversations indicate that QUINTERO's child was recently born]." QUINTERO stated that QUINTERO will meet "everyone over there [later]." QUINTERO stated that his father [M-QUINTERO] will be driving a "blue Durango."

b. On December 7, 2010, QUINTERO spoke several times with GONZALEZ and MARTIN QUINTERO about the logistics of unloading the train cars.

c. On December 7, 2010, at approximately 8:18 a.m. (Call 25), QUINTERO spoke with GONZALEZ, who was using telephone number 773-742-1927. QUINTERO asked if GONZALEZ had seen "the old man [PADRINO]⁴ yet?" QUINTERO stated that "he [PADRINO] should be there already." QUINTERO asked, "what color [is] the powder [the pigment inside the super sacks]?" GONZALEZ responded, "yellow, I think." Several minutes later, GONZALEZ called QUINTERO back and confirmed that the "bags are yellow."

³ The identification of CHRISTIAN GONZALEZ, aka Chris, in this Affidavit is based upon the following: First, agents and monitors have been able to identify GONZALEZ's voice because that voice has been intercepted numerous times over Target Phone 4 (used by QUINTERO). Second, when GONZALEZ was arrested on December 15, 2010, he was in possession of a cellular telephone assigned telephone number (773) 746-1927 – the telephone that was intercepted over Target Phone 4. Finally, an agent familiar with the voice of the user of the telephone number (773) 746-1927 listened to GONZALEZ speak during his post-arrest interview and determined that GONZALEZ was, in fact, the user of the telephone number (773) 746-1927.

⁴Between December 7, 2010, and December 15, 2010, agents intercepted conversations over Target Phone 4, in which QUINTERO spoke with, or about, a male who was using Target Phones 5 and 9. In these conversations, QUINTERO referred to the male using Target Phones 5 and 9, as "old man," "padrino [which means "godfather" in the Spanish language]," "Inge," [I have spoken with native speakers of the Spanish language who stated that "Inge" is a nickname sometimes used to refer to a "boss"], "engineer," "chief," and "boss." As stated below, the male using Target Phones 5 and 9 has been identified as MAGANA.

d. On December 7, 2010, at approximately 10:02 a.m. (Call 32), QUINTERO spoke with MAGANA, aka Padrino,⁵ who was using Target Phone 5. During the conversation, MAGANA stated that he “put a diamond cut plate on [fashioned a contraption to facilitate the transporting of the super sacks.]”

e. On December 7, 2010, at approximately 10:07 a.m. (Call 36), QUINTERO spoke with Individual M. During the conversation, QUINTERO stated, “the guys are doing well, and my dad [M-QUINTERO] isn’t doing much [work at the Target Premises]. I don’t know why I offered him so much money.”

f. On December 7, 2010, at approximately 11:18 a.m. (Call 41), QUINTERO spoke with a male that he referred to as “uncle” (hereinafter UNCLE), who was using a telephone assigned ISMI number 316010166506487 (hereinafter Target Phone 6). During the conversation, QUINTERO stated that “the old man [MAGANA] did a good job on the metal sheet,” and that “it [the transporting of the super sacks] is a lot quicker now and a lot more secure,” and that “the sacks don’t move as much.” In several subsequent conversations, QUINTERO and UNCLE discussed the logistics of unloading the train cars that day.

⁵ The identification of MAGANA, aka Padrino, in this Affidavit is based upon the following: First, agents and monitors have been able to identify MAGANA’s voice because that voice has been intercepted numerous times as the user of Target Phones 5 and 9, which were intercepted over Target Phone 4 (used by QUINTERO). Second, during particular intercepted calls, MAGANA arranged to personally meet with another co-conspirator and the meeting was surveilled by law enforcement who determined that the individual present at the meeting was, in fact, MAGANA. Third, when MAGANA was arrested on December 15, 2010, he was in possession of Target Phone 9. Finally, an agent familiar with the voice of the user of Target Phone 9 listened to MAGANA speak after he was arrested and determined that MAGANA was, in fact, the user of Target Phone 9, which was intercepted over Target Phone 4.

g. On December 7, 2010, at approximately 1:08 p.m. (Call 63), QUINTERO spoke with MAGANA, who was using Target Phone 5. MAGANA asked, “are you going for the second one [unload the second car of the day] or do you not think you can do it?” QUINTERO responded, “No boss, no...We just finished the first one right now [we just finished unloading the first train car]. I wouldn’t have time. I mean, I can get it started, but since you said you didn’t want anything open... [MAGANA previously told QUINTERO not to leave any train cars partially unloaded].” QUINTERO further stated that they plan to do two or three [unload two or three train cars] tomorrow, and MAGANA responded, “okay, perfect.” MAGANA and QUINTERO then discussed where to stack the super sacks inside Target Premises 2, and QUINTERO stated, “I already know which ones are which. I already figured it out more or less [QUINTERO figured out which super sacks contain drugs and which do not].”

Later in the conversation, QUINTERO asked, “is there any way you can send some paper [money] for gas and stuff for these guys, boss?” MAGANA responded, “yes, I’m going to send someone to pick it up there, but it won’t be until the evening because the treasurer is working....This guy can bring them [money] over to you.” QUINTERO responded, “no problem boss, thanks.”

h. On December 7, 2010, at approximately 3:09 p.m. (Call 93), QUINTERO again spoke with MAGANA, who was using Target Phone 5. In the conversation, MAGANA and QUINTERO discussed the status of the unloading of the super sacks. MAGANA further stated, “I am going to send Aaron to bring you some money at night [to pay the expenses of unloading the train cars].”

i. On December 7, 2010, at approximately 3:12 p.m. (Call 99), QUINTERO spoke with an unknown male whom he referred to as "JUNIOR" (hereinafter JUNIOR), who was using push-to-talk number 92*985979*1. In the conversation, QUINTERO provided JUNIOR with a status report on the unloading activities of the day. QUINTERO stated that he plans to "do three [unload three cars] tomorrow." JUNIOR stated that he hopes QUINTERO does [unload three cars], but that QUINTERO should take it easy, because JUNIOR does not "want there to be nothing [does not want to lose all of the drugs because of detection]." QUINTERO asked, did the guy tell you if we are going to "unwrap it, take it out [take the drugs out of the super sacks]?" JUNIOR responded, "it would have to be," but that JUNIOR has not talked to "him" today. QUINTERO stated that the guy told QUINTERO that "it was going to go like that, everything was going to be delivered like that [the drugs were going to be delivered inside the super sacks.]" JUNIOR stated that he does not know, and that "the guy is concerned because of what happened last time, and he doesn't want anybody to know anything." JUNIOR further stated that the weather is warmer where he is at.

j. On December 7, 2010, at approximately 3:29 p.m. (Call 106), QUINTERO spoke with an unidentified male, who was using a telephone assigned IMSI number 316010159852593. In the conversation, QUINTERO stated that he "is waiting for this to finish [waiting to finish unloading the train cars]," and that it only has a few days left and QUINTERO "will be selling it [the drugs]." QUINTERO further stated that he is "worried about getting caught," and that he "will commit suicide inside [of prison]."

k. On December 7, 2010, at approximately 3:48 p.m. (Call 109), QUINTERO spoke with an unidentified male, who was using a telephone number 773-603-3930. In the conversation, QUINTERO told UM not to count on the money that QUINTERO had promised him, but that UM will get some money. QUINTERO further discussed whether “Ducky” is going to “show up tomorrow [to help unload the train cars].” UM stated that “Ducky” does not want to go [back to work] because the people who lent QUINTERO the fork lifts [to unload the super sacks] know Ducky’s father, and that “Ducky’s father found out what “Ducky” was doing [unloading marijuana]. UM stated that “Ducky” is “scared.” QUINTERO further stated that “Ducky” “ripped another bag [super sack] today.”

l. On December 7, 2010, at approximately 10:14 p.m. (Call 145), QUINTERO spoke with MAGANA, who was using Target Phone 5. In the conversation, MAGANA stated that “the guy is nearby, and asked, “is one-thousand enough [is \$1,000 to cover the expenses]?” QUINTERO responded that it was enough, and that QUINTERO will give “his guys money to buy food, gas, and cigarettes.” Later in the conversation, MAGANA stated that QUINTERO should not rush himself, and that if QUINTERO can “do one or two a day [unload one or two cars per day], it would be better,” because MAGANA “does not want nothing bad to go wrong.” QUINTERO agreed, and stated that he had already talked to his father [M-QUINTERO] “about that.” MAGANA ended the conversation by stating that “the guy should be on his way to give him the money,” and that if QUINTERO needed anything else, “just to let [MAGANA] know,” and MAGANA will send it to [QUINTERO].”

K. December 8, 2010

39. On December 8, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators, related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 8, 2010, at approximately 7:23 a.m. (Call 188), QUINTERO spoke with his father M-QUINTERO, who was using telephone number 773-552-9007 (hereinafter the “Martin Quintero Phone”).⁶ According to information provided by the telephone company, the Martin Quintero Phone is registered to M-QUINTERO, at 321 E. Indian Trail, in Aurora, Illinois. During the conversation, QUINTERO asked if “they already arrived [at the Target Premises],” and M-QUINTERO stated that they had. QUINTERO stated that M-QUINTERO should call him once M-QUINTERO “opens up [the train car],” so that M-QUINTERO can let QUINTERO know “what the color [of the pigment] is.”

b. On December 8, 2010, at approximately 7:54 a.m. (Call 189), QUINTERO spoke with his father, M-QUINTERO, on the Martin Quintero Phone. During the conversation, QUINTERO asked if “they opened up the wagon [train car] yet,” and M-QUINTERO responded that they are “working on it already.” M-

⁶ Identification of M-QUINTERO in this Affidavit is based upon the following: First, agents and monitors have been able to identify M-QUINTERO’s voice because that voice has been intercepted numerous times over Target Phone 4 (used by QUINTERO). Second, when M-QUINTERO was arrested on December 15, 2010, he was in possession of the Martin Quintero Phone, which was intercepted over Target Phone 4. Third, following M-QUINTERO’s arrest, he waived his Miranda rights and admitted that it was his voice on several calls intercepted over Target Phone 4. Finally, an agent familiar with the voice of the user of the Martin Quintero Phone listened to M-QUINTERO speak during his post-arrest interview and determined that M-QUINTERO was, in fact, the user of the Martin Quintero Phone.

