



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

AAS:SME/JN/DKK

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 3, 2018

Andrew Finkelman
Margaret O'Malley
Office of International Affairs
United States Department of Justice
1301 New York Ave. NW
Washington DC 20530

Re: In the Matter of the Attorney General of Canada on Behalf of the
United States of America and Wanzhou Meng

Dear Mr. Finkelman & Ms. O'Malley:

The United States respectfully submits this letter to provide additional information in opposition to the application for conditional release pending extradition on behalf of Wanzhou Meng ("Meng") in the above-referenced matter.

Meng is a national of the People's Republic of China ("PRC"). She is not a Canadian citizen, does not reside in Canada, and has no legal status in Canada of which the United States is aware. Meng is facing a lengthy prison sentence in the United States, should she be convicted of the charges pending against her. Given Meng's position and personal connections—outlined below—United States authorities believe that there are no conditions or combination of conditions that will assure her continued appearance at extradition proceedings in Canada and will maintain the confidence in the administration of justice.

The United States has no extradition treaty with the PRC and, were Meng to be released, she would likely flee to China, from which the United States would not be able to obtain her extradition. Moreover, because her provisional arrest has placed Meng and her employer, Huawei Technologies Co. Ltd. ("Huawei") on notice that the United States has filed criminal charges against Meng, Meng could further be expected to refrain from travel for work purposes or otherwise to any jurisdiction with which the United States has an extradition treaty or relationship.

Meng Faces a Lengthy Prison Sentence

Meng, the Chief Financial Officer (“CFO”) of Huawei, has been charged in connection with a conspiracy to defraud multiple international financial institutions. The alleged fraud conspiracy was perpetrated at Huawei’s highest levels, with Meng personally making key misrepresentations to one of Huawei’s banking partners. As a result of those misrepresentations, among other things, multiple financial institutions engaged in millions of dollars of transactions in which they would not otherwise have participated. As detailed in the Statement of Facts included with the government’s Provisional Arrest Warrant, the government’s evidence against Meng includes, *inter alia*, testimony from numerous witnesses and extensive documentary evidence, such as financial records, emails and internal Huawei documents, including a detailed PowerPoint presentation personally delivered by Meng to one of Huawei’s banking partners that contains multiple material misrepresentations as to the nature of Huawei’s business in a high-risk jurisdiction. Meng faces multiple criminal charges in the United States as a result of her criminal activity, each of which carries a maximum sentence of thirty years’ imprisonment. These potential penalties give Meng a strong incentive to flee.

Meng’s Access to Financial Resources

According to information known to the United States, Meng has tremendous financial and logistical resources at her disposal and could easily flee Canada, should she so choose. She is a senior executive at one of the largest telecommunications companies in the world, and the daughter of its founder, one of the world’s wealthiest individuals. According to recent reporting, Meng’s father, Ren Zhengfei, has an approximate net worth of US \$3.2 billion and is the 83rd wealthiest individual in the world. As a result of Meng and her family’s extensive net worth, there is no question that Meng has the resources to flee from prosecution and to remain a fugitive indefinitely.

Meng’s Extensive Travel and Lack of Ties to Canada

Meng is also a risk of flight because she has access to numerous passport and visa documents, which could allow her to flee with greater ease. In the past eleven years, Meng has been issued no fewer than seven different passports from both China and Hong Kong. Notably, these are passports Meng has used to travel to the United States; it is entirely possible that Meng has additional passports of which the United States government is not aware. Even if Canadian authorities seized Meng’s travel document that she used to arrive in Canada, she could use any number of additional travel documents to flee from Canada.

Meng Passport Number	Passport Country
G19293757	China

G32666585	China
G41848183	China
G54811804	China
KJ0209563	Hong Kong
KJ0403962	Hong Kong
KJ0479108	Hong Kong

Meng is also a frequent global traveler. Meng obtained eight U.S. visas between July 2007 and April 2016. A brief review of open sources further reveals Meng's attendance in recent years at conferences in locations ranging from Cancun, Mexico, to Singapore to Beijing.

Moreover, Meng has no incentive to remain in Canada solely to attend extradition proceedings. Meng was only transiting Canada, arriving in Vancouver at 11:30 AM PST on December 1, 2018 and scheduled to depart to another country approximately twelve hours later.

Intent to Flee

Meng has already evinced an intent to evade apprehension in the United States. U.S. authorities believe that after in or about April 2017, Huawei – and, by virtue of her position at Huawei, Meng – became aware of a U.S. criminal investigation when Huawei's U.S. subsidiaries were served with a grand jury subpoena. As a result, Huawei executives began altering their travel patterns, to avoid any travel to or through the United States. Specifically, Meng and certain other high-level Huawei executives have ceased traveling to the United States altogether.

Although Meng previously traveled to the United States on numerous occasions in 2014, 2015, and 2016, her last trip to the United States was from late February through early March 2017—one month before Huawei is believed to have learned of an investigation. Meng has not traveled to, or through, the United States since, even though one of her children attends boarding school in the United States. Another senior Huawei executive came to the United States at least four times between 2013 and 2016, and has similarly not traveled to the United States since.

Additionally, following the issuance of the grand jury subpoena to the Huawei U.S. subsidiaries, described above, Huawei took steps to move U.S.-based Chinese national

employees who may have had knowledge of facts related to the investigation out of the United States. Specifically, the government is aware of Huawei's efforts on an institutional level to obstruct the government's investigation by removing from the United States potential witnesses who had information about Huawei's operations in Iran. These actions further demonstrate the efforts that Meng and Huawei would likely take to hinder U.S. prosecutorial efforts and prevent Meng's apprehension, should Meng be released on bond.

Respectfully submitted,

RICHARD P. DONOGHUE
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