



U.S. Department of Justice
United States Attorney
District of New Jersey

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Newark, New Jersey 07102

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January 5, 2018

William T. Walsh, Clerk
U.S. District Court
Martin Luther King, Jr. Building
50 Walnut Street
Newark, NJ 07102

Re: Request for Case Assignment

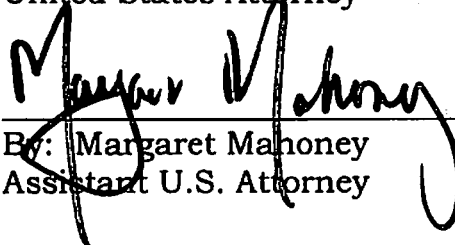
Dear Mr. Walsh:

Please accept this letter as a request that the matter of United States v. Irene Pombo be assigned to a district judge. Copies of the proposed Information and a cover sheet are enclosed. Please be advised that this matter is directly related to United States v. Nicole Pier. Ms. Pier is also entering a guilty plea to an Information and the paperwork for that matter was recently submitted to you.

Thank you.

Very truly yours,

Craig Carpenito
United States Attorney


By: Margaret Mahoney
Assistant U.S. Attorney

Enc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Criminal Number: 18-
IRENE POMBO : 18 U.S.C. § 371

INFORMATION

(Conspiracy to Defraud the United States)

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

Introduction

1. At various times relevant to this Information:

The Defendant and Other Parties

- a. Picatinny Arsenal ("PICA") was a United States Army installation located in Morris County, New Jersey. PICA's Research, Development, Engineering Command conducted research, development, acquisition and lifecycle management of advanced conventional weapons systems and advanced ammunitions. PICA provided products and services to all branches of the United States military.

- b. Company A was headquartered in Arlington, Virginia and had a branch office in Lake Hopatcong, New Jersey. Company A was a privately held company that had contracts with the United States Department of Defense ("DoD") and specialized in advanced engineering, advanced analytics,

management consulting and IT services, including cyber security. Company A's New Jersey branch office had numerous, multi-million dollar government contracts originating out of PICA and, in that capacity, it provided support for the PICA contracts and had employees working as contractors on PICA.

c. Defendant Irene POMBO (hereinafter "POMBO"), was a resident of New Jersey. POMBO was a Senior Program manager for Company A and had direct contact with Government employees at PICA. POMBO was a point of contact at Company A for CC-3, CC-2 and CC-1.

d. Co-conspirator-1 ("CC-1") not named as a defendant herein, was a resident of New Jersey. Co-conspirator CC-1 was most recently a civilian rehired annuitant at PICA serving as a Senior Products Manager for advanced weapons. Prior to his retirement and becoming a rehired annuitant, CC-1 was employed at PICA for over 30 years. Immediately prior to retiring, CC-1 held the position of Senior Associate for advanced weapons. As the senior associate for advanced weapons, he worked on and supervised contract projects with Company A. In that capacity, he had influence over the awarding of government contracts to Company A, and influenced how the money allocated to Company A's contracts was spent. In addition, he influenced the funding for Company A's projects and he had influence over whether or not Company A would be awarded future government contracts.

e. Co-conspirator ("CC-2") not named as a defendant herein, was a resident of New Jersey. CC-2 was employed by the United States Army

as a civilian employee and was assigned as a General Engineer at PICA in the Weapons and Software Engineering Center, Tactical Effects, Protection and Interactive Technologies Directorate. In addition to his duties as a General Engineer, CC-2 was a Contracting Officer's Representative ("C.O.R."). As a C.O.R., CC-2 was authorized by the United States Army to act as its representative on contracts made with federal contracting companies, such as Company A. As a C.O.R., CC-2 had the responsibility/authority to monitor all aspects of the day-to-day administration of his contracts, to include but not limited to, the ordering of "materials" needed to accomplish the goals of the contract. As the C.O.R. for Company A, CC-2 was also responsible for the evaluation of Company A's work and had influence over the granting of additional future contracts to Company A. CC-2 and CC-3 worked together on Company A's contracts during the time of the alleged conspiracy.

f. Co-conspirator ("CC-3") not named as a defendant herein, was a resident of New Jersey. CC-3 was employed by the United States Army as a civilian employee and was an Acquisition Analyst and a Contracting Officer's Representative ("C.O.R.") at PICA's Weapons and Software Engineering Center, Tactical Effects, Protection and Interactive Technologies Directorate. As a C.O.R., CC-3 was authorized by the United States Army to act as its representative on contracts made with federal contracting companies, such as Company A. As a C.O.R., CC-3 had the responsibility/authority to monitor all aspects of the day-to-day administration of her contracts, to include but not

limited to, the ordering of “materials” needed to accomplish the goals of the contract. CC-3 worked directly with CC-2 and had the responsibility/authority to monitor all aspects of the day-to-day administration of CC-2’s assigned contracts to include contracts with Company A.

