

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

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U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

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09-240

SECT. L MAG. 1

UNITED STATES OF AMERICA )

v. )

GLORIA MARTINEZ, )

Defendant. )

Case No.

Violations: 18 U.S.C. § 371 (Conspiracy)  
18 U.S.C. § 201 (Bribery)

The United States, by and through its attorneys, charges:

INFORMATION

1. For purposes of this Information, the relevant period is that period from at least in or about June 2005 until at least in or about December 2007. From in or about July 2003 until in or about October 2006, GLORIA MARTINEZ ("defendant") was employed by the United States Army Corps of Engineers ("USACE") as a Supervisory Contract Specialist, stationed at the Gulf Regional Division ("GRD"), Baghdad, Iraq. From in or about May 2005 through in or about October 2006, defendant served as the Chief of Contracting for GRD. From in or about October 2006 until in or about December 2007, defendant was employed by USACE as a Supervisory Procurement Analyst, stationed at the Afghanistan Engineer District ("AED"), Kabul, Afghanistan, during which time she served as the Chief of Contracting for AED. As a civilian employee of USACE, defendant was a public official within the meaning of 18 U.S.C. § 201(a)(1).

2. As a Supervisory Contract Specialist at GRD, and as a Supervisory Procurement Analyst at AED, defendant was responsible for the solicitation, award, and administration of

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USACE construction contracts. Her duties included engaging in contract negotiations; assessing and approving contract awards, modifications, and terminations; overseeing and participating in the investigation and resolution of contractor claims, including Requests for Equitable Adjustment ("REAs"); and overseeing the administration of contracts. To execute these duties, defendant held an unlimited contract warrant, allowing her to award contracts and approve contracting actions of any dollar value. During the relevant period, as a Supervisory Contract Specialist and as a Supervisory Procurement Analyst, defendant was a public official in a high-level decision-making and sensitive position at USACE.

3. During the relevant period, Company One, owned and operated by Person A; Company Two, owned and operated by Person B; and Company Three, owned and operated by Person C, Person D, Person E, and Person F, held contracts with USACE in GRD. Company Three also held contracts with USACE in AED.

4. At various points during the relevant period, Co-Conspirator One, a relative of defendant, was employed by or worked as a consultant for Companies One, Two, and Three, collectively hereinafter the "Contractor Companies."

5. The offenses described in this Information began in Iraq, United Arab Emirates, Afghanistan, and Lebanon, out of the jurisdiction of any particular State or district. Defendant's last known residence is in the Eastern District of Louisiana.

6. Various individuals not made defendants in this Information participated as co-conspirators in the offenses charged herein and performed acts and made statements in furtherance thereof.

7. Whenever in this Information reference is made to any act, deed, or transaction of

any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

**COUNT ONE**  
**18 U.S.C. § 371**  
**(Conspiracy To Commit Bribery)**

Paragraphs 1 through 7 of this Information are incorporated by reference as if fully stated herein, and the following is further alleged:

8. From at least in or about June 2005 until at least in or about December 2007, in Iraq, Afghanistan, and elsewhere, defendant,

**GLORIA MARTINEZ,**

as a public official, did knowingly and unlawfully combine, conspire, confederate, and agree with Co-Conspirator One and others known and unknown to commit an offense against the United States, namely bribery, in violation of 18 U.S.C. § 201, by directly and indirectly, corruptly seeking, receiving, accepting, and agreeing to receive and accept money and other things of value, personally and for others, including Co-Conspirator One, in return for being influenced in the performance of official acts and in return for being induced to do and omit to do acts in violation of her official duties; by providing non-public contract information to the Contractor Companies and otherwise preferentially favoring them in the award, administration, and settlement of their respective USACE contracts.

**OBJECT OF THE CONSPIRACY**

9. The charged conspiracy consisted of a continuing agreement, concert of action, and understanding, among defendant, Co-Conspirator One, and others, the substantial terms of

which were to obtain money and other things of value for defendant and Co-Conspirator One in return for providing non-public contract information to the Contractor Companies and otherwise preferentially favoring them in the award, administration, and settlement of their respective USACE contracts.

