

The FCPA Blog

News and commentary about white-collar crime, enforcement, and compliance

2018 FCPA Enforcement Index

By [Richard L. Cassin](#) | Wednesday, January 2, 2019 at 7:28AM

Last year 16 companies paid a record \$2.89 billion to resolve FCPA cases. That includes amounts assessed in resolutions with the DOJ or SEC or both, and through DOJ declinations with disgorgement.

There were three enforcement actions in the mega-case category -- Petrobras (\$1.78 billion), SocGen (\$585 million), and Panasonic (\$280 million).

(Petrobras and SocGen followed the new structure for global resolutions, with the DOJ and SEC assessing total penalties but allowing the companies to pay some of the penalties to enforcement agencies and regulators in other countries.)

For comparison:

In 2017, 11 companies paid just over \$1.92 billion to resolve FCPA cases.

In 2016, 27 companies paid \$2.48 billion to resolve FCPA cases.

In 2015, 11 companies paid \$133 million.

In 2014, 10 companies paid \$1.56 billion.

In 2013, 12 companies paid \$731.1 million.

In 2012, 12 companies paid \$259.4 million.

In 2011, 15 companies paid \$508.6 million.

In 2010, 23 companies paid \$1.8 billion.

In 2009, 11 companies paid \$644 million, and

In 2008, 11 companies paid \$890 million.

There were 15 reported declinations in 2018, and separately four so-called declinations with disgorgement under the DOJ's FCPA Corporate Enforcement Policy (formerly the Pilot Program).

Four individuals settled civil FCPA charges brought by the SEC.

During 2018, six individuals pleaded guilty to FCPA-related criminal charges, six others were sentenced, and two others were convicted at trial. Nine additional individuals were indicted for FCPA crimes.

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DOJ / SEC Enforcement Resolutions

Elbit Imaging LTD. (March 9) agreed to pay \$500,000 to settle violations of the FCPA books and records and the internal controls provisions. Israel-based Elbit and its subsidiary, Plaza Centers NV, paid millions of dollars to third-party offshore consultants and a sales agent "for services," without knowing if the services were ever provided. The payments were in connection with a real estate development project in Romania and the sale of a large portfolio of real estate assets in the United States. The SEC resolved the case through an internal administrative order and didn't go to court.

Transport Logistics International Inc. (March 13) was charged with conspiracy to violate the FCPA's anti-bribery provisions. The company paid a criminal penalty of \$2 million and entered into a three-year deferred prosecution agreement with the DOJ. It bribed a Russian official to award uranium transportation contracts.

Kinross Gold Corporation (March 26) settled FCPA charges brought by the SEC. Kinross paid a civil penalty of \$950,000 for violating the FCPA's books and records and internal accounting controls provisions. The SEC cited the company's "repeated failure" to put in place anti-corruption compliance programs and adequate accounting controls at two African subsidiaries.

Dun & Bradstreet Corporation (April 23) paid more than \$9 million to resolve FCPA charges arising from improper payments made by two Chinese subsidiaries. The subsidiaries "used third-party agents to make unlawful payments to obtain data vital to Dun & Bradstreet's business as a provider of business financial information," the SEC said. The investigation into DnB's China practices started in 2012.

Panasonic Corporation and Panasonic Aviation Corporation (April 30) agreed to pay \$280 million to resolve FCPA offenses for payments to consultants of its U.S. in-flight-entertainment in the Middle East and Asia. Osaka, Japan-based Panasonic Corporation will pay \$143 million in disgorgement to the SEC. Its U.S. unit -- Panasonic Avionics Corporation -- will pay \$137 million in criminal penalties to the DOJ.

Société Générale S.A. (June 4) paid \$585 million to resolve Libya FCPA offenses. SocGen entered into a deferred prosecution with the DOJ. A subsidiary, SGA Société Générale Acceptance N.V., pleaded guilty to an FCPA conspiracy charge in federal court in New York. Half of the FCPA penalty is payable to the French enforcement agency, Parquet National Financier.

Beam Suntory Inc. (July 2) paid the SEC \$8.2 million to resolve Foreign Corrupt Practices Act charges for improper payments by its Indian subsidiary. Beam settled without admitting or denying the SEC's allegations. Beam Suntory Inc., a subsidiary of Suntory Holdings of Osaka, Japan, was created in 2014 when Suntory bought Beam Inc.

