

Release 85-02 was a press release concerning the *W.S. Kirkpatrick* case.



Department of Justice

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The Department of Justice announced today it has charged W. S. Kirkpatrick, Inc., an avionics supply firm in Fairfield, New Jersey, with paying a Nigerian national \$580,973 to obtain a \$10.8 million dollar contract from the Nigerian government, in violation of the Foreign Corrupt Practices Act.

The company immediately entered a plea of guilty to the charge, which was contained in a one-count criminal information filed Tuesday by the government in U.S. District Court in Newark, N.J.

According to the information and an offer of proof that was also filed, Harry G. Carpenter, at that time chairman of the board of directors and chief executive officer of Kirkpatrick, learned in February 1981 that the government of Nigeria was interested in obtaining bids on a contract to purchase ejection seat trainers, disorientation simulators and other devices for an aeromedical center at Kaduna Air Force Base in Nigeria.

Carpenter contacted Benson "Tunde" Akindele, a Nigerian National and entrepreneur, the information said. Akindele told Carpenter that he needed a 20 per cent commission on the sale in order to help Kirkpatrick win the contract, the court papers said.

(MORE)

In September 1981, according to the court papers, Akindele told Carpenter that the commission would be divided as follows:

- 2.5 per cent for Akindele,
- 5 per cent for the Air Force,
- 2.5 per cent for a group of Nigerian medical officers,
- 5 per cent for the National Party of Nigeria,
- 2.5 per cent for the Defense Minister,
- 2.5 per cent for other key defense personnel.

Kirkpatrick was awarded the \$10.8 million dollar contract and illegally paid Akindele approximately \$1.7 million dollars, in violation of the Foreign Corrupt Practices Act, court papers said.

The company's guilty plea was the result of a one-year investigative effort directed by Steven M. Levy of the Criminal Division's Fraud Section in conjunction with the U.S. Attorney's Office in Newark, New Jersey, the United States Custom Service, and the Federal Bureau of Investigation.

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