

UNC / Lear Services Inc.

Case ID:

ST-365

Case Cluster :

UNC / Lear Services Inc.

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Saudi Arabia

Year of Settlement:

2000

Month/Day of Settlement (or Notes):

03/06

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Guilty Plea

Monetary Sanctions (Types):

Criminal Fine, Criminal Restitution, Special Assessment

Total Monetary Sanctions (US\$):

\$844,200.00

Criminal Fine/Penalty (US\$) :

\$75,000

Criminal Restitution / Reparation (US\$):

\$768

000

Civil Prejudgment Interest (US\$) :

\$0

Civil Fine / Penalty (US\$):

\$0

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:

Falsification of books and records, Mail fraud, Making a false statement

Offenses - Settled:

Falsification of books and records, Mail fraud, Making a false statement

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," UNC/Lear Services, Inc. at 122: Misconduct took place in Saudi Arabia between 1993 and 1995; the US Department of Justice charged UNC/Lear Services on February 17, 2000; the charges arose from the company's efforts to conceal \$140,000 in illicit payments which were made to a Kentucky corporation for the benefit of a Saudi Arabian consultant; the payments were described in the company's books and records as "fees for engineering services" and the consultant provided UNC/Lear with false invoices to support the payments. The Court Docket report in US v. UNC/Lear Services, Case No. 3:00-cr-00031-EHJ (W.D. Ky.) noted that on September 10, 2000, UNC/Lear pleaded guilty to all charges on March 6, 2000, and was sentenced to pay SPA \$1200, \$75,000 criminal fine, and \$768,000 in restitution; the documents in the case were unavailable via Pacer. The Docket Report does not indicate the recipient of the restitution ordered.

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," UNC/Lear Services Inc., at 122, accessed at www.justice.gov/criminal/fraud/fcpa/docs/response3-appx-c.pdf; US v. UNC/Lear Services, Case No. 3:00-cr-00031-EHJ (W.D. Ky.), Court Docket Report accessed via Pacer on October 24, 2011. See also, US Report to the Organisation for Economic Co-operation and Development, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions," Information as of May 31, 2011, UNC/Lear Services Inc. Case Summary at 132, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>.