

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

v.

ALFONSO A. RODRIGUEZ

) Criminal No. 83- 0044 JP

) Violation:

) [15 U.S.C. 78dd-1(a) (1)
) and (3): Bribery of
) Foreign Officials]

11 10:45 AM '93
U.S. DISTRICT COURT
SAN JUAN, P.R.

INFORMATION

The United States Attorney charges:

COUNT ONE

1. At various times material hereto, defendant ALFONSO A. RODRIGUEZ was president of Sam P. Wallace & Co. of P.R., Inc., president of Sam P. Wallace Overseas Corporation and executive vice-president and a director of Sam P. Wallace Company, Inc.

2. At all times material hereto, Sam P. Wallace Company, Inc. was a Texas corporation with principal offices in Dallas, Texas, and was engaged in, among other things, the business of mechanical and industrial contracting in the United States and overseas.

3. At all times material hereto, Sam P. Wallace & Co. of P.R., Inc. and Sam P. Wallace Overseas Corporation, wholly owned subsidiaries of Sam P. Wallace Company, Inc., were corporations licensed under the laws of the Commonwealth of Puerto Rico and the State of Texas, respectively, and were engaged in, among other things, the business of mechanical and industrial contracting in Puerto Rico and overseas.

REC'D 3/10	TO: JUDGE 3/10 69
BY JM	# 1

4. At all times material hereto, the Trinidad and Tobago Racing Authority was an agency of the government of the Republic of Trinidad and Tobago and was an instrumentality of the Trinidad and Tobago government as that term is used in 15 U.S.C. 78dd-1(a).

5. At all times material hereto, John H. O'Halloran was the chairman of the Trinidad and Tobago Racing Authority and was a foreign official as that term is defined in 15 U.S.C. 78dd-1(b).

6. At all times material hereto, Sam P. Wallace Company, Inc. had a class of securities registered pursuant to Section 12(g) of the Securities Exchange Act of 1934, 15 U.S.C. 781(g), and was an issuer as that term is used in 15 U.S.C. 78dd-1.

7. On or before January 14, 1980, defendant ALFONSO A. RODRIGUEZ agreed to pay to Chairman John H. O'Halloran a bribe in connection with the award to Sam P. Wallace Company, Inc. of a contract from the Trinidad and Tobago Racing Authority to construct the grandstand and receiving building portion of a proposed facility known as the Caroni Racetrack Project.

8. On May 5, 1980, Sam P. Wallace Company, Inc., through its subsidiary, Sam P. Wallace Overseas Corporation, entered into a contract with the Trinidad and Tobago Racing Authority to construct the grandstand and receiving building portion of the Caroni Racetrack Contract.

9. Between August 21, 1980 and March 3, 1981, defendant ALFONSO A. RODRIGUEZ caused the preparation of six checks, drawn on an account of the Sam P. Wallace & Co. of P.R., Inc., at the Royal Bank of Canada branch in Hato Rey, Puerto Rico, for the purpose of withdrawing funds of Sam P. Wallace & Co., of P.R., Inc. in the aggregate amount of \$1,391,000 in order to pay the agreed upon bribe to Chairman John H. O'Halloran. These checks, which bear the following numbers and which were drawn on the following dates and in the following specified amounts, were payable to the following entities:

<u>Date</u>	<u>Check No.</u>	<u>Amount</u>	<u>Entity</u>
8/21/80	44246	\$342,000	Caribbean Contracting Company
11/3/80	45400	\$275,000	Atlantic Supply Company
11/20/80	45706	\$305,000	B.J. Pyron & Company, Inc.
1/2/81	46361	\$175,000	Atlantic Supply Company
1/27/81	46770	\$205,000	B.J. Pyron & Company, Inc.
3/3/81	47434	\$ 89,000	B.J. Pyron & Company, Inc.

10. On or about the following specified dates, in the District of Puerto Rico, defendant ALFONSO A. RODRIGUEZ, aided and abetted by others, used, and caused to be used, means and instrumentalities of interstate commerce, that is, interstate and foreign bank processing channels, to transfer for collection the following specified checks of Sam P. Wallace & Co. of P.R., Inc., between the specified venues, corruptly in furtherance of an offer, payment, promise to pay and authorization of the payment of money to:

(a) a foreign official, that is John H. O'Halloran; and

(b) persons, that is Caribbean Contracting Company, Atlantic Supply Company or B.J. Pyron & Co., Inc., while knowing that all or a portion of such money would be offered, given, promised, directly or indirectly to foreign official John H. O'Halloran, for the purpose of influencing the acts and decisions of John H. O'Halloran in his official capacity and inducing him to use his influence with the Trinidad and Tobago Racing Authority so as to affect and influence the acts and decisions of the Trinidad and Tobago Racing Authority in order to obtain and retain business for Sam P. Wallace Company, Inc. and its subsidiaries:

<u>Date</u>	<u>From</u>	<u>Destination</u>	<u>Check Amount</u>
9/8/80	Toronto, Canada	San Juan, Puerto Rico	\$342,000
11/25/80	Georgetown, Grand Cayman	San Juan, Puerto Rico	\$275,000
12/9/80	Panama City, Panama	San Juan, Puerto Rico	\$305,000
2/23/81	Georgetown, Grand Cayman	New York, New York	\$175,000
2/10/81	Panama City, Panama	San Juan, Puerto Rico	\$205,000
3/30/81	Panama City, Panama	San Juan, Puerto Rico	\$ 89,000

All in violation of Title 15, United States Code, Section 78dd-1(a) (1) and (3) and Title 15, United States Code, Section 78ff(c) (2).

use [Signature] AUSA for
UNITED STATES ATTORNEY

Peter B. Clark
PETER B. CLARK
United States Department of Justice
Fraud Section
Criminal Division

Michael L. Fayad
MICHAEL L. FAYAD
United States Department of Justice
Fraud Section
Criminal Division