



*United States Attorney
District of New Jersey*

FOR IMMEDIATE RELEASE
September 27, 2010

CONTACT: Rebekah Carmichael
Office of Public Affairs

www.justice.gov/usao/nj

(973) 645-2888

**FORMER PILOT OF LUXURY CHARTER JET COMPANY PLEADS GUILTY TO
FLYING ILLEGAL FLIGHTS AND FALSIFYING SAFETY RECORDS**

NEWARK, N.J. – A former pilot of now-defunct Platinum Jet Management, LLC pleaded guilty today to conspiring to defraud charter customers and brokers using interstate wires and to impede and obstruct the Federal Aviation Administration (FAA) – admitting he and his co-conspirators flew illegal flights and falsified FAA paperwork relating to the safety and regulatory compliance of its flights, United States Attorney Paul J. Fishman announced.

Francis Vieira, 60, of Ft. Lauderdale, Fla., pleaded guilty to the lead count of the Superseding Indictment against him, conspiracy to commit wire fraud and to defraud the United States. Vieira entered his guilty plea in Newark federal court before United States District Judge Dennis M. Cavanaugh.

According to documents filed in this case and statements made in Newark federal court:

In January 2003, Vieira started flying as a contract pilot with Platinum Jet, a luxury charter jet company started by four others charged in connection with the conspiracy: Michael Brassington, Paul Brassington, Brian McKenzie and Andre Budhan. According to Vieira, he continued flying for Platinum Jet until February 2005, the month that one of the company's jets crashed after failing to lift upon takeoff at Teterboro Airport.

From November 2002 through November 2003, Platinum Jet did not have an FAA-issued certificate, otherwise known as a "Part 135 certificate," permitting it to fly commercial charter flights. Despite not having the appropriate certificate, Vieira and his co-conspirators agreed to operate Platinum Jet as a commercial jet charter company. Vieira admitted that he and his co-conspirators flew several dozen illegal charter flights, many of which were for famous athletes, musicians, and other well-known individuals.

On November 17, 2003, Platinum Jet entered a certificate sharing agreement that allowed the company to operate commercial charter flights under the Part 135 certificate of Darby Aviation in Muscle Shoals, Ala. As a Part 135 operation, Platinum Jet was required to create a load manifest, also known as a "flight log," which recorded vital flight information for each charter flight. From November 2003 through February 2005, Vieira and his co-conspirators falsified their flight logs by indicating that certain flights were private flights instead of chartered flights. Vieira admitted that Platinum Jet did this to conceal certain Part 135 violations, such as pilot qualifications and rest requirements.

For example, on December 22, 2004, Vieira prepared a flight log falsely representing that a commercial charter flight carrying paying passengers from Wilmington, N.C. to Teterboro, N.J. was a private flight for which the Part 135 charter rules would not apply. Vieira admitted to falsifying the log to conceal the fact that the captain was not qualified to fly charter flights.

In connection with Part 135's load manifest requirement, Vieira was required to prepare a flight weight-and-balance (W&B) graph calculating the weight and center of gravity (COG) for Platinum Jet's aircraft prior to takeoff. Vieira admitted that on more than two dozen occasions, he altered the W&B graphs for the jet that crashed at Teterboro by changing the weight and COG printed on those graphs. He also admitted to doing the same thing for another of Platinum Jet's aircraft.

The charge to which Vieira pleaded guilty carries a maximum potential penalty of five years in prison and a \$250,000 fine, or twice the gross gain or loss from the offense. Sentencing is currently scheduled for January 10, 2011.

Four of Vieira's co-defendants – Michael Brassington, Paul Brassington, McKenzie, and John Kimberling – are scheduled to stand trial before Judge Cavanaugh beginning October 12, 2010. Kimberling was the captain of the flight that crashed in 2005.

Budhan pleaded guilty on June 22, 2009, to the same charge Vieira pleaded guilty to today. Joseph Singh, a co-conspirator who was once Platinum Jet's charter flights director, also pleaded guilty to the charge on July 7, 2009. Both Budhan and Singh's sentencing hearings have been postponed pending resolution of the trial.

U.S. Attorney Fishman credited special agents of the Department of Transportation, Office of the Inspector General, under the direction of Inspector General Calvin L. Scovel III and Special Agent in Charge Ned E. Schwartz, for the investigation leading to today's guilty plea.

The government is represented by Assistant U.S. Attorneys Scott B. McBride of the U.S. Attorney's Office Health Care and Government Fraud Unit, and J Fortier Imbert of the Office's Criminal Division in Newark.

As for Michael Brassington, Paul Brassington, McKenzie and Kimberling, the charges and allegations contained in the Superseding Indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

10-272

###

Defense counsel: Neal R. Sonnett, Miami, Fla.