

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 09-CR-206
	)	
v.	)	
	)	Count 1: 18 U.S.C. § 371
DINORAH COBOS,	)	[Conspiracy]
RAYMOND AZAR	)	
SIMA SALAZAR GROUP	)	
d/b/a SSG OFFSHORE PLC,	)	
d/b/a SSG,	)	Count 2:
d/b/a SALAZAR CO.,	)	18 U.S.C. § 201(b)(1)(A)
d/b/a SALAZARCO,	)	and (C)
d/b/a SIMA INTERNATIONAL,	)	[Bribery Of A Public
d/b/a PRO-SIMA,	)	Official]
d/b/a PRO-SIMA INTERNATIONAL,	)	
	)	
Defendants	)	
	)	

INDICTMENT

May 2009 Term at Alexandria

COUNT ONE  
(Conspiracy)

THE GRAND JURY CHARGES THAT:

At all times material to this Indictment:

I. INTRODUCTION

1. For the purposes of this Indictment, the "relevant period" is that period from approximately in or about December 2008 until in or about April 2009.

2. The United States Army Corps of Engineers ("USACE"), a direct reporting unit of the United States Army, a Department of Defense component, provides engineering, construction, real estate, stability operations, and environmental management

products and services for the Army, Air Force, other assigned U.S. Government agencies, and foreign governments. USACE has employees deployed and supporting the people and government of Afghanistan in the fields of military and civilian construction, restoration of electricity, and infrastructure revitalization.

3. SIMA SALAZAR GROUP, which also does business as SSG Offshore PLC, SSG, Salazar Co., Salazarco, Sima International, Pro-Sima, and Pro-Sima International (hereinafter, collectively "SSG"), is a Lebanese-based military contracting company doing business with the United States Department of Defense in Afghanistan and Iraq. To date, SSG has been awarded over \$50 million in reconstruction and supply contracts from USACE in the Afghanistan Engineering District ("AED"), Kabul, Afghanistan.

4. DINORAH COBOS is an American citizen who currently resides in Lebanon. During the relevant period, COBOS was employed by SSG as its Afghanistan Country Manager, where her duties included negotiating payments, known as Requests for Equitable Adjustment ("REAs"), for contracts that USACE sought to complete, modify, or terminate.

5. RAYMOND AZAR is a Lebanese citizen. During the relevant period, AZAR was employed by SSG and was COBOS's supervisor at SSG.

6. The offenses described in this Indictment began in Afghanistan, out of the jurisdiction of any particular State or

District. On April 8, 2009, DINORAH COBOS and RAYMOND AZAR were first brought, within the meaning of 18 U.S.C. § 3238, into the Eastern District of Virginia.

7. PERSON ONE is an office engineer for USACE in Afghanistan. PERSON ONE's duties included managing military contracts for goods and reconstruction services after the initial award of the contract and negotiating with contractors over payment for performance or nonperformance, including negotiating payments on REAs. In PERSON ONE's capacity as an office engineer for USACE, s/he is a public official within the meaning of 18 U.S.C. § 201.

8. Whenever in this Indictment reference is made to any act, deed, or transaction of any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or other representatives while they were actively engaged in the management, direction, control, or transaction of its business or affairs.

9. Various individuals not made defendants in this Indictment participated as co-conspirators in the offenses charged herein and performed acts and made statements in furtherance thereof.

II. THE CONSPIRACY AND ITS OBJECT

10. Beginning approximately in or about December 2008 and continuing until approximately in or about April 2009, in Afghanistan, the Eastern District of Virginia, and elsewhere, defendants,

DINORAH COBOS,  
RAYMOND AZAR,  
SSG,

and others known and unknown to the grand jury did knowingly and unlawfully combine, conspire, confederate, and agree to commit an offense against the United States, that is, bribery, by directly and indirectly, corruptly giving, offering, and promising a thing of value, namely, money, to a public official with intent to influence official acts and with intent to induce such public official to do and omit to do acts in violation of lawful duty, including facilitating, recommending, and obtaining approval from USACE to pay REAs submitted by SSG on USACE contracts, in violation of 18 U.S.C. § 201(b)(1)(A) and (C).

