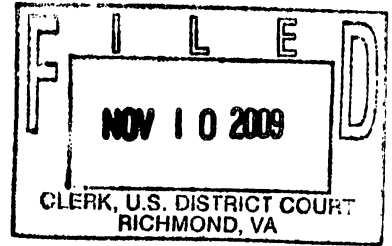


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA



Richmond Division

UNITED STATES OF AMERICA,)
) Criminal No. 3:09CR397
)
 v.) Conspiracy - 18 U.S.C. § 371
) False Statement - 18 U.S.C. § 1001
 CHARLES PAUL EDWARD JUMET,)
)
 Defendant.)

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times relevant to this Criminal Information:

General Allegations

1. Congress enacted the Foreign Corrupt Practices Act of 1977, as amended, 15 U.S.C. §§ 78dd-1, *et seq.* ("FCPA"), for the purpose of, among other things, prohibiting United States persons, businesses, and residents, directly or indirectly, from using any means or instrumentality of interstate or foreign commerce in furtherance of an offer, promise, authorization or payment of money or anything else of value to a foreign government official to assist in obtaining or retaining business for or with, or directing business to, any person. The FCPA also makes it unlawful for any United States person corruptly to do any act outside of the United States in furtherance of an offer, promise, authorization or payment to a foreign government official irrespective of whether such person makes use of the mails or any means or instrumentality of interstate commerce in furtherance of such offer, promise, authorization or payment. 15 U.S.C. § 78dd-2(a)(1)(i).

Relevant Persons and Entities

2. Ports Engineering Consultants Corporation (“PECC”) was a company organized in 1996 under the laws of the Republic of Panama with an office in Richmond, Virginia.

3. Overman Associates was an engineering firm with its principal place of business in Virginia Beach, Virginia. As such, Overman Associates was a domestic concern as that term is defined in the FCPA, 15 U.S.C. § 78dd-2(h)(1)(B).

4. Overman de Panama, a company organized under the laws of Panama, was a holding company for investments that its owner, Overman Associates, made in the Republic of Panama. In addition, Overman de Panama had a management interest in PECC.

5. The defendant, **CHARLES PAUL EDWARD JUMET**, a United States citizen, was the Vice President of PECC and then later the President of PECC. **JUMET** was also the Vice President of Overman de Panama and the Vice President of Overman Associates. Accordingly, **JUMET** was a domestic concern as that term is defined in the FCPA and an employee and shareholder of a domestic concern.

6. Co-conspirator A, a United States citizen, was the President of PECC, the President of Overman Associates, and the President of Overman de Panama.

7. Government Official A was the Administrator of Panama’s National Maritime Ports Authority (“APN”), the Panamanian governmental entity responsible for operating and maintaining the lighthouses and buoys in the waterways near the Panama Canal, in 1996 and 1997.

8. Soderville Corporation (“Soderville”) was incorporated in Panama in 1997 and became a majority shareholder of PECC in 1997. Soderville was a shell corporation that

belonged to Government Official A.

9. Government Official B was a Deputy Administrator of APN in 1996 and 1997 and the Administrator from 1998 until December 1999.

10. Warmspell Holding Corporation (“Warmspell”) was incorporated in the British Virgin Islands in January 1997 and, in that same year, became a shareholder of PECC. Warmspell’s corporate officers were relatives of Government Official B.

11. Government Official C was a very high-ranking executive official of the Republic of Panama.

The Investigation

12. In or about July 2004, the United States Department of Homeland Security, Immigration and Customs Enforcement began a criminal investigation into, among other things, whether certain United States citizens were involved in making corrupt payments to Panamanian government officials in order to receive a contract from the Panamanian government. The Federal Bureau of Investigation subsequently joined the investigation.

13. Investigation of violations of the Foreign Corrupt Practices Act, 15 U.S.C. §§ 78dd-1, et seq. fall within the jurisdiction of both the Federal Bureau of Investigation and the United States Department of Homeland Security, Immigration and Customs Enforcement.