Credit Suisse Group AG (July 5) and its Hong Kong unit paid the DOJ and SEC \$76.7 million for a referral hiring scheme that violated the Foreign Corrupt Practices Act. Credit Suisse (Hong Kong) Limited entered into a non-prosecution agreement and paid a \$47 million criminal penalty for "awarding employment to friends and family of Chinese officials" to win banking business. Zurich-based Credit Suisse Group AG settled with the SEC by disgorging almost \$24.9 million of profits and more than \$4.8 million in prejudgment interest.

Legg Mason Inc. (August 27). The Securities and Exchange Commission issued an administrative order that completed the feds' earlier \$64 million FCPA enforcement action against the investment manager. (On June 4, Maryland-based Legg Mason entered into a non-prosecution agreement with the DOJ to resolve FCPA violations in Libya.) The NPA required Legg Mason to pay \$64.2 million, consisting of a criminal penalty of \$32.6 million and disgorgement of \$31.6 million. But to avoid piling on, the DOJ said the disgorgement

would be "credited against disgorgement paid to other law enforcement authorities within the first year of the [non-prosecution] agreement." Under the SEC's order, the firm agreed to pay \$34 million to settle the civil offenses, with \$27.6 million in disgorgement and \$6.9 million in prejudgment interest.

Sanofi (September 4) paid the SEC \$25 million to resolve charges that it bribed officials across the Middle East and in Kazakhstan to win business. The SEC said Sanofi violated the FCPA's books and records and internal accounting controls provisions. Without admitting or denying the findings, Sanofi agreed to pay a civil penalty of \$5 million, plus \$17.5 million in disgorgement and \$2.7 million in prejudgment interest. Paris-based Sanofi said in March the DOJ had closed its four-year FCPA investigation without bringing an enforcement action.

Joo Hyun Bahn (September 6), also known as Dennis Bahn, 39, of Tenafly, New Jersey, a former Colliers broker, agreed to disgorge \$225,000 to the SEC to settle civil FCPA violations for trying to bribe a Middle Eastern official to finance the sale of a high-rise building complex in Vietnam. *See his criminal sentencing below.*

United Technologies Corporation (September 12) paid the SEC \$13.9 million to resolve charges that it violated the FCPA by making illicit payments in its elevator business in Azerbaijan and aircraft engine businesses in China and elsewhere. United Technologies provided trips and gifts to various foreign officials in China, Kuwait, South Korea, Pakistan, Thailand, and Indonesia through its Pratt & Whitney (aviation) division and Otis (elevator) subsidiary. UT settled without admitting or denying the SEC's findings. It disgorged \$9 million plus pre-judgment interest of about \$919,000, and paid a penalty of \$4 million.

Patricio Contesse González (September 25), the former CEO of Sociedad Química y Minera de Chile, S.A. or SQM, paid the SEC \$125,000 to resolve civil charges that he violated the FCPA. The SEC said he caused SQM to make nearly \$15 million in improper payments to Chilean political figures and others connected to them. Last year SQM paid \$30 million to settle civil and criminal FCPA charges.

Petróleo Brasileiro S.A. – Petrobras (September 27). The DOJ and SEC assessed penalties and disgorgement of \$1.78 billion against Brazil's state energy company to resolve FCPA violations involving bribes to politicians and political parties in Brazil. Petrobras entered into a non-prosecution agreement with the DOJ that assessed a criminal penalty of \$853.2 million and an administrative order with the SEC that required disgorgement of \$933.5 million. The DOJ and SEC will each collect \$85.3 million from the criminal penalty and the rest will be paid to the Ministerio Público Federal in Brazil. The SEC disgorgement was offset against payments Petrobras had already made to a U.S. class action settlement fund.

Stryker Corp. (September 28) paid the SEC a \$7.8 million penalty to resolve FCPA books and records and internal accounting controls offenses in India, China, and Kuwait. It was Stryker's second FCPA settlement with the SEC.

Vantage Drilling International (November 19) paid the SEC \$5 million in disgorgement for FCPA violations in Brazil, in connection with bribes a director paid to Brazil officials connected to a contract for drilling services. The director paid about \$31 million in bribes via an intermediary. The SEC found in an internal administrative proceeding that Vantage violated the FCPA internal accounting controls provisions.

Paul A. Margis (December 18), 64, the former chief executive of Panasonic Avionics Corporation, paid the SEC a \$75,000 penalty to resolve charges of knowingly violating the books and records and internal accounting controls provisions and causing similar

violations by the parent company, Panasonic Corporation. He settled with the SEC without admitting or denying the agency's findings.