QUINTERO stated that they are “orange [the pigments in the super sacks today are orange]” and that they were yellow yesterday. Based upon information I have learned in this investigation, I believe that the color of the pigments inside the super sacks corresponds to whether the super sacks contain drugs.

c. On December 8, 2010, at approximately 7:57 a.m. (Call 196), QUINTERO spoke with MAGANA, who was using Target Phone 5. In the conversation, MAGANA asked, “where do the orange color ones go at [what part of Target Premises 2 do the super sacks containing orange pigment go]?” QUINTERO responded, “the same, the same [in the same part of the warehouse] as the yellow.”

d. On December 8, 2010, at approximately 10:04 a.m. (Call 228), QUINTERO spoke with UNCLE, who was using Target Phone 6. QUINTERO stated that he is not “there [at the Target Premises] yet, but that his “dad [M-QUINTERO] just called” and stated that “another one was ripped [a super sack was torn].” UNCLE stated that it is “best” for QUINTERO to be there, because “it might come out of something that is ripped [the drugs might fall out of a super sack that is ripped].” UNCLE further stated, “hopefully something [drugs] won’t come out of there all of a sudden.” QUINTERO stated that he “had a good talk with his dad [M-QUINTERO] about that.” QUINTERO stated that his dad’s phone number is 773-552-9007 [the Martin Quintero Phone].

e. On December 8, 2010, at approximately 10:47 a.m. (Call 231), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO stated, “they are sweeping up what spilled from the sack that was ripped.” QUINTERO asked if “they saw anything or if anything

came out [did anyone see drugs or did drugs fall out of the super sack]?” M-QUINTERO responded, “no.” M-QUINTERO further stated that “Jose [UNCLE]” and the “other Inge” were at the Target Premises also. QUINTERO stated that he would “be right there.”

f. On December 8, 2010, at approximately 10:48 a.m. (Call 232), QUINTERO spoke with UNCLE, who was using Target Phone 6. QUINTERO stated that “they [his father]” told QUINTERO that UNCLE was there [at the Target Premises]. QUINTERO stated that he would be there in 15 minutes. UNCLE stated that “they are going to be there [at the Target Premises] for awhile,” and that it was “a lot [of pigment from a super sack] that spilled.”

g. On December 8, 2010, at approximately 10:49 a.m. (Call 234), QUINTERO spoke with an unknown male, who was using telephone number 773-603-3930, which is registered to Kelly Quintero, at 2215 Leamington, Chicago, Illinois. QUINTERO stated that between his “dad [M-QUINTERO], Mike, and Chris, they “got one done [unloaded one train car] between 7:00 and 9:00 [a.m.]”

h. On December 8, 2010, at approximately 11:10 a.m. (Call 244), QUINTERO spoke with JUNIOR, who was using push-to-talk number 92*985979*1. JUNIOR asked “what color was the one that ripped [what color pigment was in the super sack that ripped]?” QUINTERO replied, “orange.” JUNIOR then stated, “be careful because the one that was open [ripped] has some [drugs in it].” QUINTERO stated that “they checked, and everything is fine [no drugs fell out].” QUINTERO asked when JUNIOR “will be coming [to the Chicago area],” and JUNIOR responded, “not yet.” JUNIOR stated that he had not talked to “Mr. Beto” because he does not

have a radio, and that JUNIOR had only talked with JUNIOR's boss and QUINTERO's boss [MAGANA]. JUNIOR stated that his "boss" told JUNIOR that "they" are going to send JUNIOR "by land" but that JUNIOR wants to go by plane. JUNIOR stated that "it was the same time last year, but it was less [the drug shipment was at the same time last year, but was a smaller shipment]. JUNIOR stated that last year one [shipment of drugs] arrived in November and one [shipment of drugs] arrived in December. JUNIOR stated that "they did work in January to deliver."

i. According to records provided by UP, Comercializadora De Minerale, the company in Mexico that sent the Subject Cars to Earth Minerals Company sent train cars to Earth Minerals on prior occasions. In particular, Comercializadora De Minerale imported what was represented to be "clay" from Mexico to Earth Minerals in November and December 2009.

j. On December 8, 2010, at approximately 1:27 p.m. (Call 277), QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, QUINTERO asked, "where does this go?" UNCLE responded, "what color is it?" QUINTERO stated, "it is a dark tobacco color." UNCLE stated, "hold on" because UNCLE "does not know if it goes on the first or second one [in the first or second of the two doors in Target Premises 2 that they were using]." At 1:33 p.m., UNCLE stated that "the orange and brown [super sacks containing orange or brown pigment] go on number two [in the second door of Target Premises 2]." QUINTERO and UNCLE spoke a number of additional times on December 8, 2010, concerning the logistics of transporting the super sacks.

k. On December 8, 2010, at approximately 2:55 p.m. (Call 303), QUINTERO spoke with UNCLE, who was using Target Phone 6. QUINTERO stated that he has seen suspicious people lurking around the Target Premises. UNCLE instructed QUINTERO to “get the plates [obtain the license plate number of the car the suspicious individuals were driving].” QUINTERO then provided UNCLE with a license plate number. At 2:57 p.m. (Call 307), UNCLE instructed QUINTERO to “set the lock [on Target Premises 2]” a certain way, so that they could check in the morning to see if someone tried to get inside. QUINTERO also provided UNCLE with an additional license plate to check.

m. On December 8, 2010, at approximately 4:03 p.m. (Call 335), QUINTERO spoke with an unidentified male (UM), who was using telephone number 773-742-3080. According to telephone records that I have reviewed, the telephone number 773-742-3080 is registered to QUINTERO’s alias, “Carlos Gomez. During the conversation, QUINTERO instructed UM to “pass the phone to Chris.” “Chris” and QUINTERO then discussed that “they are almost done [unloading the train cars]” and that it is going to be colder tomorrow.

n. On December 8, 2010, at approximately 10:27 p.m. (Call 358), QUINTERO spoke with M-QUINTERO, who was speaking on the Martin Quintero Phone. QUINTERO and M-QUINTERO discussed the logistics of unloading the train cars the next day. QUINTERO stated that M-QUINTERO should keep “Ducky” busy, and not let him just work the forklift. QUINTERO further stated, that “if you see the color orange and brown, those go to the last one [the last door of Target Premises 2]. Any of the other colors go to the first one [first door of Target Premises 2].”

o. On December 8, 2010, at approximately 10:33 p.m. (Call 364), QUINTERO spoke with an unidentified male (UM), who was using telephone number 773-603-3930, which is registered to Kelly Quintero, at 2215 Leamington, Chicago, Illinois. During the conversation, UM stated that VERA would be there [at the Target Premises] tomorrow at 9:30 a.m. QUINTERO stated that he wants VERA there at 7:00 a.m., and therefore QUINTERO will lower VERA's wages.

p. On December 8, 2010, at approximately 10:34 p.m. (Call 365), QUINTERO spoke with VERA, aka Ducky, who was using telephone number 773-852-2130. VERA stated that he will be "there [at the Target Premises]" by 9:00 or 9:30. QUINTERO and VERA then discussed the logistics of unloading train cars the next day.

q. On December 8, 2010, at approximately 10:35 p.m. (Call 366), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO and M- QUINTERO discussed the logistics of unloading train cars the next day. QUINTERO instructed his father to call QUINTERO "once he finds the colors [once the train car is opened and they determine what color pigments the super sacks contain]."

L. December 9, 2010

40. On December 9, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators, related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 9, 2010, at approximately 7:05 a.m. (Call 379), QUINTERO spoke with UNCLE, who was using Target Phone 6. QUINTERO stated, “there is a van blocking the door for the first warehouse [the first door of Target Premises 2].” UNCLE responded that the van belongs to them, and that they are on their way to Target Premises 2. UNCLE further stated, “do not get scared or anything [because the van is not law enforcement].”

b. On December 9, 2010, at approximately 9:41 a.m. (Call 390), QUINTERO spoke with his father, M-QUINTERO, who was speaking on the Martin Quintero Phone. During the conversation, M-QUINTERO stated that a truck left to the “other warehouse [Target Premises 2], and that it was “a red one [the super sacks on the truck contain red pigment], but they did not tell M-QUINTERO which warehouse it was going to go into. QUINTERO responded, “it goes to the first warehouse [the first door of Target Premises 2].”

c. On December 9, 2010, at approximately 11:42 a.m. (Call 402), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO asked, “does the red one go in the first one [do super sacks containing red pigment go into the first door of Target Premises 2]?” QUINTERO responded affirmatively.

d. On December 9, 2010, at approximately 11:51 a.m. (Call 408), QUINTERO spoke to MAGANA, who was using Target Phone 5. During the conversation, QUINTERO stated that he does not want MAGANA to think that he is “not trying hard enough [to unload the train cars].” QUINTERO further stated that the “red one” goes “on the first one [in the first door of Target Premises 2].”

e. On December 9, 2010, at approximately 11:57 a.m. (Call 411), QUINTERO spoke with GONZALEZ, who was using telephone number 773-746-1927. QUINTERO and GONZALEZ discussed the logistics of transporting super sacks. GONZALEZ stated, “the brown and the red are in the first one [brown and red super sacks are being stored in the first entrance to Target Premises 2].”

f. On December 9, 2010, at approximately 12:52 p.m. (Call 416), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO stated that he doesn't think they are going to be able to finish [unloading] today. QUINTERO instructed M-QUINTERO not to open “the other one [other train car],” and M-QUINTERO responded that they had already opened it. QUINTERO stated, “that's fine, but don't take anything [super sacks] out.” QUINTERO further instructed M-QUINTERO not to take “it” out, because “he [MAGANA] wants nothing to be kept outside.” QUINTERO also asked, “what color is it?” and QUINTERO stated that he does not know. M-QUINTERO asked, “is there going to be money tomorrow?” and if QUINTERO is “going to pay the guys?” QUINTERO responded that he is “going to talk to him [MAGANA] today,” and that “they [the workers] are still going to help him un-package [break down the super sacks and retrieve the drugs].” QUINTERO stated that they will get paid when “that goes out [the drugs are distributed].”

g. On December 9, 2010, at approximately 3:25 p.m. (Call 422), QUINTERO spoke with his father, M-QUINTERO, on the Martin Quintero Phone. During the conversation, M-QUINTERO stated, “they are finished [unloading cars for the day], and everything is well organized.” M-QUINTERO and QUINTERO further

discussed logistics of unloading the train cars the following day. QUINTERO stated that he is going to meet with “Inge [MAGANA]”, later on.

h. On December 9, 2010, at approximately 3:58 p.m. (Call 425), QUINTERO spoke with UNCLE, who was using Target Phone 6. QUINTERO stated that he had “spoke to his dad [M-QUINTERO], and his dad told him that they did not finish the second wagon [did not finish unloading the second train car], because Inge [MAGANA] told him not to leave anything open [not to leave any train cars open].” QUINTERO further stated that there are “two more [train cars left to unload], and that “they will finish those tomorrow in the morning.” At approximately 3:59 p.m. (Call 427), QUINTERO stated, “I’m going to meet up with “Inge [MAGANA],” and that QUINTERO will be with “Inge [MAGANA] because Inge needs him for what’s next [MAGANA needs QUINTERO to help un package and distribute the drugs].”