Count One **Conspiracy**

14. Paragraphs 1 through 13 of this Information are re-alleged and incorporated by reference as if set out in full herein.

15. From at least 1997 through at least in and around July 2003, in the Eastern District of Virginia, and elsewhere, the defendant, **CHARLES PAUL EDWARD JUMET**, did knowingly combine, conspire, confederate, and agree, with others, known and unknown to the United States, to willfully make use of the mails and means and instrumentalities of interstate commerce corruptly in furtherance of an offer, payment, promise to pay, and authorization of the payment of any money, or offer, or gift, promise to give, and authorization of the giving of anything of value to any foreign official, or to any person, while knowing that all or a portion of such money or thing of value will be offered, give or promised, directly or indirectly, to any foreign official, for purposes of: (i) influencing acts and decisions of such foreign official in his and its official capacity; (ii) inducing such foreign official to do and omit to do acts in violation of the lawful duty of such official; (iii) securing an improper advantage; and (iv) inducing such foreign official to use his influence with a foreign government and instrumentalities thereof to affect and influence acts and decisions of such government and instrumentalities, in order to assist PECC, Overman Associates, and Overman de Panama in obtaining and retaining business for and with, and directing business to PECC, Overman Associates, Overman de Panama, **JUMET**, and others in violation of Title 18, United States Code, Sections 78dd-2(a) and 78dd-2(i).

Object of the Conspiracy

16. The primary purpose and object of the conspiracy was to pay money secretly to Panamanian government officials in return for awarding PECC contracts to maintain lighthouses and buoys along Panama's waterways, and to give an improper advantage to and enrich **JUMET**,

Co-conspirator A, PECC, Overman de Panama, Overman Associates, and their business partners with regard to the contract.

Manner and Means of the Conspiracy

17. The manner and means by which the defendant, **JUMET**, Co-conspirator A, and others sought to accomplish the purpose and object of the conspiracy included, but were not limited to, the following:

a. It was a part of the conspiracy that **JUMET** and Co-conspirator A would create companies under the laws of Panama in order to corruptly receive a contract from the Panamanian government.

b. It was a further part of the conspiracy that Government Official A, the Director of APN, would award PECC first a provisional contract, and subsequently a 20-year contract to collect lighthouse and buoy tariffs, conduct engineering studies and maintain aids to navigation in Panama (together “the lighthouse and buoy contracts”).

c. It was a further part of the conspiracy that **JUMET** and Co-conspirator A would allow Government Official B to designate Warmspell and Soderville as shareholders of PECC, enabling Government Official A and Government Official B to receive corrupt payments in the form of purported “dividends” to conceal Government Official A’s and Government Official B’s receipt of these corrupt payments.

d. It was a further part of the conspiracy that **JUMET**, Co-conspirator A, and others would authorize PECC to issue “bearer” shares in order to make a corrupt payment to Government Official C.

e. It was a further part of the conspiracy that Co-conspirator A would cause Overman de Panama to bring a lawsuit against PECC in order to obtain payments from the Panamanian government of monies owed under the lighthouse and buoy contracts.

Overt Acts

18. In furtherance of the conspiracy and to achieve its purpose and object, at least one of the Co-conspirators committed and caused to be committed, in the Eastern District of Virginia, and elsewhere, the following overt acts, among others:

a. In or about December 1996, **JUMET** and Co-conspirator A caused Government Official B to establish PECC under the laws of Panama.

b. In or about December 1996, **JUMET** and Co-conspirator A established Overman de Panama under the laws of Panama.

c. In or about January 1997, with assistance from Government Official A and **JUMET**, Co-conspirator A submitted to APN a proposal for the privatization of APN's engineering department, which provided that Overman Associates and Overman de Panama would provide engineering services to APN.

