

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

and

MAHMOUD YADEGARI

AGREED STATEMENT OF FACTS

The accused before the court, Mahmoud Yadegari (hereinafter "Yadegari"), admits the following facts:

A. THE ACCUSED, HIS HOME AND HIS BUSINESS

1. At all material times, Yadegari (date of birth July 17, 1973) also used the names "David Yadegari" and "Navid Yadegari" and resided in a bungalow at 18 Abitibi Avenue, Toronto. He purchased the property on December 17, 2007. In addition to residing there, Yadegari also used 18 Abitibi Avenue as the address for his business, N&N Express Inc. N&N Express Inc. was incorporated by Yadegari on December 19, 2005. Yadegari was its sole director, officer and employee.

B. YADEGARI'S EFFORTS TO OBTAIN PRESSURE TRANSDUCERS

2. Between December, 2008 and March, 2009, Yadegari made efforts to obtain devices known as pressure transducers from two manufacturers, namely Setra Systems, Inc. and Pfeiffer Vacuum Inc. ("Setra" and "Pfeiffer" respectively). Pressure transducers, which are also known as manometers, are devices that convert pressure measurements into an electrical signal that can be recorded and/or displayed on a computer or other electronic device. Yadegari does not admit that he knew pressure transducers had these properties prior to his arrest on April 16, 2009. Yadegari purchased ten Setra pressure transducers. He also attempted to purchase twenty pressure transducers from Pfeiffer Vacuum Inc. Pfeiffer cancelled Yadegari's order citing "in-house export restrictions." Yadegari's contact with Setra and Pfeiffer are more fully described below.

1) Yadegari Purchases Ten Setra Pressure Transducers

3. Yadegari purchased ten Setra pressure transducers from the Canadian distributor, Alpha Controls and Instrumentation located at 361 Steelcase Road West, Suite 6, Markham, Ontario. On December 18, 2008, Yadegari sent an email to Bill Mack at Alpha Controls. The email referenced a conversation and requested a quote for Setra pressure transducers.¹ In an N&N Express purchase order dated December 23, 2008, Yadegari ordered ten Setra

¹ **Appendix 1** – Email from Yadegari [nyadegari@ryerson.ca] to Bill Mack of Alpha Controls and Instrumentation [bill@alphacontrols.com], December 18, 2009

Model 760 Vacutron pressure transducers.² Seven of the ten were part number 760110CTAN17CD2A. The other three were part number 7601100TAN17CD2A.

4. On February 19, 2009, Bill Mack of Alpha Controls sent an email to Yadegari advising him of the tracking number for the Setra order. Mack included in his email a series of emails between an employee of Alpha Controls and an employee of Setra discussing the date that the order would be ready.³ On February 23, 2009, the order was sent to Yadegari – seven Setra Model 760 Vacutron pressure transducers part number 760110CTAN17CD2A, and three with part number 7601100TAN17CD2A. Each of the ten pressure transducers sold for \$1,109.00. Yadegari's cost was \$11,090.00 plus \$554.50 GST for a total of \$11,644.50.⁴

5. On March 4, 2009 at approximately 3:55 p.m., Mahmoud Yadegari attended at the office of DHL Express, an international freight forwarding company, located at 95 Micro Court, Markham, Ontario. He dropped off a package for international shipment. The package contained two Setra pressure transducers, both bearing part number 760110CTAN17CD2A. The labels were removed from the two pressure transducers and they were marked "Sample 1" and "Sample 2".⁵ The shipment was accompanied by two documents:

² **Appendix 2** – N&N Express Purchase Order No. 310071000 dated December 23, 2008

³ **Appendix 3** – Email from Mack [bill@alphacontrols.com] to Yadegari [nyadegari@ryerson.ca], February 19, 2009

⁴ **Appendix 4** – Alpha Controls and Instrumentation Invoice No. 0000122894 dated February 23, 2009 and packing slip

⁵ **Appendix 5** – Photographs of pressure transducers, March 4, 2009

(i) **DHL Express Combined Customer Invoice / Shipment Air Waybill**⁶

Yadegari filled in Parts 2 through 6 of the pre-printed form, italicized as follows:

(2) From (Shipper)

Contact Name - *David Yadegari*

Company name - *N&N Express Inc.*

Address - *18 Abitibi Ave, Unit 1, Toronto, ON M2M 2V1
Canada*

Postal code - *M2M 2V1*

Phone, Fax or E-mail (required) - *(416) 222-4438*

(3) To (Receiver)

Keft Trading Co.

No. 535 Office Tower 3

Al Ghurair City

Dubai, UAE

Contact Person - *Mr. Saudmand*

Phone, Fax or E-mail (*+97142285565*)

(4) Shipment details - Total weight - *.80 kg*

(5) Full description of contents - *Setra Electrical Accessory*

(6) Non-Document Shipments Only (Customs Requirement)

Declared value for Customs (as on commercial / proforma invoice) - *\$100*

Yadegari signed and dated the "Shipper's agreement" and paid the shipping fee of \$79.23.

(ii) **A Commercial Invoice**⁷

Yadegari prepared the Commercial Invoice, signed and dated it.

6. In relation to the two Setra pressure transducers, neither Yadegari nor N&N Express applied for or obtained:

⁶ **Appendix 6** – DHL Express Combined Customer Invoice / Shipment Air Waybill No. 7351637090

⁷ **Appendix 7** – Commercial Invoice dated March 4, 2009

- a) A certificate of exemption pursuant to section 20 of the *Regulations Implementing the United Nations Resolutions on Iran*, SOR/2007-44;
- b) An export permit pursuant to section 7 of the *Export and Import Permits Act*; or,
- c) A licence pursuant to section 26 of the *Nuclear Safety and Control Act*.

Similarly, neither Yadegari nor N&N Express reported to the Canada Border Services Agency (1) any export of controlled goods, or (2) any export of goods valued at more than \$2,000.

2) Pressure Transducers from Pfeiffer

7. On January 14, 2009, Yadegari emailed Phivac Inc., 1251 rue Albert Beaulne, Saint-Lazare, Quebec, the Canadian sales representative for Pfeiffer, a pressure transducer manufacturer based in Asslar, Germany. Attached to Yadegari's email was a purchase order for twenty pressure transducers. Jean-François Poncelet of Phivac Inc. confirmed receipt of the order on the same day.⁸ In a subsequent email, he advised that because Yadegari was a "reseller", Pfeiffer must be advised in writing of the country to which the product would be exported before it could process the order. He stated "The reason is that they want to make sure it does not end up in some

⁸ **Appendix 8** – Email exchange between Yadegari [nexpress@acanac.net] and Jean-François Poncelet of Phivac Inc. [info@phivac.com], January 14, 2009 and N&N Express Purchase Order No. 101031014 dated January 14, 2009

countries where Pfeiffer does not want to sell to". On January 16, 2009, Yadegari advised that the product was destined for Denmark. On the same day, Poncelet advised that Pfeiffer had approved the order.⁹