i. On December 9, 2010, at approximately 4:24 p.m. (Call 429), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO asked, “did you speak with the engineer [MAGANA], to see about the other forklift?” QUINTERO replied that he is going to meet with “him [MAGANA]” in person, and asked if M- QUINTERO wanted to go with QUINTERO to meet with “him [MAGANA].” QUINTERO further stated that he will call M-QUINTERO “when Elise calls him, so they can get together.”

j. On December 9, 2010, at approximately 6:51p.m. (Call 441), QUINTERO spoke with JUNIOR, was using push to talk number 92*985979*1. During the conversation, JUNIOR asked QUINTERO what he is doing. QUINTERO responded, “changing diapers.” QUINTERO stated, “I didn’t go in today [to work at the

Target Premises], but they only have two more to do [two more train cars to finish unloading]. They finish those two tomorrow.”

k. On December 9, 2010, at approximately 7:20 p.m. (Call 452), QUINTERO spoke with an unknown male, whom QUINTERO referred to as “Rafa,” and who was using telephone number 773-491-8964. During the conversation, QUINTERO asked Rafa if QUINTERO could pay him the money QUINTERO owes him in two payments. QUINTERO further stated that he “also has to pay [Rafa’s] cousin and brother too, and that QUINTERO wants to give his dad [M-QUINTERO] his [money] first.”

l. On December 9, 2010, at approximately 7:50 p.m. (Call 460), QUINTERO received a telephone call from Individual M, who was using telephone number 773-742-3080. QUINTERO answered the phone and asked, “what number are you calling me from? The company phone?” Individual M stated that she was calling from the company phone. QUINTERO then stated, “slap yourself in the face, the police may be after me now.” Individual M then stated that she did not see her other phone.

m. On December 9, 2010, at approximately 8:34 p.m. (Call 463), QUINTERO spoke with Individual M, who was using telephone number 773-742-3080. QUINTERO asked, “did Inge [MAGANA] call?” and Individual M responded that “nobody had called.”

n. On December 9, 2010, at approximately 10:06 p.m. (Call 469), QUINTERO spoke to MAGANA, who was using Target Phone 5. During the conversation, MAGANA stated, “I called another guy [JUNIOR], and the guy told me that you were out buying baby bottles.” MAGANA asked QUINTERO, “what do you

need?” QUINTERO responded, “nothing, everything is fine” and that QUINTERO “would like to meet with [MAGANA] tomorrow to have a serious conversation.” MAGANA stated that they “can meet tomorrow.” MAGANA further stated that he “would like for them to finish that over there [finish unloading the Subject Cars] by tomorrow, because there is some stuff they have to do tomorrow – they are going to start to distribute [the marijuana].” QUINTERO responded, “that’s fine, they can start that in the afternoon. I’ll go over there and give them a hand, then [QUINTERO] can meet [MAGANA] somewhere.” MAGANA then stated, “remember, if they do not distribute, they won’t get any money. As soon as they deliver something, they’ll have money right away [if the workers do not help break down and distribute the drugs, they will not be paid for their work].”

QUINTERO then asked, “do you already want to do something [break down the super sacks] tomorrow?” and MAGANA responded that he “was thinking about when they were going to open that [the super sacks], there is a vacuum that intakes from one side and throws it out from the other side [a machine sifts the pigments, thereby revealing the concealed drugs].” MAGANA further stated, “I already have the [sifting] machine, I will take it over there [to Target Premises 2] tomorrow.” MAGANA stated, “we will have 4 or 5 guys inside [using the sifting machine], and you guys will have 4 or 5 guys outside [unloading the last two Subject Cars]. We’ll try to sneak in [to Target Premises 2] so that way you can’t see too many people, that way we can work there, so we can try to deliver something tomorrow.” MAGANA further stated that he is “interested in delivering something [drugs] tomorrow, and again on Saturday.” QUINTERO asked, “do you think it will look really bad if they worked [in

Target Premises 2] at night?” MAGANA responded, “there is a guard there, and the police monitor that area,” and that MAGANA “does not want anything to go wrong there at night; they have always played it safe and they don’t want to get carried away.” MAGANA further stated that he will “lay it out” [explain everything] to QUINTERO tomorrow, and that MAGANA will “have the system there tomorrow, everybody will be working, there will be a semi [truck] going there as well.” MAGANA stated, “once they deliver that [the drugs], they will have a lot of money.” QUINTERO replied, “that sounds good,” and that QUINTERO wants to meet with MAGANA to talk “about some other stuff.”

o. On December 9, 2010, at approximately 10:28 p.m. (Call 471), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO stated, “I have some bad news for you ... I just talked to [MAGANA] on the phone, and [MAGANA] told me there is not going to be a check until they start delivering [the workers will not get paid until the drugs are delivered].” QUINTERO further stated, “the good thing is that [MAGANA] is going to go deliver something tomorrow, he is going to go in the morning and start unwrapping [removing the drugs from the super sacks].” QUINTERO stated, “while they are unloading the wagon, [MAGANA] will be unwrapping on the other side [of Target Premises 2], ... so that way they can have money tomorrow.” M-QUINTERO stated that he agreed. M-QUINTERO stated that “he” told M-QUINTERO that he was only going to “do that [help unload the train cars, not separate out the drugs].” M-QUINTERO instructed QUINTERO to “just pay him for his week [of work unloading the Subject Cars] and that’s it.” QUINTERO then instructed M-QUINTERO to “shut

up,” and QUINTERO stated that he “would see [M-QUINTERO] tomorrow over there [at the Target Premises]. M-QUINTERO agreed.

M. December 10, 2010

41. On December 10, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators, related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 10, 2010, at approximately 7:47 a.m. (Call 473), QUINTERO spoke with GONZALEZ who was using telephone number 773-746-1927. During the conversation, GONZALEZ asked, “is dude going to let us borrow a third forklift?” and QUINTERO responded that they only have two forklifts.

b. On December 10, 2010, at approximately 7:57 a.m. (Call 474), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO asked about “the other forklift,” and QUINTERO stated that they “don’t have another one, and to “ask Tony if he will let you borrow one.”

c. On December 10, 2010, at approximately 8:18 a.m. (Call 475), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO asked QUINTERO to “have ingeniero [MAGANA] talk to the other guy [about getting another forklift].” QUINTERO responded that he is “going to call Aron.”

d. On December 10, 2010, at approximately 8:24 a.m. (Call 476), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero

Phone. During the conversation, M-QUINTERO stated that “they need diesel [fuel for the forklifts].” QUINTERO responded that he was “going to send Porky [VERA to get the fuel].”

e. On December 10, 2010, at approximately 9:09 a.m. (Call 477), QUINTERO spoke with his father, M-QUINTERO, on the Martin Quintero Phone. During the conversation, M-QUINTERO stated, “there is not more room in the warehouse [in the first door to Target Premises 2], should he take it to the other warehouse [the last door in Target Premises 2]?” QUINTERO asked, “is it red [is the pigment inside of the super sack red, and therefore has drugs in it]?” M-QUINTERO stated that it was red. QUINTERO then stated that he would call M-QUINTERO back.

f. On December 10, 2010, at approximately 9:10 a.m. (Call 482), QUINTERO spoke to MAGANA, who was using Target Phone 5. During the conversation, QUINTERO stated that he had "another red one," and asked PADRINO what he should do with it. MAGANA replied, "it should go all the way to the back." QUINTERO then asked if "it will go in the second one [the second door in Target Premises 2]," and MAGANA responded, "no, the first one."

g. On December 10, 2010, at approximately 9:11 a.m. (Call 484), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. QUINTERO instructed M-QUINTERO that “it should go in the first one.” M-QUINTERO responded, “they don’t fit anymore,” and QUINTERO instructed him to “find a way [to make it fit].”

h. On December 10, 2010, at approximately 9:13 a.m. (Call 485), QUINTERO spoke to MAGANA, who was using Target Phone 5. In the conversation, QUINTERO asked if they are going to need a lot of space to work, "because if they put this one in [behind the first door of Target Premises 2], then there wouldn't be any room." MAGANA stated that they "definitely need to make room for the [sifting] machine."

i. On December 10, 2010, at approximately 9:14 a.m. (Call 487), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. QUINTERO instructed M-QUINTERO to "put it [the super sack containing drugs] in the second one [second door being used in Target Premises 2], but keep it separate [from the other super sacks]."

j. On December 10, 2010, at approximately 10:41 a.m. (Call 498), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO stated that "they wanted to sift something [the drugs] today, so they can pay the guys," but that "they did not bring the [sifting] machine." QUINTERO further stated that he is "going to call Inge [PADRINO]." QUINTERO then stated that he will give M-QUINTERO "some money," so that "mom does not get suspicious." M-QUINTERO stated, "the guys [GONZALEZ, VERA, and MIKE] also asked if there was going to be money." QUINTERO stated, "do not worry about the guys," and that QUINTERO will give M-QUINTERO "his cut" once [QUINTERO] makes money."

k. On December 10, 2010, at approximately 10:43 a.m. (Call 503), QUINTERO spoke with UNCLE, who was using Target Phone 5. QUINTERO stated

that he had spoken with “[the Union Pacific CSR] about releasing the Subject Cars back to UP. UNCLE stated that he will call Inge [MAGANA] and ask him about the release. QUINTERO then asked, “if they took the [sifting] machine [to Target Premises 2]?” UNCLE responded, “not yet.” QUINTERO then stated, “call me back and let me know [when the sifting machine will arrive], so they can make the lines.”

1. On December 10, 2010, at approximately 10:46 a.m. (Call 511), QUINTERO spoke with JUNIOR, who was using push-to-talk number 92*985979*1. In the conversation, QUINTERO stated that he “had spoken to [the CSR]” about the release of the Subject Cars. JUNIOR asked, “are they already working [sifting out the drugs]?, and QUINTERO responded “not yet, they haven’t taken the camera [sifting machine] yet.” JUNIOR asked, “what machine?” and QUINTERO responded “the machine to sift.” JUNIOR asked, “did you meet with your boss [MAGANA] after all yesterday?” and QUINTERO responded that he did not see him, but that QUINTERO spoke to him. QUINTERO stated that “he [MAGANA] told [QUINTERO] that they would have the machine there at 8 a.m.” QUINTERO stated that he “has to give the guys [workers] some money,” and that “he [MAGANA] told [QUINTERO] that they would be unloading something [distributing drugs] today, but he hasn’t heard anything else.” JUNIOR responded, “that was the plan, because he [MAGANA] told me something about that as well.” JUNIOR instructed QUINTERO to “take it slow and be careful.” QUINTERO further stated that he “does not know what the deal is,” and he has “to get together with inge [MAGANA],” and that QUINTERO “needs to know what they are going to do.” QUINTERO further stated that “his dad [M-QUINTERO] went over there the other day and [MAGANA] told him that it was a lot [of drugs].”

