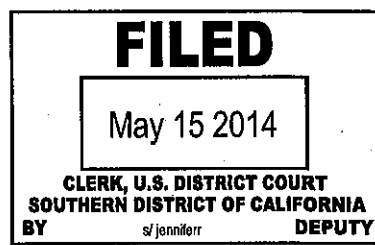


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Case No.: '14 CR1354 H

INFORMATION

v.

Title 18, U.S.C., Sec. 371 – Conspiracy to
Commit Bribery; Title 18 U.S.C., Sec. 981
and Title 28 U.S.C., Sec. 2461 – Criminal
Forfeiture

DAN LAYUG,

Defendant.

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1 The United States charges that, at all times relevant to this Information:

2 1. Defendant DAN LAYUG (“LAYUG”) was a Petty Officer First Class in the
3 U.S. Navy. In 2011 and 2012, LAYUG was assigned to the U.S. Navy’s Fleet
4 Logistics Center in Yokosuka, Japan, at which he was responsible for screening,
5 processing, coordinating, tracking, and expediting logistics requirements in support of
6 U.S. Navy vessels. Prior to this assignment, LAYUG was assigned to the USS Blue
7 Ridge, the command flagship for the U.S. Navy’s 7th Fleet, in several logistics roles
8 including shopkeeper and government purchase card program manager.

9 2. As a Petty Officer in the U.S. Navy, LAYUG was a “public official” as
10 defined in 18 U.S.C. § 201(a). It was a violation of LAYUG’s official and lawful
11 duties: (a) to transmit information that the U.S. Navy had deemed classified to any
12 person not entitled to receive it; and (b) to make unauthorized disclosure of
13 proprietary, internal U.S. Navy information.

14 3. NP was a citizen of Malaysia, residing in Singapore. NP was the Vice
15 President of Global Operations of Glenn Defense Marine (Asia) (“GDMA”), a
16 corporation organized under the laws of Singapore, which provided “husbanding”
17 services under contracts with the U.S. Navy. “Husbanding” involves the coordinating,
18 scheduling, and direct and indirect procurement of items and services required by
19 ships and submarines when they arrive at port.

20 THE CONSPIRACY

21 4. Beginning in or about November 2010 and continuing until in or about
22 September 2013, on the high seas and outside any particular district, defendant DAN
23 LAYUG, co-conspirator NP,, and others knowingly and unlawfully conspired and
24 agreed to commit bribery, that is, LAYUG, NP and their co-conspirators knowingly
25 agreed that, in return for LAYUG being influenced in the performance of official acts
26 and in return for LAYUG being induced to do and omit to do acts in violation his
27 official and lawful duties, including providing to NP classified and other internal U.S.
28 Navy information, (a) NP and their co-conspirators would directly and indirectly,

1 corruptly give, offer, and promise things of value, including cash, consumer electronic
2 goods, and travel expenses, to LAYUG; and (b) LAYUG would directly and
3 indirectly, corruptly demand, seek, receive, accept, and agree to receive and accept
4 these things of value; in violation of Title 18, United States Code, Sections
5 201(b)(1)(A) and (C), and 201(b)(2)(A) and (C).

6 OBJECT OF THE CONSPIRACY

7 5. It was the object of the conspiracy for NP and their co-conspirators to give,
8 offer, and promise things of value to and on behalf of LAYUG, including travel
9 expenses, cash, and consumer electronics, in return for LAYUG providing classified
10 U.S. Navy ship schedules and other proprietary, internal U.S. Navy information.

11 METHODS AND MEANS OF THE CONSPIRACY

12 6. In furtherance of this conspiracy, and to accomplish its object, the following
13 methods and means were used, among others:

14 a. NP and their co-conspirators would give, offer, and promise things
15 of value to or on behalf of LAYUG, including travel expenses, cash, and consumer
16 electronics.

17 b. LAYUG would demand, seek, receive, accept and agree to receive
18 and accept these things of value from NP and their co-conspirators.

19 c. In exchange for things of value, LAYUG would provide NP and
20 GDMA with classified information and other proprietary, internal U.S. Navy
21 information.

22 OVERT ACTS

23 7. In furtherance of the conspiracy and to effect its object, the following overt
24 acts, among others, were committed:

25 a. On or about February 24, 2012, LAYUG provided NP with a U.S.
26 Navy ship schedule that was classified as confidential, along with pricing information
27 from one of GDMA's competitors.

1 b. On or about March 9, 2012, LAYUG sent an email to NP which
2 inquired “[w]hat are the chances of getting the new Ipad 3? Please let me know.”

3 c. On or about May 15, 2012, LAYUG provided NP with an internal
4 U.S. Navy message regarding guidelines for supply officers to use in dealing with
5 husbanding providers like GDMA.

6 d. On May 21, 2012, NP directed a GDMA employee in Japan to pay
7 LAYUG an “allowance” consisting of \$1,000 per month.

8 e. In or about May 2012, GDMA paid for luxury hotel
9 accommodations for LAYUG, and others at LAYUG’s request, in Malaysia,
10 Singapore, and Indonesia.

11 f. On or about July 17, 2012, LAYUG sent an email to NP asking
12 “Hey bro, does [a particular GDMA employee] still have that camera? Anyway [sic]
13 you can send it before I go to VA?”

14 g. On or about January 16, 2013, LAYUG provided NP with U.S.
15 Navy ship schedules that were classified as confidential.

16 h. On or about May 18, 2013, LAYUG provided NP with U.S. Navy
17 ship schedules that were classified as confidential.

18 i. On or about May 28, 2013, LAYUG sent an email to NP stating,
19 “Hey bro for the bucket list, if you can hook me up with the below items. Thanks a
20 bunch bro!!” LAYUG’s email identified the following items: “Camera,” “Nikon
21 D5200 w/ flip our [sic] screen,” “Iphone5 / Samsung S-4 or both hahaha!,” and “Ipad
22 Mini.”

23 j. On or about June 1, 2013, LAYUG provided NP with U.S. Navy
24 ship schedules that were classified as confidential.

25 k. In or about June 2013, GDMA provided LAYUG with a digital
26 camera.

27 l. On or about July 2, 2013, LAYUG provided NP with U.S. Navy
28 ship schedules that were classified as confidential.

1 m. In or about August 2013, GDMA paid for luxury hotel
2 accommodations in Korea for others at LAYUG's request.

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

4 **FORFEITURE ALLEGATIONS**

5 8. The allegations set forth in paragraphs 1 through 7 of this Information are
6 incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18,
7 United States Code, Section 981(a)(1)(c), and Title 28, United States Code, Section
8 2461(c).

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1 9. Pursuant to Federal Rule of Criminal Procedure 32.2, notice is hereby given
2 to the above-named defendant that the United States will seek forfeiture as part of any
3 sentence in accordance with Title 18, United States Code, Section 981(a)(1)(c), and
4 Title 28, United States Code, Section 2461(c), including but not limited to all
5 property, real or personal, which constitutes or is derived from proceeds traceable to
6 bribes or a bribery conspiracy, as alleged in this Information.

7
8 DATED: May ¹⁵_, 2014.

9 LAURA E. DUFFY
10 United States Attorney

11 FOR :

12 By:

13 MARK W. PLETCHER
14 ROBERT S. HUIE
Assistant U.S. Attorneys

15 JEFFREY H. KNOX
16 Chief, Fraud Section
17 Criminal Division

18 By:

19 CATHERINE VOTAW
20 BRIAN YOUNG
21 Trial Attorneys
22 Fraud Section
23 U.S. Department of Justice
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