

Noble Corporation (Nigeria Settlement)

Case ID:

ARW-143

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Switzerland

Position of Public Official(s) (yrs in office):

Unspecified Officials

Jurisdiction of Asset Recovery:

Nigeria

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort

Asset Recovery Start:

2010

Asset Recovery End:

2011

UNCAC Offenses Implicated:

Art.16

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Criminal Prosecution; Criminal Fine

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

N/A

Contributing Factors in Asset Recovery:

Settlement agreement (Source: Noble Corporation, US Securities and Exchange Commission Form 8-K, January 31, 2011.)

Status of Asset Recovery :

Completed

Stage in Asset Recovery Chain:

Assets Returned to Victim or Requesting Jurisdiction

Agreement for Returned Assets:

No

Agreement for Returned Assets - Description:

N/A

Case Summary:

According to the Form 8-K filed by the Noble Corporation with the US Securities and Exchange Commission, the Nigerian Economic and Financial Crimes Commission and the Nigerian Attorney General's Office investigation related to the same activities as previously settled by Noble Corporation with the U.S. Department of Justice and the Securities Exchange Commission under the U.S. Foreign Corrupt Practices Act of certain reimbursement payments made by the company's Nigerian affiliate to customs agents in Nigeria. The company stated that as part of the January 28, 2011 Non-prosecution agreement executed by a subsidiary of Noble-Swiss with the Government of Nigeria, the Noble-Swiss subsidiary will pay \$2.5 million

to resolve all charges and claims of the Nigerian government. (Sources: Noble Corporation, US Securities and Exchange Commission Form 8-K, January 31, 2011; US Department of Justice: In Re: Noble Corporation, Nonprosecution Agreement and Statement of Facts, dated November 4, 2010.) Please note that the settlement agreement with the Nigerian government is confidential and not publicly available.

Disposition of Criminal Case(s):

According to the Form 8-K filed by the Noble Corporation with the US Securities and Exchange Commission, the Nigerian Economic and Financial Crimes Commission and the Nigerian Attorney General's Office initiated an investigation into alleged misconduct but all charges were resolved through the execution of a non-prosecution agreement dated January 28, 2011 by a subsidiary of Noble-Swiss. (Source: Noble Corporation, SEC Form 8-K, January 31, 2011.)

Jurisdiction of Asset Recovery: Investigative Agency:

Economic and Financial Crimes Commission

Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):

Ministry of Justice, Attorney General; Economic and Financial Crimes Commission

Jurisdiction of Asset Recovery: Courts Involved:

N/A

Documents:

Noble_Corporation_SEC_Form_8-K_Report_Jan_31_2011.pdf

Noble_Corporation_SEC_Form_8-K_Explained.pdf

Noble_Corporation_US_DOJ_Nonprosecution_Agreement_Nov_4_2010.pdf

Documents Links:

http://www1.worldbank.org/finance/star_site/documents/arw/Noble_Corporat...

http://www1.worldbank.org/finance/star_site/documents/arw/Noble_Corporat...

http://www1.worldbank.org/finance/star_site/documents/arw/Noble_Corporat...

Other Sources:

Noble Corporation US Securities and Exchange Commission Form 8-K, filed January 31, 2011, accessed at

www.sec.gov/Archives/edgar/data/1169055/000095012311006909/h79316e8vk.htm; US Securities and Exchange Commission, "Form 8-K" (Explanation) at

<http://www.sec.gov/answers/form8k.htm>; In Re: Noble Corporation, Nonprosecution Agreement and Statement of Facts, dated November 4, 2010, accessed at

<http://www.justice.gov/criminal/fraud/fcpa/cases/noble-corp/11-04-10nobl...>