8. On January 19, 2009, Poncelet advised Yadegari that Pfeiffer required a "signed end-user certificate" stating that the parts were going to Denmark. He also advised that it would be best to have the certificate signed by the customer in Denmark.¹⁰ Yadegari provided Pfeiffer Vacuum with a declaration on N & N Express letterhead via facsimile, stating: "This is to confirm that the products we are buying from Pfeiffer are going to be used in Denmark."¹¹

9. On March 4, 2009, Suzette Miller, advised Yadegari that the January 19, 2009 document was not accepted by the factory. She advised Yadegari that he needed to provide an end-user certificate. Miller attached forms for two documents she said were required by German law – an end-user certificate and a letter to be transferred to the buyer's letterhead and signed by a corporate officer or manager in charge with the subject line "Customer Certification and Letter of Assurance".¹² The latter reads:

We (company name) understand that Pfeiffer Vacuum and/or any of its affiliated or subsidiary companies ("Pfeiffer Vacuum") may provide us with Products, and/or technology, and/or Software that may be subject to

⁹ **Appendix 9** – Email exchange between Yadegari [nexpress@acanac.net] and Poncelet [info@phivac.com], January 16, 2009

¹⁰ **Appendix 10** – Email exchange between Yadegari [nexpress@acanac.net] and Poncelet [info@phivac.com], January 19, 2009

¹¹ **Appendix 11** – Letter from Yadegari dated January 19, 2009

¹² **Appendix 12** – Email exchange between Yadegari [nexpress@acanac.net] and Suzette Miller of Pfeiffer [suzette.miller@pfeiffer-vacuum.com], March 4, 2009 and Miller's attachments: (1) Letter of Assurance and explanatory cover letter; (2) Blank End-Use Certificate.

German or E.U. and other government export control regulations and restrictions. We also understand that, under these restrictions, Pfeiffer Vacuum's delivery of these Products to us may take place only after Pfeiffer Vacuum has received written assurances from us.

Accordingly, we hereby agree:

- that we will not transfer, export or re-export, directly or indirectly, any Products acquired from Pfeiffer Vacuum to **Cuba, Iran, North Korea, Libya, Sudan, and /or Syria**, or any nationals thereof, or to any other country subject to restriction under applicable laws and regulations, and that we are not located in, under control of, or a national or resident of any such country; if we are engaged in shipping Pfeiffer Vacuum Product to such locations, we acknowledge that we could be subject to and responsible for German / EU export licensing requirements;
- that we will not use the Products in an activity related to the development, production, use, or maintenance of "Weapons of Mass Destruction," including without limitation, uses related to nuclear, missile and/or chemical/biological development and that we will not transfer, export, or re-export, directly or indirectly to any party engaged in such activity; if we are engaged in such activities, we acknowledge that we could be subject to and responsible for German / EU export licensing requirements;
- that we will not transfer, export, or re-export, directly or indirectly to any party listed as prohibited from receiving Products by the United Nations or the European Union or prohibited by applicable law and that we are not on, or under control of anybody on, any such list;
- that we will comply with all applicable regulations and restrictions whenever we transfer, export, or re-export Products obtained from Pfeiffer Vacuum;
- that we will not request or make any regulatory certifications or applications on behalf of Pfeiffer Vacuum or its subsidiaries; and
- that we have not changed the verbiage from the template received from Pfeiffer Vacuum and if changes are necessary we will contact Pfeiffer Vacuum's export control administrator for instruction.

[Emphasis in original]

10. On March 9, 2009, Yadegari provided Pfeiffer Vacuum with a completed copy of the end-user certificate by email. He also provided a signed copy of the Letter of Assurance.¹³ The end-user on the certificate was listed as Keft Pharma Co., located at 535 Office Tower 3, Al Ghurair City, Dubai, U.A.E. The end-use purpose was specified as "pharmaceutical".

11. On March 19, 2009, the order was cancelled by Pfeiffer Vacuum due to "in-house export restrictions".¹⁴

C. EVENTS AFTER THE ATTEMPTED SHIPMENT

1) The Export Declaration

12. On March 11, 2009, YADEGARI received a notice from the Canada Customs Export Control Unit at Pearson airport, advising him that his DHL shipment had been detained for "Permit Determination / Verification". He was asked to provide certain information to the Export Office, including a signed copy of form B13A (Export Declaration).¹⁵ On March 18, Yadegari completed an Export Declaration (Form B13A) concerning the shipment of Setra pressure transducers. In the Export Declaration, Yadegari described the pressure transducers as "pressure gauges" with a value of \$1309. He signed the Export

¹³ **Appendix 13** – Email exchange between Yadegari [nexpress@acanac.net] and Miller [suzette.miller@pfeiffer-vacuum.com], March 9, 2009 and Yadegari's attachments: (1) Letter of Assurance; (2) End Use Certificate.

¹⁴ **Appendix 14** – Email from Michele Trunca of Pfeiffer [MTrunca@pfeiffer-vacuum.com] to Yadegari [nexpress@acanac.net], March 19, 2009

¹⁵ **Appendix 15** – Canada Border Services Agency correspondence dated March 11, 2009

Declaration, dated it March 18, 2009 and submitted it to the Canada Border Services Agency.¹⁶

2) Yadegari's Arrest

13. On April 16, 2009, members of the Royal Canadian Mounted Police attended at 18 Abitibi Avenue. They arrested Yadegari there at 10:10 a.m. pursuant to an arrest warrant. They also executed a search warrant. They found the following items:

a. On the hard drive of a computer seized from the home, police found:

- (i) a jpeg format, scanned copy of the End-Use Certificate provided by Yadegari to Pfeiffer.¹⁷
- (ii) An undated "Commercial Invoice" for "Setra Electrical accesory" marked "As sample free of charges" listing two units for a total price of \$100. The Shipper is listed as "N&N Express" and the Consignee is listed as "Keft Trading" in Dubai, UAE.¹⁸
- (iii) Invoice number 200903524 from N & N Express to Keft Trading Co. dated March 2, 2009 for 2 Setra "Electrical Accessories Guage 1000, absolute", at \$2975.28 per unit for a total of \$5,590.56.. The shipping method is listed as "DHL".¹⁹

¹⁶ **Appendix 16** – Export Declaration, Form B13A

¹⁷ **Appendix 17** – Completed End-Use Certificate in the name of Keft Pharma Co.

¹⁸ **Appendix 18** – Commercial Invoice

¹⁹ **Appendix 19** – N&N Express invoice number 200903524 dated March 2, 2009

(iv) Invoice number 200903524 from N&N Express to Keft Trading Co., dated March 4, 2009, for 2 "Setra Electrical Accessories Pressure Guage 1 bar (1000 mbar), with a promotional price of \$0 and shipping & handling of \$100.²⁰

b. Eight Setra pressure transducers. Three were part number 7601100TAN17CD2A. The other five were part number 760110CTAN17CD2A. The packaging and labels for the two pressure transducers were also found.²¹

D. CONTINUITY, ATTRIBUTION AND ADMISSIBILITY

14. The appendices to this Agreed Statement of Facts are true and accurate copies of the original document, photograph or email communication as the case may be.

15. This Agreed Statement of Facts and its appendices are admissible for the truth of the contents and for the fact that the statements appended or referred to were made.