Takeshi “Tyrone” Uonaga (December 18), 55, the former chief financial officer of Panasonic Aviation Corporation, paid a penalty of \$50,000 and was barred for at least five years from appearing or practicing before the SEC as an accountant. The SEC also charged him with knowingly violating the books and records and internal accounting controls provisions and causing similar violations by the parent company. He settled without admitting or denying the SEC’s findings.

Centrais Elétricas Brasileiras S.A. or Eletrobras (December 26) paid the SEC \$2.5 million in penalties to resolve charges of violating the books and records and the internal accounting controls provisions of the Foreign Corrupt Practices Act. The Brazilian government owns 51 percent of Eletrobras and appoints seven of its eleven board members.

Polycom (December 26) settled FCPA books and records and internal accounting controls provisions charges with the SEC for using resellers and distributors in China to bribe government officials. Polycom (a wholly-owned subsidiary of Plantronics since July 2018) agreed to disgorge about \$10.7 million and pay prejudgment interest of \$1.8 million, along with a penalty of \$3.8 million. The company didn't admit or deny the SEC's findings. (See also Polycom's \$31 million declination with disgorgement below. Polycom is counted as one enforcement action valued at \$36 million overall.)

Convicted

Ng Lap Seng (July 27), 69, of Macau, was found guilty by a federal jury in Manhattan of bribing two United Nations officials in exchange for help promoting development of a conference center. He was convicted of one count of conspiracy to commit bribery and to violate the Foreign Corrupt Practices Act, one count of paying illegal bribes and gratuities (domestic bribery), two counts of violating the FCPA, one count of conspiracy to commit money laundering, and one count of money laundering. Sentencing is pending.

Patrick Ho (December 5), 69, Hong Kong's former home secretary, was convicted by a Manhattan federal jury after a ten-day trial for bribing African officials on behalf of a Chinese energy company. The jury convicted Ho on seven of eight counts he faced, including violating the Foreign Corrupt Practices Act, conspiracy, and money laundering. He was Hong Kong's home affairs minister from 2002 to 2007.

Sentenced

Lawrence W. Parker Jr. (April 30), an owner of several Florida-based business, was sentenced to 35 months in federal prison for bribing an official of Aruba's state-owned telecom company. The official, Egbert Yvan Ferdinand Koolman, worked for Servicio di Telecomunicacion di Aruba N.V. (Setar). Koolman himself was **sentenced** on June 27 to three years in prison for conspiracy to commit money laundering.

Ng Lap Seng (May 11), 69, a Macau-based real estate developer who bribed UN officials in exchange for support for a conference center, was sentenced to 48 months in prison. Also known as David Ng, he was fined \$1 million and ordered to pay more than \$300,000 in restitution to the United Nations. He was also ordered to forfeit \$1.5 million.

Joo Hyun Bahn (September 6) was sentenced in federal court in Manhattan to six months in prison. The former Colliers broker pleaded guilty in January 2018 to one count of conspiracy to violate the Foreign Corrupt Practices Act and one count of violating the FCPA for trying to bribe a Middle Eastern official to finance the sale of a high-rise building complex in Vietnam. *See his civil resolution with the SEC above.*

Anthony Mace (September 28), the former chief executive of Dutch oil-services firm SBM Offshore, was sentenced to 36 months in prison and fined \$150,000. He had pleaded guilty in November 2017 to one count of conspiracy to violate the FCPA involving bribes to officials in Brazil, Angola and Equatorial Guinea.

Robert Zubiate (September 28), a former SBM Offshore sales executive, was sentenced to 30 months in prison and fined \$50,000. He also had pleaded guilty in November 2017 to one count of conspiracy to violate the FCPA involving bribes to officials in Brazil, Angola and Equatorial Guinea.

Colin Steven (December 12), 62, a UK citizen living in the United Arab Emirates, was sentenced in federal court in NYC to time served and fined \$25,000 for bribing a foreign official in exchange for help selling jets to Saudi Aramco. The former sales executive of Embraer SA self reported the bribe inside his company and cooperated with the DOJ. He pleaded guilty in December 2017 to one count of violating the Foreign Corrupt Practices Act, one count of conspiracy to violate the FCPA, one count of wire fraud, one count of conspiracy to commit wire fraud, one count of money laundering, one count of conspiracy to launder money, and one count of making a false statement.