JUNIOR responded, "I know it is something big [there is a large amount of drugs, but I don't know exactly how much it is." Near the end of the conversation, QUINTERO asked "where are you at now?" and JUNIOR responded that he is "working, and has some stuff pending down there [in Mexico]." JUNIOR and QUINTERO then discussed the drug violence in Mexico.

m. On December 10, 2010, at approximately 11:00 a.m. (Call 513), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO discussed finishing "that other wagon [unloading a Subject Car], and stated that GONZALEZ and VERA went to get lunch. M-QUINTERO further stated that VERA had been there since the morning. QUINTERO stated that he is "on his way over there [to the Target Premises.]"

n. On December 10, 2010, at approximately 12:05 p.m. (Call 525), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO stated, "one is orange [one super sack contains orange pigment]." QUINTERO asked, "orange?" and M-QUINTERO confirmed. QUINTERO then asked, "it goes in the last one [second warehouse door in Target Premise 2], right?" M-QUINTERO stated, "everything is going to the last one."

o. On December 10, 2010, at approximately 12:13 p.m. (Call 526), QUINTERO spoke to MAGANA, who was using Target Phone 5. In the conversation, MAGANA stated that he was "loading the [sifting] machines." MAGANA stated that it "is a professional one," and that "they can make it with that." MAGANA and QUINTERO then discussed that MAGANA will "take it [the machine] over there [to

Target Premises 2].” QUINTERO stated that he "will be there [at Target Premises 2] when it gets there."

p. On December 10, 2010, at approximately 12:14 p.m. (Call 528), QUINTERO spoke to MAGANA, who was using Target Phone 5. In the conversation, QUINTERO stated that he will “head over there [to the Target Premises],” and that “they are starting on the second one [starting to unload the second Subject Car for the day].” QUINTERO further stated, “everything is going into the second house because there was no more room in the first one [all super sacks are being placed behind the second door of the Target Premises].” MAGANA asked if they said what color it [the materials in the super sack] was, and QUINTERO responded, “orange.” MAGANA stated that they “are loading the [sifting] machine,” but they are not going to “do it” [deliver it] until after lunch. MAGANA stated that if they get the equipment set up, “then they should go ahead and do it [start sifting], if not, then they will have to wait until tomorrow.” MAGANA stated that the guard [for the Target Premises] arrives “between 3 and 4,” and that MAGANA is debating whether to do it [beginning to sift out the drugs] today or tomorrow. MAGANA and QUINTERO then discussed the possibility of only setting up the machine tonight. MAGANA stated that he will meet the guys [the workers] “in the evening so they can talk.”

q. On December 10, 2010, at approximately 12:40 p.m. (Call 538), QUINTERO spoke with UNCLE, on Target Phone 6. QUINTERO stated that “a white guy went inside the warehouse and asked for the material.” QUINTERO asked, “what does the owner of the warehouse look like?” UNCLE stated that he is a “tall white guy, his name is Craig.” Two minutes later, QUINTERO called GONZALEZ, who was using

phone number 773-746-1927. QUINTERO asked, "is he a tall old white dude?" GONZALEZ stated that it was. QUINTERO stated, "that is the guy from the warehouse, he is the one that owns everything."

r. On December 10, 2010, at approximately 1:02 p.m. (Call 549), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, M-QUINTERO stated he thinks they will finish [unloading the Subject Cars] today. M-QUINTERO further stated that a super sack "fell out from the forklift and the handles ripped off." QUINTERO asked, "did any [drugs] fall out?," and M-QUINTERO replied, "no, I tied the sack with a belt." QUINTERO stated, "you have to go tomorrow to take the stuff [drugs] out of the sacks." M-QUINTERO responded, "the machine has not arrived," and QUINTERO stated, "it should arrive before [M-QUINTERO] leaves [the Target Premises]." QUINTERO further stated that he "already talked to inge [MAGANA]," and that he is going to meet [MAGANA] later. QUINTERO stated, "it is not worth it for [QUINTERO] to go over there [to the Target Premises] and start taking the stuff [drugs] out, if [MAGANA] is not going to do anything [begin to distribute the drugs]." QUINTERO then stated that he wants to buy jump suits and face masks [for unloading the marijuana]. QUINTERO further stated that he would meet with M-QUINTERO later, "so they can settle up [QUINTERO can pay M-QUINTERO for the labor he has performed]. QUINTERO stated that he would settle up with "the guys" later, and M-QUINTERO stated that "it is not nice to be without money on the weekend," and that QUINTERO should "give them something." QUINTERO stated that he would "give them something" out of his "own pocket," and that he will "give them \$500 each."

QUINTERO further stated that he would pay M-QUINTERO “at the house.” QUINTERO stated, “let everybody know, if they want to get paid, they better finish [unloading the last of the Subject Cars].”

s. On December 10, 2010, at approximately 2:55 p.m. (Call 607), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO asked, did “they deliver the [sifting] machine?,” and M-QUINTERO responded, “nothing has been delivered.” M-QUINTERO stated, “those guys don’t do shit, they are probably sitting around.” QUINTERO stated, “that is because they are the boss.”

t. On December 10, 2010, at approximately 3:11 p.m. (Call 611) and 3:13 p.m. (Call 615), QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, UNCLE asked, “how is it going?” QUINTERO responded, “they are doing the last run to the warehouse [moving the last of the super sacks from the Target Premises to Target Premises 2].” UNCLE stated, “that is good,” and asked if they were cleaning up. QUINTERO and UNCLE further discussed that Illiana Steel does not want to do the paperwork to release the Subject Cars from UP. UNCLE asked if UP will be able to release the cars today, “so they stop charging the fees for the cars.”

u. On December 10, 2010, at approximately 3:15 p.m. (Call 617), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO asked, “were the two guys busy?” and “what about Gordo [VERA]?” M-QUINTERO stated, “everybody is doing a good job.” QUINTERO stated that they will “meet later to see what they do,” and that

QUINTERO “has money.” QUINTERO further stated that he “has some money,” and “wants to pay everybody no later than Monday.”

v. On December 10, 2010, at approximately 4:08 p.m. (Call 643), QUINTERO spoke with MIGUEL CORDOVA, aka Mike, who was using telephone number 773-746-1927.⁷ During the conversation, CORDOVA stated that they are “done [unloading the Subject Cars].” QUINTERO further stated that QUINTERO is trying to get “them some paper [cash payment for unloading the cars],” but that QUINTERO needs to talk to GONZALEZ, VERA, and CORDOVA first.

w. On December 10, 2010, at approximately 4:24 p.m. (Call 657), QUINTERO spoke with an unidentified male (UM), who was using telephone number 773-603-3930, which is registered to Kelly Quintero, at 2215 Leamington, Chicago, Illinois. QUINTERO stated that QUINTERO, VERA, GONZALEZ, and CORDOVA are going to meet at the UM’s house.

x. On December 10, 2010, at approximately 4:33 p.m. (Call 659), QUINTERO spoke with his father, M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO stated that there is room in the warehouse [Target Premises 2] to work. QUINTERO stated that he does not know how “big the [sifting] machine is that they are going to bring.” QUINTERO further stated that “some sacks” are going to “the other warehouse.” M-QUINTERO asked if “they

⁷ Identification of CORDOVA in this Affidavit is based upon the following: First, agents and monitors have been able to identify CORDOVA’s voice because that voice has been intercepted over Target Phone 4 (used by QUINTERO). Finally, an agent familiar with the voice of the user of the telephone assigned telephone number (773) 746-1927 in Call 726, listened to CORDOVA speak during his post-arrest interview and determined that CORDOVA was, in fact, the user of the telephone assigned telephone number (773) 746-1927 in Call 726.

are going to be transporting the material from there [Target Premises 2] to the other warehouse, and QUINTERO responded that he does not know. M-QUINTERO stated, "I know how that guy [MAGANA] is [meaning, he knows that MAGANA does not share details of the operation]. M-QUINTERO asked, "what did he [MAGANA] tell you," and QUINTERO stated that he is going to meet up with "him [MAGANA] later."

y. On December 10, 2010, at approximately 5:31 p.m. (Call 692), OSVALDO QUINTERO spoke with MAGANA, who was using Target Phone 5. During the conversation, MAGANA stated that he "didn't have time to take the [sifting] machine over there today," and that he would "take it tomorrow." MAGANA further added that he was "going to take it early tomorrow morning." QUINTERO and MAGANA then made plans to meet at a later time.

z. On December 10, 2010, at approximately 8:00 p.m. (Call 702), QUINTERO spoke with MAGANA, who was using Target Phone 5. During the conversation, QUINTERO asked, "are you free?" and MAGANA stated that he is heading towards QUINTERO.

aa. On December 10, 2010, at approximately 8:14 p.m. (Call 704), QUINTERO spoke with GONZALEZ, who was using telephone number 773-746-1927. During the conversation, QUINTERO stated that he is going to meet with "the boss [MAGANA]" to "get some paper [cash] for them [GONZALEZ, CORDOVA, and VERA]." QUINTERO further stated that "they" would "meet today."

bb. On December 10, 2010, at approximately 9:20 p.m. (Call 723), QUINTERO spoke with MAGANA, who was using Target Phone 5. MAGANA stated

that he was "nearby," and asked QUINTERO where he should meet him. QUINTERO replied they can meet "at Dunkin Donuts on Fullerton and Laramie."

cc. On December 10, 2010, at approximately 9:22 p.m. (Call 725), QUINTERO spoke with an unidentified male (UM), who was using telephone number 773-603-3930, which is registered to Kelly Quintero, at 2215 Leamington, Chicago, Illinois. QUINTERO stated that he is "going to meet with Inge [MAGANA] right now, to talk to him." QUINTERO then stated, "call Chris and them, and tell them wait until tomorrow," because QUINTERO is "just now going to talk to Inge [MAGANA], and there is still work to be done." QUINTERO further stated that he "wants to give them at least \$500 each for the weekend, out of his own pocket." QUINTERO stated, "I haven't received money from Inge [MAGANA]." UM stated that he will "let Ducky know, because UM is with Ducky." QUINTERO further stated, "they still have a lot of work to do," and to "let Ducky know that the hard part [removing the drugs from the super sacks] is coming up next." QUINTERO then stated that he was going to "call Chris next."

dd. On December 10, 2010, at approximately 9:22 p.m., agents observed a Jeep Cherokee, driven by QUINTERO, parked by the Dunkin Donuts at Fullerton and Laramie Avenues, in Chicago.

