

APPENDIX B

APPENDIX B – CHART 1A

**FCPA Criminal Enforcement Statistics (1998-2010)
Natural Persons**

Prosecutions of Natural Persons																						
Year	Total No. Charged ¹	No. Charged with: ²			Pending as of end of calendar year ³			Discontinued without Sanctions ⁴			Guilty Pleas			Trial Convictions			Acquittals			No. Sentenced		
		FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML
1998	4	4	0	0	7	1	2	0	0	0	2	0	0	1	0	0	0	0	0	0	0	0
1999	1	1	0	0	4	1	2	0	0	0	1	0	0	0	0	0	0	0	0	4	0	0
2000	0	0	0	0	4	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2001	7	6	2	0	10	2	2	0	0	0	3	2	0	0	0	0	0	0	0	0	1	0
2002	4	4	0	0	11	2	2	0	0	0	3	0	0	1	0	0	0	0	0	4	0	0
2003	4	4	0	3	15	2	5	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
2004	2	0	2	0	14	4	5	0	0	0	2	0	2	2	0	0	0	0	0	0	0	0
2005	5	5	0	3	19	2	8	0	0	0	0	0	0	0	0	0	0	2	0	2	0	0
2006	4	3	1	1	21	3	9	0	0	0	4	1	0	0	0	0	0	0	0	1	0	0
2007	9	9	0	6	28	2	15	0	0	0	5	0	2	0	0	0	0	0	0	2	1	0
2008	12	12	1	5	30	3	18	1	0	1	4	0	0	0	0	0	0	0	0	7	0	1
2009	44	40	0	33	70	3	51	0	0	0	9	0	5	4	0	4	0	0	0	3	0	2
2010 ⁵	5	3	1	3	62	4	45	0	0	0	8	2	6	0	0	0	0	0	0	11	0	9
Total	101	91	7	54	--	--	--	1	0	1	42	5	15	8	0	4	0	2	0	34	2	12

¹ In this column, each natural person was only counted once, so the numbers represent the actual number of natural persons charged with FCPA violations in each year.

² For the purposes of this chart, the Department counted a natural person in each applicable column according to the conduct with which the defendant was charged. For instance, if a defendant was charged with both foreign bribery (FB) and foreign bribery related accounting misconduct (AM), the person was counted in both the applicable FB and AM columns.

³ For the purposes of this column, cases were deemed to still be pending if any of the following was true: (1) the defendant was charged, but not yet convicted; (2) the defendant was convicted, but not yet sentenced; (3) the defendant was sentenced, but had filed an appeal, which was still open; or, (4) the defendant was a fugitive, as of the end of the calendar year.

⁴ Since 1998, there has not been a case in which the Department discontinued the prosecution of a natural person for foreign bribery or a related offense while imposing sanctions. Therefore, this category was excluded from this table.

⁵ For 2010, the numbers in this chart are current through September 30, 2010.

APPENDIX B – CHART 1B

**FCPA Criminal Enforcement Statistics (1998-2010)
Legal Persons**

Prosecutions of Legal Persons																										
Year	Total No. Charged ⁶	No. Charged with: ⁷			Pending as of end of calendar year ⁸			Discontinued with Sanctions			Discontinued without Sanctions			Guilty Pleas			Trial Convictions			Acquittals			No. Sentenced			
		FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	
1998	3	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	
1999	1	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	4	
2000	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
2001	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2002	1	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	3	3	1	0	0	0	0	1	1	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	0
2005	4	4	2	0	0	0	0	2	1	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	2	1
2006	2	2	2	0	0	0	0	2	2	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1	1
2007	15	13	8	0	0	0	0	9	7	0	0	0	0	4	1	0	0	0	0	0	0	0	0	0	4	1
2008	16	9	13	1	1	0	1	5	7	0	0	0	0	3	4	0	0	0	0	0	0	0	0	0	3	4
2009	7	5	4	0	1	0	1	2	4	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	3	0
2010 ⁹	15	13	8	0	3	2	0	5	4	0	0	0	0	9	4	1	0	0	0	0	0	0	0	0	6	2
Total	68	54	39	1	--	--	--	26	26	0	0	0	0	29	12	1	0	0	0	0	0	0	0	0	26	10

⁶ In this column, each legal person was only counted once, so the numbers represent the actual number of legal persons charged with FCPA violations in each year.

⁷ For the purposes of this chart, the Department counted a legal person in each applicable column according to the conduct with which the defendant was charged. For instance, if a defendant was charged with both foreign bribery (FB) and foreign bribery related accounting misconduct (AM), the person was counted in both the applicable FB and AM columns.

⁸ For the purposes of this column, cases were deemed to still be pending if any of the following was true: (1) the defendant was charged, but not yet convicted; (2) the defendant was convicted, but not yet sentenced; or, (3) the defendant was sentenced, but had filed an appeal, which was still open, as of the end of the calendar year.

⁹ For 2010, the numbers in this chart are current through September 30, 2010.

APPENDIX B – CHART 2A

**FCPA Administrative/Civil Enforcement Statistics (1998-2010)
Natural Persons**

Administrative/Civil Enforcement Actions Against Natural Persons																							
Year	Total No. of Enforcement Actions ¹	Due to Conduct Involving:			Pending as of end of calendar year ²			Discontinued with Sanctions			Discontinued without Sanctions ³			Discontinued as a Result of Civil Settlements			Decisions with Sanctions			Decisions Finding No Liability			
		FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2001	3	3	3	0	2	2	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0
2002	3	3	1	0	5	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2003	1	1	1	0	5	3	0	0	0	0	2	2	0	0	0	0	0	1	1	0	0	0	0
2004	0	0	0	0	4	3	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
2005	1	1	1	0	5	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	8	7	8	0	8	7	0	0	0	0	0	0	0	0	0	0	0	5	6	0	0	0	0
2007	8	5	8	0	10	9	0	0	0	0	0	0	0	0	0	0	0	3	6	0	0	0	0
2008	6	4	6	0	5	4	0	0	0	0	0	0	0	0	0	0	0	8	10	0	0	0	0
2009	3	3	3	0	6	5	0	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0
2010 ⁴	7	7	5	0	5	5	0	0	0	0	0	0	0	0	0	0	0	8	5	0	0	0	0
Total	40	34	36	0	--	--	--	0	0	0	2	2	0	0	0	0	0	29	31	0	0	0	0

