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FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

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

UNITED STATES OF AMERICA

v.

BORIS RUBIZHEVSKY,

Defendant

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CRIMINAL NO. TDC 15cr332

**(Money Laundering Conspiracy,
18 U.S.C. § 1956(h); Forfeiture, 28
U.S.C. § 2461(c) and 18 U.S.C.
§ 982(a)(1))**

INFORMATION

COUNT ONE

The United States Attorney for the District of Maryland charges:

Introduction

At all times material to this Information:

1. JSC Techsnabexport ("TENEX") supplied uranium and uranium enrichment services to nuclear power companies throughout the world on behalf of the Russian Federation. TENEX was indirectly owned and controlled by, and performed functions of, the government of the Russian Federation.

2. TENEX established a wholly-owned subsidiary company located in the United States in or about October 2010, TENAM Corporation ("TENAM"). TENAM was TENEX's official representative office in the United States. TENAM was indirectly owned and controlled by, and performed functions of, the government of the Russian Federation.

3. "Foreign Official One," a national of the Russian Federation, was a Director of TENEX from at least 2004 through in or about October 2010, and was the President of TENAM

from in or about October 2010 through in or about October 2014. From in or about December 2011 through in or about October 2014, Foreign Official One was a resident of Maryland.

4. “Cylinder Corporation A” was a company based in Ohio, which engaged in the manufacture of tanks and vessels for the oil and gas, nuclear, and marine markets. Cylinder Corporation A secured contracts with TENEX to supply storage and transportation cylinders. In or about September 2012, Cylinder Corporation A was acquired by another company headquartered in Ohio.

5. “Executive A” was an officer of Cylinder Corporation A.

6. The defendant, **BORIS RUBIZHEVSKY** (“**RUBIZHEVSKY**”), was a citizen of the United States and resident of New Jersey, and was the owner and sole employee of NexGen Security Corporation (“NexGen”). NexGen and defendant **RUBIZHEVSKY** purportedly performed consulting services on behalf of Cylinder Corporation A.

The Conspiracy

7. Beginning in or about October 2011 and continuing through in or about February 2013, in the District of Maryland and elsewhere, the defendant,

BORIS RUBIZHEVSKY,

did knowingly and willfully combine, conspire, confederate, and agree with Executive A, Foreign Official One, and others known and unknown to conduct and attempt to conduct financial transactions affecting interstate commerce that involved the proceeds of specified unlawful activities — namely, violations of the wire fraud statutes and conspiracy to commit wire fraud, Title 18, United States Code, Sections 1343, 1346 and 1349 — knowing that the funds involved in the financial transactions represented the proceeds of some form of unlawful activity, and knowing that the transactions were designed in whole or in part to conceal and disguise the nature,

location, source, ownership, and control of the proceeds of the specified unlawful activities, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

Manner and Means of the Conspiracy

8. The manner and means by which defendant **RUBIZHEVSKY** and his co-conspirators sought to accomplish the objects of the conspiracy included, among other things, the following:

a. It was part of the conspiracy that Cylinder Corporation A agreed to make payments at the direction of, and for the benefit of, Foreign Official One in order to secure business with TENEX.

b. It was further part of the conspiracy that defendant **RUBIZHEVSKY** agreed with Foreign Official One and Executive A to use NexGen as an intermediary for the payments that Cylinder Corporation A made at the direction of, and for the benefit of, Foreign Official One in order to conceal the nature, location, source, ownership, and control of the funds.

c. It was further part of the conspiracy that defendant **RUBIZHEVSKY** and Foreign Official One discussed aspects of the scheme in person, including in Maryland, and through, among other means, electronic mail.

d. It was further part of the conspiracy that defendant **RUBIZHEVSKY**, Foreign Official One, and Executive A agreed that NexGen would enter into a sham consulting agreement with Cylinder Corporation A in order to conceal the true nature of the transactions between Cylinder Corporation A and NexGen.

e. It was further part of the conspiracy that defendant **RUBIZHEVSKY** and Foreign Official One agreed that NexGen would enter into a sham consulting agreement with a company based in the United Kingdom in order to conceal the true nature of the transactions

defendant **RUBIZHEVSKY** made at the direction of, and for the benefit of, Foreign Official One.

f. It was further part of the conspiracy that defendant **RUBIZHEVSKY** received checks from Cylinder Corporation A and deposited those checks into the NexGen bank account.

g. It was further part of the conspiracy that defendant **RUBIZHEVSKY** provided Foreign Official One with access to money out of a bank account defendant **RUBIZHEVSKY** controlled in Switzerland.

h. It was further part of the conspiracy that defendant **RUBIZHEVSKY** transferred certain monies via wire from the NexGen bank account into a bank account in Latvia at the direction of, and for the benefit of, Foreign Official One.

18 U.S.C. § 1956(h)

FORFEITURE ALLEGATION

The United States Attorney for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. § 982(a)(1), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c), upon the defendant's conviction on Count of this Information.

2. As a result of the offense alleged in Count One of this Information, the defendant, **BORIS RUBIZHEVSKY**, shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(1), any property, real and personal, involved in such offenses, and any property traceable to such property. The property to be forfeited includes, but is not limited to, a money judgment in the amount of \$26,500, and all interest and proceeds traceable thereto, in that such sum in aggregate constitutes proceeds obtained, directly or indirectly, as a result of such violation.

Substitute Assets

3. If the property described above in paragraph 2, as being subject to forfeiture, as a result of any act or omission of the defendant

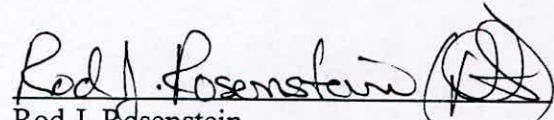
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or,
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United

States Code, Section 853(p), up to the value of the forfeitable property, that is, \$26,500.

18 U.S.C. § 982(a)(1)

28 U.S.C. § 2461(c)


Rod J. Rosenstein
United States Attorney

June 8, 2015
Date