

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
- v. -	:	18-CR-253 (DLI)
	:	
SOCIÉTÉ GÉNÉRALE S.A.,	:	
	:	
Defendant.	:	
-----X	:	

**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 Société Générale S.A. (the “Company”). In support of this motion, the Government states as follows:

1. On June 5, 2018, the Government filed a two-count criminal Information charging the Company with two counts of conspiracy to commit offenses 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, Sections 78dd-2 and 78dd-3, and to transmit false commodity reports related to the London Interbank Offer Rate (“LIBOR”), in violation of Title 7, United States Code, Section 13(a)(2). See ECF Dkt. No. 4 (the “Information”).

2. On June 5, 2018, the Government also entered into a deferred prosecution agreement (“DPA”) with the Company, in which the Government deferred prosecution of the Company for a period of three years. Among other obligations, the DPA required the Company to cooperate with the Government’s investigation and to implement an enhanced compliance program. The Company was also required to pay a criminal monetary penalty of \$585,552,888 to

resolve the FCPA misconduct. The Government agreed to credit up to \$292,776,444 that the Company was required to pay the Parquet National Financier (“PNF”) to resolve the Company’s criminal liability in France in connection with the foreign bribery scheme. The Company was also required to pay a criminal monetary penalty of \$275,000,000 to resolve the LIBOR-related misconduct.

3. The DPA provided that the Government would not continue the criminal prosecution against the Company and would move to dismiss the Information within six months of the expiration of the DPA if the Company fully complied with all of its obligations, including its obligations to implement a compliance program reasonably designed and implemented to prevent and detect violations of the FCPA and other applicable anti-corruption laws and commodities laws. See DPA ¶¶ 12, 15.

4. On June 4, 2021, the Company’s Chief Executive Officer and Chief Financial Officer certified to the Government that the Company has met its disclosure obligations pursuant to paragraph 6 of the DPA.

5. The DPA expired on or about June 5, 2021.

6. Based on the information known to the Government, the Company has fully met the obligations under the DPA, including full cooperation with the Government, and implementation of an enhanced compliance program. In addition, on June 15, 2018, the Company made timely payment of the \$292,776,444 criminal monetary penalty for the FCPA misconduct and the \$275,000,000 criminal monetary penalty for the LIBOR-related misconduct to the United States Treasury. The Company also made timely payment of \$292,776,444 to the PNF on or about June 21, 2018.

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

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

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Respectfully submitted,

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