

Allied Products Corporation / David Ray Rothrock

Case ID:

ST-36

Case Cluster :

Allied Products Corporation

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Russia

Year of Settlement:

2001

Month/Day of Settlement (or Notes):

06/22

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Individual

Type of Settlement:

Criminal

Legal Form of Settlement:

Guilty Plea

Monetary Sanctions (Types):

None

Total Monetary Sanctions (US\$):

\$0.00

Criminal Fine/Penalty (US\$) :

\$0

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

\$0

UNCAC Articles(s) Implicated:

Art.16

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 8

Offenses - Alleged:

Falsification of books and records

Offenses - Settled:

Falsification of books and records

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the 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," Allied Products Corporation, at 120-121, accessed at

www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf and Information in US v. David Ray Rothrock, Case No. 5:01-cr-00343-OLG (W.D. Tex., June 13, 2001): Rothrock was the vice president of the Cooper Division of Allied Products Corporation with responsibility for international sales. He pleaded guilty to one count of falsifying his employer's corporate books and records. The Cooper Division agreed to pay a sales commission of \$282,076 to a third party company (Trading and Business Services Ltd., an entity with principal business in Moscow; Biel, Switzerland; and Houston and co-owned by "Nestro" and Comco Holding AG, a Swiss company) for ultimate benefit of the Director General of RVO Zarubezhneftstroy ("Nestro"), a Soviet government purchasing agency, in order to obtain a contract for the sale of 20 workover rigs to Nestro. Rothrock, in 2002, created false invoice that was purported to come from a company called "Educa" in Vienna, Austria but that he knew was for TBS. Rothrock pleaded guilty and on September 20, 2001, he was sentenced to one year probation and ordered to pay court assessment of \$100. His presentencing report was sealed on September 24, 2001. (Sources: US v. Daniel Ray Rothrock, Case No. 5:01-cr-00343-OLG (W.D. Tex.), Information filed on June 13, 2001; Plea agreement filed June 13, 2011 and Judgment of September 20, 2001 and Court Docket Report, all accessed at [Fcpa.Shearman.com](http://fcpa.shearman.com), Case Summary Page, US v. David Ray Rothrock, <http://fcpa.shearman.com/index.php>.)

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," Allied Products Corporation, at 120-121, accessed at www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf; <http://www.justice.gov/criminal/fraud/fcpa/cases/rothrock.html>; US v. Daniel Ray Rothrock, Case No. 5:01-cr-00343-OLG (W.D. Tex.), Information filed on June 13, 2001; Plea agreement filed June 13, 2011 and Judgment of September 20, 2001 and Court Docket Report, all accessed at [Fcpa.Shearman.com](http://fcpa.shearman.com), Case Summary Page, US v. David Ray Rothrock, <http://fcpa.shearman.com/index.php>