MANNERS AND MEANS OF THE CONSPIRACY

10. It was a part of the conspiracy that defendant, Co-Conspirator One, and others would, among other things, do the following:

- a. Hire Co-Conspirator One and pay her salary and benefits as well as a percentage of value of USACE contracts awarded to Contractor Companies and/or a percentage of the payments made by USACE to Contractor Companies;
- b. Provide Contractor Companies with non-public information relating to the award, administration, and settlement of their respective USACE contracts;
- c. Preferentially favor Contractor Companies in the award, administration, and settlement of their respective USACE contracts;
- d. Ensure the Contractor Companies received payments on USACE contracts;
- e. Accept cash, an apartment, jewelry, and other things of value from Contractor Companies; and
- f. Conceal the relationship between defendant and Co-Conspirator One.

OVERT ACTS

11. In furtherance of the conspiracy and in order to accomplish its objects, the following overt acts, among others, were committed by defendant and others in Iraq,

Afghanistan, and elsewhere:

a. in or about June 2005, Company One hired Co-Conspirator One for a period of approximately six months, at a salary of \$5,000 per month plus living expenses, provided Co-Conspirator One with an apartment in Dubai, United Arab Emirates ("UAE"), and paid private school tuition for two dependents of Co-Conspirator One, all worth an aggregate total value of approximately \$60,000;

b. in or about June 2006, defendant agreed to receive and accept from Person A and Company One the exclusive use of an apartment in Dubai, UAE for personal use or as a rental property, and in or about late 2007, Person A transferred \$40,000, representing six months of rental income for the Dubai apartment, to defendant's designated bank account in Germany;

c. from in or about June 2005 to in or about October 2006, defendant, through Co-Conspirator One, provided Company One with non-public contract information and otherwise preferentially favored Company One in the award, administration, and settlement of over \$23 million in USACE contracts awarded to Company One;

d. in or about September 2006, defendant accepted from Person A and Company One a Rolex watch, worth approximately \$25,000;

e. in or about early 2006, Company Two hired Co-Conspirator One to work as a consultant for approximately ten months, at a salary of approximately \$5000 a month;

f. in or about August 2006, defendant arranged or attempted to arrange for a

residence for Company Two's employees on a United States military installation in Iraq as well as for their access to military medical treatment and post exchange facilities;

g. in or about 2006, Company Three hired Co-Conspirator One for a period of at least approximately 18 months, at a salary of at least approximately \$5000 a month, plus 10% of the value of any REA Co-Conspirator One successfully negotiated with USACE;

h. in or about May 2007, defendant met with Co-Conspirator One, Person C, and Person D in Dubai, UAE, during which meeting Person C and Person D offered to employ defendant. Defendant declined the offer, and instead asked that Person C and Person D "take care" of Co-Conspirator One; at this meeting in Dubai, UAE, Person C and/or Person D placed \$10,000 in cash in defendant's shopping bag;

i. in or about August 2007, defendant assisted Company Three in obtaining a \$5.6 million settlement on a contract on which Company Three had failed to adequately perform by providing non-public information to Company Three through Co-Conspirator One, discouraging an USACE audit into Company Three's settlement requests, and performing other preferential acts for Company Three;

j. in or about October 2007, Company Three paid for airfare and hotel accommodations for defendant and Co-Conspirator One to travel from Afghanistan to Lebanon;

k. in or about October 2007, Person E gave defendant a gold and gemstone necklace and Person C gave defendant a diamond bangle bracelet and a gold jewelry set, including a ring, necklace, and earrings, in return for her actions assisting Company Three

in obtaining payment of the \$5.6 million settlement; and

1. between in or about October 2006 and in or about December 2007, defendant, through Co-Conspirator One, provided Company Three with non-public contract information and otherwise preferentially favored Company Three in the award, administration, and settlement of approximately \$50 million in contracts with USACE.

