

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 13-  
 :  
 : 18 U.S.C. § 287  
 v. : 22 U.S.C. § 2778  
 : 18 U.S.C. § 981(a)(1)(C)  
 ROBERT LUBA : 28 U.S.C. § 2461  
 :  
 : INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE

(False Claim)

On or about April 23, 2012, in Sussex County, in the District of New Jersey and elsewhere, the defendant,  
  
ROBERT LUBA,  
  
made and presented to the U.S. Department of Defense a claim upon and against the Defense Logistics Agency ("DLA") Aviation, a component of the U.S. Department of Defense, that is, causing to be forwarded to DLA Aviation a quantity of "wing pins" for use in the F-15 combat aircraft under the government contract ending -FQ52 awarded on or about February 16, 2012 on the basis of a bid stating that the product would be manufactured in the United States, knowing that the claim was false, fictitious, and

fraudulent because the wing pins were manufactured entirely in  
India.

In violation of Title 18, United States Code, Section  
287.

COUNT TWO

(Arms Export Control Act)

On or about June 26, 2012, in Sussex County, in the District of New Jersey, and elsewhere, the defendant,

ROBERT LUBA,

knowingly and willfully exported and caused to be exported from the United States to India a defense article, that is, the technical drawing for the NSSN Class Submarine, Torpedo Tube, Open Breech Door, Gagging Collar A, Drawing Number 7072856, which was designated as a defense article on the United States Munitions List, without having first obtained from the Department of State a license for such export or written authorization for such export.

In violation of Title 22, United States Code, Sections 2778(b)(2) and 2778(c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, and 127.1.

FORFEITURE ALLEGATION

1. The allegations contained in all paragraphs of Count Two of this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant that, upon conviction of the offense charged in Count Two of this Information, the government will seek forfeiture, in accordance with Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 22, United States Code, Section 2778, alleged in Count Two of this Information, including but not limited to a sum of money equal to at least \$11,208.94 in United States currency.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- 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,  
the United States of America will be entitled to forfeiture of  
substitute property up to the value of the property described  
above in paragraph 2, pursuant to Title 21, United States Code,  
Section 853(p), as incorporated by Title 28, United States Code,  
Section 2461(c).



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PAUL J. FISHMAN

United States Attorney

CASE NUMBER: 13-

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

v.

ROBERT LUBA

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INFORMATION FOR

18 U.S.C. § 287  
22 U.S.C. § 2778  
18 U.S.C. § 981(a)(1)(C)  
28 U.S.C. § 2461

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**PAUL J. FISHMAN**

U.S. ATTORNEY  
NEWARK, NEW JERSEY

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JOHN E. CLABBY  
ASSISTANT U.S. ATTORNEY  
TRENTON, NEW JERSEY  
609-989-2190

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