

## **Electronic Data Systems Corporation / Chandramowli Srinivasan**

**Case ID:**

ST-150

**Case Cluster :**

Electronic Data Systems Corporation

**Jurisdiction of Settlement:**

United States

**Jurisdiction of Settlement / Enforcement Agency:**

Securities and Exchange Commission

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

India

**Year of Settlement:**

2007

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

09/25

**Other Jurisdictions of Settlement:**

Unknown

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

Individual

**Type of Settlement:**

Civil

**Legal Form of Settlement:**

Consent to Permanent Injunction

**Monetary Sanctions (Types):**

Civil Penalty

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

\$70,000.00

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

\$0

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

\$0

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

\$70,000

**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:**

Bribery of foreign officials, False accounting violations

**Offenses - Settled:**

No admission or denial of allegations

**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," Electronic Data Systems Corporation, at 81-82: Misconduct in India, 2001-2003; EDS's former Indian subsidiary, A.T. Kearney Ltd. - India (ATKI) alleged to have made at least \$720,000 in illicit payments to high-level employees of two Indian state-owned enterprises threatened in order to retain business with those enterprises; ATKI made the payments at the direction of Srinivasan, ATKI's president, after the officials of the state-owned enterprises threatened to cancel the contracts with ATKI. These bribes allowed EDS to recognize over \$7.5 million in revenue from the Indian companies' contracts after ATKI began paying the bribes. Settlement amounts: \$70,000 civil penalty (Srinivasan), \$358,800 disgorgement and \$132,102 prejudgment interest (EDS / ATKI-related penalties). Resulting civil enforcement/administrative actions: In the Matter of Electronic Data Systems Corporation (September 25, 2007); SEC v. Chandramowli Srinivasan (D.D.C., September 25, 2007).

**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," Electronic Data Systems Corporation, at 81-82, 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); SEC v. Chandramowli Srinivasan, case summary and related documents at <http://fcpa.shearman.com/?mode=form&id=221>; In the Matter of Electronic Data Systems Corporation, Administrative Proceedings, File No. 3-12825, Order Instituting Cease and Desist Proceedings (September 25, 2007), accessed at <http://www.sec.gov/litigation/admin/2007/34-56519.pdf>.