

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.**  
**v.** : **DATE FILED: September 7, 2010**  
**BRISTOL ALLOYS, INC.** : **VIOLATION:**  
**JAMES R. BULLICK** : **18 U.S.C. § 1031 (Major fraud against the United States - 1 count)**

**INFORMATION**

**COUNT ONE**

**(Major Fraud Against the United States)**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to this information:

**The Defendants**

1. Defendant BRISTOL ALLOYS, INC. was a Pennsylvania corporation located in Fairless Hills, Pennsylvania which brokered the sale and distribution of steel and other metal products to various manufacturers, including U.S. government subcontractors.

2. Defendant JAMES R. BULLICK was the president and owner of one-half of the shares of defendant BRISTOL ALLOYS, INC.

**The Prime Contract Awards**

3. On or about August 14, 2003, Electric Boat Corp., Groton, Connecticut, was awarded prime contract number N00024-03-C-2101 in the amount of \$8,687,903,765 for the construction, final assembly, test and delivery of 6 Virginia Class Submarines for the United

States Navy. Northrop-Grumman Ship Building (“NGSB”) was a first tier subcontractor to the General Dynamics Electric Boat Corporation (“EB”) under that contract.

4. On or about December 22, 2008, Electric Boat Corporation, Groton, Connecticut, was awarded prime contract number N00024-09-C-2104 in the amount of \$14,011,153,663 for the construction, final assembly, test and delivery of 8 Virginia Class Submarines for the United States Navy. NGSB was a first tier subcontractor to EB under that contract.

5. As part of its subcontracting work, NGSB awarded purchase orders to Garvey Precision Machine, Inc. (“GPM”), Willingboro, NJ, for various metal components utilized within the hull of the submarines. For example, one purchase order required GPM to manufacture a snorkel faring assembly to the EB drawing H643-6502 and Federal Specification QQ-N-281D. The snorkel faring assembly was made up of number of component parts, including a snorkel hoist pipe flange. The specifications also required the material used in manufacturing the snorkel hoist pipe to be rolled, nickel-copper alloy plate with a hot finish rather than annealed and air cooled. The specification also called for alloy plate to withstand a minimum pressure of 40,000 pounds per square inch (PSI).

6. In order to perform under its subcontracts with NGSB, GPM obtained metals and other necessary component parts from defendant BRISTOL ALLOYS, INC. by issuing to BRISTOL ALLOYS, INC. purchase orders that specified the materials it was purchasing and which disclosed that such materials were ordered as part of a military contract. GPM required that BRISTOL ALLOYS, INC. provide certified material test reports and heat

treating certifications in order to insure that the materials supplied were in conformance with the requirements of each GPM purchase order.

### **THE SCHEME TO DEFRAUD**

7. From in or about 2004 or earlier through and including in or about October 2009, in connection with the procurement described in paragraphs 3 through 5 above, the value of which exceeded \$1,000,000, in the Eastern District of Pennsylvania, defendants

**BRISTOL ALLOYS, INC.  
and  
JAMES R. BULLICK**

devised and intended to devise a scheme to defraud the United States and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

### **MANNER AND MEANS**

It was part of the scheme to defraud that:

8. Defendants BRISTOL ALLOYS, INC. and JAMES R. BULLICK contracted with and supplied metal to Garvey Precision Machine, Inc. (“GPM”), a U.S. Navy subcontractor, in connection with GPM purchase orders requiring that the metal parts meet certain Navy specifications and requirements, including that the defendants document compliance with the heat treating requirements of the metals in accordance with their designation of “Level 1,” *i.e.*, that such parts were critical to the integrity of the Navy submarines in which the parts were to be installed.