¹ This column lists the number of enforcement actions taken against a natural person in each year from 1998 through 2010. If a natural person was subject to both an administrative proceeding and a civil enforcement action, these are counted as separate enforcement actions for the purposes of this chart. Also, if an enforcement action targeted more than one natural person, the number of enforcement actions recorded in this chart reflects the number of natural persons subject to the enforcement action.

² For the purposes of this column, cases were deemed to still be pending if any of the following was true: (1) a final judgment or settlement had not been reached; or, (2) the matter had been stayed pending the resolution of an ongoing criminal enforcement action against the defendant in question.

³ This column includes cases in which the civil charges against the natural person were dismissed by the Court.

⁴ For 2010, the numbers in this chart are current through September 30, 2010.

APPENDIX B – CHART 2B

**FCPA Administrative/Civil Enforcement Statistics (1998-2010)
Legal Persons**

Administrative/Civil Enforcement Actions Against Legal Persons																							
Year	Total No. of Enforcement Actions⁵	Due to Conduct Involving:			Pending as of end of calendar year⁶			Discontinued with Sanctions⁷			Discontinued without Sanctions			Discontinued as a Result of Civil Settlements			Decisions with Sanctions			Decisions Finding No Liability			
		FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	FB	AM	ML	
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
1999	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	
2000	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0
2001	6	3	6	0	0	0	0	0	0	0	0	0	0	0	0	0	3	6	0	0	0	0	0
2002	4	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	2	4	0	0	0	0	0
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	3	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3	0	0	0	0	0
2005	6	6	6	0	0	0	0	0	0	0	0	0	0	0	0	0	6	6	0	0	0	0	0
2006	4	3	4	0	0	0	0	0	0	0	0	0	0	0	0	0	3	4	0	0	0	0	0
2007	18	7	15	1	0	2	0	0	0	1	0	0	0	0	0	0	7	13	0	0	0	0	0
2008	11	5	11	0	0	0	0	0	0	0	0	0	0	0	0	0	5	13	0	0	0	0	0
2009	12	5	11	1	1	0	1	0	0	0	0	0	0	0	0	0	4	11	0	0	0	0	0
2010⁸	12	7	12	0	0	0	0	0	0	0	0	0	0	0	0	0	8	12	1	0	0	0	0
Total	79	41	74	2	--	--	--	0	0	1	0	0	0	0	0	0	41	74	1	0	0	0	0

⁵ This column lists the number of enforcement actions taken against a legal person in each year from 1998 through 2010. If a legal person was subject to both an administrative proceeding and a civil enforcement action, these are counted as separate enforcement actions for the purposes of this chart. Also, if an enforcement action targeted more than one legal person, the number of enforcement actions recorded in this chart reflects the number of legal persons subject to the enforcement action.

⁶ For the purposes of this column, cases were deemed to still be pending if any of the following was true: (1) a final judgment or settlement had not been reached; or, (2) the matter had been stayed pending the resolution of an ongoing criminal enforcement action against the defendant in question.

⁷ This column includes one case in which the Department of Justice filed a civil forfeiture action against a certain monetary amount, plus interest, being held in a foreign bank account belonging to a foreign government, alleging that the money was the proceeds of criminal conduct including violations of the FCPA, as well as wire fraud and money laundering. The Department reached an agreement with the foreign government whereby, if the money is not claimed, it will be used to fund social and civil society programs in that country.

⁸ For 2010, the numbers in this chart are current through September 30, 2010.

APPENDIX B - CHART 3
SENTENCES OF NATURAL PERSONS CONVICTED AT TRIAL OF FCPA VIOLATIONS

	DEFENDANT	CASE NUMBER	AMOUNT OF BRIBES	SENTENCE (excluding monetary penalties)
1	Gerald Green (Owner/Film Executive)	<u>United States v. Green, et al.</u> , 08-CR-059 (C.D. Cal. 2008)	~ 1.8M	6 months' imprisonment; 6 months' home confinement
2	Patricia Green (Owner/Film Executive)	<u>United States v. Green, et al.</u> , 08-CR-059 (C.D. Cal. 2008)	~ 1.8M	6 months' imprisonment; 6 months' home confinement
3	William Jefferson (Congressperson)	<u>United States v. Jefferson</u> , 07-CR-209 (E.D. Va. 2007)	~ 500K + Equities	13 years' imprisonment
4	Frederick Bourke, Jr. (Investor)	<u>United States v. Kozeny, et al.</u> , 05-CR-518 (S.D.N.Y. 2005)	~ Millions	1 year and 1 day's imprisonment
5	David Kay ¹ (Vice President)	<u>United States v. Kay, et al.</u> , 01-CR-914 (S.D. Tex. 2002)	~ 528K	37 months' imprisonment
6	Douglas Murphy ¹ (President)	<u>United States v. Kay, et al.</u> , 01-CR-914 (S.D. Tex. 2002)	~ 528K	63 months' imprisonment
6	Robert R. King ¹ (Employee)	<u>United States v. King, et al.</u> , 01-CR-190 (W.D. Mo. 2001)	~ 1.5M	30 months' imprisonment
7	David H. Mead ^{1, 2} (President, CEO, and Executive Vice President)	<u>United States v. Mead, et al.</u> , 98-Cr-240 (D. N.J. 1998)	~ 50K	4 months' imprisonment; 4 months' home detention
8	Richard H. Liebo ^{1, 2} (Vice President)	<u>United States v. Liebo</u> , 89-CR-076 (D. Minn. 1989)	~ 131K	18 months' imprisonment (suspended); 60 days' home detention

¹ United States Sentencing Guidelines Section 2B4.1, with a base offense level of 8, was the applicable U.S.S.G. Section at this time. After 2002, Section 2C1.1, with a base offense level of 12, became the applicable U.S.S.G. Section in accordance with international treaty obligations.

