

## Steve Ferguson / Piarco Airport case (United States)

**Case ID:**

ARW-179

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

Trinidad and Tobago

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

Former Chairman of the National Gas Company (1998- ?)

**Jurisdiction of Asset Recovery:**

United States

**Jurisdiction of Asset Recovery ? Description:**

Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2005

**Asset Recovery End:**

Ongoing

**UNCAC Offenses Implicated:**

Art.19

Art.23

**Money laundering Implicated:**

Yes

**Legal Basis for Asset Recovery:**

Criminal Prosecution; Private Civil Action

**Intl.Cooperation: MLAT/Letter of Request?:**

MLAT

**Basis for Intl Cooperation:**

Unspecified

**Contributing Factors in Asset Recovery:**

Ongoing Case

**Status of Asset Recovery :**

Completed (in part) and Ongoing (in part)

**Agreement for Returned Assets:**

No

**Agreement for Returned Assets - Description:**

N/A

**Case Summary:**

In a criminal case in U.S. District Court for the Southern District of Florida, the following restitution was ordered against Mr. Ferguson's co-defendants, to be paid to Trinidad and Tobago: Mr. Gutierrez \$4 million, Mr. Hillman \$2 million, and Mr. Mora \$100,000. (Source: U.S. v. Gutierrez, et al, Case No. 1:05-cr-20859-PCH (S.D. Fla) Superseding indictment filed March 29, 2006, Restitution hearing minutes, filed March 17, 2007, judgments (various)). As of October 2013, Mr. Ferguson and Mr. Galbaransingh still faced criminal charges in the United States. (Source: Ferguson and Galbaransingh (Appellants) and The Commissioner of Prisons, Civil Appeal No. 108 of 2009, Republic of Trinidad and Tobago Court of Appeal, judgment of May 3, 2010 and Between Steve Ferguson and Ishwar Galbaransingh

(Appellants) and His Worship Mr. Sherman McNicholls, Claim No.: CV2008-03639, Republic of Trinidad and Tobago High Court of Justice, judgment of October 7, 2008 (extradition related hearings). Trinidad and Tobago also brought civil complaint against them in Florida state courts. (Source: Trinidad and Tobago v. Birk Hillman Consultants, No. 04-11813 CA 30 (11th Fla. Cir. Ct. April 13, 2007.)

**Disposition of Criminal Case(s):**

According to official documents filed in U.S. District Court for the Southern District of Florida, Mr. Ferguson is under indictment on multiple counts of fraud and money laundering charges. Mr. Ferguson is challenging his extradition from Trinidad and Tobago to the U.S. (Sources: US v. Gutierrez, et al, Case no: 1:05-cr-20859-PCH (S.D. Fla), Superseding indictment filed on March 29, 2006; Court Docket Report as of August 21, 2014.

**Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):**

Attorney General

**Jurisdiction of Origin: Courts Involved:**

High Court, Court of Appeals

**Jurisdiction of Asset Recovery: Investigative Agency:**

Immigration and Customs Enforcement, Foreign Corruption Investigations Group

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

Criminal: United States Attorney for the Southern District of Florida; Civil: Astigarraga David (Edward H. Davis, Jr., representing Trinidad and Tobago)