III. THE MANNER AND MEANS OF THE CONSPIRACY

11. It was part of the conspiracy that DINORAH COBOS, RAYMOND AZAR, SSG, and others would, among other things, agree to pay PERSON ONE a percentage of the total value of REAs submitted by SSG and approved for payment by USACE in return for PERSON ONE facilitating, recommending, and obtaining approval from USACE to pay those REAs submitted by SSG; submit REAs to USACE; and wire

and cause to be wired money into a bank account in Manassas, Virginia for the benefit of PERSON ONE.

IV. OVERT ACTS

In furtherance of the conspiracy and in order to accomplish its objects, the following overt acts, among others, were committed by defendants and others in Afghanistan, the Eastern District of Virginia, and elsewhere:

12. Between in or about December 2008 and February 2009, COBOS, AZAR, and SSG submitted to USACE REAs totaling at least approximately \$13 million in connection with USACE contracts.

13. On February 22, 2009, AZAR, COBOS, and PERSON ONE met at USACE offices at Camp Eggers, Afghanistan, in order to discuss REAs submitted by SSG to USACE.

14. On February 22, 2009, COBOS told PERSON ONE that SSG would pay PERSON ONE a percentage of the total value of SSG's REAs approved for payment by USACE.

15. On February 22, 2009, COBOS sent an email to PERSON ONE detailing, in code, graduated payments to PERSON ONE, based on the total value of SSG's REAs approved for payment by USACE.

16. On March 4, 2009, COBOS told PERSON ONE that the first payment from SSG would be 1% of an \$8.9 million REA that PERSON ONE told COBOS had been approved by USACE.

17. On March 10, 2009, an international wire transfer in the amount of at least \$16,947 was received into a SunTrust Bank

account in the Eastern District of Virginia that PERSON ONE had designated to receive payments from SSG.

18. On March 25, 2009, an international wire transfer in the amount of at least \$39,955 was received into a SunTrust Bank account in the Eastern District of Virginia that PERSON ONE had designated to receive payments from SSG.

19. On April 6, 2009, an international wire transfer in the amount of at least \$49,985 was received into a SunTrust Bank account in the Eastern District of Virginia that PERSON ONE had designated to receive payments from SSG.

(In violation of Title 18, United States Code, Section 371, and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238)

Count Two

(Bribery of a Public Official)

1. Paragraphs one through nineteen of Count One of this Indictment are hereby realleged and incorporated as though set forth in full herein.

2. Beginning approximately in or about December 2008 and continuing until in or about April 2009, in Afghanistan, the Eastern District of Virginia, and elsewhere, defendants,

DINORAH COBOS, and  
SSG

directly and indirectly, did corruptly give, offer, and promise something of value to a public official with intent to influence official acts and with intent to induce such public official to do and omit to do acts in violation of the lawful duty of such official; that is COBOS and SSG corruptly gave, offered, and promised money to a public official, PERSON ONE, with intent to influence official acts and with intent to induce such public official to do and omit to do acts in violation of lawful duty, including facilitating, recommending, and obtaining approval from USACE to pay REAs submitted by SSG on USACE contracts.

(In violation of Title 18, United States Code, Section 201(b)(1)(A) and (C), and pursuant to the extraterritorial venue provision, Title 18, United States Code, Section 3238)

Forfeiture

1. Pursuant to Federal Rule of Criminal Procedure 32.2(a), the defendants are hereby notified that, upon conviction of the offense in violation of 18 U.S.C. § 371, set forth in Count One of this Indictment, defendants DINORAH COBOS, RAYMOND AZAR, and SSG shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense; and upon conviction of the offense in violation of 18 U.S.C. § 201, set forth in Count Two of this Indictment, defendants DINORAH COBOS and SSG shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

2. If any of the property described above, as a result of any act or omission of the defendants: (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, the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