²⁰ **Appendix 20** – N&N Express invoice number 200903504 dated March 4, 2009

²¹ **Appendix 21** – Photographs of pressure transducers, April 16, 2009

**ONTARIO COURT OF JUSTICE
(TORONTO REGION)**

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and

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AGREED STATEMENT OF FACTS

INDEX TO APPENDICES

No.	Description
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4	Alpha Controls and Instrumentation Invoice No. 0000122894 dated February 23, 2009 and packing slip
5	Photographs of pressure transducers, March 4, 2009
6	DHL Express Combined Customer Invoice / Shipment Air Waybill No. 7351637090

- 7 Commercial Invoice dated March 4, 2009
- 8 Email exchange between Yadegari [nexpress@acanac.net] and Jean-François Poncelet of Phivac Inc. [info@phivac.com], January 14, 2009 and N&N Express Purchase Order No. 101031014 dated January 14, 2009
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- 21 Photographs of pressure transducers, April 16, 2009

Printed By RCMP

From: "David Yadegari" <nyadegar@ryerson.ca>
To: <bill@alphacontrols.com>
Sent: Thursday, December 18, 2008 15:33
Subject: Quotation

Dear Bill

Regarding to our conversation, please send me quotation for the following products:

Capacitance Manometer - Model 760 Vactron
Part# 7601-100T-A-N1-7C-D2-A
Part# 7601-10CT-A-N1-7C-D2-A

Regards

David Yadegari
General Manager
N & N Express Inc.

Tel: (416)222-4438

unit1 - 18 Abitibi Ave,

Toronto, Ont, M2M 2V1



N & N Express Inc.

Unit1, 18 Abitibi Ave
Toronto, Ontario, M2M 2V1
Tel: (416)222-4438
Fax: (416)512-9944

Dec 23, 2008

Ship To: N & N Express Inc.
Unit1- 18 Abitibi Ave,
Toronto, Ontario, M2M 2V1

Bill To: N & N Express Inc.

PO#: 310071000
Quote # : AC12081388

Order Info:

Item	Item Unit Price Quantity	Description	Unit Price	Total Price
3	3	7601100TAN17CD2A P/N : Setra Vacuum Transmitter 0 to 100 torr, absolute, Vacuum Pressure Transducer Model # 7601100TAN17CD2A 100T - Pressure Range: 0-100 Torr A - Pressure Type: Absolute N1 - Pressure Fitting: ISO NW16 7C - Output: 0-10 VDC D2 - Electrical Termination: 15 Pin, D-Sub connector A - Accuracy: $\leq \pm 0.25\%$ of Reading with Calibration Cert.	\$1,109.00	\$3327.00
4	7	760110CTAN17CD2A P/N : Setra Vacuum Transmitter 0 to 1000 torr, absolute, Vacuum Pressure Transducer Model # 7601100TAN17CD2A 10CT - Pressure Range: 0-1000 Torr A - Pressure Type: Absolute N1 - Pressure Fitting: ISO NW16 7C - Output: 0-10 VDC D2 - Electrical Termination: 15 Pin, D-Sub connector A - Accuracy: $\leq \pm 0.25\%$ of Reading with Calibration Cert.	\$1,109.00	\$7763.00

Payment Type: Credit Card
Shipping instructions: Please call before delivery to confirm
PST Exempt

Please feel free to give me a call if you have any questions or require additional information.

Best regards,
General Manager
David Yadegarii

Printed By RCMP

From: "Bill Mack" <bill@alphacontrols.com>
To: <nyadegar@ryerson.ca>
Sent: Thursday, February 19, 2009 17:06
Subject: PO 310403 Delivery

David,

See below for tracking number for Setra transmitter order.

UPS tracking number is 1Z0281956860023093.

I want to apologize for all the inconvenient delays. Normally, Setra is very good with deliveries.

bill

Bill Mack
Inside Sales / Technical Support
Alpha Controls & Instrumentation
An ISO 9001 & ISO 17025 Company
361 Steelcase Road West, Suite 6
Markham, Ontario, Canada L3R 3V8
Tel: (905) 477-2133 ext. 229
Toll Free: (800) 567-8686
Fax: (905) 477-4219
E-mail: bill@alphacontrols.com
www.alphacontrols.com

From: Kerry Vokey [mailto:kerry@alphacontrols.com]
Sent: February 19, 2009 4:01 PM
To: 'Bill Mack'
Subject: FW: PO 310403

This is the tracking number for the N&N Express order. It not shipping until tomorrow so this tracking number won't work until then, but you could call David and let him know it will be in transit as of tomorrow.

Regards,

Kerry Vokey
Customer Service Representative
Alpha Controls & Instrumentation
An ISO 9001 & ISO 17025 Company
361 Steelcase Road West, Suite 6
Markham, ON L3R 3V8
Tel: (905) 477-2133
Fax: (905) 477-4219
Toll Free: (800) 567-8686
E-mail: kerry@alphacontrols.com
Website: www.alphacontrols.com

From: Lowe, Dawn [mailto:dawn.lowe@setra.com]
Sent: February 19, 2009 3:17 PM
To: Kerry Vokey
Subject: FW: PO 310403

Hi Kerry,

UPS tracking number is 1Z0281956860023093.

Thanks,
Dawn

2009-04-29

From: Lowe, Dawn
Sent: Thursday, February 19, 2009 9:02 AM
To: 'Kerry Vokey'
Subject: RE: PO 310403

Will do. Thanks!!

From: Kerry Vokey [mailto:kerry@alphacontrols.com]
Sent: Thursday, February 19, 2009 8:58 AM
To: Lowe, Dawn
Subject: RE: PO 310403

Hi Dawn,

Please do not hold this for consolidation. Ship Friday! Can you forward me the tracking information when it does ship so I can present that to my customer?

Regards,

Kerry Vokey
Customer Service Representative
Alpha Controls & Instrumentation
An ISO 9001 & ISO 17025 Company
361 Steelcase Road West, Suite 6
Markham, ON L3R 3V8
Tel: (905) 477-2133
Fax: (905) 477-4219
Toll Free: (800) 567-8686
E-mail: kerry@alphacontrols.com
Website: www.alphacontrols.com

From: Lowe, Dawn [mailto:dawn.lowe@setra.com]
Sent: February 19, 2009 8:53 AM
To: Kerry Vokey
Subject: FW: PO 310403

Hi Kerry,

I just got confirmation that the order will be able to go tomorrow. Please let me know if it is okay to ship on Friday or if we should hold until consolidation.

Thanks,
Dawn

From: Lowe, Dawn
Sent: Wednesday, February 18, 2009 8:27 AM
To: 'Kerry Vokey'
Subject: RE: PO 310403

Hi Kerry,

It does not seem that it can go out earlier than Friday. They are trying though.

Thanks,
Dawn

From: Kerry Vokey [mailto:kerry@alphacontrols.com]

2009-04-29

Sent: Tuesday, February 17, 2009 1:52 PM
To: Lowe, Dawn
Subject: RE: PO 310403
Importance: High

Dawn,

That is not good news. Can this be ready earlier? We have now given our customer 3 different dates and he is not going to be happy.