**Jurisdiction of Asset Recovery: Courts Involved:**

U.S. District Court for the Southern District of Florida

**Documents:**

Ferguson\_US\_SDFLA\_Status\_Rept\_Extradition\_Apr\_27\_2011.pdf  
Steve\_Ferguson\_Trinidad\_Appeals\_Court\_Civil\_Appeal\_108\_2009\_Judgment\_May\_3\_2010.pdf  
Steve\_Ferguson\_Trinidad\_Claim\_CV2008\_03639\_High\_Court\_Judgment\_Oct\_7\_2008.pdf  
Steve\_Ferguson\_US\_Florida\_Circuit\_Court\_Civil\_Complaint\_Apr\_13\_2007\_Part1\_of\_5.pdf  
Steve\_Ferguson\_US\_Florida\_Circuit\_Court\_Civil\_Complaint\_Apr\_13\_2007\_Part2\_of\_5.pdf  
Steve\_Ferguson\_US\_Florida\_Circuit\_Court\_Civil\_Complaint\_Apr\_13\_2007\_Part3\_of\_5.pdf  
Steve\_Ferguson\_US\_Florida\_Circuit\_Court\_Civil\_Complaint\_Apr\_13\_2007\_Part4\_of\_5.pdf  
Steve\_Ferguson\_US\_Florida\_Circuit\_Court\_Civil\_Complaint\_Apr\_13\_2007\_Part5\_of\_5.pdf  
Steve\_Ferguson\_US\_ICE\_Investigation\_Oct\_2008.pdf  
Steve\_Ferguson\_US\_SDFLA\_Gutierrez\_Amended\_Judgment\_Mar\_19\_2007.pdf  
Steve\_Ferguson\_US\_SDFLA\_Hillman\_Waller\_Judgment\_Jan\_29\_2007.pdf  
Steve\_Ferguson\_US\_SDFLA\_Restitution\_Hearing\_Mar\_17\_2007.pdf  
Steve\_Ferguson\_US\_SDFLA\_Superseding\_Indictment\_Mar\_26\_2006.pdf  
Ferguson\_Galbaransingh\_SDFLA\_Updated\_Status\_Report\_Sep\_7\_2011  
Ferguson\_Trinidad\_High\_Court\_Extradition\_Denied\_Trinidad\_Express\_Nov\_7\_2011

**Documents:**

<b>Attachment</b>	<b>Size</b>
 Ferguson_Trinidad_High_Court_Extradition_Denied_Trinidad_Express_Nov_7_2011.pdf	75.43 KB
 Ferguson_US_SDFL_Restitution_sharing_ag_Disclosure_Aug_21_2012.pdf	1.17 MB
 Ferguson_US_SDFL_Transcript_Status_Conf_Feb_22_2013.pdf	402.78 KB

**Documents Links:**

**Other Sources:**

U.S. v. Gutierrez, et al, Case No. 1:05-cr-20859-PCH (S.D. Fla) Superseding indictment filed March 29, 2006, Restitution hearing minutes filed March 17, 2007, Amended Judgment against Raul Gutierrez filed March 19, 2007, Eduardo Hillman-Waller filed January 29, 2007, Government of Trinidad and Tobago Restitution Determination Motion against Leonardo Mora-Rodriguez, filed April 16, 2007, Status Report (Ferguson extradition) filed April 27, 2011; Between Steve Ferguson and Ishwar Galbaransingh (Appellants) and The Commissioner of Prisons, Civil Appeal No. 108 of 2009, Republic of Trinidad and Tobago Court of Appeal, judgment of May 3, 2010 and Between Steve Ferguson and Ishwar Galbaransingh (Appellants) and His Worship Mr. Sherman McNicholls, Claim No.: CV2008-03639, Republic of Trinidad and Tobago High Court of Justice, judgment of October 7, 2008 (extradition related hearings); Civil complaint in Trinidad and Tobago v. Birk Hillman Consultants, No. 04-11813 CA 30 (11th Fla. Cir. Ct. Apr. 13, 2007); The Cornerstone Report by the U.S. Immigration and Customs Enforcement, "ICE Investigates Birk Hillman, et al" (October 2008). US v. Ferguson and Galbaransingh, Case No. 1:05-cr-20859 (S.D. Fla.), Court Docket Report as of August 21, 2014. See also, Denyse Renne, "No extradition for Ish and Steve," Trinidad Express, November 10, 2011, accessed at [http://www.trinidadexpress.com/news/No\\_extradition\\_for\\_Ish\\_and\\_Steve-133...](http://www.trinidadexpress.com/news/No_extradition_for_Ish_and_Steve-133...)