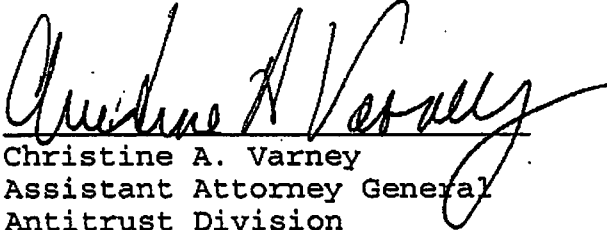


(All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c))

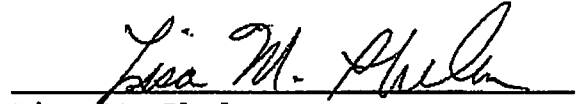
Pursuant to the E-Government Act, the original of this page has been filed under seal in the Clerk's Office.

A TRUE BILL:

FOREMAN



Christine A. Varney  
Assistant Attorney General  
Antitrust Division  
United States  
Department of Justice



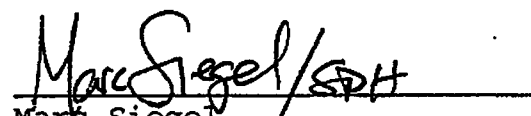
Lisa M. Phelan  
Chief, National Criminal  
Enforcement Section  
Antitrust Division  
United States  
Department of Justice



Scott D. Hammond  
Deputy Assistant Attorney General  
Antitrust Division  
United States  
Department of Justice

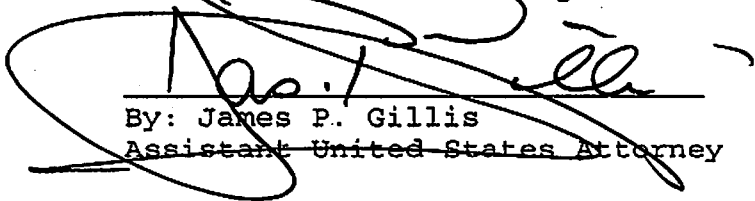


Mark W. Pletcher  
Finnuala M. Kelleher  
Jessica Covell  
Trial Attorneys  
National Criminal Enforcement  
Section  
Antitrust Division  
United States  
Department of Justice



Marc Siegel  
Director of Criminal Enforcement  
Antitrust Division  
United States  
Department of Justice

Dana J. Boente  
Acting United States Attorney for the  
Eastern District of Virginia



By: James P. Gillis  
Assistant United States Attorney

JS 45 (01/2008)

**Criminal Case Cover Sheet**

**U.S. District Court**

**Place of Offense:** Afghanistan **Under Seal:** Yes  No  **Judge Assigned:** GBL

**City:** \_\_\_\_\_ **Superseding Indictment:** \_\_\_\_\_ **Criminal Number:** 1:09CR2206

**County/Parish:** \_\_\_\_\_ **Same Defendant:**  **New Defendant:** \_\_\_\_\_

**Magistrate Judge Case Number:** 1:09MJ248 **Arraignment Date:** \_\_\_\_\_

**Search Warrant Case Number:** \_\_\_\_\_

**R 20/R 40 from District of:** \_\_\_\_\_

**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:**

**Juvenile --** Yes  No  **FBI #** 46A-WF-239655

**Defendant Name:** Dinorah Cobos Mastascuso **Alias Name(s)** Dinorah Cobos

**Address:** \_\_\_\_\_, United Arab Emirates

**Employment:** Afghanistan Country Manager, Sima Salazar Group

**Birth date:** \_\_\_\_\_/1957 **SS#:** \_\_\_\_\_-6306 **Sex:** F **Def Race:** Hispanic **Nationality:** United States **Place of Birth:** Honduras