Regards,

Kerry Vokey
Customer Service Representative
Alpha Controls & Instrumentation
An ISO 9001 & ISO 17025 Company
361 Steelcase Road West, Suite 6
Markham, ON L3R 3V8
Tel: (905) 477-2133
Fax: (905) 477-4219
Toll Free: (800) 567-8686
E-mail: kerry@alphacontrols.com
Website: www.alphacontrols.com

From: Lowe, Dawn [<mailto:dawn.lowe@setra.com>]
Sent: February 17, 2009 1:46 PM
To: Kerry Vokey
Subject: RE: PO 310403

Kerry,

The issues have now been resolved but now the unit is in calibration. Should be ready by Friday. Should we ship Friday?

Thanks,
Dawn

From: Kerry Vokey [<mailto:kerry@alphacontrols.com>]
Sent: Tuesday, February 17, 2009 11:54 AM
To: Lowe, Dawn
Subject: PO 310403

Hi Dawn,

As per our discussion last week, you advise the above PO would be shipping today. Can you please confirm?

Regards,

Kerry Vokey
Customer Service Representative
Alpha Controls & Instrumentation
An ISO 9001 & ISO 17025 Company
361 Steelcase Road West, Suite 6
Markham, ON L3R 3V8
Tel: (905) 477-2133
Fax: (905) 477-4219
Toll Free: (800) 567-8686
E-mail: kerry@alphacontrols.com
Website: www.alphacontrols.com

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Tracking Detail

Your package has been delivered.

Tracking Number: 1Z 028 195 68 6002 309 3
Type: Package
Status: **Delivered**
Delivered On: 23/02/2009 10:25
Signed By: RICH
Location: RECEIVER
Delivered To: MARKHAM, CA
Shipped/Billed On: 19/02/2009
Service: STANDARD
Weight: 13.20 Lbs

Package Progress

Location	Date	Local Time	Description
CONCORD, ON, CA	23/02/2009	10:25	DELIVERED
CONCORD, ON, CA	21/02/2009	2:21	IN TRANSIT
	21/02/2009	1:04	ARRIVAL SCAN
FT. ERIE, ON, CA	20/02/2009	22:21	DEPARTURE SCAN
	20/02/2009	20:27	IMPORT SCAN
	20/02/2009	19:51	ARRIVAL SCAN
BUFFALO, NY, US	20/02/2009	15:04	DEPARTURE SCAN
	20/02/2009	14:52	ARRIVAL SCAN
CA	20/02/2009	11:26	REGISTERED WITH CLEARING AGENCY / SHIPMENT SUBMITTED TO CLEARING AGENCY
	20/02/2009	11:26	REGISTERED WITH CLEARING AGENCY / RELEASED BY CLR AGENCY. NOW IN-TRANSIT
CHELMSFORD, MA, US	20/02/2009	4:28	DEPARTURE SCAN
	20/02/2009	0:35	ORIGIN SCAN
CHELMSFORD, MA, US	19/02/2009	17:21	PICKUP SCAN
US	19/02/2009	17:33	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: 29/04/2009 11:24 ET

NOTICE: UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

 [Close Window](#)

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App. 4

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A division of J.B. Sand & Associates Inc.
Une division de J.B. Sand & Associates Inc.

REMIT TO / PAYER A:

361 Steelcase Road West, Suite 6
Markham, Ontario, Canada L3R 3V8
Tel: (905) 477-2133 Fax: (905) 477-4219

INVOICE

DATE February 23, 2009

INVOICE NO. 0000122894

BILL TO:

N & N EXPRESS INC.
UNIT #1, 18 ABITIBI AVE.
TORONTO ON M2M 2V1
Canada

SHIP TO:

N & N EXPRESS INC.
UNIT #1, 18 ABITIBI AVE.
TORONTO ON M2M 2V1
Canada
Attn: Mr. David Yadegari

PURCHASE ORDER NO.		F.O.B.		TERRITORY	CUSTOMER NO.	ORDER NO.
310071000		Markham,ON		222	N&N01	AC12081388
SHIP VIA				TERMS		
Pick Up call David				VISA		
PART NUMBER DESCRIPTION		QUANTITY REQ. SHIPPED B.O.			UNIT PRICE	EXTENDED PRICE
7601100TAN17CD2A Setra Vacuum Transmitter 0 to 100 torr, absolute,		3	3		1,109.00000	3,327.00
760110CTAN17CD2A Setra Vacuum Transmitter 0 to 1000 torr, absolute, Note: - 25% deposit is required with order and balance paid before shipping Delivery: 6 to 7 weeks		7	7		1,109.00000	7,763.00
					CANADIAN DOLLARS NET AMOUNT	11,090.00
					FREIGHT G.S.T.	554.50
					TOTAL DUE	\$11,644.50

BV001 REV 3

GST Number R102600194

BV001 REV 3

GST Number R102600194



A division of J.B. Sand & Associates Inc.
Une division de J.B. Sand & Associates Inc.



Packing Slip

BILL TO:

N & N EXPRESS INC.
UNIT #1, 18 ABITIBI AVE.
TORONTO ON M2M 2V1

SHIP TO:

N & N EXPRESS INC.
UNIT #1, 18 ABITIBI AVE.
TORONTO ON M2M 2V1
Attn: Mr. David Yadegari
416-222-4438



P.O. NUMBER	F.O.B.	TERRITORY	DATE	ORDER NUMBER
310071000	Markham.ON	222	February 23, 2009	AC12081388
SHIP VIA		TERMS	CUSTOMER NO.	
Pick Up call David		VISA	N&N01	
PART NUMBER			QUANTITY	
DESCRIPTION			REQ.	SHIPPED B.O.
7601100TAN17CD2A Setra Vacuum Transmitter 0 to 100 torr, absolute,			3	3
760110CTAN17CD2A Setra Vacuum Transmitter 0 to 1000 torr, absolute,			7	7
Note: - 25% deposit is required with order and balance paid before shipping				
Delivery: 6 to 7 weeks				