² In addition, corporate guilty pleas to FCPA violations resulted in over \$2.2 million in fines.

APPENDIX B – CHART 4
SENTENCES OF NATURAL PERSONS WHO PLEADED GUILTY TO FCPA VIOLATIONS SINCE 1998

	DEFENDANT	CASE NUMBER	SENTENCE REDUCTION FOR COOPERATION	AMOUNT OF BRIBES	SENTENCE (excluding monetary penalties)
1	Nam Quoc Nguyen (President/Owner)	<u>United States v. Nguyen, et al.</u> , 08-CR-522 (E.D. Pa. 2008)	NO	~ 690K	16 months' imprisonment
2	An Quoc Nguyen (Employee)	<u>United States v. Nguyen, et al.</u> , 08-CR-522 (E.D. Pa. 2008)	NO	~ 325K	9 months' imprisonment
3	Kim Anh Nguyen (Employee)	<u>United States v. Nguyen, et al.</u> , 08-CR-522 (E.D. Pa. 2008)	YES	~ 399K	2 years' probation
4	Joseph T. Lukas (Joint Venture Partner)	<u>United States v. Nguyen, et al.</u> , 08-CR-522 (E.D. Pa. 2008)	YES	~ 180K	2 years' probation
5	Juan Diaz (Intermediary)	<u>United States v. Diaz</u> , 09-CR-20346 (S.D. Fla. 2009)	NO	~ 1M	57 months' imprisonment
6	John W. Warwick ¹ (President)	<u>United States v. Warwick</u> , 09-CR-449 (E.D. Va. 2009)	NO	~ 200K	37 months' imprisonment
7	Charles Paul Edward Jumet (Vice President; President)	<u>United States v. Jumet</u> , 09-CR-397 (E.D. Va. 2009)	NO	~ 200K	87 months' imprisonment
8	Misao Hioki (General Manager)	<u>United States v. Hioki</u> , 08-CR-795 (S.D. Tex. 2008)	YES	~ 1M	24 months' imprisonment
9	Shu Quan-Sheng (President, Secretary, and Treasurer)	<u>United States v. Quan-Sheng</u> , 08-CR-194 (E.D. Va. 2008)	NO	~ 189K	51 months' imprisonment
10	Martin Eric Self ² (CEO)	<u>United States v. Self</u> , 08-CR-110 (C.D. Cal. 2008)	NO	~ 70K	2 years' probation
11	Jason Edward Steph (General Manager)	<u>United States v. Steph</u> , 07-CR-307 (S.D. Tex. 2007)	YES	~ 6M	15 months' imprisonment
12	Jim Bob Brown (Managing Director)	<u>United States v. Brown</u> , 06-CR-316 (S.D. Tex. 2006)	YES	~ 6M	1 year and 1 day's imprisonment

¹ United States Sentencing Guidelines Section 2B4.1, with a base offense level of 8, was the applicable U.S.S.G. Section at this time. After November 2002, Section 2C1.1, with a base offense level of 12, became the applicable U.S.S.G. Section in accordance with international treaty obligations.

² Self pleaded guilty to the “willful blindness” provision of the FCPA.

APPENDIX B – CHART 4
SENTENCES OF NATURAL PERSONS WHO PLEADED GUILTY TO FCPA VIOLATIONS SINCE 1998

	DEFENDANT	CASE NUMBER	SENTENCE REDUCTION FOR COOPERATION	AMOUNT OF BRIBES	SENTENCE (excluding monetary penalties)
13	Steven J. Ott (Executive Vice President)	<u>United States v. Ott</u> , 07-CR-608 (D. N.J. 2007)	YES	~ 267K	6 months' home confinement; 5 years' probation
14	Yaw Osei Amoako ³ (Regional Director)	<u>United States v. Amoako</u> , 06-CR-702 (D. N.J. 2006)	YES	~ 267K	18 months' imprisonment
15	Christian Sapsizian (Vice President)	<u>United States v. Sapsizian, et al.</u> , 06-CR-20797 (S.D. Fla. 2006)	YES	~ 2.4M	30 months' imprisonment
16	Roger Michael Young (Managing Director)	<u>United States v. Young</u> , 07-CR-609 (D. N.J. 2007)	YES	~ 267K	3 months' home confinement; 5 years' probation
17	Steven Lynwood Head ⁴ (Program Manager)	<u>United States v. Head</u> , 06-CR-1380 (S.D. Cal. 2006)	YES	~ 2M	6 months' imprisonment
18	Richard John Novak (Employee)	<u>United States v. Randock, et al.</u> , 05-CR-180 (E.D. Wash. 2005)	YES	~ 30K-70K	3 years' probation
19	Faheem Mousa Salam (Translator/Contractor)	<u>United States v. Salam</u> , 06-CR-157 (D.D.C. 2006)	YES	~ 60K	36 months' imprisonment
20	Richard G. Pitchford ¹ (Vice President; Country Manager)	<u>United States v. Pitchford</u> , 02-CR-365 (D.D.C. 2002)	YES	~ 400K	1 year and 1 day's imprisonment
21	Gautam Sengupta ¹ (Task Manager)	<u>United States v. Sengupta</u> , 02-CR-040 (D.D.C. 2002)	YES	~ 50K ⁵	2 months' imprisonment; 4 months' home confinement
22	Ramendra Basu ¹ (Trust Funds Manager)	<u>United States v. Basu</u> , 02-CR-475 (D.D.C. 2002)	NO	~ 50K ⁵	15 months' imprisonment

³ Judgment states “defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 18 months, including 6 months to be served in a halfway house.” [Docket Entry 35]

⁴ Defendant pleaded guilty to violating the books and records provisions of the FCPA, not the anti-bribery provisions.

