

JUSTICE NEWS

Department of Justice

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Tuesday, March 13, 2018

Transport Logistics International Inc. Agrees to Pay \$2 Million Penalty to Resolve Foreign Bribery Case

Transport Logistics International Inc. (TLI), a Maryland-based company that provides services for the transportation of nuclear materials to customers in the United States and abroad, agreed to resolve criminal charges in connection with a scheme that involved the bribery of an official at a subsidiary of Russia's State Atomic Energy Corporation and to pay a \$2 million criminal penalty. Three individuals have been charged for their alleged roles in the bribery scheme.

Acting Assistant Attorney General John P. Cronan of the Justice Department's Criminal Division, Acting U.S. Attorney Stephen M. Schenning of the District of Maryland, Principal Deputy Inspector General April G. Stephenson of the U.S. Department of Energy's Office of Inspector General (DOE-OIG) and Assistant Director in Charge Andrew W. Vale of the FBI's Washington, D.C. Field Office made the announcement.

TLI entered into a deferred prosecution agreement (DPA) with the Department in connection with a criminal information filed in the District of Maryland charging the company with conspiracy to violate the anti-bribery provisions of the Foreign Corrupt Practices Act (FCPA). In the DPA, TLI and the Department agreed that, because of the company's financial inability to pay the penalty calculated under the U.S. Sentencing Guidelines, the appropriate criminal penalty is \$2 million. As part of the agreement, TLI also committed to cooperate fully with the Department's ongoing investigation, and to continue to implement a compliance and ethics program designed to prevent and detect violations of the FCPA and other anti-corruption laws throughout its operations. In reaching the resolution with the Department, TLI received full credit for its substantial cooperation with the Department's investigation and for engaging in remedial measures, including terminating the employment of all employees engaged in the misconduct.

"Bribery of foreign officials not only distorts markets and undermines democratic institutions; it can also pervert the incentives of those who are in a position to safeguard the public, as it did in this case involving the transportation of nuclear material," said Acting Assistant Attorney General Cronan. "Today's resolution, along with the related charges against the corporate executives and the Russian official in this matter, underscore the Department's continued commitment to holding both companies and individuals accountable for their roles in corruption-related crimes and for breaching the public's trust."

"The Department of Energy remains committed to ensuring the integrity of our contractors and subcontractors, as well as providing the nation transparency, accountability, and security when it comes to safe and reliable transport of sensitive materials," said Principal Deputy Inspector General Stephenson. "We appreciate the efforts of the FBI, the Justice Department's FCPA Unit and the U.S. Attorney's Office in pursuing this matter and will continue to work collaboratively with them to aggressively investigate those who seek to defraud Department programs."

“Today’s charges reflect the determination and ability of the FBI to investigate and prosecute companies that engage in foreign corrupt business practices, regardless of how sophisticated or far-flung the scheme may be,” said Assistant Director in Charge Vale. “No entity is above the law and those that try to perpetrate a similar scheme will be pursued by the FBI.”

According to admissions and court documents, beginning in at least 2004 and continuing until at least 2014, TLI conspired with others to corruptly pay more than \$1.7 million to offshore bank accounts associated with shell companies, at the direction of, and for the benefit of, Vadim Mikerin, a Russian official at JSC Techsnabexport (TENEX), a subsidiary of Russia’s State Atomic Energy Corporation. The bribe payments were made to help TLI secure improper business advantages and obtain and retain business with TENEX. In order to effectuate and conceal the bribe payments, TLI executives and others caused fake invoices to be prepared, purportedly from TENEX to TLI, that described services that were never provided. TLI then wired payments for those purported services to shell companies in Latvia, Cyprus and Switzerland to further the bribery scheme.

On June 17, 2015, TLI co-president Daren Condrey pleaded guilty to conspiracy to violate the FCPA and commit wire fraud. On Aug. 31, 2015, Mikerin pleaded guilty to conspiracy to commit money laundering involving violations of the FCPA, and Mikerin was sentenced to 48 months in prison on Dec. 15, 2015. On Jan. 12, an 11-count indictment was unsealed against TLI co-president Mark Lambert, which charged Lambert with one count of conspiracy to violate the FCPA and to commit wire fraud, seven counts of violating the FCPA, two counts of wire fraud and one count of international promotion money laundering. The charges in the indictment are merely allegations, and the defendant is presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

The cases against TLI and Lambert are assigned to U.S. District Court Judge Theodore D. Chuang of the District of Maryland.

The case is being investigated by DOE-OIG and the FBI. Assistant Chiefs Ephraim Wernick and Christopher J. Cestaro and Trial Attorney Derek J. Ettinger of the Criminal Division’s Fraud Section, as well as Assistant U.S. Attorneys David I. Salem and Michael T. Packard of the District of Maryland, are prosecuting the case.

The Criminal Division’s Office of International Affairs provided significant assistance in this matter. The Department also thanks its law enforcement colleagues in Switzerland, Latvia and Cyprus for providing valuable assistance with the investigation and prosecution of the case.

The Criminal Division’s Fraud Section is responsible for investigating and prosecuting all FCPA matters. Additional information about the Justice Department’s FCPA enforcement efforts can be found at www.justice.gov/criminal/fraud/fcpa.

Attachment(s):

[Download Information](#)

[Download Deferred Prosecution Agreement](#)

[Download Statement of Facts](#)

[Download Certificate of Corporate Resolution](#)

[Download Corporate Compliance Program](#)

[Download Reporting Requirements](#)

Topic(s):

Foreign Corruption

Component(s):

Criminal Division

Criminal - Criminal Fraud Section

USAO - Maryland

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