The Conspiracy

2. From in or about January 2006 through in or about December 2017, in Morris County, in the District of New Jersey and elsewhere, defendant

IRENE POMBO

did knowingly and intentionally combine, conspire, and agree with others, both known and unknown, to commit one or more of the following offenses against the United States, that is:

- a. directly or indirectly give, offer, or promise a thing of value to a public official, former public official or person selected to be a public official for or because of an official act performed or to be performed by such public official, former public official or person selected to be a public official contrary to Title 18, United States Code, Section 201(c)(1)(A); and
- b. to make or present to a person or officer in the civil, military, or naval service of the United States, or to a department or agency thereof, a claim upon or against the United States, or a department or agency thereof, knowing such claim to be false, fictitious, or fraudulent, contrary to Title 18, United States Code, Section 287.

Objects of the Conspiracy

3. An object of the conspiracy was for Company A, through POMBO and its other Company A agents, to corruptly give, offer, and agree to give and offer items of value to individuals who work at PICA for or because of any official act performed or to be performed by the individuals who work at PICA in connection with Company A's Government contracts, subcontracts and task orders and for the PICA employees to enrich themselves by accepting items of value for or because of any official act performed or to be performed by the PICA employee in connection with Company A's Government contracts, subcontracts and task orders. It was also an object of the conspiracy for Company A and its agents to bill the United States Government for the items of value given to the PICA employees in furtherance of the alleged conspiracy by making or presenting claims upon or against the United States, knowing such claims to be false, fictitious or fraudulent.

Manner and Means of the Conspiracy

5. It was part of the conspiracy that PICA employees solicited and obtained, both directly and indirectly, for personal gain, items of value from Company A and its agents.

6. It was further part of the conspiracy that Company A and its agents directly or indirectly gave, offered, or promised items of value to PICA employees.

7. It was further part of the conspiracy that the PICA employees receiving items of value from Company A, provided official action on behalf of Company A

by providing favorable treatment to Company A in connection with United States Government contracts, subcontracts and task orders.

8. It was further part of the conspiracy that the PICA employees receiving items of value from Company A, provided official action on behalf of Company A by influencing or causing to be influenced other government officials to further Company A's efforts to obtain United States government contracts, subcontracts or task orders.

9. It was further part of the conspiracy that the PICA employees receiving items of value from Company A, provided advice to Company A on appropriate bid amounts for contracts and/or subcontracts proposals.

10. It was further part of the conspiracy that Company A billed the cost of the items of value given to the PICA employees to government contracts by falsely claiming the items of value given to the PICA employees were "materials" needed to complete the United States contract awarded to Company A.

11. It was further part of the conspiracy that Company A, through its agents, attempted to disguise the corrupt nature of the scheme by causing the creation of false business records.

Overt Acts

12. In furtherance of the conspiracy and to affect its objects, defendant POMBO and her co-conspirators, committed and caused to be committed the following overt acts within the District of New Jersey and elsewhere:

a. On or about January 14, 2015, POMBO sent an email using a Company A email account to CC-3's government email account informing CC-3 and CC-2 that: [1] there was money remaining on one of Company A's contracts with PICA; [2] the time period for them to use the money ended in two days; [3] and suggesting that CC-2 and CC-3 place any orders with her now.


b. As a result of the actions taken by POMBO described in paragraph 12.a above, later that day, on or about January 14, 2015, CC-3 and CC-2 directed POMBO to order approximately \$1,000.00 worth of luxury and electronic items. POMBO, CC-3 and CC-2 were aware that none of the items ordered were approved purchases for that government contract, but were instead items POMBO ordered on behalf of Company A for CC-3 and CC-2 were for their personal use.

c. On or about May 10, 2016, CC-2 and CC-3 sent an email from a government email account to POMBO's Company A work email account asking POMBO to purchase approximately \$4,400.00 worth of Apple products and to charge the Apple order against a military contract that developed and maintained the digital fire control systems for towed artillery digitization programs. POMBO, CC-3 and CC-2 were aware that none of the items ordered from Apple were approved for use on the government contract POMBO charged, but were instead Apple products POMBO ordered on behalf of Company A for CC-3 and CC-2 were for their personal use.

d. On or about June 20, 2016, CC-3 and CC-2 sent an email from a government email account to POMBO's Company A work email account asking

POMBO to order approximately \$1,000.00 worth of Apple products and to charge the Apple order against a government contract related to the research and development of anti-tank missiles. POMBO, CC-3 and CC-2 were aware that none of the items ordered from Apple were approved for use on the government contract POMBO charged, but were instead, the Apple products were for CC-3 and CC-2's personal use.

All in violation of Title 18, United States Code, Section 371.


CRAIG CARPENITO
United States Attorney
District of New Jersey

CASE NUMBER: 18-_____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

IRENE POMBO

INFORMATION FOR

Title 18, United States Code, Section 371

CRAIG CARPENITO

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