Sentence Affirmed

Dmitrij Harder (November 9), 46, the Pennsylvania-based consultant who bribed an officer at the European Bank for Reconstruction and Development for loan approvals, lost his appeal against a 60-month prison sentence for violating the Foreign Corrupt Practices Act. He argued that bribes to secure financing for two Russian energy projects provided economic benefits that should have been considered a mitigating factor during his sentencing. A panel of the Third Circuit said the trial judge had considered Harder's "economic benefit" argument and correctly rejected it.

Guilty Pleas

Joo Hyun Bahn aka Dennis Bahn (January 5), 39, of Tenafly, New Jersey, pleaded guilty to trying to bribe a Qatari official to finance the sale of a high-rise building complex in Vietnam. In federal court in Manhattan, he admitted one count of conspiracy to violate the Foreign Corrupt Practices Act and one count of violating the FCPA. Sentencing is scheduled for June 29.

Eberhard Reichert (March 15), 78, a former Siemens AG executive, admitted being part of a plot to pay tens of millions of dollars in bribes to Argentine government officials for a \$1 billion contract to create national identity cards. In federal court in Manhattan, he pleaded guilty to one count of conspiring to violate the FCPA's anti-bribery, internal controls and books and records provisions, and to commit wire fraud.

Julia Vivi Wang (April 4), 57, a Chinese-born naturalized U.S. citizen, pleaded guilty in federal court in New York to conspiracy to violate the FCPA, a substantive FCPA offense, and submitting fraudulent income tax returns. She admitted her role in a plot to bribe the former president of the United Nations General Assembly, the late John Ashe.

Luis Carlos De Leon-Perez (July 16), 42, a dual U.S.-Venezuela citizen, pleaded guilty in federal court in Houston to one count of conspiracy to violate the FCPA and one count of conspiracy to commit money laundering. De Leon was arrested in Spain in October 2017. He admitted bribing officials at PDVSA and laundering bribe money others paid to the officials.

Juan Carlos Castillo Rincon (September 13), 55, of Conroe, Texas, was the former manager of a Houston-based logistics and freight forwarding company. He pleaded guilty to one count of conspiracy to violate the FCPA. Castillo admitted bribing an official at

Venezuela's state energy company, Petroleos de Venezuela S.A. or PDVSA. He's scheduled to be sentenced in Houston on February 21, 2019.

Tim Leissner (November 1), 48, the former chairman of Goldman Sachs in Southeast Asia and a managing director of the firm, pleaded guilty to FCPA and money laundering conspiracies in connection with a plot to loot the Malaysian sovereign wealth fund 1MDB. He was charged earlier in a two-count criminal information unsealed in federal court in New York. He was ordered to forfeit \$43.7 million as part of his plea. A sentencing date wasn't set

Indicted by DOJ

Mark Lambert (January 12) 54, of Mount Airy, Maryland, was charged in an 11-count indictment with one count of conspiracy to violate the Foreign Corrupt Practices Act and to commit wire fraud, seven counts of violating the FCPA, two counts of wire fraud, and one count of money laundering. The former co-president of a Maryland-based company that transports nuclear materials to customers in the United States and abroad was charged with bribing an official connected to Russia's State Atomic Energy Corporation.

Luis Carlos De Leon Perez (February 12), 41, a dual U.S. and Venezuela citizen, was charged with one count of conspiracy to violate the FCPA and with money laundering. He worked for PDVSA. He was in custody in Spain pending extradition.

Nervis Gerardo Villalobos Cardenas (February 12), 50, a Venezuela citizen, was charged with one count of conspiracy to violate the FCPA and with money laundering. He worked for PDVSA. He was in custody in Spain pending extradition.

Frank Roberto Chatburn Ripalda (April 19), 40, a dual U.S. and Ecuadorian citizen living in Miami, was charged with one count of conspiring to violate the Foreign Corrupt Practices Act, one count of violating the FCPA, one count of conspiring to commit money laundering, and two counts of money laundering. He pleaded not guilty. His trial was set for October 15.

Jose Manuel Gonzalez Testino (July 31), 48, a dual U.S.-Venezuelan citizen, was arrested at Miami International Airport for bribing an official at PDVSA. He was charged with conspiring to violate the Foreign Corrupt Practices Act and with substantive FCPA offenses.

Roger Richard Boney (October 30), 74, a dual U.S. and Haitian citizen, was charged for his alleged role in a plot to bribe senior government officials in Haiti for access to a proposed \$84 million port development project. Boney, who lives in Madrid, was charged with one count of conspiracy to violate the Foreign Corrupt Practices Act and the Travel Act, one count of violating the Travel Act, and one count of conspiracy to commit money laundering.