TORONTO

361 Steelcase Road West, Suite 6
Markham, Ontario, L3R 3V8

tel: (905) 477-2133
fax: (905) 477-4219

MONTRÉAL

280 Frenette
Rosemère, Québec, J7A 2Z3

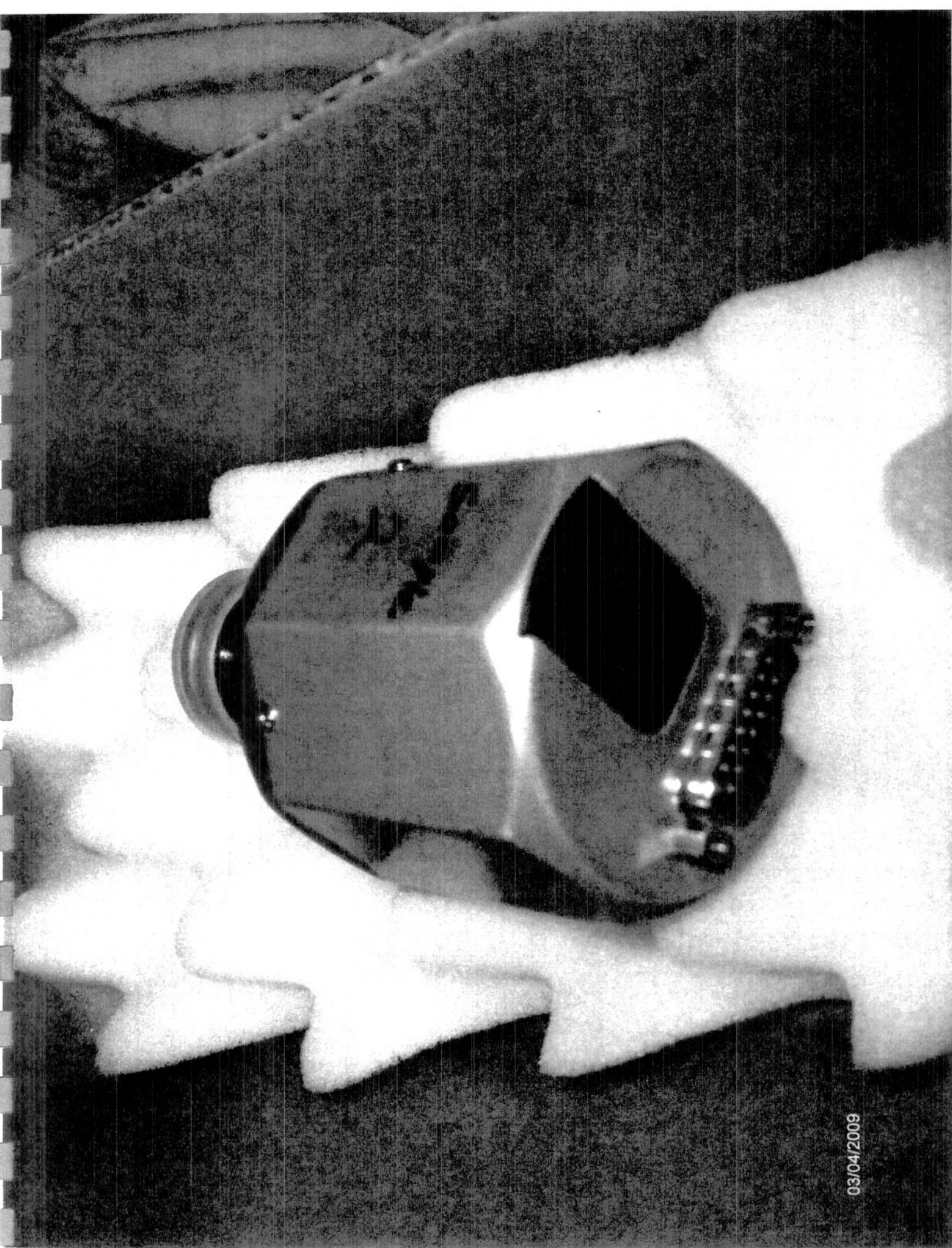
tél: (450) 621-3626
téléc: (450) 621-4089

