

Nexus Technologies Inc. / Joseph Lukas

Case ID:

ST-284

Case Cluster :

Nexus Technologies Inc.

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice; United States Attorney for the Eastern District of Pennsylvania

Jurisdiction of Foreign Public Official(s) :

Vietnam

Year of Settlement:

2009

Month/Day of Settlement (or Notes):

06/29

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):

Criminal Fine

Total Monetary Sanctions (US\$):

\$1,000.00

Criminal Fine/Penalty (US\$) :

\$1,000

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

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.23

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 7

Offenses - Alleged:

Conspiracy, Bribery of foreign officials

Offenses - Settled:

Conspiracy, Bribery of foreign officials

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," Nexus Technologies, at 57-58, accessed at www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf: Time period of misconduct in Vietnam 1999-2008; on September 4, 2008, Nexus and its employees Nam Quoc Nguyen, Kim Nguyen, and An Nguyen and joint venture partner Joseph Lukas were indicted by a grand jury in Philadelphia on charges related to scheme to pay bribes totalling at least \$250,000 to employees of state-owned enterprises in Vietnam in exchange for favorable treatment for Nexus in the award of procurement contracts. In accordance with its plea agreement, Nexus was given 1 year of organizational probation in which to completely cease operations, formally dissolve, and turn over all assets to the court. Nexus was ordered to pay \$11,200 in special assessment but no fine and no restitution. (Source: US v. Nexus Technologies, Inc. Case No. 2:08-cr-00522-TJS (E.D. Pa.), Final Judgment filed September 16, 2010.)

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," Nexus Technologies, at 58-59, accessed at www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf; US Dept of Justice Press Release. "Former Nexus Technologies Inc. Employees and Partner Sentenced for Roles in Foreign Bribery Scheme Involving Vietnamese Officials." Sept. 16, 2010, accessed at <http://www.justice.gov/opa/pr/2010/September/10-crm-1032.html>; US Dept of Justice Press Release. "Nexus Technologies Inc. and Three Employees Plead Guilty to Paying Bribes to Vietnamese Officials." Mar. 16, 2010, accessed at www.justice.gov/usao/pae/News/Pr/2010/mar/nexus_release.pdf; Superseding Indictment, U.S. v. Nexus Technologies, Inc. et al., no. 2:08-cr-00522-TJS (E.D. Pa., Oct. 29, 2009); Final Judgment filed September 16, 2010, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/nguyenn/09-16-10nguyennexus-judgment.pdf>. The Department of Justice press release on the sentencing of Nexus Technologies and related individual defendants acknowledged the assistance in the case by the Hong Kong's Independent Commission Against Corruption. (The bribery funds had been transferred from the US to HK).