9. Rather than comply with the heat treating requirements of the GPM purchase orders, defendants BRISTOL ALLOYS, INC. and JAMES BULLICK instead created

numerous fraudulent heating test certifications purportedly issued by Donovan Heat Treating Company, Inc. which had been falsely altered to reflect heat treatments in accordance with the GPM purchase order requirements that, in fact, had never actually been completed, including, among others, the following:

| <b>Shipment Dates</b>   | <b>Garvey Job No.</b> | <b>Description of Item Manufactured with Metal Supplied by Bristol Alloys, Inc.</b>   | <b>False Heating Cert. No.</b> |
|-------------------------|-----------------------|---|--------------------------------|
| 8/28/2006<br>11/29/2007 | 5577                  | Piston tailrod used in hydraulic accumulator to indicate fluid capacity and align piston travel. (Prime contract number N00024-03-C-2101) | A43391                         |
| 6/4/2007                | 5828                  | Piston tailrod used in hydraulic accumulator to indicate fluid capacity and align piston travel. (Prime contract number N00024-03-C-2101) | A42729                         |
| 9/26/2007<br>9/27/2007  | 5846                  | Piston tailrod used in hydraulic accumulator to indicate fluid capacity and align piston travel. (Prime contract number N00024-03-C-2101) | A932891                        |
| 9/3/2008                | 5878                  | Piston tailrod used in hydraulic accumulator to indicate fluid capacity and align piston travel. (Prime contract number N00024-09-C-2104) | A932892                        |
| 9/15/2008               | 5886                  | Piston tailrod used in hydraulic accumulator to indicate fluid capacity and align piston travel. (Prime contract number N00024-09-C-2104) | A932942                        |

10. Defendants BRISTOL ALLOYS, INC. and JAMES BULLICK also created numerous fraudulent certified material test reports purportedly issued by, among others, Electralloy and Huntington Alloys, which had been falsely altered to reflect that metals supplied to GPM in connection with GPM's U.S. Navy subcontracts met all purchase order specifications and requirements when, in fact, such metals did not meet such specifications and requirements, including, among others, the following:

| <b>Shipment Dates</b>  | <b>Garvey Job No.</b> | <b>Item Manufactured with Metal Supplied by Bristol Alloys, Inc.</b>  | <b>False Material Cert. No.</b> |
|------------------------|-----------------------|---|---------------------------------|
| 5/28/2004<br>6/14/2004 | 5577                  | Tailrod bushing for hydraulic accumulator that retains hydraulic pressure around the piston tailrod.<br>(Prime contract number N00024-03-C-2101)  | Huntington Alloys<br>M5233BR-15 |
| 7/7/2004               | 5579                  | Grease fitting and cap for snorkel induction mast that provides grease for the packing between the inner and outer pipe for air into the submarine.<br>(Prime contract number N00024-03-C-2101) | Electralloy<br>E2530-1FA-1      |
| 7/7/2004               | 5579                  | Magnet receptacle for snorkel induction mast that provides telemetry to signal to the control room the position of the snorkel mast.<br>(Prime contract number N00024-03-C-2101)                | Electralloy<br>E2530-1FA-1      |
| 8/4/2008<br>9/3/2008   | 5877                  | Tailrod bushing for hydraulic accumulator that retains hydraulic pressure around the piston tailrod.<br>(Prime contract number N00024-03-C-2101)  | Electralloy<br>E2530-1FA-1      |
| 8/4/2008<br>9/3/2008   | 5878                  | Hex plug for hydraulic accumulator that retains hydraulic pressure on the accumulator.<br>(Prime contract number N00024-09-C-2104)  | Electralloy<br>E2530-1FA-1      |
| 8/4/2008<br>9/3/2008   | 5878                  | Tailrod bushing for hydraulic accumulator that retains hydraulic pressure around the piston tailrod.<br>(Prime contract number N00024-09-C-2104)  | Electralloy<br>E2530-1FA-1      |

11. On or about September 15, 2008, at Fairless Hills, in the Eastern District of Pennsylvania, and elsewhere, defendants

**BRISTOL ALLOYS, INC.  
and  
JAMES R. BULLICK**

knowingly executed and attempted to execute the scheme with the intent to defraud the United States and to obtain money or property by means of false and fraudulent pretenses, representations, and promises, by supplying Garvey Precision Machines, Inc., a U.S. Navy

subcontractor, fraudulent and counterfeit heat testing certification No. A932942 purportedly issued by Donovan Heat Treating Company, Inc. that falsely certified that metal supplied by defendants BRISTOL ALLOYS, INC. and JAMES R. BULLICK had been properly heat treated when, as the defendants well knew, no such heat treating had actually occurred.

In violation of Title 18, United States Code, Section 1031.

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**ZANE D. MEMEGER**  
**United States Attorney**