⁵ The defendants admitted to having taken steps in furtherance of the payment of a \$50,000 bribe to a Kenyan government official, in violation of the FCPA. The defendants also admitted to having received \$127,000 in kickbacks in exchange for using their positions with the World Bank to give favorable treatment to a consultant.

APPENDIX B – CHART 4
SENTENCES OF NATURAL PERSONS WHO PLEADED GUILTY TO FCPA VIOLATIONS SINCE 1998

	DEFENDANT	CASE NUMBER	SENTENCE REDUCTION FOR COOPERATION	AMOUNT OF BRIBES	SENTENCE (excluding monetary penalties)
23	Richard K. Halford ¹ (CFO)	<u>United States v. Halford</u> , 01-CR-221 (W.D. Mo. 2001)	YES	~ 1.5M	5 years' probation
24	Albert Reitz ¹ (Vice President and Secretary)	<u>United States v. Reitz</u> , 01-CR-222 (W.D. Mo. 2001)	YES	~ 1.5M	6 months' home confinement; 5 years' probation
25	Daniel Ray Rothrock ^{1, 4} (Vice President)	<u>United States v. Rothrock</u> , 01-CR-343 (W.D. Tex. 2001)	-- ⁶	~ 300K	1 year's probation
26	Thomas K. Qualey (President)	<u>United States v. Qualey</u> , 99-CR-008 (S.D. Ohio 1999)	NO	~70K	4 months' home confinement; 3 years' probation
27	Darrold Richard Crites (President)	<u>United States v. Crites</u> , 98-CR-073 (S.D. Ohio 1998)	YES	~260K ⁷	6 months' home confinement; 3 years' probation
28	Herbert Tannenbaum (President)	<u>United States v. Tannenbaum</u> , 98-CR-784 (S.D.N.Y. 1998)	NO	~ 120K – 200K ⁸	1 year and 1 day's imprisonment
29	Albert Jackson “Jack” Stanley ⁹ (Officer/Director)	<u>United States v. Stanley</u> , 08-CR-597 (S.D. Tex. 2008)	--	~ 10.8M	84 months' imprisonment; Rule 11(c)(1)(C)

⁶ There is no indication on the docket.

⁷ Crites was charged with paying a total of \$257,139 in bribes to a Brazilian government official. In addition, Crites was charged with paying a total of \$99,000 in bribes to an American government official as part of the same scheme.

⁸ Tannenbaum's plea agreement states that the value of the bribe was greater than \$120,000, but less than \$200,000.

⁹ Stanley has not been sentenced, but he was included in this chart since his plea was pursuant to Rule 11(c)(1)(C), with an agreed upon sentence of 84 months and restitution of \$10.8 million. The plea agreement also provides for the possibility of a sentence reduction below 84 months.

APPENDIX B – CHART 5
SANCTIONS IMPOSED UPON LEGAL PERSONS FOR FCPA VIOLATIONS SINCE 1998

CORPORATE ENTITY	DATE OF DISPOSITION	DISPOSITION			CRIMINAL MONETARY PENALTIES	LENGTH OF CORPORATE COMPLIANCE MONITOR	OTHER MONETARY PENALTIES
		GUILTY PLEA	DPA	NPA			
ABB Ltd (and two subsidiaries)	09/29/2010	1	1		\$19,020,000	--	\$22,804,262 (disgorgement); \$16,510,000 (civil penalty)
Alliance One International (and two subsidiaries)	08/06/2010	2		1	\$9,450,000 ¹ (anticipated)	3 Years	\$10,000,000 (disgorgement)
Universal Corporation (and one subsidiary)	08/06/2010	1		1	\$4,400,000	3 Years	\$4,581,276.51 (disgorgement)
The Mercator Corporation²	08/06/2010	1			--	--	--
Snamprogetti Netherlands	07/07/2010		1		\$240,000,000	--	\$125,000,000 (disgorgement)
Technip S.A.	06/28/2010		1		\$240,000,000	2 Years	\$98,000,000 (disgorgement)
Daimler AG (and three subsidiaries)	04/01/2010	2	2		\$93,600,000	3 Years	\$91,432,867 (disgorgement)
Innospec Inc.	03/18/2010	1			\$14,100,000	3 Years	\$11,200,000 (disgorgement); \$2,200,000 (civil penalty - OFAC)

¹ Two subsidiaries of Alliance One International, Inc. are scheduled to be sentenced on October 21, 2010. As part of their plea agreements, the two subsidiaries agreed to pay a total criminal monetary penalty of \$9.45 million.

² The Mercator Corporation is currently scheduled to be sentenced on November 19, 2010.

