

FILED by **YH** D.C.
Jan 8, 2019
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. **19-20004-CR-COOKE/GOODMAN**

**18 U.S.C. § 371
18 U.S.C. § 981(a)(1)(C)
28 U.S.C. § 2461(c)**

UNITED STATES OF AMERICA

vs.

JOSE LUIS DE LA PAZ ROMAN,

Defendant.

INFORMATION

The United States charges that:

CONSPIRACY TO COMMIT OFFENSE AGAINST THE UNITED STATES
(18 U.S.C. § 371)

Beginning in or around December 2012, through in or around at least January 2016, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

JOSE LUIS DE LA PAZ ROMAN,

did knowingly and willfully, that is, with the intent to further the objects of the conspiracy, combine, conspire, confederate, and agree with others known and unknown to the United States, to commit an offense against the United States, that is:

(a) being a domestic concern, to willfully make use of the mails and means and instrumentalities of interstate commerce corruptly in furtherance of an offer, payment, promise to pay, and authorization of the payment of any money, offer, gift, promise to give, and authorization of the giving of anything of value, to a foreign official or to a person, while knowing that all or part of such money or thing of value would be and had been offered, given, or promised to a foreign

official, for purposes of (i) influencing acts or decisions of such foreign official in his or her official capacity; (ii) inducing such foreign official to do or omit to do acts in violation of the lawful duty of such official; (iii) securing any improper advantage; or (iv) inducing such foreign official to use his or her influence with a foreign government and agencies and instrumentalities thereof to affect or influence acts or decisions of such government and agencies and instrumentalities, in order to assist defendant **JOSE LUIS DE LA PAZ ROMAN** and others in obtaining and retaining business for and with, and directing business to, defendant **JOSE LUIS DE LA PAZ ROMAN** and others, in violation of Title 15, United States Code, Section 78dd-2(a); and

(b) being a United States person, to willfully and corruptly make an offer, payment, promise to pay, and authorization of the payment of any money, offer, gift, promise to give, and authorization of the giving of anything of value, to a foreign official or to a person, while knowing that all or part of such money or thing of value would be and had been offered, given, or promised to a foreign official, for purposes of (i) influencing acts or decisions of such foreign official in his or her official capacity; (ii) inducing such foreign official to do or omit to do acts in violation of the lawful duty of such official; (iii) securing any improper advantage; or (iv) inducing such foreign official to use his or her influence with a foreign government and agencies and instrumentalities thereof to affect or influence acts or decisions of such government or agencies and instrumentalities, in order to assist defendant **JOSE LUIS DE LA PAZ ROMAN** and others in obtaining and retaining business for and with, and directing business to, defendant **JOSE LUIS DE LA PAZ ROMAN** and others, in violation of Title 15, United States Code, Section 78dd-2(i).

PURPOSE OF THE CONSPIRACY

1. It was the purpose of the conspiracy for **JOSE LUIS DE LA PAZ ROMAN** and his co-conspirators to unlawfully enrich themselves by making corrupt payments to PetroEcuador officials in order to obtain and retain contracts from PetroEcuador.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which **JOSE LUIS DE LA PAZ ROMAN** and his co-conspirators sought to accomplish the objects and purpose of the conspiracy included, among other things, the following:

2. **JOSE LUIS DE LA PAZ ROMAN**, together with others, discussed in person and through electronic communications (a) the need to make bribe payments to officials of Empresa Pública de Hidrocarburos del Ecuador (“PetroEcuador”), the state-owned and state-controlled oil company in Ecuador, in order to obtain and retain business from PetroEcuador; and (b) the structure of payments from and to bank accounts in the Southern District of Florida in order to conceal the source and destination of the funds.

3. **JOSE LUIS DE LA PAZ ROMAN**, together with others, caused wire transfers to be made into U.S.-based bank accounts for the ultimate benefit of PetroEcuador officials.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish the purpose and objects thereof, **JOSE LUIS DE LA PAZ ROMAN** and his co-conspirators committed and caused to be committed, in the Southern District of Florida, and elsewhere, at least one of the following overt acts, among others:

4. On or about February 13, 2013, **JOSE LUIS DE LA PAZ ROMAN** caused a U.S.-based company over which he had control to wire \$1,314,733 from a bank account in the Southern

District of Florida to a company with a bank account in the Southern District of Florida for the benefit of a PetroEcuador official.

