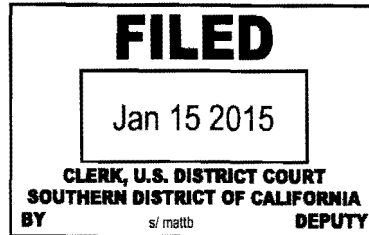


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24 **UNITED STATES DISTRICT COURT**
25 **SOUTHERN DISTRICT OF CALIFORNIA**

26 UNITED STATES OF AMERICA,

Case No.: '15 CR0131-JAH JLS

INFORMATION

27 v.

Title 18, U.S.C., Sec. 371 – Conspiracy to
Commit Bribery

28 DANIEL DUSEK,

Defendant.

The United States charges that, at all times relevant to this Information:

1. Defendant DANIEL DUSEK was a Captain in the U.S. Navy currently stationed in San Diego, California. From on or about January 11, 2009 to on or about

1 February 24, 2011, DUSEK was a Commander in the United States Navy serving as
2 the Deputy Director of Operations for the Seventh Fleet, aboard the USS Blue Ridge,
3 the flagship for the Seventh Fleet. In this position, DUSEK had input into the
4 movement and schedule of port visits for all the ships in the Seventh Fleet as well as
5 ships from other Fleets transiting through the Seventh Fleet's area of responsibility.
6 From on or about May 12, 2011 to on or about March 15, 2012, DUSEK was the
7 Executive Officer of the USS Essex. From on or about April 23, 2012 to on or about
8 June 29, 2012, DUSEK was the Executive Officer of the USS Bonhomme Richard,
9 and from in or about June 29, 2012 until October 2, 2013, DUSEK was the
10 Commanding Officer of the USS Bonhomme Richard. During his deployments
11 aboard the USS Essex and the USS Bonhomme Richard, both ships were deployed to
12 the U.S. Navy Seventh Fleet. At all times, as an Officer in the U.S. Navy, DUSEK
13 was a "public official" as defined in 18 U.S.C. § 201(a).

14 2. Glenn Defense Marine Asia ("GDMA") was a multi-national corporation
15 with headquarters in Singapore and operating locations throughout Asia, including in
16 Japan, Thailand, the Philippines, and elsewhere. GDMA's main business was the
17 "husbanding" of marine vessels, which involved the coordination, scheduling, and
18 direct and indirect procurement of items and services required by ships and
19 submarines when they arrived in port. GDMA had been husbanding vessels for the
20 U.S. Navy for over 25 years under contracts with the U.S. Navy.

21 3. Leonard Glenn Francis ("Francis") was the President and Chief
22 Executive Officer of GDMA. "EA" was GDMA's Country Manager in Japan.

23 4. It was a violation of DUSEK's official and lawful duties as an Officer in
24 the U.S. Navy (a) to transmit information that the U.S. Navy had classified as
25 "Confidential" to any person not entitled to receive it; (b) to make unauthorized
26 disclosure of proprietary, internal U.S. Navy information; and (c) to use his position
27 and influence within the U.S. Navy to benefit GDMA and Francis.

28

1 COUNT 1 – CONSPIRACY TO COMMIT BRIBERY

2 THE CONSPIRACY

3 5. Beginning in or about July 2010, and continuing to in or about September
4 2013, on the high seas and outside the jurisdiction of any particular district, defendant
5 DANIEL DUSEK, a public official, GDMA, Leonard Glenn Francis, EA and others
6 knowingly and unlawfully conspired and agreed to commit bribery, in violation of
7 Title 18, United States Code, Sections 201(b)(2)(A) and (C).

8 OBJECT OF THE CONSPIRACY

9 6. It was the object of the conspiracy for DUSEK to demand, receive, and
10 accept things of value from Francis, EA, and others, including meals, alcohol,
11 entertainment, dozens of nights and incidentals at luxury hotels, gifts, and the services
12 of prostitutes; and in return DUSEK would provide GDMA with classified U.S. Navy
13 ship schedules and other proprietary, internal U.S. Navy information and would use
14 his position and influence with the U.S. Navy to benefit GDMA.