ee. On December 10, 2010, at approximately 9:24 p.m. (Call 726), QUINTERO dialed telephone number 773-746-1927. CORDOVA answered the phone, and QUINTERO asked to speak with "Chris" [GONZALEZ]. CORDOVA stated that "Chris" [GONZALEZ] had stepped out. QUINTERO then stated that QUINTERO was "meeting with the old man [MAGANA] right now." QUINTERO further stated that he

is thinking about “paying them with his [QUINTERO’s] own paper [money],” because the old man [MAGANA] is not going to give them paper [money] until they are “done [distributing the drugs.]” QUINTERO stated that there is “something else to do [break down the super sacks to retrieve the drugs],” and asked CORDOVA if “they are down for that too, for extra paper [will CORDOVA and GONZALEZ help to break down the super sacks for extra money]?” CORDOVA stated that both he and GONZALEZ are “down [willing].” QUINTERO further stated that he is “meeting with the old man [MAGANA] now, at the Dunkin Donuts.” QUINTERO stated that “if he doesn’t get anything [money from MAGANA],” then QUINTERO will get it “out of his pocket [pay GONZALEZ, CORDOVA, and VERA with his own money].” QUINTERO further stated that they should meet in the morning, so that QUINTERO can “explain what’s going on” and give them “that paper [money].”

ff. At approximately 9:28 p.m., Surveillance observed a Ford Sport Trac (the "Sport Trac"), bearing Illinois temporary tag 124M470, arrive in the area of the Dunkin Donuts. Surveillance saw the passenger of the Sport Trac, a male individual, exit the vehicle and enter the front passenger seat of the Jeep Cherokee driven by QUINTERO. Based on my training and experience, and my participation in this investigation, I believe the male individual was MAGANA. Agents observed QUINTERO and MAGANA engaged in conversation. At approximately 10:00 p.m., MAGANA exited the Jeep and returned to the Sport Trac.

N. December 11, 2010

42. On December 11, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators related

to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 11, 2010, at approximately 1:57 p.m. (Call 737) QUINTERO spoke with GONZALEZ, who was using telephone number 773-746-1927. During the conversation, QUINTERO asked, “is MIKEY [CORDOVA] with you?” and GONZALEZ stated that he was. QUINTERO stated, “I’m going to get Ducky [VERA] to pick you up.” QUINTERO then contacted VERA, who was using an unknown telephone number, and asked VERA to pick up CORDOVA and GONZALEZ. QUINTERO instructed VERA to call him once GONZALEZ, CORDOVA, and VERA were together.

b. On December 11, 2010, at approximately 2:36 p.m. (Call 739) QUINTERO spoke with VERA, who was using telephone number 773-852-2130. QUINTERO stated that they are going to meet at Lowe’s on Narragansett. VERA responded, “we will be there.”

c. On December 11, 2010, at approximately 3:48 p.m. (Call 745), QUINTERO spoke with MAGANA, who was using Target Phone 5. During the conversation, QUINTERO asked, “what did you do?,” and MAGANA responded that he was just “arranging stuff over there [at Target Premises 2].” QUINTERO stated that he will “be there [at Target Premises 2] at seven in the morning.” MAGANA stated that he would like QUINTERO to “see it [the drugs] tomorrow.” QUINTERO asked if MAGANA wants QUINTERO to “take a bag over there tomorrow?” and MAGANA stated that he did. MAGANA and QUINTERO agreed to meet at noon, and agreed to “signal points.”

d. On December 11, 2010, at approximately 5:49 p.m. (Call 783),QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, QUINTERO stated, “I never spoke to that guy again, what’s his name [Individual A, the customs broker in Eagle Pass, Texas]. Did everything come out good?” UNCLE stated “ I believe so” and that “I did hear that they paid him ... it was around seven thousand one-hundred, only one-thousand was owed to complete it [they still owed the customs broker \$1,000]. But Inge [MAGANA] was going to leave it like that.” Later in the conversation, UNCLE asked, “you guys didn’t do anything today?” and QUINTERO responded, “no, I saw Inge [MAGANA] yesterday, and he said they just wanted to install that thing [the sifting machine], and start Monday at seven in the morning.”

e. On December 11, 2010, at approximately 6:47 p.m. (Call 788), QUINTERO spoke with JUNIOR, who was using push-to-talk number 92*985979*1. In the conversation, QUINTERO asked, “if there are seven or eight people inside [sifting out the marijuana], would they finish in two days?” JUNIOR responded, “I don’t know, it depends on how they work.” QUINTERO stated, “there is a [sifting] machine now.” QUINTERO further stated that the machine “is already assembled.” QUINTERO asked, “did Inge [JUNIOR’s father, OTHER INGE] pass through [enter the United States]?” and JUNIOR responded that he had not heard anything. QUINTERO stated that there “will be seven of them [workers],” and that he hopes they have time “to unwrap [the drugs] and cleanup.” QUINTERO asked, “do you have a date when you leave [Mexico], and JUNIOR stated that he does not, because he “has stuff pending.”

f. On December 11, 2011, at approximately 6:51 p.m. (Call 792), QUINTERO spoke with MAGANA, who was using Target Phone 5. During the conversation, QUINTERO stated that he thought that “Inge” [OTHER INGE] had arrived and was with MAGANA. MAGANA stated that Inge would arrive soon, and wondered how it was going to be at the airport. QUINTERO stated that he is resting, to save all of his energy for Monday. MAGANA stated that he is “preparing everything [at Target Premises 2] so that [QUINTERO] won’t struggle [unpacking the drugs on Monday].” MAGANA stated, “save your energy, and then go celebrate for two, three days, because you have lots to celebrate.”

O. December 12, 2010

43. On December 12, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4 , and other co-conspirators related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 12, 2010, at approximately 6:50 p.m. (Call 859), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO asked, “where did they leave the fork lift, the first one or the second one [behind the first or second door of Target Premises 2]?” M-QUINTERO responded that he thinks the forklift is in the first one, but to check with GONZALEZ.

b. On December 12, 2010, at approximately 6:51 p.m. (Call 860), QUINTERO spoke with GONZALEZ, who was using telephone number 773-742-1927. During the conversation, QUINTERO asked GONZALEZ where “they left the fork lift,

the first one or second one?” GONZALEZ responded, “the first one [behind the first door of Target Premises 2].”

c. On December 12, 2012, at approximately 7:48 p.m. (Call 899), QUINTERO spoke with MAGANA, who was using Target Phone 5. During the conversation, MAGANA stated that he was “talking to Inge [OTHER INGE], and [OTHER INGE] stated that he will set up the [sifting] machine [at Target Premises 2] and can tell them how to do it, while [MAGANA] is there.” MAGANA further stated that he “has a problem,” he “needs another truck” because his truck [Subject Vehicle 2] does not have a hitch.

d. On December 12, 2012, at approximately 7:49 p.m. (Call 901), QUINTERO spoke with MAGANA, who was using Target Phone 5. During the conversation, MAGANA asked, “do your guys have a vehicle with a hitch?” and QUINTERO responded that he will ask.

e. On December 12, 2012, at approximately 7:55 p.m. (Call 908), QUINTERO spoke with an unknown male (UM), who was using an unknown telephone number. During the conversation, QUINTERO stated, “I need the hitch from the blue truck.” QUINTERO further stated that, “they are going to take a machine [an additional sifting machine] to the warehouse [Target Premises 2],” and that he needs the hitch on his dad’s [M-QUINTERO’s] truck.

f. On December 12, 2010, at approximately 7:57 p.m. (Call 909), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO stated that “one of Inge’s guys can bring a car,”

and that “they are going to take the truck [MAGANA’s guys are going to give M-QUINTERO a car to drive while they borrow M-QUINTERO’s blue Durango].”

P. December 13, 2010

44. On December 13, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 13, 2010, at approximately 8:02 a.m. (call nos. 951, 953), QUINTERO spoke with UNCLE, who was using Target Phone 6. QUINTERO asked if “the OTHER INGE” went home?” and UNCLE stated that he had. UNCLE further stated that “he was going over there [to Target Premises 2],” and QUINTERO responded that he “will go over there [to Target Premises 2] in a while.”

b. On December 13, 2010, at approximately 8:03 and 8:04 a.m. (call nos. 955, 957), QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, QUINTERO instructed UNCLE to ask “Inge [MAGANA]” if he wants QUINTERO to “bring his guys [to Target Premises 2] or is it just going to be [QUINTERO] and Inge [MAGANA]?” UNCLE stated that he would ask “him [MAGANA] and call QUINTERO back.

c. On December 13, 2010, at approximately 8:04 a.m. (Call 961), QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, UNCLE stated that the guys [CORDOVA, VERA, and GONZALEZ] should come, “because there is still stuff to get done and organized well [at Target

Premises 2].” QUINTERO further stated that he would “call them [CORDOVA, VERA, and GONZALEZ] because he did not tell them anything yesterday.”

d. On December 13, 2010, at approximately 8:46 a.m. (call nos. 966, 968), QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, QUINTERO stated “no one is there [at Target Premises 2].” UNCLE stated that they “went for the bags, but should be there [at Target Premises 2] shortly.” UNCLE asked what size heater they will need, and QUINTERO responded, “one big one should be enough if they are only going to work in the back.” QUINTERO and UNCLE further discussed the use of fork lifts.

e. On December 13, 2010, at approximately 9:48 a.m. (Call 973), QUINTERO spoke with UNCLE, who was using Target Phone 6. During the conversation, QUINTERO stated that he “is ready.” UNCLE stated that “they will be heading there already” and that they “have the things already.” UNCLE asked, is “everything calm around there [at Target Premises 2]?” and QUINTERO stated that he “checked, and everything is fine.”

f. On December 13, 2010, at approximately 10:38 a.m. (Call 978), QUINTERO spoke with JUNIOR, who was using push-to-talk number 92*985979*1. In the conversation, QUINTERO stated that he “is in the truck, waiting on [JUNIOR’s] bosses.” QUINTERO stated that he “already talked to [the UP CSR] about the cars because they need to move them now.” JUNIOR responded, “ask them [UP] to do the favor and release them [the Subject Cars].”

g. On December 13, 2010, at approximately 2:13 p.m. (Call 986), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone.

During the conversation, M-QUINTERO asked “how they are doing?,” and QUINTERO responded, “they are fixing the [sifting] machines first.” M-QUINTERO asked, “is the machine there?” QUINTERO responded that it was not, and they “they are far.”

h. On December 13, 2010, at approximately 2:15 p.m. (Call 987), QUINTERO spoke with GONZALEZ, who was using an unknown telephone number.

