

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

v.

**TRANSPORT LOGISTICS,  
INTERNATIONAL, INC.,**

**Defendant**

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

**CRIMINAL NO. TDC-18-0011**

\*\*\*\*\*

**GOVERNMENT’S UNOPPOSED 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 Transport Logistics International, Inc. (hereinafter “TLI”). In support of this motion, the Government states as follows:

1. On January 10, 2018, the Government filed a criminal Information charging TLI with one count of conspiracy to commit an offense against the United States in violation of Title 18, United States Code, Section 371, that is, to violate the anti-bribery provisions of the Foreign Corrupt Practices Act of 1977 (“FCPA”), as amended, Title 15, United States Code, Section 78dd-2. *See* ECF 1 (the “Information”).

2. On March 12, 2018, the Government entered into a deferred prosecution agreement (“DPA”) with TLI, in which the Government deferred prosecution of TLI for a period of three years from the filing of the Information. *See* ECF 6. Among other obligations, the DPA required TLI to cooperate with the Government’s investigation and to implement an enhanced compliance program for a period of at least three years. TLI was also required to pay a criminal

monetary penalty of \$2,000,000.

3. The DPA provided that the Government would not continue the criminal prosecution against TLI and would move to dismiss the Information within six months of the expiration of the DPA if TLI fully complied with all of its obligations under the DPA. *See* DPA at ¶15.

4. The term of the DPA expired on or about January 10, 2021.

5. On February 2, 2021, and June 2, 2021,<sup>1</sup> TLI's Managing Director and Director of Finance<sup>2</sup> certified to the Government that TLI has met its disclosure obligations pursuant to paragraphs 6 and 20 of the DPA.

6. Based on the information known to the Government, TLI has fully met the 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 self-reports. In addition, on March 14, 2018, and March 15, 2018, TLI made timely payment of the remaining \$1,778,059.30 criminal monetary penalty.<sup>3</sup>

7. Because TLI 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* DPA at ¶15. The Government has conferred with counsel for TLI, who concurs that dismissal is appropriate at this time.

---

<sup>1</sup> The company certified a second time in order to conform to the government's updated certification template.

<sup>2</sup> At TLI, "Managing Director" is the equivalent of Chief Executive Officer and "Director of Finance" is the equivalent of Chief Financial Officer.

<sup>3</sup> Pursuant to ¶ 9 of the DPA, TLI was only required to pay \$1,778,059.30 of the \$2,000,000 criminal penalty because \$221,940.70 had already been administratively forfeited by the Federal Bureau of Investigation and TLI agreed that it would remain forfeited in fulfillment of the criminal penalty.

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

JONATHAN LENZNER  
Acting United States Attorney  
District of Maryland

By:       /s/        
David I. Salem  
Assistant U.S. Attorney  
United States Attorney's Office  
District of Maryland

Respectfully submitted,

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

By:       /s/        
Derek J. Ettinger  
Assistant Chief  
U.S. Department of Justice  
(202) 514-5545