Low Taek Jho (November 1), 36, also known as Jho Low, a Malaysian businessman allegedly at the center of the plot to steal billions of dollars from 1MDB, was charged with conspiring to launder money and violate the FCPA by paying bribes to Malaysian and Abu Dhabi officials.

Ng Chong Hwa (November 1), 51, also known as Roger Ng, a former managing director of Goldman Sachs, was charged with conspiring to violate the FCPA and launder money as part of the looting of 1MDB. The DOJ also unsealed a three-count indictment. Ng allegedly circumvented Goldman's internal accounting controls. He was arrested November 1 in Malaysia.

Raúl Gorrín (November 19), 50, was indicted in August for FCPA violations and money laundering. The indictment, unsealed in South Florida on November 19, alleged Gorrín paid \$160 million in bribes to two officials in the Venezuela National Treasury to help him evade

currency controls and embezzle state funds. He faces one count of conspiracy to violate the FCPA, one count of conspiracy to commit money laundering, and nine counts of money laundering.

Dismissal

Lawrence Hoskins, (August 24), 67, a British national and former Alstom UK executive based in Paris, won dismissal in the Second Circuit of his indictment for conspiracy to violate the Foreign Corrupt Practices Act and aiding and abetting a violation of the FCPA. The federal appeals court ruled that non-resident foreign nationals cannot be charged with those offenses unless the government can show that they acted as an agent of a "domestic concern" or while physically present in the United States. The 2013 charges against Hoskins related to allegations of bribery to win a power station project in Indonesia. He still faces money laundering charges.

Charged by SEC

Michael L. Cohen (January 26), 45, a partner in Och-Ziff Capital Management Group and member of the firm's management committee, was charged in an SEC civil complaint filed in federal court in New York with violating the FCPA and aiding and abetting Och-Ziff's violations. He was also charged with violating the Investment Advisers Act. He lives in London and holds dual UK/U.S. citizenship. The SEC alleged he caused Och-Ziff to pay tens of millions of dollars in bribes to high-level government officials in Libya, Chad, Niger, Guinea, and the DR Congo.

Vanja Baros (January 26), 44, a former analyst in the private investments group at Och-Ziff's European office and a member of the firm's African Special Investment Team, was charged in an SEC civil complaint filed in federal court in New York with violating the FCPA and aiding and abetting Och-Ziff's violations. He's an Australian citizen living in the UK. He reported to and worked closely with Michael Cohen.

Declinations with Disgorgement

Dun & Bradstreet (April 23) said the DOJ released a declination letter: "[W]e have declined prosecution consistent with the FCPA Corporate Enforcement Policy.* (See DnB's SEC enforcement action above.)

Guralp Systems Limited (August 20) based in Reading, UK, received a declination letter from the DOJ that said: "Based upon the information known at this time and consistent with the FCPA Corporate Enforcement Policy, the Department has closed its inquiry into GSL, notwithstanding evidence of violations of the FCPA arising from GSL's payments to" the former director of a South Korea government entity." The DOJ said the company "is the subject of an ongoing parallel investigation by the UK's Serious Fraud Office for violations of law relating to the same conduct and has committed to accepting responsibility for that conduct with the SFO."

The Insurance Corporation of Barbados Limited (August 23) received a declination with disgorgement from the DOJ for FCPA offenses related to bribing a Barbadian official. Under the terms of the declination pursuant to the DOJ's Corporate Enforcement Policy, ICBL paid the DOJ about \$93,900 in disgorged profits.

Polycom, Inc. (December 20) received a declination with disgorgement that required the company to disgorge about \$31 million to resolve "bribery committed by employees of the Company's subsidiaries in China." The DOJ said the China subsidiaries also knowingly and willfully caused false books and records at Polycom. Under the declination, Polycom disgorged \$10.8 million to the SEC, \$10.15 million to the United States Treasury Department, and \$10.15 to the United States Postal Inspection Service Consumer Fraud Fund.

Declinations

Cobalt International Energy, Inc. (January 30) said the SEC told the company it had concluded its FCPA investigation relating to Cobalt's Angolan operations and that the SEC staff does not intend to recommend any enforcement.*

Juniper Networks, Inc. (February 9) said the DOJ has closed its FCPA investigation of the company and won't bring an enforcement action. The SEC's investigation is still pending, Juniper said. The company first disclosed the FCPA investigation in August 2013.

