

BizJet International Sales and Support, Inc.

Case ID:

ST-65

Case Cluster :

BizJet International Sales and Support, Inc.

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Mexico, Panama

Year of Settlement:

2012

Month/Day of Settlement (or Notes):

03/14

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Deferred Prosecution Agreement

Monetary Sanctions (Types):

Criminal Fine

Total Monetary Sanctions (US\$):

\$11,800,000.00

Criminal Fine/Penalty (US\$) :

\$11,800,000

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

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.23

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 7

Offenses - Alleged:

Conspiracy to bribe foreign officials

Offenses - Settled:

Conspiracy to bribe foreign officials

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the US Department of Justice Press Release, " BizJet paid bribes to officials

employed by the Mexican Policia Federal Preventiva, the Mexican Coordinacion General de Transportes Aereos Presidenciales, the air fleet for the Gobierno del Estado de Sinaloa, the air fleet for the Gobierno del Estado de Sonora and the Republica de Panama Autoridad Aeronautica Civil. In many instances, BizJet paid the bribes directly to the foreign officials. In other instances, BizJet funneled the bribes through a shell company owned and operated by a BizJet sales manager. BizJet executives orchestrated, authorized and approved the unlawful payments." (Source: US Department of Justice Press Release, "Bizjet International Sales and Support Inc., Resolves Foreign Corrupt Practices Act Investigation and Agrees to Pay \$11.8 Million Criminal Penalty," March 14, 2012.) According to the Statement of Facts agreed to by the company as part of its Deferred Prosecution Agreement, "Shell Company A" was owned by BizJet's Sales Manager and operated out of his personal residence in Van Nuys, California (para 7); Shell Company A "operated under the pretense" of supplying aircraft maintenance, repair and overhaul services but in fact was used in the conspiracy by BizJet executives and sales manager to make unlawful payments to foreign officials via its bank account in California. (para 18) (Source: US v. BizJet International Sales and Support, Inc., Case No. 4:12-cr-00061 (N.D. Okla.), Deferred Prosecution Agreement and Statement of Facts filed March 14, 2012.)

Sources :

US v. BizJet International Sales and Support, Inc., Case No. 4:12-cr-00061 (N.D. Okla.), Deferred Prosecution Agreement and Statement of Facts filed March 14, 2012, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/bizjet/2012-03-14-bizjet-deferred-prosecution-agreement.pdf>; US Department of Justice Press Release, "Bizjet International Sales and Support Inc., Resolves Foreign Corrupt Practices Act Investigation and Agrees to Pay \$11.8 Million Criminal Penalty," March 14, 2012, accessed at <http://www.justice.gov/opa/pr/2012/March/12-crm-321.html>