UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
11-cr-80171-RYSKAMP/HOPKINS
CASE NO. _____
18 U.S.C. §§ 1349, 1343, 1346

UNITED STATES OF AMERICA

v.

ROBERT A. RIDDELL,

Defendant.
_____/

FILED by RB D.C.
SEP 29 2011
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. – FT. LAUD.

CRIMINAL INFORMATION

The United States of America, acting through its attorneys, charges:

1. ROBERT A. RIDDELL is hereby made a defendant on the charges stated below.

INTRODUCTION

At all times relevant to this Information, unless otherwise indicated:

2. Ryan International Airlines ("Ryan") is an entity organized and existing under the laws of the State of Illinois with its principal place of business in Rockford, Illinois. Ryan provides air passenger and cargo services for corporations, private individuals, professional sports teams, and the United States government. During the period covered by this Information, a significant portion of Ryan's business consisted of transporting personnel and cargo for the United States Department of Defense, United States Department of Homeland Security, and United States Marshals Service on domestic and international flights.

3. During the period covered by this Information, Wayne Kepple ("Kepple") was the Vice President of Ground Operations for Ryan. Among Kepple's responsibilities was contracting with providers of goods and services on behalf of Ryan and approving the invoices that were submitted by those providers to Ryan for payment. Kepple had a fiduciary duty to act honestly and faithfully in all business dealings with Ryan.

4. During the period covered by this Information, Defendant RIDDELL was the owner of Co-Conspirator Company, an entity organized and existing under the laws of the State of Florida with its principal place of business in Pasco County, Florida. Defendant RIDDELL and Co-Conspirator Company were engaged in the business of performing ground security and ground services coordination for airlines in the United States and Europe.

5. In 2005, Kepple contacted Defendant RIDDELL about Co-Conspirator Company providing security and ground services coordination for Ryan flights. After Ryan hired Co-Conspirator Company, Defendant RIDDELL provided security for Ryan flights and obtained and coordinated ground services at destinations in Europe. Co-Conspirator Company billed Ryan for its time and for the services that it obtained for Ryan flights. Kepple was responsible for approving the invoices submitted by Co-Conspirator Company to Ryan.

6. Whenever this Information refers to any act, deed, or transaction of any company, it means that the company engaged in the act, deed, or transaction by

or through its officers, directors, employees, agents, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

COUNT ONE- CONSPIRACY
(18 U.S.C. § 1349)

7. Each and every allegation contained in paragraphs 1-6 of this Information is hereby realleged as if fully set forth in this Count.

DESCRIPTION OF THE OFFENSE

8. Beginning at least as early as March 2006 and continuing thereafter at least through August 2009, the exact dates being unknown to the United States, in the Southern District of Florida and elsewhere, Defendant ROBERT A. RIDDELL and Ryan employee Kepple did unlawfully, willfully, and knowingly conspire, combine, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Sections 1343 and 1346, in violation of 18, United States Code, Section 1349.

9. It was a part and an object of the conspiracy that Defendant RIDDELL and Kepple unlawfully, willfully, and knowingly devised and intended to devise a scheme and artifice to:

(a) defraud Ryan and obtain money and property by means of materially false and fraudulent pretenses, representations, and promises; and

(b) defraud and deprive Ryan of the honest and faithful services of

Kepple through kickbacks and the concealment of material information from Ryan,

and for the purpose of executing such scheme and artifice, and attempting to do so, would and did transmit and cause to be transmitted by means of wire communication in interstate commerce certain writings, signals, and sounds, in violation of Title 18, United States Code, Sections 1343 and 1346.

THE MANNER AND MEANS BY WHICH THE CONSPIRACY WAS CARRIED OUT

The scheme and artifice was carried out in the following manner and means, among others:

10. In or about March 2006, at the request of Kepple, Defendant RIDDELL began submitting fabricated invoices on behalf of Co-Conspirator Company to Ryan for services that had not been provided. Kepple approved payment of the fraudulent invoices. Defendant RIDDELL paid to Kepple as kickbacks a portion of the money received from Ryan as payment for the fraudulent invoices. During the course of the scheme, Defendant RIDDELL submitted, and Kepple approved and directed payment of, $131,540 in fraudulent invoices.

11. Kepple further solicited and accepted additional kickback payments totaling more than $265,000 in relation to the services that Co-Conspirator Company did provide to Ryan.

12. In his capacity as an employee of Ryan International Airlines, Kepple provided favorable treatment to Defendant RIDDELL, including continuing to

award business to Co-Conspirator Company for security and ground services coordination, in exchange for kickback payments. Defendant RIDDELL and Kepple foresaw or reasonably should have foreseen that Ryan might suffer an economic harm as a result of their breach of Kepple's fiduciary duty to Ryan.

13. Defendant RIDDELL took steps to hide, conceal, and cover up his activity and the nature and scope of his dealings with Kepple, including wiring payments to the personal bank account of Kepple, which Kepple accessed near his home located in the Southern District of Florida.

OVERT ACTS

In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of Florida and elsewhere:

14. From in or about March 2006 through at least March 2009, Defendant RIDDELL submitted over $130,000 in fraudulent invoices from Co-Conspirator Company to Ryan. Kepple directed payment of all of the invoices on behalf of Ryan with knowledge that they were fraudulent.

15. From in or about May 2006 through August 2009, Defendant RIDDELL issued checks, made cash deposits, and caused wire transfers to be made in order to transfer a total of more than $330,000 in kickback payments from the bank account of Co-Conspirator Company to Kepple's personal bank account in Lake Worth, Florida, in the Southern District of Florida, and elsewhere.

JURISDICTION AND VENUE

16. The conspiracy charged in Count One of this Criminal Information was formed in part and carried out, in part, in the Southern District of Florida in Palm Beach County within the five years preceding the filing of this Criminal Information.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO- WIRE FRAUD
(18 U.S.C. §§ 1343, 1346)

The United States of America further charges:

17. Each and every allegation contained in Paragraphs 1-16 of this Information is hereby realleged as if fully set forth in this Count.

18. Beginning at least as early as March 2006 and continuing thereafter at least through August 2009, the exact dates being unknown to the United States, in the Southern District of Florida and elsewhere, Defendant

ROBERT A. RIDDELL

and Kepple unlawfully, willfully, and knowingly devised and intended to devise a scheme and artifice to:

(a) defraud Ryan and obtain money and property by means of materially false and fraudulent pretenses, representations, and promises; and

(b) defraud and deprive Ryan of the honest and faithful services of Kepple through kickbacks and the concealment of material information from Ryan,

and for the purpose of executing such scheme and artifice to defraud and deprive, and attempting to do so, did transmit and cause to be transmitted by means of wire communication in interstate commerce, the following writings, signals, and sounds:

19. On or about December 16, 2008, Defendant RIDDELL caused a wire transfer in the amount of $9,000 to be made from Co-Conspirator Company's bank account in Wesley Chapel, Florida, to Kepple's personal bank account in Loves Park, Illinois.

JURISDICTION AND VENUE

20. The offense charged in Count Two of this Criminal Information was formed in part and carried out, in part, in the Southern District of Florida in Palm Beach County within the five years preceding the filing of this Criminal Information.

All in violation of Title 18, United States Code, Sections 1343 and 1346.

Date: September 29, 2011

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