

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**CASE NO. 1:18-cr-00118-RBW**

**UNITED STATES**

**v.**

**PANASONIC AVIONICS  
CORPORATION,**

**Defendant.**

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**GOVERNMENT’S MOTION TO DISMISS INFORMATION**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America, by and through undersigned counsel, hereby moves to dismiss the Information filed in the above-captioned case against defendant Panasonic Avionics Corporation (“PAC”). In support of this motion, the Government states as follows:

1. On April 30, 2018, the Government filed an Information charging PAC with violating the accounting provisions of the Foreign Corrupt Practices Act of 1977 (“FCPA”), 15 U.S.C. §§ 78m(b)(2)(A), 78m(b)(5), and 78ff(a). Dkt. No. 1.

2. On April 30, 2018, the Government also entered a deferred prosecution agreement (“DPA”) with PAC, in which the Government agreed to defer prosecution of PAC for a period of three years. Dkt. No. 2, Exh. 1. Among other obligations, the DPA required PAC to cooperate with the Government’s investigation, to implement an enhanced compliance program, and to engage an independent compliance monitor for a period of at least two years. PAC was also required to pay a criminal monetary penalty of \$137,403,812 to the United States Treasury.

3. On or about March 5, 2021, the independent compliance monitor certified, pursuant to paragraph 19 of Attachment D to the DPA, that PAC’s compliance program,

including its policies and procedures, is reasonably designed and implemented to prevent and detect violations of the anti-corruption laws.

4. The DPA expired on or about September 1, 2021.

5. On or about August 31, 2021, PAC's Chief Executive Officer and Chief Financial Officer certified to the Government that PAC had met its disclosure obligations pursuant to paragraph 6 of the DPA.

6. Based on the information known to the Government, PAC has fully met its obligations under the DPA, including full cooperation with the Government, implementation of an enhanced compliance program and procedures, and satisfaction of the terms of the provisions regarding the independent compliance monitorship. In addition, PAC has made timely payment of the criminal monetary penalties associated with the DPA.

7. Because PAC has fully complied with all of its obligations under the DPA, the Government has determined that dismissal of the Information with prejudice is appropriate. See Dkt. No. 2, DPA ¶ 16. The Government has conferred with counsel for PAC, who concurs that dismissal is appropriate at this time.

For the foregoing reasons, the Government requests that this Motion to Dismiss Information be granted.

JOSEPH S. BEEMSTERBOER  
Acting Chief, Fraud Section

By: /s/ Lauren B. Kootman  
Lauren B. Kootman  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion to Dismiss Information was filed and served electronically using the Court's CM/ECF system, effecting service on all counsel of record.

/s/ Lauren Kootman

Acting Assistant Chief  
Criminal Division, Fraud Section  
U.S. Department of Justice