Form: BV002 Rev 4

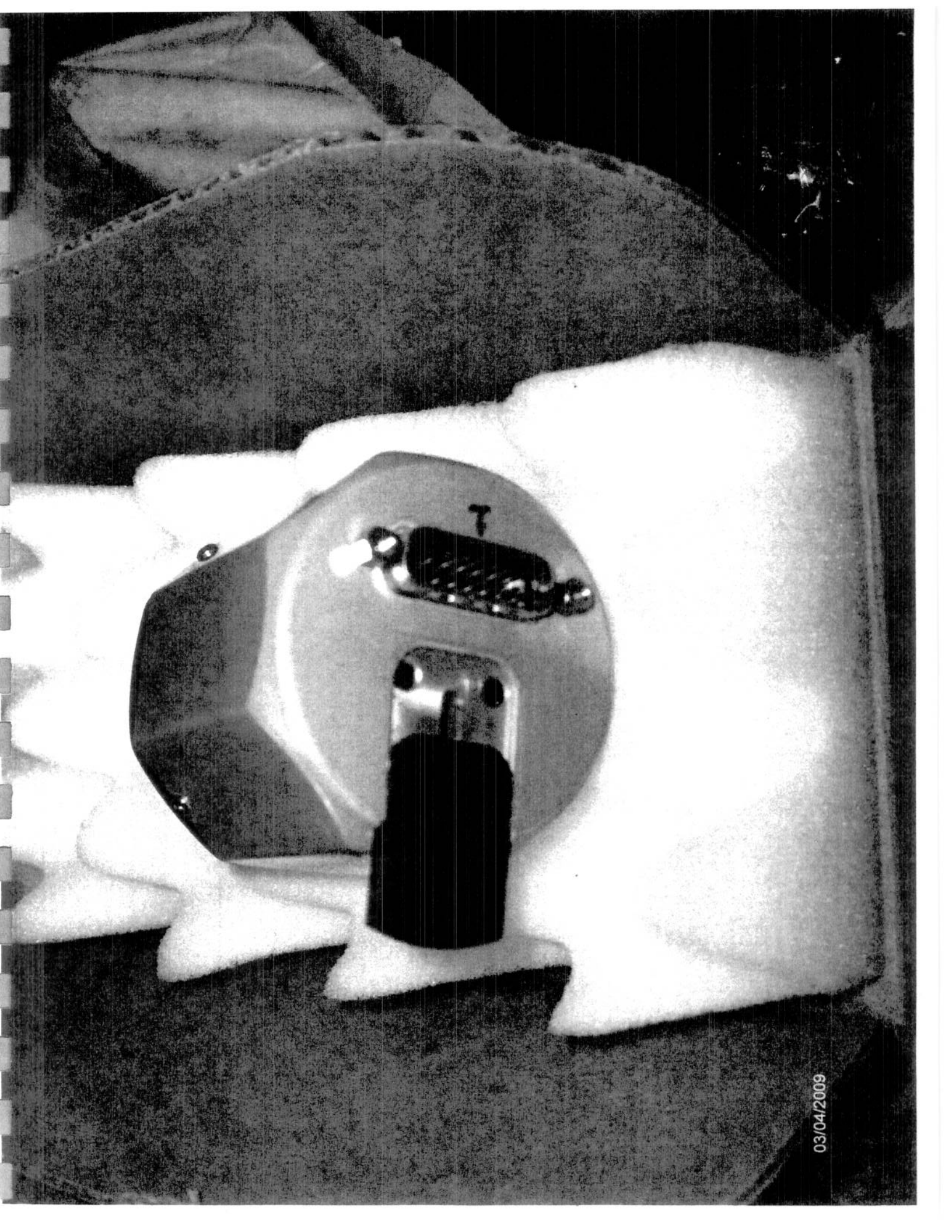


Sample
1

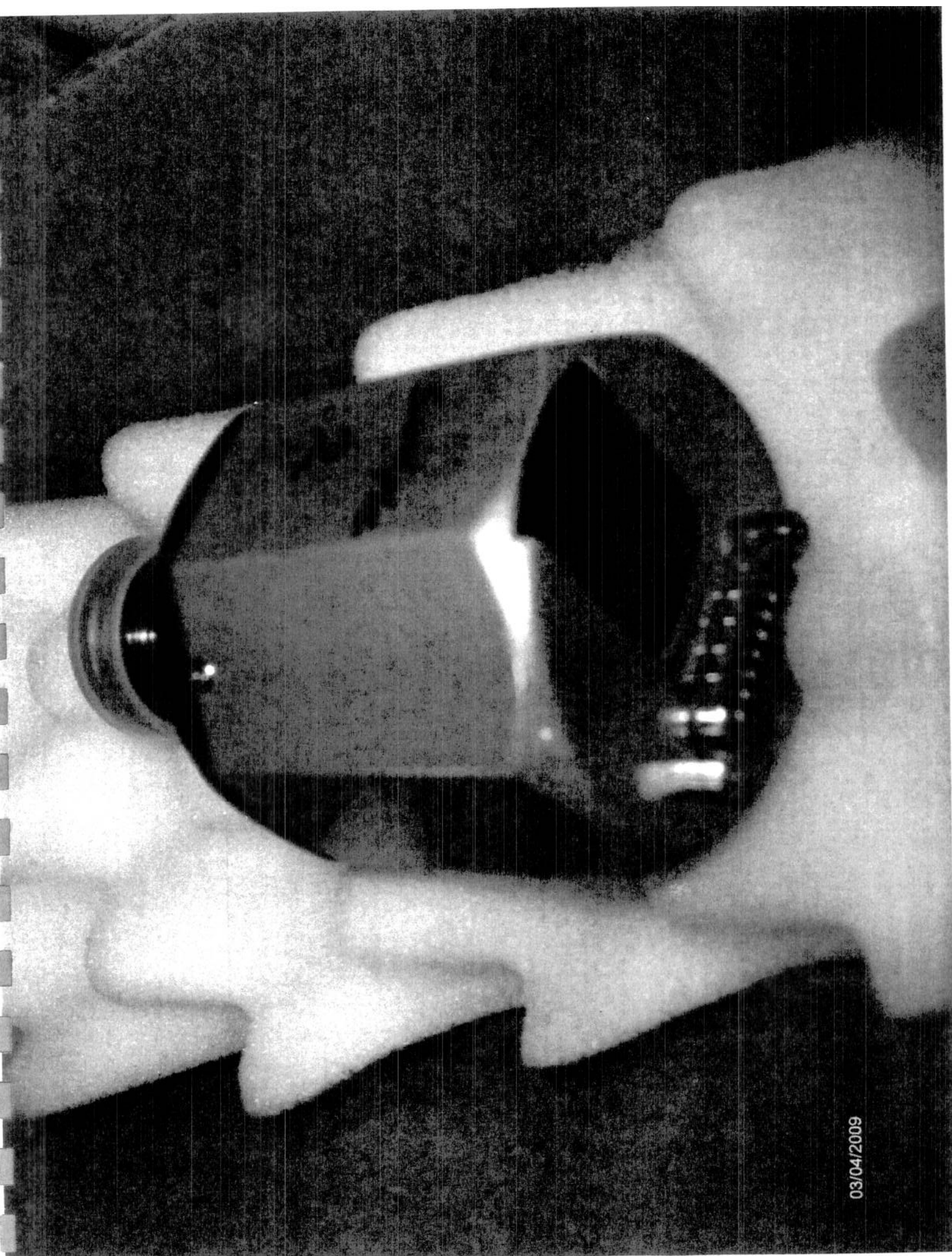
03/04/2009



03/04/2009



03/04/2009



03/04/2009

APP. 6

001/2009.03.31 (V4454h)

Trade this shipment via the DHL Web Site
Suivre l'envoi à l'adresse du site internet de DHL

<http://www.dhl.com>

7351637090


ORIGIN / ORIGINE
YPO

Consignée / Parcel copy / Feuillet du destinataire / accompagnant l'envoi

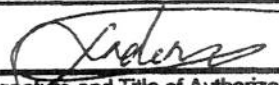
1 Payer account number and protection details / N° de compte du payeur et détails de protection Charges to / Facturer à: <input type="checkbox"/> Shipper <input type="checkbox"/> Receiver <input type="checkbox"/> 3rd party <input type="checkbox"/> Cash <input type="checkbox"/> Compliant <input type="checkbox"/> Tiers <input type="checkbox"/> Credit Card <input type="checkbox"/> Credit Card <input type="checkbox"/> Credit Card Payer Account No. <input type="checkbox"/> Yes <input type="checkbox"/> No Shipper's reference (up to 32 characters but only first 12 will be shown on invoice) / Références de l'expéditeur (jusqu'à 32 caractères, mais seuls les 12 premiers figureront sur la facture) 001/2009.03.31 (V4454h)		2 From (Shipper) / De (Expéditeur) Shipper's account number / Numéro de compte: David Yodanis Company name / Nom de la société: NSN EXPRESS INC Address / Adresse: 18 Abitibi Ave. Unit 1 Toronto, ON, M2M 2V1 Canada Postal code / Zip Code (required) / Code postal (obligatoire): M2M 2V1 Phone, fax or E-mail (required) / Téléphone, télécopie ou courriel (obligatoire): 416/792-4438		3 To (Receiver) / A (Destinataire) Country / Pays: UAE Postal code / Zip Code (required) / Code postal (obligatoire): Contact person / Personne-ressource: Wahid Al-Jarrah Phone, fax or E-mail (required) / Téléphone, télécopie ou courriel (obligatoire):	
4 Shipment details / Détails sur l'envoi Total number of packages / Nombre total de colis: 0.80 Dimensions cm: L x W x H Pieces: 1 x 1 x 1 Total weight / Poids total: 0.80 kg Dimensions cm: L x W x H: 1 x 1 x 1		5 Full description of contents / Description détaillée du contenu Give content and quantity / Préciser le contenu et la quantité Setra Electrical Accessory			
6 Non-Document Shipments Only (Customs Requirement) / Envois autres que documents seulement (Exigence des Douanes) Attach this regime and full copies of a Proforma or Commercial Invoice and a Customs Declaration to the invoice (attach to the invoice) Country of manufacture / Pays de fabrication: Canada Shipper's VAT/GST number / N° TPS/TVG de l'expéditeur: 123456789 Receiver's VAT/GST or Shipper's EIN/STN / N° TPS/TVG du destinataire ou TIN/STN de l'expéditeur:		7 Shipper's agreement (Signature required) / Approbation de l'expéditeur (signature obligatoire) I hereby certify that the goods are as described and that the invoice is correct and complete. Je certifie par la présente que les marchandises sont conformes à la description et que la facture est correcte et complète. Signature: David Yodanis Date: March 31, 2009			
8 Services Express 9-10: <input type="checkbox"/> Express 10-11: <input type="checkbox"/> Express 11-12: <input type="checkbox"/> Express 12-13: <input type="checkbox"/> Express 13-14: <input type="checkbox"/> Express 14-15: <input type="checkbox"/> Express 15-16: <input type="checkbox"/> Express 16-17: <input type="checkbox"/> Express 17-18: <input type="checkbox"/> Express 18-19: <input type="checkbox"/> Express 19-20: <input type="checkbox"/> Express 20-21: <input type="checkbox"/> Express 21-22: <input type="checkbox"/> Express 22-23: <input type="checkbox"/> Express 23-24: <input type="checkbox"/> Express 24-25: <input type="checkbox"/> Express 25-26: <input type="checkbox"/> Express 26-27: <input type="checkbox"/> Express 27-28: <input type="checkbox"/> Express 28-29: <input type="checkbox"/> Express 29-30: <input type="checkbox"/> Express 30-31: <input type="checkbox"/> Express 31-32: <input type="checkbox"/> Express 32-33: <input type="checkbox"/> Express 33-34: <input 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type="checkbox"/> Express 702-703: <input type="checkbox"/> Express 703-704:					