d. On or about January 24, 1997, **JUMET** and Co-conspirator A opened a bank account for PECC at Lloyds Bank in Panama, listing themselves as signatories on the account.

e. In or about December 1997, **JUMET**, Co-conspirator A, and others authorized PECC to issue "dividend" payments totaling \$300,000 to its shareholders, including **JUMET**, Co-conspirator A, Warmspell, and Soderville.

f. On or about December 19, 1997, Co-conspirator A signed a “dividend” payment check number 018767 drawn from PECC’s Lloyds Bank account in the amount of \$18,000 payable to the “Portador.” The check was subsequently deposited into an account belonging to Government Official C.

g. On or about December 19, 1997, **JUMET**, Co-conspirator A, and others caused a “dividend” payment of \$81,000 to be issued by check to Warmspell. The check was subsequently deposited into an account controlled by Government Official B and his relatives.

h. On or about December 19, 1997, **JUMET**, Co-conspirator A, and others caused a “dividend” payment of \$81,000 to be issued by check to Soderville.

i. On or about December 19, 1997, **JUMET** caused a “dividend” payment of \$27,000 to be transferred by wire from PECC’s Lloyds Bank account to Co-conspirator A’s account at First Virginia Bank of Tidewater, in Virginia Beach, Virginia.

j. In or about September 1999, during the time the Panamanian government’s Comptroller General was conducting an investigation concerning PECC’s selection as APN’s contractor and suspended payments to PECC for services billed under the lighthouse and buoy contracts, **JUMET** and Co-conspirator A agreed that PECC would pay \$109,536.50 to Overman de Panama for work performed in connection with the contracts.

k. In or about February 2000, Co-conspirator A initiated a civil lawsuit in the Circuit Court for the City of Virginia Beach, Virginia, in which Overman de Panama sought a monetary judgment of \$84,536.50 plus expenses and interest from PECC for services performed.

l. On or about June 24, 2003, as a result of the lawsuit, PECC paid Company Overman de Panama \$50,000, which Co-conspirator A wire transferred from Overman de

Panama's Lloyds Bank account to Overman Associates's Wachovia bank account in Virginia Beach, Virginia. Co-conspirator A then caused the funds to be distributed among Overman Associates's shareholders, and personally received approximately \$33,350.

m. In July 2003, after the Panamanian government resumed making payments to PECC under the lighthouse and buoy contracts, PECC issued "dividend" payments, including a check in the amount of \$32,400 payable to Warmspell, which was deposited into an account belonging to Government Official B and his relatives.

n. On or about July 23, 2003, as a result of the lawsuit, PECC paid Overman de Panama \$50,000, which Co-conspirator A wire transferred from Overman de Panama's Lloyds Bank account to Overman Associates's Wachovia bank account in Virginia. Co-conspirator A then caused the proceeds to be distributed to Overman Associates's shareholders, giving himself approximately \$33,350.

(All in violation of Title 18, United States Code, Section 371.)

Count Two
False Statement

19. The allegations set forth in paragraphs 1 through 13 and 16 through 18 of this Information are realleged and incorporated as though set forth in full herein.

20. On or about January 21, 2005, **CHARLES PAUL EDWARD JUMET**, the defendant, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the Department of Homeland Security Immigration and Customs Enforcement and the Federal Bureau of Investigation, agencies within the executive branch of the United States, in that the defendant, in response to

questions posed to him by Special Agents of the Department of Homeland Security Immigration and Customs Enforcement, stated that the payment of an \$18,000 dividend check endorsed by Government Official C was a “donation” for Government Official C’s “reelection campaign,” when in truth and in fact, as defendant JUMET then and there well knew, this statement was false in that Government Official C was not seeking reelection and the check was given to the official as a corrupt payment for permitting PECC to receive lucrative contracts from the Panamanian government.

(All in violation of Title 18, United States Code, Section 1001(a)(2).)

NEIL H. MACBRIDE
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