Core Laboratories N.V. (February 12) said the DOJ and SEC have both closed investigations into the company's dealings with Unaoil and won't bring any enforcement action. Core Labs said it learned of the SEC declination on February 5, 2018. It disclosed a DOJ declination in October 2017.

Teradata Corporation (February 23) said the FCPA investigation into gifts and travel expenses at a subsidiary in Turkey has ended and the company won't face an enforcement action. The SEC advised Teradata in January that its investigation was closed. The company received a declination from the DOJ on February 20.*

Exterran Corporation (February 28) said an investigation into compliance with the FCPA had ended, with both the DOJ and SEC saying they don't intend to bring enforcement actions. Houston-based Exterran said the two-year investigation had focused on equipment contracts for desalination plants in the Middle East. The company first disclosed the potential compliance problems to the SEC in April 2016.*

Sanofi (March 7) said the DOJ notified the company in February 2018 that it had "decided to close its inquiry" into FCPA allegations. Sanofi said it is still cooperating with the SEC's review of the allegations.*

Kinross Gold Corporation (March 26) said the DOJ has closed its criminal investigation of two African subsidiaries. (See SEC enforcement action above.) The DOJ notified Kinross on November 7, 2017 that it had "closed its investigation, declining to pursue further the matter."

United Technologies Corporation (April 27) said in a securities filing that on "March 7, 2018, the DOJ notified UTC that it had decided to close its investigation" of the company. Discussions with the SEC are ongoing, UT said. In late 2013 and early 2014, UTC self disclosed to the DOJ, SEC, and the SFO the status of an internal investigation regarding a non-employee sales rep for the sale of jet engines and aftermarket services in China.*

Transocean Ltd. (May 1) said it completed an internal investigation into statements made by a former employee of Petrobras related to the award of a drilling services contract in Brazil. "On March 5, 2018, we received a letter from the [SEC] stating that the SEC's investigation had been concluded and that the SEC did not intend to recommend any enforcement action against Transocean by the SEC. On April 4, 2018, we received a letter from the [DOJ] stating that the DOJ had closed its inquiry into the matter."*

Archrock, Inc. (May 3) said the "SEC staff has provided notice that they have concluded their investigation relating to compliance with the FCPA and that they do not intend to recommend an enforcement action concerning compliance with the FCPA, and the Department of Justice has also provided notice that it does not intend to proceed with any further investigation or enforcement."*

Ensco plc (September 4), a UK-based drill-rig operator, said it received a letter from the SEC saying the agency concluded its investigation into "alleged irregularities related to a drilling services contract . . . and does not intend to recommend any enforcement action." The company said it received a letter on August 31 from the DOJ "stating that the DOJ had closed its inquiry into the matter and acknowledging Ensco's full cooperation in the investigation."

ING Groep N.V. (September 5) said the SEC closed its investigation a day after the big bank reached a \$900 million settlement with Dutch authorities to resolve criminal investigations for lapses in client on-boarding and anti-money laundering practices, and corrupt practices. In an SEC filing, ING said: "As previously noted, in connection with the investigations ING also received information requests from the U.S. Securities and Exchange Commission (SEC). ING has received a formal notification from the SEC that it has concluded its investigation. In the letter the Division of Enforcement states that, based on information as of this date, it does not intend to recommend an SEC enforcement action against ING."

Sinovac Biotech Ltd. (September 17), a China biopharmaceutical maker, said the DOJ closed its investigation, with no charges into possible violations of the Foreign Corrupt Practices Act related to allegations that certain Sinovac employees made improper payments to Chinese government officials. The company had said in August the SEC ended its related investigation. (Company [disclosure](#) courtesy of FCPA Tracker.)

Laureate Education, Inc. (November 29) said in an SEC filing that it received a declination from the DOJ on November 21 and from the SEC sometime earlier. The company first disclosed the investigation into an affiliate in Turkey in late 2016. The operator of for-profit schools said the investigation involved an \$18 million charitable donation in Turkey and whether some of the money was diverted to a government official.

Ciena Corporation (December 10) reported in a December 21, 2018 Form 10-K that the DOJ advised on December 10 "that it has declined to prosecute this matter and that its investigation into the matter is now closed." Ciena said the SEC investigation is still open. In September 2017, the company self reported to the SEC and DOJ "relevant events and the findings of Ciena's internal investigation" about certain questionable payments to one or more individuals employed by a customer in a country in the ASEAN region.

***[Company disclosures courtesy of FCPA Tracker.](#)**