15 METHODS AND MEANS OF THE CONSPIRACY

16 7. In furtherance of this conspiracy, and to accomplish its unlawful object,
17 the following methods and means were used, among others:

18 a. Francis, EA, and others would give, offer, and promise things of
19 value to DUSEK, including meals, alcohol, entertainment, dozens of nights and
20 incidentals at luxury hotels, gifts, and the services of prostitutes.

21 b. DUSEK would demand, seek, receive, and accept these things of
22 value from Francis, EA, and others.

23 c. In return for these things of value, DUSEK would provide GDMA,
24 through its officer and employees, including EA, with classified U.S. Navy ship
25 schedules and proprietary, internal U.S. Navy information, and would use his position
26 and influence with the U.S. Navy to benefit GDMA.

27 d. DUSEK would take steps to avoid detection by law enforcement or
28 U.S. Navy personnel, including by hand-delivering classified ship schedules to EA at

1 GDMA's office in Japan, by using a personal email account to communicate with his
2 co-conspirators, and by deleting the contents of his email account upon learning that
3 Francis had been arrested in connection with this investigation.

4 OVERT ACTS

5 8. In furtherance of the conspiracy and to effect its unlawful object, the
6 following overt acts, among others, were committed:

7 a. On or about July 13, 2010, DUSEK delivered to EA classified U.S.
8 Navy ship schedules, telling EA that GDMA had already provided him with
9 significant things of value. Having received these schedules, EA sent Francis
10 an email stating: "[DUSEK] is an official GDMA card holder, attached are the
11 skeds [classified ship schedules] he provided."

12 b. On or about July 19, 2010, GDMA paid for a hotel room for
13 DUSEK and his family at the Marriott Waikiki.

14 c. On or about August 5, 2010, GDMA provided DUSEK with a
15 hotel room at the Shangri-La in Makati, Philippines, and while there, GDMA
16 provided DUSEK with the services of a prostitute.

17 d. In or about August 2010, GDMA officers and employees asked
18 DUSEK to use his influence on GDMA's behalf to bring the aircraft carrier
19 USS Abraham Lincoln, and its Carrier Strike Group, to Port Klang, Malaysia
20 ("PKCC"), a port owned by Francis. On or about August 21, 2010, DUSEK
21 emailed EA reporting a "good discussion with NOO [an Admiral] today and
22 convinced him that PKCC is the better choice." On or about August 24, 2010,
23 DUSEK emailed Francis that he [DUSEK] had "everyone in agreement that the
24 next CSG [Carrier Strike Group] through the AOR [area of responsibility] will
25 stop at PKCC. Dates will be 08-12 Oct." The USS Abraham Lincoln Carrier
26 Strike Group did, in fact, make a port visit at PKCC on October 8-12, 2010.

27 e. On or about October 3-4, 2010, emails were sent among DUSEK
28 and GDMA officials regarding GDMA's preferences for ship visits at particular

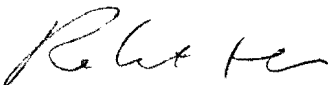
1 ports, GDMA's requests for assistance from DUSEK, and DUSEK's help. On
2 October 3, 2010, EA wrote to Francis: "I will have [DUSEK] out this week,
3 will take care of him, and try to funnel as much traffic out of Singapore as
4 possible, understand the preference is PKCC and Thailand." Francis replied:
5 "[DUSEK] is a golden asset to drive the big decks [aircraft carriers] into our fat
6 revenue GDMA ports . . . Phuket [Thailand], [Laem Chabang, Thailand],
7 PKCC, and now Kota Kinabalu, [Malaysia] ... Plug that in his ear." On
8 October 4, 2010, DUSEK emailed EA using rudimentary code, alerting EA to
9 proposed port visits for the USS Peleliu Amphibious Readiness Group. In
10 response, EA instructed DUSEK to replace one ship's port visit to Singapore
11 with a port visit in Phuket. DUSEK replied: "Got it. I will work on it."
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1 f. In or about February 2011, GDMA provided DUSEK with
2 approximately eight nights in lavish hotel rooms, entertainment, and the
3 services of prostitutes during port visits by the USS Blue Ridge to Manila,
4 Philippines and Hong Kong.

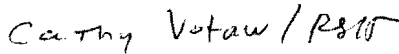
5 All in violation of Title 18, United States Code, Section 371.

6
7 DATED: January 15, 2015.

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