



Legal Document

District Of Columbia District Court

Case No. 1:23-cv-01816-BAH

**GREENSPAN v. EXECUTIVE OFFICE FOR U.S.
ATTORNEYS et al**

Document 104, Attachment 1



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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AARON GREENSPAN,

Plaintiff,

v.

EXECUTIVE OFFICE FOR U.S.
ATTORNEYS, *et al*,

Defendants.

Case No. 1:23-cv-01816-BAH

**AMENDED STATEMENT OF MATERIAL FACTS AS TO WHICH THERE IS NO
GENUINE ISSUE, PURSUANT TO LOCAL CIVIL RULE 7(h)**

Pursuant to Local Civil Rule 7(h), Plaintiff Aaron Greenspan submits the following amended statement of material facts as to which there is no genuine issue. This amended statement restates Plaintiff's Statement of Material Facts filed June 25, 2026 (ECF No. 85-2) without substantive change, except that it (a) adds record citations, including to the exhibits filed with the Supplemental Declaration of Aaron Greenspan ("Supplemental Declaration") submitted herewith, and (b) corrects the year stated in ¶ 23 from 2024 to 2023. It states no new fact and requires no further response from Defendants.

1. Mueez Adegboyega Akande's death has been confirmed by the United States Department of Justice ("USDOJ"). ECF No. 35-5 at 2 ¶ 2.
2. Lee Andrew Edwards's death has been confirmed by USDOJ, the Federal Bureau of Investigation ("FBI") and Drug Enforcement Administration ("DEA"). ECF No. 34 at 4.
3. FBI is a component of USDOJ. ECF No. 85-4 at 26, 31-34, 68, 87.
4. DEA is a component of USDOJ. 28 C.F.R. § 0.100.
5. USDOJ policies and decisions relevant to this action apply to and are binding upon FBI and DEA. *See Sanders v. Federal Bureau of Investigation*, Case No. 1:20-cv-03672 at 13 n. 4 (D.D.C. March 25, 2022).

6. USDOJ Assistant U.S. Attorney Marsha A. McClellan filed a Verified Complaint on July 26, 1993 in Northern District of Illinois Case No. 1:93-cv-04483 in which she, in her official capacity, incorporated by reference the affidavit of IRS Special Agent Kevin Moss (the “Moss Affidavit”), which in turn described in writing a joint FBI/DEA/IRS investigation into Bola Ahmed Tinubu, the owner of many of the bank accounts named as defendants in that civil forfeiture case. ECF No. 85-4 at 1-21.

7. The July 26, 1993 Verified Complaint in Northern District of Illinois Case No. 1:93-cv-04483 is public record despite Judicial Conference policy that limits electronic access via PACER to the Chicago federal courthouse because it originated from archives. *Id.*

8. The Moss Affidavit went into detail about Tinubu’s involvement in the narcotrafficking ring that was the subject of that case and explicitly named him and certain family members in connection with money laundering activities and various other federal crimes. ECF No. 85-4 at 5-19.

9. On July 26, 1993, USDOJ officially disclosed that Bola Ahmed Tinubu was the subject of a joint FBI/DEA/IRS investigation, foreclosing and waiving any of those agencies’ ability to now issue a *Glomar* response. ECF No. 85-4 at 20.

10. Mueez Adegboyega Akande’s name is also disclosed in the Moss Affidavit. ECF No. 85-4 at 6.

11. Adegboyega Mueez Akande is the same person as Mueez Adegboyega Akande. *Id.*

12. Abiodun Agbele’s name is also disclosed in the Moss Affidavit. ECF No. 85-4 at 9.

13. Abiodun Agbele’s name is disclosed on one page in the FBI’s FOIA production dated June 10, 2024. ECF No. 85-4 at 32.

14. “Alhaji Mogati,” also known as Abibatu Mogaji, is publicly named as a Claimant in the aforementioned Northern District of Illinois Case No. 1:93-cv-04483. Supplemental Declaration ¶ 12 & Exhibit K; *id.* ¶ 14 & Exhibit M (Decree ¶ (b)); *id.* ¶ 13 & Exhibit L.

15. Abibatu Mogaji is widely reported to be Bola Tinubu's mother. Supplemental Declaration ¶ 13 & Exhibit L.

16. Names and telephone numbers of FBI agents, as well as information about wiretaps and pen registers, associated with the investigation into the Lee Andrew Edwards/Mueez Akande/Abiodun Agbele/Bola Tinubu drug ring are publicly available as part of the public case file in *USA v. Edwards et al*, Northern District of Indiana Case No. 2:92-cr-00113-RL. Supplemental Declaration ¶¶ 10-11 & Exhibits I, J.