During the conversation, QUINTERO and GONZALEZ discuss where they left a ratchet, and GONZALEZ stated that it was left on a fork lift.

i. On December 13, 2010, at approximately 4:32 p.m. (Call 1030), QUINTERO spoke with JUNIOR, who was using push-to-talk number 92*985979*1. In the conversation, QUINTERO asked, “who are you talking to, your father [OTHER INGE],” and JUNIOR responded, “no.” QUINTERO stated that he does not have JUNIOR’s father’s [OTHER INGE] telephone number. QUINTERO asked JUNIOR to ask OTHER INGE “what’s going on tonight?” JUNIOR stated that he will call his father [OTHER INGE] and will let QUINTERO know. QUINTERO further stated that he wants “Inge [MAGANA] to “calm down.” JUNIOR stated that OTHER INGE said that Inge [MAGANA] “went to get the machine.” JUNIOR stated that he does not think “that Inge [MAGANA] made it [delivered the machine to Target Premises 2], that is why there wasn’t anything today.” QUINTERO stated, “there is another problem,” and that OTHER INGE “will let you know [about the problem].”

j. On December 13, 2010, at approximately 5:16 p.m. (Call 1040), QUINTERO spoke with an unknown male, whom QUINTERO referred to as “CARNALITO” (hereinafter CARNALITO), who was using a telephone assigned push to talk number 111*385*5372 and IMSI 316010151018417 (Target Phone 7). During

the conversation, QUINTERO asked, "who's calling?" and CARNALITO responded, "it's me, the Carnalito [Spanish for "little bro]." QUINTERO asked, "did they [the police] stop you?" and CARNALITO responded that he was being followed. CARNALITO further stated that he "was able to give them the slip." CARNALITO further stated that he parked the vehicle that he was driving , and that "the Inge [MAGANA]" told CARNALITO to call QUINTERO to see if one of QUINTERO's boys could pick up CARNALITO's vehicle. CARNALITO asked, "if I give you [OTHER INGE's] number, can you give him directions so that he can arrive here?" CARNILITO then provided the push to talk number 92*985979*2 (Target Phone 8).

k. On December 13, 2010, at approximately 5:50 p.m. (Call 1070), QUINTERO spoke with CARNALITO, who was using Target Phone 7. During the conversation, QUINTERO and CARNALITO further discussed that CARNALTIO had been followed. QUINTERO stated, "they should lay low for one day, but keep an eye out over there [at Target Premises 2]. QUINTERO further stated, "let's see what Inge [MAGANA] says, but we should all vote to take a few days off [take a break from unloading the super sacks]." CARNALITO further stated that they "have been so cautious [with the marijuana], to screw it up at the end, that's fucked up." CARNALITO further stated that he would talk to "the other Inge [OTHER INGE]" and "tell him everything, and try to figure it out."

l. On December 13, 2010, at approximately 5:57 p.m. (Call 1076), 5:58 p.m. (Call 1078), and 6:01 p.m. (Call 1083), QUINTERO spoke with EDUARDO Angel ZALAYARAN-RUIZ, aka Other Inge ("ZALAYARAN"), who was using Target

Phone 8.⁸ During the conversation, QUINTERO gave directions to ZALAYARAN so that ZALAYARANEA could locate and retrieve CARNALITO. At approximately 6:14 p.m. (Call 1091), ZALAYARAN stated that he "is there, but doesn't see him [CARNALITO]." QUINTERO stated that he is going to call him [CARNALITO], and "ask him for his location."

m. On December 13, 2010, at approximately 6:15 p.m. (Call 1093), QUINTERO spoke with CARNALITO, who was using Target Phone 7. CARNALITO stated that he is in the "food court."

n. On December 13, 2010, at approximately 6:16 p.m. (Call 1095), QUINTERO spoke with CARNALITO, who was using Target Phone 7. QUINTERO stated, "he [OTHER INGE] is in the mall parking lot, I will tell him to wait for you."

o. On December 13, 2010, at approximately 6:17 p.m. (Call 1097), QUINTERO spoke with ZALAYARAN, who was using Target Phone 8. QUINTERO stated, "hey boss, he [CARNALITO] is at the mall too."

p. On December 13, 2010, at approximately 6:26 p.m. (Call 1109), QUINTERO spoke with CARNALITO, who was using Target Phone 7. CARNALITO asked, "did you send a guy for the little truck [the vehicle that CARNALITO abandoned]?" and QUINTERO stated that he will ask someone to move the truck. CARNALITO stated, "tell whoever moves it, if they [the police] stop him to say that the

⁸ Identification of ZALAYARAN in this Affidavit is based upon the following: First, agents and monitors have been able to identify ZALAYARAN voice because that voice is the user of Target Phone 8, which was intercepted over Target Phone 4 (used by QUINTERO). Second, following ZALAYARAN arrest, he waived his Miranda rights and admitted that it was his voice on several calls intercepted over Target Phone 4. Finally, an agent familiar with the voice of the user of Target Telephone 8, listened to ZALAYARAN speak during his post-arrest interview and determined that ZALAYARAN was, in fact, the user of Target Phone 8, which was intercepted over Target Phone 4.

person who was driving it had no papers, no driver's license, and that the guy got scared and left it there."

q. On December 13, 2010, at approximately 7:31 p.m. (Call 1120), QUINTERO spoke with CARNALITO, who was using Target Phone 7. CARNALITO stated that he is "at the mall with Inge [OTHER INGE]."

r. December 13, 2010, at approximately 7:53 p.m. (Call 1126), QUINTERO spoke with an unknown male, UM, who was using telephone number 312-489-4433. During the conversation, QUINTERO asked, "what do you think if they take the truck [that CARNALITO abandoned] over to his house?" UM stated, "whatever they want." QUINTERO further stated, "they can take it over there and hide around there."

s. On December 13, 2010, at approximately 9:47 p.m. (Call 1182), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. During the conversation, QUINTERO stated "they began following him by the expressway entrance ... they kept on following him and they didn't leave him alone, so then everyone spread open." QUINTERO further stated that he was with "Inge" and that the other one had M-QUINTERO's truck [the Blue Durango]. QUINTERO further stated, "the machine was brought over [to Target Premises 2] already, but we're going to lay low because of what happened today." QUINTERO further stated, "I haven't had any communication with Inge [MAGANA], because he turned his phones off."

t. On December 13, 2010, at approximately 11:06 p.m. (Call 1185), QUINTERO spoke with CARNALITO, who was using Target Phone 7. During the

conversation, QUINTERO stated that he “doesn’t think they will be seeing Inge [MAGANA] for a couple days, until things are more calm.” CARNALITO described that they were engaging in evasive driving to determine if they were being followed, but that “they didn’t see anything strange.”

u. On December 13, 2010, at approximately 11:08 p.m. (Call 1189), QUINTERO spoke with CARNALITO, who was using Target Phone 7. CARNALITO asked QUINTERO if he had spoken to “Inge [MAGANA].” QUINTERO responded, “no, he doesn’t have the same number anymore, and I haven’t tried him again.”

v. On December 13, 2010, at approximately 11:16 p.m. (Call 1196), QUINTERO spoke with CARNALITO, who was using Target Phone 7. During the conversation, CARNALITO stated that he is going to provide QUINTERO with "Inge's [MAGANA's]" phone number, but that he is going to provide it encoded. CARNALITO further stated that the first digits of the number are "Mexico area code."

w. December 13, 2010, at approximately 11:28 p.m. (Call 1214), QUINTERO spoke with an unidentified male, UM, who was using telephone number 312-489-4433. During the conversation, UM asked if “the other guy” said what “they are going to do early tomorrow?” and QUINTERO responded, “no, he didn’t say anything.” UM further stated that they are going to “take the black one [truck] there [to Target Premises 2] at 9:00 [a.m.]”

x. On December 13, 2010, at approximately 11:30 p.m. (Call 1220), QUINTERO spoke with CARNALITO, who was using Target Phone 7. During the conversation, CARNALITO first provided a phone number for [MAGANA] of 62*265306*2 [Target Phone 5; MAGANA’s old phone number]. CARNALITO then

provided the phone number 92*865823*9 as the new phone number of "Inge [MAGANA]" (hereinafter Target Phone 9).

y. On December 13, 2010, at approximately 11:32 p.m. (Call 1236), QUINTERO spoke with MAGANA, who was using Target Phone 9. Agents have compared the voice of the male speaking on Target Phone 9 to that of the male, MAGANA, who spoke on Target Phone 5 (as discussed above), and determined that they are the same individual. During the conversation, MAGANA asked, "the other truck [CARNALITO's vehicle that he left after he believed he was followed], did the Puerto Rican keep it?" QUINTERO responded, "no boss, we just put it away over by where we were at ... we hid it over here. It's secure on the street." MAGANA responded, "what the fuck, just tell me where it is and I will go and take it to a car lot and leave it there so it cools down [take it out of sight so that it will avoid law enforcement scrutiny]." QUINTERO further asked, "tomorrow boss, what are they going to do, take a day off [unloading the marijuana] to see what happens?" QUINTERO further asked, "how many guys" does QUINTERO need, and MAGANA responded that he needs three guys. MAGANA further instructed that QUINTERO needs to "work faster" and that MAGANA was thinking about having "two teams [unload the marijuana]" that could "finish in two days." QUINTERO asked, "Inge [OTHER INGE] on one side [of the warehouse] and QUINTERO on the other side, right?" and MAGANA stated that was right. MAGANA further stated that he should take a welder in the morning [to fix the sifting machine]. QUINTERO further stated, "I'll call you tomorrow boss," and that he "needs Inge [OTHER INGE] to set all the colors for him [organize the super sacks for distribution]." MAGANA stated, "they will

control that," and that MAGANA needs QUINTERO's opinions "on the deliveries, since he has been over there and knows the area. They are going to do four deliveries." MAGANA further stated, "check to see which is the nearest bank [to deposit drug proceeds]."