**Height:** 5'5" **Weight:** \_\_\_\_\_ **Hair:** Brown **Eyes:** Brown **Scars/Tattoos:** \_\_\_\_\_

**Interpreter:**  No  Yes **List language and/or dialect:** \_\_\_\_\_ **Automobile Description:** \_\_\_\_\_

**Location Status:**

**Arrest Date:** 04-07-09

**Already in Federal Custody as of** 04-07-09 **in** Alexandria Detention Center

**Already in State Custody**  **On Pretrial Release**  **Not in Custody**

**Arrest Warrant Requested**  **Fugitive**  **Summons Requested**

**Arrest Warrant Pending**  **Detention Sought**  **Bond** \_\_\_\_\_

**Defense Counsel Information:**

**Name:** Roscoe Howard  **Court Appointed**  **Counsel conflicted out:** \_\_\_\_\_

**Address:** \_\_\_\_\_  **Retained** \_\_\_\_\_

**Telephone:** 202-274-2960  **Public Defender**  **Federal Public Defender's Office conflicted out:** \_\_\_\_\_

**U.S. Attorney Information:**

**AUSA:** James Gillis **Telephone No.:** 703-299-3897 **Bar #:** \_\_\_\_\_

**Complainant Agency, Address & Phone Number or Person & Title:**

FBI, SA Perry Goerish, 703-686-6165, 9325 Discovery Boulevard, Manassas, VA 20109

**U.S.C. Citations:**

	<u>Code/Section</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>	<u>Capital/Felony/Misd/Petty</u>
Set 1	<u>18 USC § 371</u>	<u>Conspiracy to Demand and Accept Bribes by US Government Employee</u>	<u>1</u>	<u>Felony</u>
Set 2	<u>18 USC § 201(b)(1)(A) and (C)</u>	<u>Bribery of a Public Official</u>	<u>2</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** April 30, 2009 **Signature of AUSA:** James Gillis / Steve Karnell

JS 45 (01/2008)

**Criminal Case Cover Sheet**

**U.S. District Court**

**Place of Offense:** Afghanistan **Under Seal:** Yes  No  **Judge Assigned:** GBL

City \_\_\_\_\_ **Superseding Indictment** \_\_\_\_\_ **Criminal Number:** 1:09cr2206

County/Parish \_\_\_\_\_ **Same Defendant**  **New Defendant** \_\_\_\_\_

**Magistrate Judge Case Number** 1:09MJ248 **Arraignment Date:** \_\_\_\_\_

**Search Warrant Case Number** \_\_\_\_\_

**R 20/R 40 from District of** \_\_\_\_\_

**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:**

**Juvenile --** Yes  No  **FBI #** 46A-WF-239655

**Defendant Name:** Raymond Azar **Alias Name(s)** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Employment:** Sima Salazar Group

**Birth date**     /64 **SS#**     -6306 **Sex** M **Def Race** \_\_\_\_\_ **Nationality** Lebanese **Place of Birth** Lebanon

**Height** \_\_\_\_\_ **Weight** \_\_\_\_\_ **Hair** Brown **Eyes** Brown **Scars/Tattoos** \_\_\_\_\_

**Interpreter:**  No  Yes **List language and/or dialect:** \_\_\_\_\_ **Automobile Description** \_\_\_\_\_

**Location Status:**

**Arrest Date** 04-07-09

**Already in Federal Custody as of** 04-07-09 **in** Alexandria Detention Center

**Already in State Custody**  **On Pretrial Release**  **Not in Custody**

**Arrest Warrant Requested**  **Fugitive**  **Summons Requested**

**Arrest Warrant Pending**  **Detention Sought**  **Bond** \_\_\_\_\_

**Defense Counsel Information:**

**Name:** Michael Elston  **Court Appointed**  **Counsel conflicted out:** \_\_\_\_\_

**Address:** \_\_\_\_\_  **Retained** \_\_\_\_\_

**Telephone:** 703-712-5366  **Public Defender**  **Federal Public Defender's Office conflicted out:** \_\_\_\_\_

**U.S. Attorney Information:**

**AUSA** James Gillis **Telephone No:** 703-299-3897 **Bar #** \_\_\_\_\_

**Complainant Agency, Address & Phone Number or Person & Title:**

FBI, SA Perry Goerish, 703-686-6165, 9325 Discovery Boulevard, Manassas, VA 20109

