

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**ORIGINAL**

- - - - - x

UNITED STATES OF AMERICA :

- v. - :

**INDICTMENT**

FRÉDÉRIC CILINS, :  
a/k/a "Frédéric François :  
Marcel Cilins," :

**S1 13 Cr. 315 (WHP)**

Defendant. :

- - - - - x

COUNT ONE

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/18/14

The Grand Jury charges:

The Scheme To Obstruct Justice

1. From at least in or about 2012, up to and including in or about April 2013, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, and others, sought to obstruct the investigation of allegations that a business entity based outside the United States that is engaged in the mining industry had paid bribes to obtain a valuable mining concession in Guinea's Simandou region.

2. As part of this scheme, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," and others, agreed to direct a cooperating witness (the "CW") to destroy, and to provide to Cilins for destruction, documents relating to the allegations concerning mining concessions in the Simandou region of Guinea, and provided

to the CW for the CW to sign, a document containing false statements relating to these allegations.

Statutory Allegation

3. From at least in or about 2012, up to and including in or about April 2013, in the Southern District of New York and elsewhere, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Section 1519 of Title 18 of the United States Code.

4. It was a part and an object of the conspiracy that, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, would and did willfully and knowingly alter, destroy, mutilate, conceal, cover up, falsify, and make false entries in records, documents, and tangible objects, with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of a department and agency of the United States, namely the United States Department of Justice, and in relation to and in contemplation of such a matter, in violation of Section 1519 of Title 18 of the United States Code.

Overt Acts

5. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about 2012, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, attended a meeting during which he discussed his desire to have the CW sign a document containing false statements about the CW's relationship with a company affiliated with a co-conspirator not named herein ("CC-1") relating to a matter within the jurisdiction of the United States Department of Justice, namely, the allegations concerning mining concessions in the Simandou region of Guinea. During that meeting, Cilins also said that CC-1 would pay for the CW to sign the document containing false statements about the CW's relationship with a company affiliated with CC-1.

b. On or about March 15, 2013, CILINS spoke by phone with the CW, who was located in New York, New York, to arrange a meeting to discuss the payment of money to the CW in exchange for the destruction of certain documents, including documents related to the allegations concerning mining concessions in the Simandou region of Guinea.

c. On or about March 16, 2013, CILINS spoke again by phone with the CW, who was located in New York, New York, to arrange

a meeting to discuss the payment of money to the CW in exchange for the destruction of certain documents, including documents related to the allegations concerning mining concessions in the Simandou region of Guinea.

d. On or about April 11, 2013, CILINS met with the CW in Jacksonville, Florida to discuss the destruction of certain documents, including documents related to the allegations concerning mining concessions in the Simandou region of Guinea, that were sought by the Federal Bureau of Investigation ("FBI"), an agency within the United States Department of Justice.

e. On or about April 11, 2013, CILINS provided an attestation to the CW for the CW to sign containing false statements about the CW's relationship with a company affiliated with CC-1.

f. On or about April 11, 2013, CILINS told the CW that he would destroy certain documents, including documents related to the allegations concerning mining concessions in the Simandou region of Guinea sought by special agents of the FBI.

g. On or about April 11, 2013, CILINS told the CW that CC-1 told CILINS to destroy documents in the possession of the CW, including documents related to the allegations concerning mining concessions in the Simandou region of Guinea, and to report back to CC-1 that CILINS had witnessed the destruction of those documents.

h. On or about April 13, 2013, a co-conspirator not named herein ("CC-2") sent an e-mail to CILINS suggesting an edit to an attestation for the CW to sign containing false statements about the CW's relationship with a company affiliated with CC-1.

(Title 18, United States Code, Section 371.)

COUNT TWO

The Grand Jury further charges:

6. In or about April 2013, in the Southern District of New York and elsewhere, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, did knowingly use intimidation, threaten, and corruptly persuade a person, and attempt to do so, and engage in misleading conduct toward another person with the intent to influence, delay, and prevent the testimony of a person in an official proceeding, to wit, CILINS offered money and airfare to persuade the CW to leave the United States to avoid testifying before a grand jury in the Southern District of New York.

(Title 18, United States Code, Sections 1512(b)(1) and 2.)