17. In open court in Northern District of Indiana Case No. 2:92-cr-00113-RL, former DEA Special Agent Vincent Balbo stated that Abiodun Agbele had been indicted. ECF No. 85-4 at 24:1-3.

18. There is at present no record of Abiodun Agbele's indictment on PACER. Supplemental Declaration ¶ 15 & Exhibit N.

19. Former FBI Special Agents Karen and Robert Pertuso were involved in the investigation into the Lee Andrew Edwards/Mueez Akande/Abiodun Agbele/Bola Tinubu drug ring. *USA v. Edwards et al*, Northern District of Indiana Case No. 2:92-cr-00113-RL March 9, 1993 Trial Transcript. ECF No. 85-4 at 24:5-6; Supplemental Declaration ¶¶ 7-8, 10 & Exhibits G at 85-86, I.

20. According to *The Washington Post*, former FBI Special Agents Karen and Robert Pertuso were involved in a scandal later in their careers at the FBI pertaining to their joint and simultaneous involvement in FBI investigations despite being a married couple. See <https://www.washingtonpost.com/archive/politics/2004/01/31/fbi-investigates-head-of-detroit-office/59f381b5-66af-49f3-b980-9da146f72043/>. Supplemental Declaration ¶ 17 & Exhibit P.

21. The investigation into the Lee Andrew Edwards/Mueez Akande/Abiodun Agbele/Bola Tinubu narcotrafficking ring is long since closed and disclosure of information about it now would not put the lives of any individuals at risk. ECF No. 99-5 (asserting no Exemption 7(A)); ECF No. 99-1 at 6 n.5; ECF No. 35-5 at 2; ECF No. 34 at 4.

22. Many individuals involved in the investigation into the Lee Andrew Edwards/Mueez Akande/Abiodun Agbele/Bola Tinubu narcotrafficking ring are now deceased

and accordingly have no right to privacy for the purposes of FOIA. ECF No. 35-5 at 2 ¶ 2; ECF No. 34 at 4.

23. Bola Tinubu was elected President of Nigeria in 2023 in a contested election. ECF No. 85-4 at 48.

24. The United States Census Bureau estimates that as of 2022, there were over 500,000 individuals living in the United States claiming Nigerian ancestry. ECF No. 85-4 at 65.

25. The population of Nigeria itself is over 236 million per CIA World Factbook data. ECF No. 85-4 at 39.

26. Bola Tinubu's right to privacy is non-existent as to the details already disclosed by the USDOJ and various other agencies in the public record, ECF No. 85-4 at 2-19, but significantly diminished and outweighed by the public interest, ECF No. 85-4 at 39, 65, in his historical involvement with criminal activity given that he is now in elected office in Nigeria, ECF No. 85-4 at 48.

27. The name "Tinubu" does not appear unredacted in any materials that have been produced by Defendants in this action thus far. ECF No. 99-6 at 9 (response to ¶ 27).

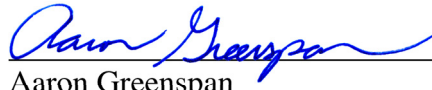
28. Thirty years after the fact, there is no pending investigation regarding the crimes described in Northern District of Indiana Case No. 2:92-cr-00113-RL or Northern District of Illinois Case No. 1:93-cv-04483. ECF No. 99-5 (asserting no Exemption 7(A)); ECF No. 99-1 at 6 n.5.

29. Thirty years after the fact, there are no ongoing "enforcement proceedings" regarding the crimes described in Northern District of Indiana Case No. 2:92-cr-00113-RL or Northern District of Illinois Case No. 1:93-cv-04483. ECF No. 99-5 (asserting no Exemption 7(A)); ECF No. 99-1 at 6 n.5.

30. While this litigation was pending, Bola Tinubu met with former FBI Director Christopher Wray in Abuja, Nigeria on "June 12-14," 2024 according to a press release on the FBI website at <https://www.fbi.gov/news/press-releases/fbi-director-wray-travels-to-nigeria-meets-with-president-tinubu-and-senior-officials>. Supplemental Declaration ¶ 16 & Exhibit O.

Dated: September 9, 2026

Respectfully submitted,



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