APPENDIX B – CHART 5
SANCTIONS IMPOSED UPON LEGAL PERSONS FOR FCPA VIOLATIONS SINCE 1998

CORPORATE ENTITY	DATE OF DISPOSITION	DISPOSITION			CRIMINAL MONETARY PENALTIES	LENGTH OF CORPORATE COMPLIANCE MONITOR	OTHER MONETARY PENALTIES
		GUILTY PLEA	DPA	NPA			
Nexus Technologies Inc.	03/16/2010	1			-- ³	--	--
BAE Systems plc	03/01/2010	1			\$400,000,000	3 Years	--
UTStarcom Inc.	12/31/2009			1	\$1,500,000	--	\$1,500,000 (civil penalty)
AGCO Corp. (and one subsidiary)	09/30/2009		1		\$1,600,000	--	\$2,400,000 (civil penalty); \$16,000,000 (disgorgement)
Control Components, Inc.	07/31/2009	1			\$18,200,000	3 Years	--
Helmerich & Payne, Inc.	07/30/2009			1	\$1,000,000	--	\$375,000 (disgorgement)
Novo Nordisk A/S	05/11/2009		1		\$9,000,000	--	\$3,025,066 (civil penalty); \$6,005,079 (disgorgement)
Latin Node Inc.	04/07/2009	1			\$2,000,000	--	--
Kellogg Brown & Root LLC	02/11/2009	1			\$402,000,000	3 Years	\$177,000,000 (disgorgement)

³ As part of its plea agreement, Nexus Technologies Inc. admitted to having operated primarily through criminal means and agreed to dissolve itself and turn over all assets to the Court. Accordingly, on September 15, 2010, Nexus was sentenced and ordered to permanently cease all operations and turn all net assets over to the Clerk of Court as a fine.

**APPENDIX B – CHART 5
SANCTIONS IMPOSED UPON LEGAL PERSONS FOR FCPA VIOLATIONS SINCE 1998**

CORPORATE ENTITY	DATE OF DISPOSITION	DISPOSITION			CRIMINAL MONETARY PENALTIES	LENGTH OF CORPORATE COMPLIANCE MONITOR	OTHER MONETARY PENALTIES
		GUILTY PLEA	DPA	NPA			
Fiat S.p.A. (and three subsidiaries)	12/22/2008		1		\$7,000,000	--	\$3,600,000 (civil penalty); \$7,209,142 (disgorgement)
Siemens AG (and three subsidiaries)	12/15/2008	4			\$450,000,000	4 Years	\$350,000,000 (disgorgement)
Aibel Group Limited	11/21/2008	1			\$4,200,000	2 Years	--
Faro Technologies, Inc.	06/05/2008			1	\$1,100,000	2 Years	\$1,850,000 (disgorgement)
AGA Medical Corporation	06/03/2008		1		\$2,000,000	3 Years	--
Willbros Group Inc. (and one subsidiary)	05/14/2008		2		\$22,000,000	3 Years	\$10,300,000 (disgorgement)
AB Volvo (and two subsidiaries)	03/20/2008		1		\$7,000,000	--	\$4,000,000 (civil penalty); \$8,600,000 (disgorgement)
Flowserve Corporation (and one subsidiary)	02/21/2008		1		\$4,000,000	--	\$3,000,000 (civil penalty); \$3,500,000 (disgorgement)
Westinghouse Air Brake Technologies Corporation	02/14/2008			1	\$300,000	--	\$87,000 (civil penalty); \$288,000 (disgorgement)
Lucent Technologies Inc.	12/21/2007			1	\$1,000,000	--	\$1,500,000 (civil penalty)

APPENDIX B – CHART 5
SANCTIONS IMPOSED UPON LEGAL PERSONS FOR FCPA VIOLATIONS SINCE 1998

CORPORATE ENTITY	DATE OF DISPOSITION	DISPOSITION			CRIMINAL MONETARY PENALTIES	LENGTH OF CORPORATE COMPLIANCE MONITOR	OTHER MONETARY PENALTIES
		GUILTY PLEA	DPA	NPA			
Akzo Nobel N.V.	12/20/2007			1	\$800,000 (contingent upon Dutch disposition)	--	\$750,000 (civil penalty); \$2,200,000 (disgorgement)
Chevron Corporation	11/14/2007		1		\$20,000,000 (forfeiture); \$5,000,000 (to NYC District Attorney's Office)	--	\$3,000,000 (civil penalty-SEC) \$2,000,000 (civil penalty-OFAC)
Ingersoll-Rand Company Ltd. (and two subsidiaries)	10/31/2007		1		\$2,500,000	--	\$1,950,000 (civil penalty); \$2,270,000 (disgorgement)
Baker Hughes Incorporated (and one subsidiary)	04/26/2007	1	1		\$11,000,000	3 Years	\$10,000,000 (civil penalty); \$24,000,000 (disgorgement)
El Paso Corporation	02/07/2007			1	\$5,482,363 (forfeiture)	--	\$2,250,000 (civil penalty)
Vetco Gray Inc. (and three related subsidiaries)	02/06/2007	3	1		\$26,000,000	3 Years	--
Schnitzer Steel Industries, Inc. (and one subsidiary)	10/16/2006	1	1		\$7,500,000	3 Years	\$7,700,000 (disgorgement)
Statoil, ASA	10/13/2006		1		\$10,500,000 ⁴	3 Years	\$10,500,000 (disgorgement)

⁴ Of the \$10.5 million criminal penalty imposed upon Statoil, \$3 million was deemed to have been satisfied by a prior penalty paid to Norwegian authorities.

APPENDIX B – CHART 5
SANCTIONS IMPOSED UPON LEGAL PERSONS FOR FCPA VIOLATIONS SINCE 1998

CORPORATE ENTITY	DATE OF DISPOSITION	DISPOSITION			CRIMINAL MONETARY PENALTIES	LENGTH OF CORPORATE COMPLIANCE MONITOR	OTHER MONETARY PENALTIES
		GUILTY PLEA	DPA	NPA			
DPC (Tianjin) Co. Ltd.	05/20/2005	1			\$2,000,000	3 Years	\$2,800,000 (disgorgement)
Micrus Corporation	03/02/2005			1	\$450,000	3 Years	--
Titan Corporation	03/01/2005	1			\$13,000,000	3 Years	\$15,479,000 (disgorgement); \$13,000,000 (civil penalty) ⁵
Monsanto Company	01/06/2005		1		\$1,000,000	3 Years	\$500,000 (civil penalty)
InVision Technologies, Inc.	12/06/2004			1	\$800,000	18 Months	\$500,000 (civil penalty); \$617,703.57 (disgorgement)
ABB Vetco Gray, Inc. (and one related subsidiary)	07/06/2004	2			\$10,500,000	90 Days ⁶	\$5,915,405.64 (disgorgement)
Syncor Taiwan, Inc. (and its parent company)	12/10/2002	1			\$2,000,000	130 Days ⁷	\$500,000 (civil penalty)
UNC/Lear Services Inc.	03/10/2000	1			\$75,000	--	\$132,000 (civil penalty); \$768,000 (restitution)

⁵ Titan was ordered to pay a civil penalty of \$13,000,000, but this obligation was deemed satisfied by the payment of a criminal fine in the same amount.