**(All in violation of Title 18, United States Code, Section 371, and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238.)**

**COUNT TWO**  
**18 U.S.C. § 201(b)(2)**  
**(Bribery)**

Paragraphs 1 through 11 of this Information are incorporated by reference as if fully stated herein, and the following is further alleged:

12. From at least in or about June 2005 until at least in or about December 2007, in Iraq, United Arab Emirates, and elsewhere, defendant,

**GLORIA MARTINEZ,**

as a public official, directly and indirectly, corruptly sought, received, accepted, and agreed to receive and accept money and other things of value personally, and employment, salary, benefits, and other things of value for Co-Conspirator One and others, worth a total of approximately \$285,000, from Company One, in return for being influenced to provide non-public contract information to Company One and otherwise to preferentially favor it in the award, administration, and settlement of its USACE contracts, in violation of 18 U.S.C. § 201.

**(All in violation of Title 18, United States Code, Section 201, and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238.)**

**COUNT THREE**  
**18 U.S.C. § 201(b)(2)**  
**(Bribery)**

Paragraphs 1 through 11 of this Information are incorporated by reference as if fully stated herein, and the following is further alleged:

13. From at least in or about October 2006 until at least in or about December 2007, in Afghanistan and elsewhere, defendant,

**GLORIA MARTINEZ,**

as a public official, directly and indirectly, corruptly sought, received, accepted, and agreed to receive and accept money and other things of value personally, and employment, salary, benefits, and other things of value for Co-Conspirator One and others, worth a total of approximately \$140,000, from Company Three, in return for being influenced to provide non-public contract information to Company Three and otherwise to preferentially favor it in the award, administration, and settlement of its USACE contracts, in violation of 18 U.S.C. § 201.

**(All in violation of Title 18, United States Code, Section 201, and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238.)**

**CRIMINAL FORFEITURE**  
**18 U.S.C. § 981(a)(1)(C)**  
**28 U.S.C. § 2461**  
**(Criminal Forfeiture)**

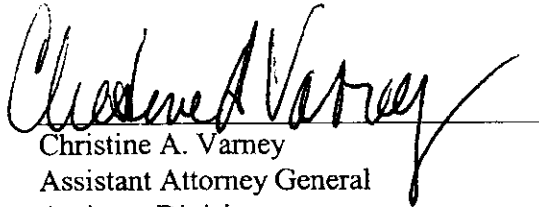
14. The allegations contained in Counts One, Two, and Three of this Information are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c). Upon conviction of the offense in violation of 18 U.S.C. § 371, set forth Count One of this Information, and upon conviction of the offenses in violation of 18 U.S.C. § 201, set forth in Counts Two and Three of this Information, defendant



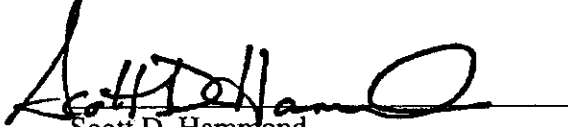
shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

15. If any of the property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

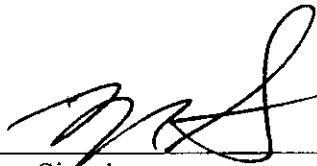
**(All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).)**



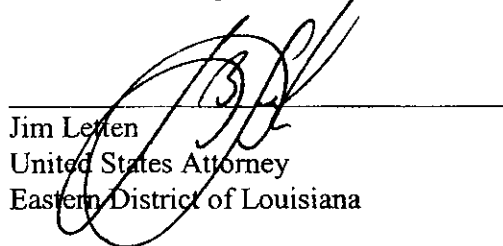
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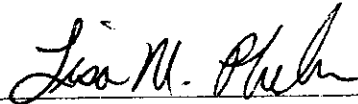
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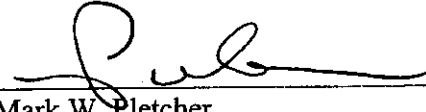
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