5. Also on or about February 13, 2013, **JOSE LUIS DE LA PAZ ROMAN** caused a U.S.-based company over which he had control to wire \$1,314,733 from a bank account in the Southern District of Florida to a company with a bank account in the Southern District of Florida for the benefit of a PetroEcuador official.

6. Also on or about February 13, 2013, **JOSE LUIS DE LA PAZ ROMAN** caused a U.S.-based company over which he had control to wire \$2,000,000 from a bank account in the Southern District of Florida to a company with a bank account in the Southern District of Florida for the benefit of a PetroEcuador official.

7. On or about December 9, 2015, **JOSE LUIS DE LA PAZ ROMAN** caused a U.S.-based company over which he had control to wire \$900,000 from its bank account in the Southern District of Florida to the bank account of a real estate closing company in the Southern District of Florida for the benefit of a PetroEcuador official.

8. On or about December 18, 2015, **JOSE LUIS DE LA PAZ ROMAN** caused a U.S.-based company over which he had control to wire \$1,500,000 from its bank account in the Southern District of Florida to the bank account of a real estate closing company in the Southern District of Florida for the benefit of a PetroEcuador official.

9. On or about January 8, 2016, **JOSE LUIS DE LA PAZ ROMAN** caused a U.S.-based company over which he had control to wire \$1,025,000 from its bank account in the Southern District of Florida to the bank account of a real estate IOTA trust account in the Southern District of Florida for the benefit of a PetroEcuador official.

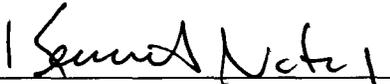
All in violation of Title 18, United States Code, Section 371.

FORFEITURE
(18 U.S.C. § 981(a)(1)(C))

1. The allegations contained in this Information are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of certain property in which the defendant, **JOSE LUIS DE LA PAZ ROMAN**, has an interest.

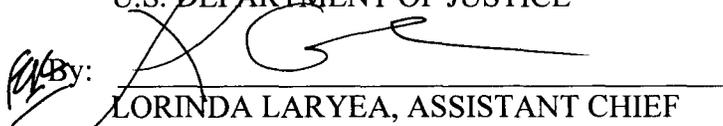
2. Upon conviction of a conspiracy to commit a felony violation of the Foreign Corrupt Practices Act, Title 15, United States Code, Section 78dd-2, as alleged in this Information, the defendant shall forfeit to the United States all property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C), which is made criminally applicable by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

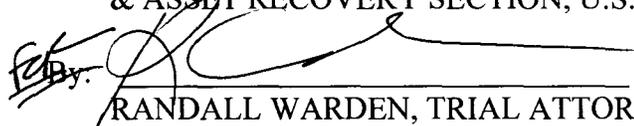

ARIANA FAJARDO ORSHAN
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

JOSE LUIS DE LA PAZ ROMAN

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

_____ Defendant. /

Court Division: (Select One)

Miami Key West
 FTL WPB FTP

New defendant(s) Yes No
Number of new defendants _____
Total number of counts _____

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
- Interpreter: (Yes or No) Yes
List language and/or dialect SPANISH
- This case will take 0 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)

I 0 to 5 days
 II 6 to 10 days _____
 III 11 to 20 days _____
 IV 21 to 60 days _____
 V 61 days and over _____

(Check only one)

Petty _____
 Minor _____
 Misdem. _____
 Felony

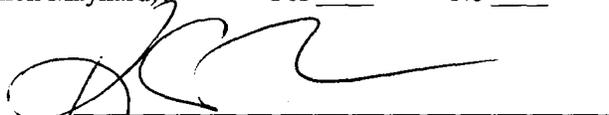
6. Has this case previously been filed in this District Court? (Yes or No) No
 If yes: Judge Case No. _____
 (Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No
 If yes: Magistrate Case No. _____
 Related miscellaneous numbers: _____
 Defendant(s) in federal custody as of _____
 Defendant(s) in state custody as of _____
 Rule 20 from the District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? Yes No

8. Does this case originate from a matter pending in the Northern Region U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? Yes No



KAREN E. ROCHLIN
 ASSISTANT UNITED STATES ATTORNEY
 Court ID No. A5500050

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JOSE DE LA PAZ ROMAN _____

Case No: _____

Count #: 1

Conspiracy to Commit an Offense Against the United States

Title 18, United States Code, Section 371

*** Max. Penalty:** Five (5) years' imprisonment

Count #: 2

***Max. Penalty:** _____

Count #: 3

***Max. Penalty:** _____

Count #: 4

***Max. Penalty:** _____

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