Q. December 14, 2010

45. On December 14, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 14, 2010, at approximately 12:04 a.m. (Call 1241), QUINTERO spoke with GONZALEZ, who was using telephone number 773-746-1927. During the conversation, QUINTERO asked if "they can show up tomorrow early in the morning to get that shit knocked out [marijuana unloaded]." QUINTERO stated that he wanted to get GONZALEZ his money, so QUITINERO wants to get it over with. QUINTERO further stated that he will try to get GONZALEZ some extra money, "but they need to bust their asses tomorrow and Wednesday." GONZALEZ stated that he will be out there [at Target Premises 2] in the morning. QUINTERO stated that VERA is "going to pick them up."

b. On December 14, 2010, at approximately 8:24 a.m. (Call 1247), OSVALDO QUINTERO spoke with VERA, who was using telephone number 773-852-2130. During the conversation, VERA asked if "they changed the locks [at Target Premises 2]" and QUINTERO affirmed that they did. QUINTERO asked if "anybody

is there [at Target Premises 2], and VERA stated “no.” QUINTERO further stated that he “is going to send them and will call [VERA] back.”

c. On December 14, 2010, at approximately 8:25 a.m. (Call 1252), QUINTERO spoke with CARNALITO, who was using Target Phone 7. During the conversation, CARNALITO asked QUINTERO if he spoke with “Inge [MAGANA]?” QUINTERO stated that he had, and that “he has the guys [VERA, CORDOVA, and GONZALEZ] over there but wants to know if he should take the guys back.”

d. On December 14, 2010, at approximately 8:30 a.m. (Call 1256), QUINTERO spoke with CARNALITO, who was using Target Phone 8. During the conversation, CARNALITO asked what “Inge [MAGANA] told QUINTERO when they spoke. QUINTERO stated that “Inge [MAGANA]” told him to “make two groups, one in one side and the second in the other side [the two sides of Target Premises 2].”

e. On December 14, 2010, at approximately 8:36 a.m. (Call 1262), QUINTERO spoke with CARNALITO, who was using Target Phone 8. During the conversation, CARNALITO stated that “Inge [MAGANA] is on his way.”

f. On December 14, 2010, at approximately 8:59 a.m. (Call 1264), QUINTERO spoke with VERA, who was using telephone number 773-852-2130. During the conversation, QUINTERO stated, “they are on their way [to Target Premises 2],” and that QUINTERO “will be there” also.

g. On December 14, 2010, at approximately 10:16 a.m. (Call 1269), QUINTERO spoke with VERA, who was using telephone number 773-852-2130. During the conversation, QUINTERO stated, “they are going to put the machines

together when the guys get there.” QUINTERO further stated, “they will only be setting up the machines today [not unloading the drugs].”

h. On December 14, 2010, at approximately 10:18 a.m. (Call 1276), QUINTERO spoke with MAGANA, who was using Target Phone 9. During the conversation, MAGANA stated that he “is close by, and will be there in 10-15 minutes.” MAGANA further stated that he will “wait” for QUINTERO.

i. On December 14, 2010, at approximately 10:56 a.m. (Call 1284), QUINTERO spoke with VERA, who was using telephone number 773-852-2130. During the conversation, QUINTERO asked, “is the guy [MAGANA] there?” and VERA responded, “they just got there and are inside.” QUINTERO stated, “I will see them over there.”

j. On December 14, 2010, at approximately 12:22 p.m. (Call 1299) and 12:23 p.m. (call nos. 1299, 1301), QUINTERO spoke with CARNALITO, who was using Target Phone 8. During the conversation, CARNALITO stated that “Inge just called him.” CARNALITO and QUINTERO then discuss obtaining the release of the Subject Cars from UP, and the CSR.

k. On December 14, 2010, at approximately 4:32 p.m. (Call 1030), QUINTERO spoke with JUNIOR, who was using push-to-talk number 92*985979*1. In the conversation, QUINTERO asked for the “name of the company from Rocksdale [Earth Minerals]?” and JUNIOR gave QUINTERO the phone number for Target Phone 2. QUINTERO stated that JUNIOR’s father [OTHER INGE] was fixing machines at Target Premises 2. QUINTERO also stated, “who knows where Inge [PADRINO] is with the other one [sifting machine].”

l. On December 14, 2010, at approximately 1:40 p.m. (Call 1312), QUINTERO spoke with M-QUINTERO, who was using the Martin Quintero Phone. QUINTERO stated that “the guys are over there [at Target Premises 2], but that QUINTERO is not. M-QUINTERO asked, “who is with them?” and QUINTERO responded, “the OTHER INGE, the old guy.” M-QUINTERO further asked, “how are they doing,” and QUINTERO stated, “they are barely setting up the machines.”

m. On December 14, 2010, at approximately 1:50 p.m. (Call 1313), QUINTERO spoke with GONZALEZ, who was using telephone number 773-746-1927. During the conversation, GONZALEZ stated, “they are not doing nothing [at Target Premises 2].” GONZALEZ stated that “the guy” is going to “weld it [the sifting machine].” GONZALEZ stated, “I am telling him to look for three or five bricks [of drugs within the super sacks.]” QUINTERO further stated that he “will be over there [Target Premises 2]” and that “they are only going to do the machines today, and they still need one more [machine].”

n. On December 14, 2010, at approximately 2:31 p.m. (Call 1334), QUINTERO spoke with CORDOVA, who was using telephone number 773-746-1927. CORDOVA asked, “can we leave because we are not doing anything?” and said that “dude told him that they are going to bring a second machine.” QUINTERO stated that he is “going to call the old man [MAGANA]” and will call GONZALEZ back.

o. On December 14, 2010, at approximately 2:32 p.m. (Call 1337), QUINTERO spoke with ZALAYARAN, who was using Target Phone 8. ZALAYARAN stated that he is “just waiting for them so they can fix [the machine].”

p. On December 14, 2010, at approximately 2:34 p.m. (Call 1339), QUINTERO spoke with GONZALEZ on telephone number 773-746-1927. GONZALEZ asked, "are we going to work tomorrow?" and QUINTERO responded, "yes." QUINTERO stated, "Inge [the OTHER INGE] is going to stay there and get the machine working today."

q. On December 14, 2010, at approximately 2:51 p.m. (Call 1350), QUINTERO spoke with CARNALITO, who was using Target Phone 8. During the conversation, CARNALITO stated that he does not have information about the company [Earth Minerals], so that QUINTERO needs to get the Subject Cars released from UP. QUINTERO stated that he will call Inge [MAGANA], and CARNALITO responded that Inge [MAGANA] is with CARNALITO. MAGANA then began speaking on CARNALITO's phone. MAGANA then provided information related to the Earth Minerals company. MAGANA stated that he doesn't know if JUNIOR has the email address.

r. On December 14, 2010, at approximately 5:15 p.m. (Call 1397), QUINTERO spoke with OTHER INGE, who was using Target Phone 8. OTHER INGE stated, "the other machine will be there [Target Premises 2] in the morning."

s. On December 14, 2010, at approximately 5:17p.m. (Call 1399) and 5:18 p.m. (call nos. 1399, 1405), QUINTERO spoke with CARNALITO, who was using Target Phone 8. During the conversation, QUINTERO stated, "ask Inge [MAGANA] if we are going to work on Saturday," and CARNALITO stated, "hold on, let me hand the phone to him." MAGANA then got on CARNALITO's phone and stated

“I don’t think the they are going to take that long,” and that they “should be done in two days.”

t. On December 14, 2010, at approximately 8:19 p.m. (Call 1435), QUINTERO spoke with MAGANA, who was using Target Phone 9. During the conversation, MAGANA discusses that he is driving with a machine attached to the back of his vehicle. MAGANA stated that the machine will be there early in the morning, “so they can work immediately.” MAGANA further stated that they “have to start early.”

u. On December 14, 2010, at approximately 11:42 p.m. (Call 1456), QUINTERO spoke with VERA, who was using telephone number 773-852-2130. During the conversation, QUINTERO stated, “they might get paid tomorrow if they get something out [remove drugs from the super sacks], but maybe not the whole thing.” VERA stated that he would send a text message to “everyone” to get them ready for tomorrow. QUINTERO stated that they will have two teams, one team using the machine and the other team using the machine.

46. On December 14, 2010, at approximately 12:10 p.m. and 1:00 p.m., Surveillance took photographs of individuals who were present at Target Premises 2. I have reviewed the photographs taken by Surveillance and compared those photographs to GONZALEZ, CORDOVA, ZALAYARAN, VERA, and MAGANA, all of whom I observed when these individuals were arrested on December 15, 2010 (as described below). Based upon these comparisons, the photographs taken at Target Premises 2 depict GONZALEZ, CORDOVA, ZALAYARAN, VERA, and MAGANA outside of Target Premises 2.

R. December 15, 2010

47. On December 15, 2010, agents intercepted a number of conversations between QUINTERO, who was using Target Phone 4, and other co-conspirators related to the unloading, transporting, and distribution, of the marijuana contained in the super sacks, including the following:

a. On December 15, 2010, at approximately 12:08 p.m. (Call 1561), QUINTERO spoke with MAGANA, who was using Target Phone 9. QUINTERO stated that they “moved the machine to the other side [of Target Premises 2].” QUINTERO asked MAGANA to “have the information ready,” and to call him back. MAGANA stated that he “will have all the information.”

b. On December 15, 2010, at approximately 2:51 p.m. (Call 1709). QUINTERO spoke with MAGANA, who was using Target Phone 9. QUINTERO and MAGANA discussed releasing the Subject Cars from UP. QUINTERO stated that “they need to put a lock on the door [at Target Premises 2].” MAGANA asked, “where should we meet, so I can give you money for the guy with the pallets?” QUINTERO asked, “are you at Home Depot?” MAGANA responded that he is at the Home Depot – “the one near [QUINTERO’s] house.”

S. Search of Target Premises 2

48. On December 13, 2010, Magistrate Judge Keys signed a search warrant authorizing agents to search Target Premises 2. On December 15, 2010, at approximately 3:30 p.m., agents executed the search warrant at Target Premises 2. Agents found 8 bundles stacked behind a super sack inside Target Premises 2. Agents field tested the substance inside one of the bundles, which tested positive for

marijuana. Agents also found the rest of the super sacks, which had not yet been unbundled, in Target Premises 2.

T. December 15, 2010 Arrests

49. On December 15, 2010, at approximately 3:15 p.m., Surveillance observed QUINTERO, MAGANA, and Individual V in a parking lot of a Home Depot store at N. Cicero Avenue, in Chicago, IL. Surveillance observed QUINTERO and Individual V exit the Jeep as MAGANA approached the Jeep Cherokee. Surveillance further observed the three men engaged in conversation outside the Jeep Cherokee. QUINTERO, MAGANA, and Individual V were then arrested by agents. QUINTERO and Individual V had red-color pigment on their shoes and pants.

50. In connection with the arrests of QUINTERO, MAGANA, agents found the following: (1) Target Phone 9 and a telephone assigned telephone number (773) 942-4258 (with push to talk number 111*417*3562) from MAGANA's person; (2) Target Phone 4 from QUINTERO's person; and (3) Target Phone 3 inside the Jeep Cherokee.

51. On December 15, 2010, at approximately 3:20 p.m., agents arrested GONZALEZ, CORDOVA, VERA, and ZALAYARAN as these individuals were approaching a vehicle parked approximately twenty feet from Target Premises 2. All four individuals were covered with a red-colored pigment.

52. In connection with their arrests, agents found the following: (1) a cellular telephone assigned telephone number (773) 746-1927 from GONZALEZ's person; (2) a cellular telephone assigned telephone number (773) 850-2130 from VERA's person; and (3) Target Phone 8 from ZALAYARAN's person.