⁶ As part of the plea agreements and the judgment issued in the SEC's civil action, ABB Ltd. and its subsidiaries were required to retain an independent compliance consultant for a period 90 days. During this period, the consultant was to review and make recommendations regarding ABB's compliance programs. Except in certain circumstances, ABB was then required to implement the consultant's recommendations within 90 days of having received the consultant's report.

⁷ As part of the administrative cease-and-desist order issued by the SEC, Syncor International Corporation was required to retain an independent compliance consultant for a period 130 days. During this period, the consultant was to review and make recommendations regarding Syncor's compliance programs. Except in certain circumstances, Syncor was then required to implement the consultant's recommendations within 90 days of having received the consultant's report.

APPENDIX B – CHART 5
SANCTIONS IMPOSED UPON LEGAL PERSONS FOR FCPA VIOLATIONS SINCE 1998

CORPORATE ENTITY	DATE OF DISPOSITION	DISPOSITION			CRIMINAL MONETARY PENALTIES	LENGTH OF CORPORATE COMPLIANCE MONITOR	OTHER MONETARY PENALTIES
		GUILTY PLEA	DPA	NPA			
International Materials Solutions Corporation	10/04/1999	1			\$1,000	--	--
Control Systems Specialist, Inc.	03/08/1999	1			\$1,500	--	--
Saybolt Inc. (and one subsidiary)	01/26/1999	2			\$1,500,000 ⁸	-- ⁹	--
TOTALS		33	21	14	\$2,086,729,863	--	\$1,104,834,842

⁸ Saybolt Inc. was also fined \$3,400,000 in a related criminal case involving the falsification of data from certain environmental tests of its products.

⁹ As part of its plea agreement, Saybolt Inc. was required to institute a compliance program related to its environmental testing program.

APPENDIX B – CHART 6A

**Enforcement Actions with Regard to Alleged Foreign Bribery and Related Accounting Misconduct
(Entries in columns 3-6 by number of investigations; entries in columns 7-8 by number of persons)**

Working Group member	Alleged misconduct at issue	Date of latest information supplied by WG member	Date of entry into force of the Convention for WG member	Investigations									
				Investigations		Number of investigations in which assets seized or frozen pretrial	Number of investigations to date having led to one or more proceedings	Number of investigations to date not yet having led to any proceedings	Number of discontinued investigations without sanctions	Persons sanctioned in connection with discontinued investigation (settlement, mediation, etc...)			
				1	2					3 ongoing	4 total to date	5	6.a
United States	Foreign bribery	31 Dec 2009	15 Feb 1999	More than 150 ¹									
	Foreign bribery related accounting misconduct	31 Dec 2009	15 Feb 1999	-- ²									

NP – Natural Person
LP – Legal Person

¹ The number of ongoing investigations reported here includes all open investigations into allegations of foreign bribery and/or foreign bribery related accounting misconduct.

² The SEC, as a matter of policy, does not report on the number of ongoing, active investigations.

- Reported by all Working Group members
- Reported on a voluntary basis

Notes by the United States:

i) The Department of Justice (DOJ) is providing statistics for all criminal and civil enforcement actions undertaken by DOJ since: (a) the enactment of the OECD Anti-Bribery Convention (February 15, 1999 - December 31, 2009); and (b) the enactment of the Foreign Corrupt Practices Act (FCPA) (1977-December 31, 2009). The Securities and Exchange Commission (SEC) has reported numbers since the enactment of the Convention through December 31, 2009. Therefore, the numbers contained within parentheses represent all DOJ enforcement actions since 1977 combined with all SEC enforcement actions since 1999.

ii) For those DOJ and SEC enforcement actions in which a natural or legal person was charged with both “foreign bribery” and “foreign bribery related accounting misconduct,” one entry was made in each row under the applicable columns.

iii) For both criminal and civil enforcement actions, DOJ and SEC counted as separate, in every applicable column, each individual legal person that was subject to enforcement actions and/or sanctions. This includes instances in which multiple subsidiaries of single corporation (or a parent corporation and one or more subsidiaries) were individually and/or jointly subject to criminal prosecution, administrative/civil proceedings, and/or criminal or civil sanctions. For example, in 2007, Vetco Gray Controls, Inc., Vetco Gray Controls Limited, and Vetco Gray UK Limited were charged in a criminal information with violations of the anti-bribery provisions of the FCPA. All three companies pleaded guilty and were individually sentenced to a monetary penalty (in the amount of \$6 million, \$8 million, and \$12 million respectively) and a term of organizational probation. Accordingly, in this instance, three legal persons were counted in each of the following columns: 12, 18, 34, 37, and 52. Due to the size of the respective fines, two legal persons were counted in column 48d while only one legal person was counted in column 48e.