APP. 7

Page 2 of 3

Commercial Invoice						
Shipper Name: N & N Express Inc.			Invoice Date and Number		Customer Number	
Address: 18 Abitibi Ave, Unit 1, Toronto, ON, M2M 2V1, Canada			Export Reference (i.e. AWB#)			
Telephone Number: 416-222-4438			Terms and Conditions of Delivery and Payment (Incoterms)			
Country: Canada		Tax ID Number (EIN) 81337 9070 RM0001		Total Gross Weight in Kilos: 0.450 KG		
			Port of Lading: Toronto (YYZ)			
Consignee Name: Keft Trading Co.			Exporting Carrier: DHL Express (Canada), Ltd.			
Address: No. 535 Office Tower 3, Al Ghurair City Dubai-UAE, P.O. Box 44837			Other Transportation Information			
Telephone Number: +97 14 2285565			VAT Number (EIN/Tax #)			
Country: UAE		Country of Manufacture		Marks and Numbers		Total Number of Boxes: 1
Complete and Accurate Commodity Description		HTS Code		Total Price	Quantity, Unit of Measure	Unit Price
Setra Electrical accesory				\$50	2	\$50
<div style="border: 1px solid black; border-radius: 50%; padding: 10px; display: inline-block;"> "As sample free of charges " </div>						
I/We hereby certify that the information on this invoice is true and correct and that the contents of this shipment are as stated above. I/We do hereby authorize DHL Express (Canada), Ltd. to execute any additional documents necessary for the export of merchandise described herein on my/our behalf.				Freight Cost		\$100
				Insurance Cost		\$1
				Total Invoice Value		\$101
				CURRENCY USED (CAD,USD,EUR,etc..)		CAD
				These commodities, technology, or software were exported from the Canada for ultimate destination UAE in accordance with export administration regulations. Diversion contrary to Canadian law is prohibited.		
 Signature and Title of Authorized Person			March 4/09 Date			

2009.03.31
1445 hr.

Commercial Invoice					
Shipper Name: N & N Express Inc.		Invoice Date and Number		Customer Number	
Address: 18 Abitibi Ave, Unit 1, Toronto, ON, M2M 2V1, Canada		Export Reference (i.e. AWB#)			
Telephone Number: 416-222-4438		Terms and Conditions of Delivery and Payment (Incoterms)			
Country: Canada	Tax ID Number (EIN) 81337 9070 RM0001	Total Gross Weight in Kilos: 0.450 KG			
		Port of Lading: Toronto (YYZ)			
Consignee Name: Keft Trading Co.		Exporting Carrier: DHL Express (Canada), Ltd.			
Address: No. 535 Office Tower 3, Al Ghurair City Dubai-UAE, P.O. Box 14817		Other Transportation Information			
Telephone Number: +97 14 2285565		VAT Number (EIN/Tax #)			
Country: UAE	Country of Manufacture	Marks and Numbers		Total Number of Boxes: 1	
Complete and Accurate Commodity Description	HTS Code	Total Price	Quantity, Unit of Measure	Unit Price	Total Price
Setra Electrical accesory		\$50	2	\$50	\$100
"As sample free of charges "					
I/We hereby certify that the information on this invoice is true and correct and that the contents of this shipment are as stated above. I/We do hereby authorize DHL Express (Canada), Ltd. to execute any additional documents necessary for the export of merchandise described herein on my/our behalf.		Freight Cost		\$100	
		Insurance Cost		\$1	
		Total Invoice Value		\$101	
		CURRENCY USED (CAD,USD,EUR,etc..)		CAD	
		These commodities, technology, or software were exported from the Canada for ultimate destination UAE in accordance with export administration regulations. Diversion contrary to Canadian law is prohibited.			
 March 4/09 Signature and Title of Authorized Person Date					

2009.03.31
(1445 m)

Message0002	
Subject:	RE: Purchase Order
From:	<info@phivac.com>
Date:	Wed, 14 Jan 2009 17:18:01 -0500
To:	"N & N Express Inc." <nexpress@acanac.net>
CC:	"Miller, Suzette" <suzette.miller@pfeiffer-vacuum.com>
Message Body	
<p>Hi David,</p> <p>I just realized that there is a typo in the writing of the price for the item 4. You wrote \$1,3727.00 instead of \$13,727.00</p> <p>I guess this is not a big deal especially that you pay with a credit card but if you could modify the email that would be great for the records.</p> <p>Thanks again, Pfeiffer should contact you very soon for the credit card and shipping information as I told you</p> <p>Sincerely, Cordialement, Jean-François.</p> <p>Phivac Inc. Jean-François Poncelet Pfeiffer-Vacuum Sales Representative - Canada NorCal Products Sales Representative - Canada (450) 424-2469 Phone (450) 424-9820 Fax (514) 292-2469 Cell info@phivac.com www.phivac.com</p> <p>☐☐€ Avant d'imprimer, pensez à l'environnement. Think green before printing.</p> <p>-----Original Message----- From: Jean-François Poncelet [mailto:info@phivac.com] Sent: January-14-09 4:01 PM To: 'N & N Express Inc.' Subject: RE: Purchase Order</p> <p>Hi David,</p> <p>I will directly forward to Pfeiffer and ask them to contact you for the payment and shipping procedure.</p>	

Thanks again for your purchase.

Sincerely, Cordialement,
Jean-François.

Phivac Inc.
Jean-François Poncelet
Pfeiffer-Vacuum Sales Representative - Canada
NorCal Products Sales Representative - Canada
(450) 424-2469 Phone
(450) 424-9820 Fax
(514) 292-2469 Cell
info@phivac.com
www.phivac.com
ï¿¼ï¿¼ï¿¼ Avant d'imprimer, pensez à l'environnement. Think
green before printing.

-----Original Message-----

From: N & N Express Inc. [mailto:nexpress@acanac.net]
Sent: January-14-09 3:55 PM
To: info@phivac.com
Subject: Purchase Order

Dear Jean

Attached is our purchase order, please take a look and if you need
anything let me know. also please send me order confirmation.

Best Regards

David Yadegari
General Manager
N & N Express Inc.