COUNT THREE

The Grand Jury further charges:

7. In or about April 2013, in the Southern District of New York and elsewhere, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, did knowingly use intimidation, threaten, and corruptly persuade a person, and attempt to do so, and

engage in misleading conduct toward another person, with the intent to cause and induce a person to alter, destroy, mutilate, and conceal an object with the intent to impair the object's integrity and availability for use in an official proceeding, to wit, CILINS attempted to persuade the CW to destroy, and to provide to CILINS for destruction, documents, including documents related to the allegations concerning mining concessions in the Simandou region of Guinea, that were to be produced before a grand jury in the Southern District of New York.

(Title 18, United States Code, Sections 1512(b)(2)(B) and 2.)

COUNT FOUR

The Grand Jury further charges:

8. From at least in or about March 2013 through in or about April 2013, in the Southern District of New York and elsewhere, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, did knowingly use intimidation, threaten, and corruptly persuade a person, and attempt to do so, and engage in misleading conduct toward another person, with the intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission and possible commission of a Federal offense, to wit, CILINS attempted to persuade the CW to (i) destroy, and to provide to CILINS for destruction, certain documents containing information relating to the commission

and possible commission of a Federal offense; (ii) sign a document containing false statements relating to the commission and possible commission of a Federal offense; and (iii) leave the United States for the purpose of avoiding questioning by special agents of the FBI relating to the commission and possible commission of a Federal offense.

(Title 18, United States Code, Sections 1512(b)(3) and 2.)

COUNT FIVE

The Grand Jury further charges:

9. In or about April 2013, in the Southern District of New York and elsewhere, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, did corruptly alter, destroy, mutilate, and conceal a record, document, and other object, and did attempt to do so, with the intent to impair the integrity and availability of such record, document, and other object for use in an official proceeding, to wit, CILINS attempted to destroy and to cause the destruction of documents that were to be produced before a grand jury in the Southern District of New York.

(Title 18, United States Code, Sections 1512(c)(1) and 2.)

COUNT SIX

The Grand Jury further charges:

10. From at least in or about March 2013 through in or about April 2013, in the Southern District of New York and elsewhere,

FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, did willfully and knowingly alter, destroy, mutilate, conceal, cover up, falsify, and make false entries in records, documents, and tangible objects, with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of a department and agency of the United States, namely the United States Department of Justice, and in relation to and in contemplation of such matter, to wit, CILINS (i) directed the CW to destroy, and to provide to CILINS for destruction, documents relating to the allegations concerning mining concessions in the Simandou region of Guinea; and (ii) provided the CW an attestation for the CW to sign containing false statements about the CW's relationship with a company affiliated with CC-1 relating to the allegations concerning mining concessions in the Simandou region of Guinea.

(Title 18, United States Code, Sections 1519 and 2.)

FORFEITURE ALLEGATION

11. As a result of committing the offenses alleged in Counts Two through Five of this Indictment, FRÉDÉRIC CILINS, a/k/a "Frédéric François Marcel Cilins," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from



proceeds traceable to the commission of these offenses, including but not limited to a sum of United States currency representing the amount of proceeds obtained as a result of the offenses.

12. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;


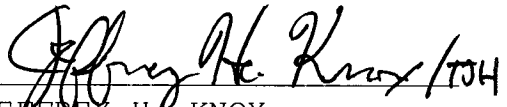
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p),

to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;  
Title 21, United States Code, Section 853(p); and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON  
PREET BHARARA  
United States Attorney  
JEFFREY H. KNOX  
Chief, Fraud Section  
Criminal Division  
U.S. Department of Justice

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

FRÉDÉRIC CILINS,  
a/k/a "Frédéric François  
Marcel Cilins,"

Defendant.

---

INDICTMENT

S1 13 Cr. 315 (WHP)

(Title 18, United States Code,  
Sections 371, 981, 1512(b)(1),  
1512(b)(2)(B), 1512(b)(3); 1512(c)(1),  
1519 & 2; Title 21, United States Code,  
Section 853(p); Title 28, United States  
Code, Section 2461.)

PREET BHARARA

United States Attorney.

JEFFREY H. KNOX

Chief, Fraud Section, Criminal Division.

**A TRUE BILL**

Foreperson.

---

2/18/14  
cc

Filed superseding indictment

Judge Gorenstein  
(JMG)