**U.S.C. Citations:**

	<u>Code/Section</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>	<u>Capital/Felony/Misd/Petty</u>
Set 1	<u>18 USC § 371</u>	<u>Conspiracy to Demand and Accept Bribes by US Government Employee</u>	<u>1</u>	<u>Felony</u>
Set 2	<u>18 USC § 201(b)(1)(A) and (c)</u>	<u>Bribery of a Public Official</u>	<u>2</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** April 30, 2009 **Signature of AUSA:** Jim Gillis / Steve Leonard

JS 45 (01/2008)

**Criminal Case Cover Sheet**

**U.S. District Court**

**Place of Offense:** Afghanistan **Under Seal:** Yes  No  **Judge Assigned:** GBL

**City:** \_\_\_\_\_ **Superseding Indictment:** \_\_\_\_\_ **Criminal Number:** 1:09CR206

**County/Parish:** \_\_\_\_\_ **Same Defendant:**  **New Defendant:** \_\_\_\_\_

**Magistrate Judge Case Number:** 1:09MJ248 **Arraignment Date:** \_\_\_\_\_

**Search Warrant Case Number:** \_\_\_\_\_

**R 20/R 40 from District of:** \_\_\_\_\_

**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:**

**Juvenile --** Yes  No  **FBI #:** 46A-WF-239655

**Defendant Name:** Sima Salazar Group **Alias Name(s):** Salazarco, Sima International, Pro-Sima, Pro-Sima International

**Address:** \_\_\_\_\_ Kabul, Afghanistan

**Employment:** Sima Salazar Group

**Birth date:** \_\_\_\_\_ **SS#:** \_\_\_\_\_ **Sex:** \_\_\_\_\_ **Def Race:** \_\_\_\_\_ **Nationality:** \_\_\_\_\_ **Place of Birth:** \_\_\_\_\_

**Height:** \_\_\_\_\_ **Weight:** \_\_\_\_\_ **Hair:** \_\_\_\_\_ **Eyes:** \_\_\_\_\_ **Scars/Tattoos:** \_\_\_\_\_

**Interpreter:**  No  Yes **List language and/or dialect:** \_\_\_\_\_ **Automobile Description:** \_\_\_\_\_

**Location Status:**

**Arrest Date:** \_\_\_\_\_

**Already in Federal Custody as of** \_\_\_\_\_ **in** \_\_\_\_\_

**Already in State Custody**  **On Pretrial Release**  **Not in Custody**

**Arrest Warrant Requested**  **Fugitive**  **Summons Requested**

**Arrest Warrant Pending**  **Detention Sought**  **Bond** \_\_\_\_\_

**Defense Counsel Information:**

**Name:** David Rawlston  **Court Appointed** **Counsel conflicted out:** \_\_\_\_\_

**Address:** \_\_\_\_\_  **Retained** \_\_\_\_\_

**Telephone:** 202-295-4097  **Public Defender** **Federal Public Defender's Office conflicted out:** \_\_\_\_\_

**U.S. Attorney Information:**

**AUSA:** James Gillis **Telephone No.:** 703-299-3897 **Bar #:** \_\_\_\_\_

**Complainant Agency, Address & Phone Number or Person & Title:**

FBI, SA Pery Goerish, 703-686-6165, 9325 Discovery Boulevard, Manassas, V A 20109

**U.S.C. Citations:**

	<u>Code/Section</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>	<u>Capital/Felony/Misd/Petty</u>
Set 1	<u>18 USC § 371</u>	<u>Conspiracy to Demand and Accept Bribes by US Government Employee</u>	<u>1</u>	<u>Felony</u>
Set 2	<u>18 USC § 201(b)(1)(A) and (C)</u>	<u>Bribery of a Public Official</u>	<u>2</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** April 30, 2009 **Signature of AUSA:** Jim Gillis / Steve Burnett