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89-802c

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 89-802-Cr-KEHOE(s)
18 U.S.C. §371

UNITED STATES OF AMERICA,

Plaintiff,

vs.

INFORMATION

ROBERT GURIN,

Defendant.

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
JAN 11 1990
MEMPHIS, TENNESSEE

The United States Attorney Charges That:

1. At all times material herein, AEA Aircraft Recovery (hereinafter "AEA") was engaged in the business of the recovery of seized aircraft. AEA is a "domestic concern" as that term is used in the Foreign Corrupt Practices Act of 1977, as amended (hereinafter "FCPA"), 15 U.S.C. 78dd-2(h)(1)(B).

2. At all times material herein defendant ROBERT GURIN, (hereinafter "GURIN"), a United States citizen, was the sole owner of AEA Aircraft Recovery and engaged in the business of the recovery of seized aircraft. Defendant GURIN was a "domestic concern" as that term is used in the FCPA, 15 U.S.C. 78dd-2(h)(1)A).

3. At all times material herein Joaquin Pou, a Dominican Republic citizen, was an agent of domestic concerns, to wit, AEA, and defendant GURIN.

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4. At all time material herein Alfredo G. Duran, a United States citizen, was an agent of domestic concerns, to wit, AEA, and defendant GURIN.

5. At all times material herein Jose Guasch, a United States citizen, was an agent of domestic concerns, to wit, AEA and defendant GURIN.

6. From on or about April 12, 1989, through on or about November 5, 1989, in Dade County in the Southern District of Florida, and elsewhere, the defendant,

ROBERT GURIN

willfully and knowingly did combine, conspire, confederate and agree with other persons to commit an offense against the United States of America, to wit, to use the means and instrumentalities of interstate commerce in furtherance of an offer, payment, promise to pay and authorization of the payment of money and anything of value to officials of the Dominican Republic for the purpose of influencing the acts and decisions of said foreign officials in their official capacities - - and inducing said officials to do or omit to do an act in violation of their lawful duty -- and for the purpose of inducing such foreign officials to use their influence with the government of the Dominican Republic or any instrumentality thereof, to affect and influence the acts and decisions of that government, and to induce said foreign officials to use their influence with the government of the Dominican Republic or any instrumentality thereof, to affect and influence the acts and decisions of that government, to assist AEA and

defendant ROBERT GURIN in obtaining and retaining business for or with, and directing business to any person, to wit, the recovery of aircraft seized by the government of the Dominican Republic, in violation of Title 15, United States Code, Sections 78dd-2(a)(1) and (3).

PURPOSE OF THE CONSPIRACY

7. It was a purpose and object of the conspiracy to offer, pay, promise to pay and authorize the payment of money and anything of value, directly and indirectly, to officials of the government of the Dominican Republic in order to obtain the release of a Piper Navajo FAA registration number N6846L.

OVERT ACTS

In furtherance of this conspiracy and to effect the object thereof, the following overt acts, among others, were committed within the Southern District of Florida and elsewhere:

1. On or about May 30, 1989, defendant GURIN and another person had a telephone conversation and discussed the preparation of fictitious paperwork in order to obtain the release of aircraft N6846L.

2. On or about June 12, 1989, defendant GURIN met with another person in Miami, Florida and received \$482.00 for his services in obtaining the release of aircraft from the Dominican Republic.

3. On or about June 27, 1989, documents relative to aircraft N6846L were faxed from Miami, Florida to the Dominican Republic.

4. On or about June 28, 1989, defendant GURIN, a Dominican official and another person had a telephone conversation in which the Dominican official confirmed receipt of documents relative to aircraft N6846L.

5. On or about July 6, 1989, defendant GURIN and another person had a telephone conversation and discussed travelling to the Dominican Republic.

6. On or about July 17, 1989, defendant GURIN had a telephone conversation with Pou and discussed meeting Pou in the Dominican Republic in order to obtain the release of aircraft N6846L.

7. On or about July 19, 1989, defendant GURIN and another person travelled via commercial airlines from Miami, Florida to Santo Domingo, Dominican Republic.

8. On or about July 20, 1989, defendant GURIN, another person and Pou met in Santo Domingo, Dominican Republic.

9. On or about July 23, 1989, defendant GURIN and another person had a telephone conversation and discussed the payment of \$5,000 to General Pou to distribute to Dominican officials.

10. On or about July 25, 1989, Pou travelled from the Dominican Republic to Miami, Florida via commercial airline.

11. On or about July 26, 1989, Pou defendant GURIN and another person met at the Clipper Club in Miami International Airport. During the meeting, Pou received \$5,000 in cash to pay officials to effect the release of aircraft N6846L.

12. On or about August 1, 1989, defendant GURIN and another person met with Alfredo G. Duran in Miami, Florida. During the meeting, Duran agreed to be the escrow agent for the release of additional monies to Pou in order to obtain the release of aircraft N6846L.

13. On or about September 12, 1989, Jose Guasch met with defendant GURIN and another person in Miami, Florida and received \$990 in cash to pay officials in the Dominican Republic.

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

Dexter W. Lehtinen (SEC)
DEXTER W. LEHTINEN
UNITED STATES ATTORNEY