

Alliance One International, Inc.

Case ID:

ST-30

Case Cluster :

Alliance One International, Inc.

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Securities and Exchange Commission

Jurisdiction of Foreign Public Official(s) :

Kyrgyzstan, Thailand, Malawi, Greece, Indonesia, Mozambique, China

Year of Settlement:

2010

Month/Day of Settlement (or Notes):

08/06

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Civil

Legal Form of Settlement:

Consent to Permanent Injunction

Monetary Sanctions (Types):

Disgorgement of Profits

Total Monetary Sanctions (US\$):

\$10,000,000.00

Civil Disgorgement of Profits (US\$) :

\$10,000,000

Civil Prejudgment Interest (US\$) :

\$0

Civil Fine / Penalty (US\$):

\$0

Monetary Sanctions Returned / Ordered Returned (US\$):

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2

Offenses - Alleged:

Bribery of foreign officials, Falsification of books and records, Internal controls violations

Offenses - Settled:

No admission or denial of alleged offenses

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to DOJ Report to Congress, "Appendix C: Summaries of Foreign Corrupt Practices Act Enforcement Actions by the United States, January 1, 1998 - September 30, 2010," Resulting Criminal Enforcement Actions: In Re Alliance One International, Inc. (August 6, 2010); U.S. v. Alliance One Tobacco Osh, LLC: Docket No. 10-CR-016-JLK (W.D. Va., August 6, 2010); U.S. v. Alliance One International AG: Docket No. 10-CR-017-JLK (W.D. Va., August 6, 2010); U.S. v. Bobby Jay Elkin, Jr.: Docket No. 10-CR-015-JLK (W.D. Va., August 3, 2010); Resulting Civil/Administrative Enforcement Action(s): SEC v. Alliance One International, Inc. (D.D.C., August 6, 2010); SEC v. Bobby Jay Elkin, Jr., et al. (D.D.C., April 28, 2010), Please note that the court docket numbers are from DOJ/Fraud/FCPA Enforcement Actions website (<http://www.justice.gov/criminal/fraud/fcpa/cases/a.html>) and complete list of entities and individuals charged are in DOJ Report to Congress Appendix C, "Alliance One International, Inc." at 9-11, which also notes Location and Time Period of Misconduct: Kyrgystan, 1996-2004; Thailand, 2000-2004; Malawi, 2002-2003; Greece, 2003; Indonesia, 2003; Mozambique, 2004-2007; China and Thailand, 2005.

Sources :

US Department of Justice Report to Congress, "Appendix C: Summaries of Foreign Corrupt Practices Act Enforcement Actions by the United States, January 1, 1998 - September 30, 2010," Alliance One International, Inc. at 9-11, accessed at <http://www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf>. US Report to the Organisation for Economic Co-operation and Development, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions," Information as of May 31, 2011, AGCO Corporation Case Summary at 58-59, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US Securities and Exchange Commission, Litigation Release No. 21618 / August 6, 2010, SECURITIES AND EXCHANGE COMMISSION v. UNIVERSAL CORPORATION, INC., Civil Action No. 01:10-cv-01318 (RWR) (D.D.C.) (filed August 6, 2010), SECURITIES AND EXCHANGE COMMISSION v. ALLIANCE ONE INTERNATIONAL, INC., Civil Action No. 01:10-cv-01319 (RMU) (D.D.C.) (filed August 6, 2010), "SEC FILES ANTI-BRIBERY CHARGES AGAINST TWO GLOBAL TOBACCO COMPANIES," <http://www.sec.gov/litigation/litreleases/2010/lr21618.htm>; Complaint filed August 6, 2010, accessed at <http://www.sec.gov/litigation/complaints/2010/comp21618-alliance-one.pdf>