53. On December 15, 2010, at approximately 7:40 p.m., agents arrested M-QUINTERO near the vicinity of Leamington and Palmer Avenues, in Chicago. In a search incident to arrest, agents found the Martin Quintero Phone on M-QUINTERO's person.

54. In ZALAYARAN's Mirandized post-arrest interview, ZALAYARAN admitted that it was his voice on the telephone calls intercepted over Target Phone 4 (used by QUINTERO).

55. In CORDOVA's Mirandized post-arrest interview, CORDOVA stated that he was supposed to be paid approximately \$3,500 by OSWALDO QUINTERO for CORDOVO's role in helping unload the train cars. CORDOVO further stated that he had observed several "bricks" on December 14, 2010 while he was involved in transporting the super sacks from the train cars. CORDOVO stated that he believed the bricks contained drugs.

56. In GONZALEZ's Mirandized post-arrest interview, GONZALEZ stated he was supposed to be paid approximately \$3,500 by OSWALDO QUINTERO for GONZALEZ's role in helping unload the train cars. GONZALEZ further stated that he knew that the super sacks contained narcotics.

57. In M-QUINTERO's Mirandized post-arrest interview, M-QUINTERO stated it that was his voice on the telephone calls intercepted over Target Phone 4 (used by QUINTERO). M-QUINTERO further stated that his son OSVALDO QUINTERO was the other speaker on the telephone calls [between the Martin Quintero Phone and Target Phone 4], and that M-QUINTERO is the only male user of the Martin Quintero Phone. M-QUINTERO further stated that his son, OSVALDO

QUINTERO, was going to pay M-QUINTERO \$600 to help unload the Subject Cars. M-QUINTERO stated that he knew the bags contained marijuana because OSVALDO QUINTERO told him that the bags were loaded with marijuana.

58. In OSVALDO QUINTERO's Mirandized post-arrest interview, QUINTERO identified his voice on several calls intercepted over Target Phone 4.

U. Earth Minerals Corp., located at 2250 Moen Avenue, Rockdale, Illinois

59. As explained above, the Bill of Lading for the Subject Cars stated that the packages contained in the marijuana was destined for Earth Minerals Corp., located at 2250 Moen Avenue, Rockdale, Illinois. As also explained above, the Building Owner at 2250 Moen Ave. stated that Earth Minerals rented a portion of the warehouse at that facility, and agents observed materials inside of 2250 belonging to "Earth Minerals" that were from Mexico, and also observed mail addressed to "Carlos Gomez [one of OSVALDO QUINTERO's aliases]."

60. Based upon the above, there is probable cause to believe that both "Earth Minerals" and "Carlos Gomez" are fictitious names used by drug smugglers. In addition, as explained above, there is probable cause to believe that the Earth Minerals company name has been used on more than one occasion to facilitate the commission of narcotics smuggling. As such, there is probable cause to believe that evidence of the Subject Offenses will be found in the premises at 2250 Moen Avenue. In particular, agents seek authority to search the office space rented by Earth Minerals Corp. in the warehouse at 2250 Moen Avenue, as well as the approximately 2,000 square feet space in the back west corner of the warehouse that is being rented by Earth Minerals Corp

(together, the "Subject Premises"), as described further in Attachment A to the Search Warrant Application.

61. As described above, on December 1, 2010, two undercover agents toured the warehouse at 2250 Moen Avenue, Rockdale, IL, as prospective renters. The Building Owner showed the agents a small office space within the warehouse that is being rented by Earth Minerals. This office contained a computer and printer, which the owner stated belonged to Earth Minerals. In addition, the Building Owner showed agents the approximately 2,000 square foot section in the warehouse that is also being rented by Earth Minerals. Also according to the Building Owner, Earth Minerals paid the rent for this space and office in the warehouse.

62. According to information provided by UP, the exporter of the Subject Cars used the internet and an email address to communicate with UP concerning the shipping of the Subject Cars.

III. Additional Information Concerning Narcotics Trafficking

63. Based upon my training and experience, and the training and experience of other members of law enforcement with whom I have consulted, I know:

a. that narcotics traffickers maintain books, records, receipts, notes, ledgers, airline tickets, money orders, and other papers relating to the transportation, ordering, sale and distribution of controlled substances; that narcotics traffickers commonly "front" narcotics (provide narcotics on consignment) to their clients; and that the aforementioned books, records, receipts, notes, ledgers, etc. are often maintained where the traffickers have ready access to them, such as their businesses and storage locations;

b. that persons involved in large-scale drug trafficking commonly conceal in their businesses and storage locations large amounts of currency, financial instructions, precious metals, jewelry, and other items of value and/or proceeds of drug transactions, as well as evidence of financial transactions relating to obtaining, transferring, concealing, secreting, or the spending of large sums of money made from engaging in narcotics trafficking activities, including bank statements, safe deposit keys, and other records related to the receipt, expenditure and concealment or other disposition of income;

c. that when drug traffickers amass large proceeds from the sale of drugs that the drug traffickers utilize domestic and international banks and their attendant services, securities, cashier's check, money drafts, letters of credit, brokerage houses, real estate, vehicles, and business fronts;

d. that drug traffickers commonly maintain on computers and elsewhere records regarding their drug trafficking business and their attempt to legitimize their profits from the drug trafficking business;

e. that drug traffickers commonly secret contraband, including firearms and ammunition, proceeds of drug sales, including United States Currency, precious metals and jewelry, and financial instruments, and records of drug transactions, drug sources, and drug customers, in secure locations within safes, hidden compartments, and other closed containers in their offices, garages, automobiles, storage buildings, and safe deposit boxes so that the drug traffickers have ready access to these items while also concealing them from law enforcement authorities;

f. that drug traffickers take or cause to be taken photographs of themselves, their associates, their property, and their product; and that these traffickers usually maintain these photographs in their possession;

g. that drug traffickers commonly maintain addresses or telephone numbers in books or papers which reflect names, addresses, and/or telephone numbers for their associates in the drug trafficking organization, even if said items may be in code. Drug traffickers often maintain these addresses, telephone numbers, or names in electronic storage devices, such as cellular phones, pagers, or personal digital assistants;

h. that drug traffickers generally maintain on hand large amounts of United States Currency in order to maintain and finance their ongoing narcotics business;

i. that drug traffickers commonly have in their possession, that is, on their person, at their storage locations and/or their businesses, firearms, which are used to protect and secure a drug trafficker's property, including the proceeds from his drug trafficking business;

j. that courts recognized that unexplained wealth is probative evidence of crimes involving drug trafficking.

IV. ADDITIONAL INFORMATION CONCERNING COMPUTERS

A. Specifics Regarding Searches of Computer Systems

64. Based upon my training and experience, and the training and experience of specially trained computer personnel whom I have consulted, searches of evidence from computers commonly require agents to download or copy information from the computers and their components, or remove most or all computer items (computer hardware, computer software, and computer-related documentation) to be processed

later by a qualified computer expert in a laboratory or other controlled environment.

This is almost always true because of the following:

a. Computer storage devices can store the equivalent of thousands of pages of information. Especially when the user wants to conceal criminal evidence, he or she often stores it with deceptive file names. This requires searching authorities to examine all the stored data to determine whether it is included in the warrant. This sorting process can take days or weeks, depending on the volume of data stored, and it would be generally impossible to accomplish this kind of data search on site.

b. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert should analyze the system and its data. The search of a computer system is an exacting scientific procedure which is designed to protect the integrity of the evidence and to recover even hidden, erased, compressed, password-protected, or encrypted files. Since computer evidence is extremely vulnerable to tampering or destruction (which may be caused by malicious code or normal activities of an operating system), the controlled environment of a laboratory is essential to its complete and accurate analysis.

65. In order to fully retrieve data from a computer system, the analyst needs all storage media as well as the computer. The analyst needs all the system software (operating systems or interfaces, and hardware drivers) and any applications software

which may have been used to create the data (whether stored on hard disk drives or on external media).

B. Procedures to Be Followed in Searching Computers

66. The search warrant sought by this Affidavit does not authorize the "seizure" of computers and related media within the meaning of Rule 41(c) of the Federal Rules of Criminal Procedure. Rather the warrant sought by this Application authorizes the removal of computers and related media so that they may be searched in a secure environment.

67. With respect to the search of any computers or electronic storage devices seized from the Subject Premises, the search procedure of electronic data contained in any such computer may include the following techniques (the following is a non-exclusive list, and the government may use other procedures that, like those listed below, minimize the review of information not within the list of items to be seized as set forth herein):

a. examination of all of the data contained in such computer hardware, computer software, and/or memory storage devices to determine whether that data falls within the items to be seized as set forth herein;

b. searching for and attempting to recover any deleted, hidden, or encrypted data to determine whether that data falls within the list of items to be seized as set forth herein (any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offenses, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offenses specified above);

c. surveying various file directories and the individual files they contain to determine whether they include data falling within the list of items to be seized as set forth herein;

d. opening or reading portions of files in order to determine whether their contents fall within the items to be seized as set forth herein;

e. scanning storage areas to discover data falling within the list of items to be seized as set forth herein, to possibly recover any such recently deleted data, and to search for and recover deliberately hidden files falling within the list of items to be seized; and/or

f. performing key word searches through all storage media to determine whether occurrences of language contained in such storage areas exist that are likely to appear in the evidence described in Attachment B.

68. Any computer systems and electronic storage devices removed from the premises during the search will be returned to the premises within a reasonable period of time not to exceed 30 days, as dictated by the volume and complexity of the items seized, excluding any items or materials deemed to be contraband or materially relevant to this investigation, or unless otherwise ordered by the Court.

V. Conclusion

69. Based on the foregoing, I respectfully submit that there is probable cause to believe that:

a. between no later than on or about November 17, 2010, and December 15, 2010, CARLOS OSVALDO QUINTERO, MARTIN QUINTERO, FELIPE DE JESUS MAGANA-CAMPOS, EDUARDO ANGEL ZALAYARAN-RUIZ, JAVIER

VERA, CHRISTIAN GONZALEZ, and MIGUEL CORDOVA conspired with each other and with others known and unknown to knowingly and intentionally possess with intent to distribute a controlled substance, namely, 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1), all in violation of Title 21, United States Code, Section 846;

b. at the premises known 2250 Moen Avenue, Rockdale, Illinois, as described further in attachment A to the search warrant application, there exists evidence, fruits, and instrumentalities of violation of Title 21, United States Code, Sections 841, 843(b), 846, 952, and 963;

FURTHER AFFIANT SAYETH NOT.

ANDREW SETMEYER
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on December 16, 2010

Arlander Keys
United States Magistrate Judge