

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Criminal No. 13-  
: :  
v. : 15 U.S.C. §§ 78j(b) and 78ff  
: 17 C.F.R. § 240.10b-5  
: :  
ROBERT RAMNARINE :  
:

**INFORMATION**

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

**COUNT ONE**

**(Securities Fraud)**

**Relevant Entities and Individuals**

1. At all times relevant to this Information:

a. Bristol-Myers Squibb Company or “BMS” was a global pharmaceuticals company with offices in Princeton, New Jersey, Plainsboro Township, New Jersey, and New Brunswick, New Jersey, among other locations. BMS’s stock was registered with the U.S. Securities and Exchange Commission, and traded on the New York Stock Exchange under the ticker symbol “BMY.”

b. Defendant ROBERT RAMNARINE, a resident of East Brunswick, New Jersey, was employed by BMS beginning in or about December 1997. From at least in or around March 2008 to August 2012, defendant RAMNARINE was a high-level executive at BMS, and was involved in evaluating potential BMS acquisition targets, including publicly traded

companies. As such, he was privy to inside company information concerning such transactions, as well as inside company information of BMS's acquisition targets, namely the fact that the targets were looking to be acquired. Defendant RAMNARINE had a duty not to disclose confidential information and material, nonpublic information he learned through his employment with BMS, or to use such information for his personal benefit or the benefit of others.

c. Amylin Pharmaceuticals, Inc. ("Amylin") was a pharmaceuticals company based in San Diego, California, and was engaged in the business of developing, manufacturing and marketing drugs for the treatment of diabetes, obesity, and other conditions. Amylin's stock was registered with the U.S. Securities and Exchange Commission, and was listed on the NASDAQ stock exchange under the ticker symbol "AMLN."

### **The Insider Trading Scheme**

2. From in or about May 24, 2012 through in or about July 2, 2012, in the district of New Jersey and elsewhere, defendant

ROBERT RAMNARINE

did knowingly and willfully, directly and indirectly, by the use of the means and instrumentalities or interstate commerce, and of the mails and of the facilities of national securities exchanges, in connection with the purchase and sale of securities, use and employ manipulative and deceptive devices and contrivances, in contravention of Title 17, Code of Federal Regulations, Section 240.10b-5, by (a) employing devices, schemes and artifices to defraud members of the investing public; (b) making untrue statements of material facts and omitting to state material facts necessary in order to make the states made, in the light of the circumstances under which they were made, not misleading; and (c) engaging in acts, practices, and a course of business which operated and would operate as a fraud and deceit upon persons,

in that defendant RAMNARINE executed and caused the execution of the securities transaction listed below based upon material, nonpublic information that defendant RAMNARINE obtained through his employment at BMS.

**The Object of the Insider Trading Scheme**

3. It was the object of the insider trading scheme for defendant RAMNARINE to enrich himself by purchasing options in the stock of Amylin while in possession of material, nonpublic information (“Inside Information”), and selling those options following the public announcement of BMS’s acquisition of Amylin for a profit.

**Manner and Means of the Insider Trading Scheme**

4. It was part of the insider trading scheme that defendant RAMNARINE misappropriated Inside Information in violation of: (1) the fiduciary and other duties of trust and confidence owed to BMS; (2) the expectations of confidentiality of BMS; and (3) BMS’s written policies and procedures regarding the use and safekeeping of confidential and material, nonpublic information.

5. It was further part of the insider trading scheme that defendant RAMNARINE, while in possession of the Inside Information, purchased and sold securities based on such information and thereby received illegal profits of more than \$311,361.

6. For example, it was part of the insider trading scheme that, between in or about April 2012 and in or about May 2012, defendant RAMNARINE, by virtue of his position at BMS, came into Inside Information concerning BMS’s investigation of Amylin as a potential acquisition target.

7. It was further part of the insider trading scheme that, between on or about May 24, 2012 and on or about June 29, 2012, on the basis of the Inside Information he learned

concerning BMS's acquisition of Amylin, defendant RAMNARINE purchased approximately 710 put options and 130 call options in Amylin stock.

8. On or about June 29, 2012, BMS publicly announced that it had entered into an agreement with Amylin to acquire the company for approximately \$7 billion, or approximately \$31 per share, in cash. The purchase price represented an approximately 10% premium over Amylin's closing price on or about June 29, 2012.

9. Following the public announcement of BMS's acquisition of Amylin, defendant RAMNARINE sold all of the Amylin options he had purchased between on or about May 24, 2012 and on or about June 29, 2012, earning illicit profits of approximately \$55,784.

In violation of Title 15, United States Code, Sections 78j(b) and 78ff; and Title 17, Code of Federal Regulations, Section 240.10b-5.

## FORFEITURE ALLEGATION

1. The allegations contained in this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant, that upon his conviction of the offense charged in this Information, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which requires any person convicted of such offense to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense.

3. 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 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 divided

without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek

forfeiture of any other property of such defendant up to the value of the forfeitable property described in paragraph 2.

A handwritten signature in blue ink, appearing to read "Paul J. Fishman", written over a horizontal line.

PAUL J. FISHMAN  
United States Attorney

**CASE NUMBER: 13-**

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**United States District Court  
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**UNITED STATES OF AMERICA**

**v.**

**ROBERT RAMNARINE**

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**INFORMATION FOR**

**15 U.S.C. §§ 78j(b) and 78ff  
17 C.F.R. § 240.10b-5**

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**PAUL J. FISHMAN**

*UNITED STATES ATTORNEY, NEWARK, NEW JERSEY*

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