APPENDIX B – CHART 6B

**Enforcement Actions with Regard to Alleged Foreign Bribery and Related Accounting Misconduct
(Entries in columns 9-32 by number of persons)**

				Proceedings																							
				Criminal Prosecutions (with formal charges)												Administrative/Civil proceedings											
WG member	Alleged misconduct at issue	Date of latest information supplied by WG member	Date of entry into force of the Convention for WG member	Prosecutions (with formal charges)				Discontinued prosecutions without sanctions/condition		Discontinued prosecutions with sanctions ³		Criminal convictions with sanctions ⁴		Acquittals		Administrative/civil enforcement seeking imposition of sanctions				Discontinued administrative/civil proceedings without sanctions		Discontinued administrative/civil proceedings with sanctions		Administrative/civil enforcement decisions with sanctions		Administrative/civil decisions finding no liability	
				Ongoing		Total to date		13	14	15	16	17	18	19	20	Ongoing		Total to date		25	26	27	28	29	30	31	32
				9	10	11	12									NP	LP	NP	LP								
United States	Foreign bribery	31 Dec 2009	15 Feb 1999	63	1	83	39	1	0	0	21	38	17	0	0	3	0	36	28	4 ⁵	0	0	0	29	28	0	0
				(67)	(1)	(121)	(58)	(8)	(0)	(0)	(21)	(57)	(35)	(6)	(1)	(3)	(0)	(44)	(35)	(4)	(0)	(0)	(0)	(37)	(35)	(0)	(0)
	Foreign bribery related accounting misconduct	31 Dec 2009	15 Feb 1999	1	0	5	32	0	0	0	22	3	8	2	0	3	0	38	50	4 ⁵	0	0	0	31	50	0	0
				(2)	(0)	(11)	(35)	(0)	(0)	(0)	(22)	(8)	(10)	(4)	(1)	(3)	(0)	(38)	(50)	(4)	(0)	(0)	(0)	(31)	(50)	(0)	(0)

NP – Natural Person

LP – Legal Person

Reported by all Working Group members

Reported on a voluntary basis

³ Those criminal prosecutions recorded as “Discontinued with sanctions” (columns 15-16) include instances in which DOJ entered into either Non-Prosecution or Deferred Prosecution Agreements with the parties involved in the case.

⁴ Those criminal prosecutions recorded as “Convictions with sanctions” (columns 17-18) include instances in which the defendants either pleaded guilty or were found guilty at trial. These columns also include those persons that have been convicted but that are still awaiting sentencing.

⁵ Voluntarily dismissed with prejudice; that is, SEC asked the court to dismiss the action, while agreeing not to prosecute the defendants at a later date as a result of the same conduct.

Notes by the United States:

i) The Department of Justice (DOJ) is providing statistics for all criminal and civil enforcement actions undertaken by DOJ since: (a) the enactment of the OECD Anti-Bribery Convention (February 15, 1999 - December 31, 2009); and (b) the enactment of the Foreign Corrupt Practices Act (FCPA) (1977-December 31, 2009). The Securities and Exchange Commission (SEC) has reported numbers since the enactment of the Convention through December 31, 2009. Therefore, the numbers contained within parentheses represent all DOJ enforcement actions since 1977 combined with all SEC enforcement actions since 1999.

ii) For those DOJ and SEC enforcement actions in which a natural or legal person was charged with both “foreign bribery” and “foreign bribery related accounting misconduct,” one entry was made in each row under the applicable columns.

iii) For both criminal and civil enforcement actions, DOJ and SEC counted as separate, in every applicable column, each individual legal person that was subject to enforcement actions and/or sanctions. This includes instances in which multiple subsidiaries of single corporation (or a parent corporation and one or more subsidiaries) were individually and/or jointly subject to criminal prosecution, administrative/civil proceedings, and/or criminal or civil sanctions. For example, in 2007, Vetco Gray Controls, Inc., Vetco Gray Controls Limited, and Vetco Gray UK Limited were charged in a criminal information with violations of the anti-bribery provisions of the FCPA. All three companies pleaded guilty and were individually sentenced to a monetary penalty (in the amount of \$6 million, \$8 million, and \$12 million respectively) and a term of organizational probation. Accordingly, in this instance, three legal persons were counted in each of the following columns: 12, 18, 34, 37, and 52. Due to the size of the respective fines, two legal persons were counted in column 48d while only one legal person was counted in column 48e.

APPENDIX B – CHART 6C

**Sanctions for Alleged Foreign Bribery and Related Accounting Misconduct
(Except where noted, entries by number of persons sanctioned)**

		Criminal Cases																								Exclusions or limitations on access to public procurement ⁷ or benefits ⁷		Other penalties ⁸		
WG member	Alleged misconduct at issue	Total imposed or agreed sanctions ⁶		Combined prison-/monetary sanctions		Monetary sanctions only		Prison only		Prison sentences								Monetary penalties imposed (USD)								49	50	51	52	
		33	34	35	36	37	38	<1 year		1-2 years		2-5 years		>5 years		Natural Persons				Legal Persons										
		NP	LP	NP	NP	LP	NP	39	40	41	42	43	44	45	46	47a	47b	47c	47d	48a	48b	48c	48d	48e						
										Total	Suspend ed	Total	Suspend ed	Total	Suspend ed	Total	Suspend ed	<10K	10K-50K	50K-250K	>250K	0K-50K	50K-250K	250K-1M	1M-10M	>10M	NP	LP	NP	LP
United States	Foreign bribery	20 (39)	38 (56)	13 (18)	1 (10)	34 (52)	4 (7)	4 (7)	0 (1)	5 (7)	0 (2)	6 (6)	0 (0)	2 (3)	0 (0)	5 (8)	2 (7)	2 (6)	5 (7)	1 (6)	0 (3)	6 (12)	18 (21)	9 (10)	--	--	18 (31)	11 (15)		
	Foreign bribery related accounting misconduct	2 (5)	30 (32)	1 (3)	0 (1)	27 (29)	0 (0)	1 (1)	0 (0)	0 (1)	0 (0)	0 (0)	0 (0)	0 (1)	0 (0)	1 (1)	0 (1)	0 (1)	0 (1)	0 (1)	0 (0)	0 (0)	6 (7)	13 (13)	8 (9)	--	--	2 (4)	7 (7)	

NP – Natural Person

LP – Legal Person

Reported by all Working Group members

Reported on a voluntary basis

⁶ Criminal convictions are only recorded in columns 33 and 34 if the defendant has been sentenced.

