

## American Bank Note Holographics, Inc.

**Case ID:**

ST-43

**Case Cluster :**

American Bank Note Holographics, Inc.

**Jurisdiction of Settlement:**

United States

**Jurisdiction of Settlement / Enforcement Agency:**

Securities and Exchange Commission

**Jurisdiction of Foreign Public Official(s) :**

Saudi Arabia

**Year of Settlement:**

2001

**Month/Day of Settlement (or Notes):**

07/18

**Other Jurisdictions of Settlement:**

Unknown

**Settlement with Individual or Legal Person?:**

Legal Person

**Type of Settlement:**

Civil

**Legal Form of Settlement:**

Consent to Cease-and-Desist Order

**Monetary Sanctions (Types):**

Civil Penalty

**Total Monetary Sanctions (US\$):**

\$75,000.00

**Civil Disgorgement of Profits (US\$) :**

\$0

**Civil Prejudgment Interest (US\$) :**

\$0

**Civil Fine / Penalty (US\$):**

\$75,000

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

\$0

**UNCAC Articles(s) Implicated:**

Art.16

**OECD Anti-Bribery Convention Articles Implicated:**

Art. 1, Art. 2

**Offenses - Alleged:**

Falsification of books and records

**Offenses - Settled:**

No admission or denial of alleged offenses

**Public Procurement Contract / SOE Involved?:**

Yes

**Summary:**

According to 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," American Bank Note Holographics, Inc. at 114-115 and Information filed in US v. Joshua Cantor: On July 17, 2001, Cantor pleaded guilty to a 4-count information charging him with conspiracy to commit securities fraud, falsify books and records, lie to auditors and conspiracy to violate the FCPA. Cantor was the president of American Bank Note Holographics, and the company was approached by the Saudi Arabian Monetary Agency with the opportunity to be the supplier of the hologram for a commemorative Saudi Arabian banknote. In May 1998, one of ABNH's overseas agents informed ABNH that its bid would need to include "an additional sum to cover consultancy fees." ABNH eventually won the bid and consultancy fees in the amount of \$239,000 were transferred to Bank Account #47377V at Credit Agricole Indosuez in Geneva, Switzerland held in the name of an entity "Satapco" and the Saudi foreign official, who served as Director of the Issues and Vaults Department of SAMA, received at least a portion of the \$238,000 consultancy fee. As of July 11, 2012, Cantor had not yet been sentenced. (Source: US v. Cantor, Case No. 1:01-cr-687-BSJ (S.D.N.Y.), Information, Plea and transcript of Plea Hearing, all July 17, 2001, accessed at [fcpa.shearman.com](http://fcpa.shearman.com); court docket report as of July 11, 2012 accessed via PACER.) ABNH settled with the SEC without admitting or denying the charges in the complaint and agreed to pay \$75,000 in civil penalties. (Source: SEC v. American Bank Note, Case No. 1:01-cv-06453-JSR (S.D.N.Y.), Court Docket Report, entry of Judgment on July 20, 2001.). In addition to criminal case against Joshua Cantor, related civil enforcement actions: SEC v. Joshua Cantor (S.D.N.Y., April 10, 2003); SEC v. American Bank Note Holographics, Inc. (S.D.N.Y., July 18, 2001); and In the Matter of American Bank Note Holographics, Inc. (S.D.N.Y., July 18, 2001)

**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," American Bank Note Holographics, Inc. at 114-115, accessed at [www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf](http://www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf);  
[http://www.justice.gov/opa/pr/2005/March/05\\_crm\\_090.htm](http://www.justice.gov/opa/pr/2005/March/05_crm_090.htm); US v. Joshua C. Cantor, Case No. 1:01-cr-687-BSJ (S.D.N.Y.), Information, Plea and transcript of Plea Hearing, all July 17, 2001, accessed at [fcpa.shearman.com](http://fcpa.shearman.com); court docket report as of October 12, 2011, obtained via Pacer; SEC v. American Bank Note, Case No. 1:01-cv-06453-JSR (S.D.N.Y.), Court Docket Report, entry of Judgment on July 20, 2001, accessed at [fcpa.shearman.com](http://fcpa.shearman.com)