Tel: (416)222-4438
18 Abitibi Ave, Unit 1
Toronto, Ont, M2M 2V1

Main Message Header

Return-path: <info@phivac.com>
Envelope-to: nexpress@acanac.net
Delivery-date: Wed, 14 Jan 2009 17:17:53 -0500
Received: from mail304c9.megamailservers.com ([69.156.243.44])
by mailer2.acanac.net with esmtps (TLSv1:AES256-SHA:256)
(Exim 4.69)
(envelope-from <info@phivac.com>)
id 1LNE3c-0005Td-Pb
for nexpress@acanac.net; Wed, 14 Jan 2009 17:17:53 -0500
X-Authenticated-User: info.phivac.com
Received: from JPONCELETPC (bas1-montreal45-1177632312.dsl.bell.ca [70.49.62.56])
(authenticated bits=0)
by mail304c9.megamailservers.com (8.13.6.20060614/8.13.1) with ESMTP id
n0EMHnH9026298;
Wed, 14 Jan 2009 17:17:50 -0500
Reply-To: <info@phivac.com>
From: <info@phivac.com>
To: "'N & N Express Inc.'" <nexpress@acanac.net>
Cc: "'Miller, Suzette'" <suzette.miller@pfeiffer-vacuum.com>
References: <4039.69.171.154.187.1231966505.squirrel@mail2.acanac.net>
In-Reply-To:
Subject: RE: Purchase Order
Date: Wed, 14 Jan 2009 17:18:01 -0500
Organization: Phivac Inc.
Message-ID: <008601c97695\$f77d79d0\$e6786d70\$@com>
MIME-Version: 1.0
Content-Type: text/plain;
charset="UTF-8"
Content-Transfer-Encoding: quoted-printable
X-Mailer: Microsoft Office Outlook 12.0
thread-index: Acl2imlWPoGUpWebRzCR6ph6nLVfFAAALNeAAAKiy2A=
Content-language: en-ca
X-Spam-Status: No, score=-2.6
X-Spam-Score: -25
X-Spam-Bar: --
X-Spam-Flag: NO



N & N Express Inc.

Unit1, 18 Abitibi Ave
Toronto, Ontario, M2M 2V1
Tel: (416)222-4438
Fax: (416)512-9944

Jan 14, 2009

Ship To: N & N Express Inc.
Unit1- 18 Abitibi Ave,
Toronto, Ontario, M2M 2V1

Bill To: N & N Express Inc.

PO#: 101031014
Quote # : JFPQ1039-01

Order Info:

Item	Item Unit Price Quantity	Description	Unit Price	Total Price
3	10	PTR27 621 CCR 363 active capacitance transmitter , DN 16 ISO KF- 10 torr 0.2 % -14-30 VDC supply .	\$1,259.28	\$12,592.80
4	10	PTR27 631 CCR 364 active capacitance transmitter , DN 16 ISO KF- 1 torr 0.2 % -14-30 VDC supply	\$1,372.70	\$13,727.00

Payment Type: Credit Card

PST Exempt

Please feel free to give me a call if you have any questions or require additional information.

Best regards,
General Manager
David Yadegari

Message0004	
Subject:	RE: Purchase Order
From:	<info@phivac.com>
Date:	Fri, 16 Jan 2009 13:44:28 -0500
To:	"N & N Express Inc." <nexpress@acanac.net>
Message Body	
<p>David,</p> <p>This is perfect. It has been approved by Pfeiffer. They will contact you for the credit card information.</p> <p>Sincerely, Cordialement, Jean-François.</p> <p>Phivac Inc. Jean-François Poncelet Pfeiffer-Vacuum Sales Representative - Canada NorCal Products Sales Representative - Canada (450) 424-2469 Phone (450) 424-9820 Fax (514) 292-2469 Cell info@phivac.com www.phivac.com i□□i€ Avant d'imprimer, pensez à l'environnement. Think green before printing.</p> <p>-----Original Message----- From: N & N Express Inc. [mailto:nexpress@acanac.net]0 Sent: January-16-09 11:11 AM To: info@phivac.com Subject: RE: Purchase Order</p> <p>Dear Jean</p> <p>I corrected the purchase order and attached to this e-mail. regarding to your question, its going to Denmark.</p> <p>Thanks</p> <p>David Yadegari General Manager N & N Express Inc.</p>	

Tel: (416)222-4438
 18 Abitibi Ave, Unit 1
 Toronto, Ont, M2M 2V1

> David,
 > In order to process the order, and since you are a reseller and will
 > export the gauges, Pfeiffer needs to know, in writing if possible in
 > which country you will export these gauges.
 >
 > We will NOT contact them or bypass you. The reason is that they want
 > to make sure it does not end up in some countries where Pfeiffer does
 > not want to sell to.

> Thanks

> Sincerely, Cordialement,
 > Jean-François.

>
 > Phivac Inc.
 > Jean-François Poncelet
 > Pfeiffer-Vacuum Sales Representative - Canada NorCal Products Sales
 > Representative - Canada
 > (450) 424-2469 Phone
 > (450) 424-9820 Fax
 > (514) 292-2469 Cell
 > info@phivac.com
 > www.phivac.com
 > Avant d'imprimer, pensez à
 > l'environnement. Think green before
 > printing.

> -----Original Message-----

> From: Jean-François Poncelet [mailto:info@phivac.com]
 > Sent: January-14-09 4:01 PM
 > To: 'N & N Express Inc.'
 > Subject: RE: Purchase Order

> Hi David,
 > I will directly forward to Pfeiffer and ask them to contact you for
 > the payment and shipping procedure.

> Thanks again for your purchase.

Main Message Header

Return-path: <info@phivac.com>
Envelope-to: nexpress@acanac.net
Delivery-date: Fri, 16 Jan 2009 13:44:22 -0500
Received: from mail305c9.megamailservers.com ([69.156.243.45])
by mailer2.acanac.net with esmtps (TLSv1:AES256-SHA:256)
(Exim 4.69)
(envelope-from <info@phivac.com>)
id 1LNtg2-0004Pe-2M
for nexpress@acanac.net; Fri, 16 Jan 2009 13:44:22 -0500
X-Authenticated-User: info.phivac.com
Received: from JPONCELETPC (bas1-montreal45-1177833635.dsl.bell.ca [70.52.80.163])
(authenticated bits=0)
by mail305c9.megamailservers.com (8.13.6.20060614/8.13.1) with ESMTP id n0GliD46016562
for <nexpress@acanac.net>; Fri, 16 Jan 2009 13:44:14 -0500
Reply-To: <info@phivac.com>
From: <info@phivac.com>
To: "'N & N Express Inc.'" <nexpress@acanac.net>
References: <4039.69.171.154.187.1231966505.squirrel@mail2.acanac.net> <003c01c97766
\$51fa2f90\$f5ee8eb0\$@com> <3148.69.171.138.214.1232122278.squirrel@mail2.acanac.net>
In-Reply-To: <3148.69.171.138.214.1232122278.squirrel@mail2.acanac.net>
Subject: RE: Purchase Order
Date: Fri, 16 Jan 2009 13:44:28 -0500
Organization: Phivac Inc.
Message-ID: <000b01c9780a\$76c9ea00\$645dbe00\$@com>
MIME-Version: 1.0
Content-Type: text/plain;
charset="UTF-8"
Content-Transfer-Encoding: quoted-printable
X-Mailer: Microsoft Office Outlook 12.0
Thread-Index: Acl39RFvkFuh3BnQRpKdC5+eiRmTQgAFVFBg
Content-Language: en-ca
X-Spam-Status: No, score=-2.6
X-Spam-Score: -25
X-Spam-Bar: --
X-Spam-Flag: NO