⁷ Debarment from public procurement processes is not handled by DOJ or SEC.

⁸ For criminal cases, DOJ counted under “Other penalties” those natural and legal persons whose imposed or agreed sanctions included terms of community service, supervised release, and/or probation.

Notes by the United States:

i) The Department of Justice (DOJ) is providing statistics for all criminal and civil enforcement actions undertaken by DOJ since: (a) the enactment of the OECD Anti-Bribery Convention (February 15, 1999 - December 31, 2009); and (b) the enactment of the Foreign Corrupt Practices Act (FCPA) (1977-December 31, 2009). The Securities and Exchange Commission (SEC) has reported numbers since the enactment of the Convention through December 31, 2009. Therefore, the numbers contained within parentheses represent all DOJ enforcement actions since 1977 combined with all SEC enforcement actions since 1999.

ii) For those DOJ and SEC enforcement actions in which a natural or legal person was charged with both “foreign bribery” and “foreign bribery related accounting misconduct,” one entry was made in each row under the applicable columns.

iii) For both criminal and civil enforcement actions, DOJ and SEC counted as separate, in every applicable column, each individual legal person that was subject to enforcement actions and/or sanctions. This includes instances in which multiple subsidiaries of single corporation (or a parent corporation and one or more subsidiaries) were individually and/or jointly subject to criminal prosecution, administrative/civil proceedings, and/or criminal or civil sanctions. For example, in 2007, Vetco Gray Controls, Inc., Vetco Gray Controls Limited, and Vetco Gray UK Limited were charged in a criminal information with violations of the anti-bribery provisions of the FCPA. All three companies pleaded guilty and were individually sentenced to a monetary penalty (in the amount of \$6 million, \$8 million, and \$12 million respectively) and a term of organizational probation. Accordingly, in this instance, three legal persons were counted in each of the following columns: 12, 18, 34, 37, and 52. Due to the size of the respective fines, two legal persons were counted in column 48d while only one legal person was counted in column 48e.

APPENDIX B – CHART 6D

**Sanctions for Alleged Foreign Bribery and Related Accounting Misconduct
(Except where noted, entries by number of persons sanctioned)**

		Administrative/Civil cases																		Confiscation		
WG member	Alleged misconduct at issue	Total imposed or agreed sanctions		Monetary sanctions		Monetary penalties imposed (USD)									Exclusions or limitations on access to public procurement or benefits ⁹		Other penalties ¹⁰		Suspended sentences		Confiscation or forfeiture of assets	
		53	54	55	56	Natural Persons				Legal Persons					59	60	61	62	63	64	65	66
		NP	LP	NP	LP	57a	57b	57c	57d	58a	58b	58c	58d	58e	NP	LP	NP	LP	NP	LP	NP	LP
						<10K	10K-50K	50K-250K	>250K	<50K	50K-250K	250K-1M	1M-10M	>10M								
United States	Foreign bribery	29 (37)	28 (35)	16 (17)	23 (23)	0 (0)	11 (11)	4 (4)	1 (2)	0 (0)	1 (1)	8 (8)	4 (4)	10 (10)	--	--	29 (37)	28 (35)	0 (0)	0 (0)	16 (16)	22 (22)
	Foreign bribery related accounting misconduct	31 (31)	50 (50)	19 (19)	44 (44)	0 (0)	12 (12)	6 (6)	1 (1)	0 (0)	3 (3)	14 (14)	13 (13)	14 (14)	--	--	31 (31)	50 (50)	0 (0)	0 (0)	19 (19)	44 (44)

NP – Natural Person

LP – Legal Person

Reported by all Working Group members

Reported on a voluntary basis

⁹ Debarment from public procurement processes is not handled by the DOJ or SEC.

¹⁰ For civil cases, DOJ and SEC counted under “Other penalties” those natural and legal persons who were subject to permanent injunctions or cease and desist orders against further violations of the FCPA.

Notes by the United States:

i) The Department of Justice (DOJ) is providing statistics for all criminal and civil enforcement actions undertaken by DOJ since: (a) the enactment of the OECD Anti-Bribery Convention (February 15, 1999 - December 31, 2009); and (b) the enactment of the Foreign Corrupt Practices Act (FCPA) (1977-December 31, 2009). The Securities and Exchange Commission (SEC) has reported numbers since the enactment of the Convention through December 31, 2009. Therefore, the numbers contained within parentheses represent all DOJ enforcement actions since 1977 combined with all SEC enforcement actions since 1999.

ii) For those DOJ and SEC enforcement actions in which a natural or legal person was charged with both “foreign bribery” and “foreign bribery related accounting misconduct,” one entry was made in each row under the applicable columns.

iii) For both criminal and civil enforcement actions, DOJ and SEC counted as separate, in every applicable column, each individual legal person that was subject to enforcement actions and/or sanctions. This includes instances in which multiple subsidiaries of single corporation (or a parent corporation and one or more subsidiaries) were individually and/or jointly subject to criminal prosecution, administrative/civil proceedings, and/or criminal or civil sanctions. For example, in 2007, Vetco Gray Controls, Inc., Vetco Gray Controls Limited, and Vetco Gray UK Limited were charged in a criminal information with violations of the anti-bribery provisions of the FCPA. All three companies pleaded guilty and were individually sentenced to a monetary penalty (in the amount of \$6 million, \$8 million, and \$12 million respectively) and a term of organizational probation. Accordingly, in this instance, three legal persons were counted in each of the following columns: 12, 18, 34, 37, and 52. Due to the size of the respective fines, two legal persons were counted in column 48d while only one legal person was counted in column 48e.