

U.S. DISTRICT COURT
FILED AT WHEELING, WV

JUN - 8 2011

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA** NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

No. *2:11-cr-18*

VIOLATIONS:

v.

18 U.S.C. § 371
(Bribery Conspiracy: Count 1)

RICHARD ALLEN EVICK,
(Counts 1-11)

18 U.S.C. § 201
(Bribery: Counts 2 and 3)

and

18 U.S.C. § 1956(h)
(Money Laundering Conspiracy:
Count 4)

CRYSTAL YVETTE MARTIN,
(Counts 1, 4, 6-9)

18 U.S.C. § 1956(a)(1)(B)(i)
(Money Laundering: Counts 5-10)

Defendants.

18 U.S.C. § 1505
(Obstructing an Agency Proceeding:
Count 11)

18 U.S.C. § 982
(Criminal Forfeiture)
18 U.S.C. § 981(a)(1)(C) and
28 U.S.C. § 2461(c)
(Criminal Forfeiture)

INDICTMENT

The Grand Jury charges:

**COUNT ONE
18 U.S.C. § 371
(Bribery Conspiracy)**

1. At all times material to this Indictment:

Background

2. From approximately February 2005 to approximately December 2006, defendant RICHARD ALLEN EVICK was a Sergeant First Class in the U.S. Army deployed as a senior procurement non-commissioned officer to Camp Arifjan, a U.S. military base in Kuwait. EVICK was responsible for soliciting bids on behalf of the U.S. Department of Defense and its components (“DoD”) for contracts and blanket purchase agreements (“BPAs”) for goods and services necessary to support Operation Iraqi Freedom, evaluating the sufficiency of those bids, recommending the award of contracts and BPAs to particular contractors, and arranging for calls to be issued under such BPAs.

3. From approximately October 2005 to approximately December 2008, defendant CRYSTAL YVETTE MARTIN, a former Master Sergeant in the U.S. Army, operated a concession to sell clothing and other items at various U.S. military bases in Kuwait, including Camp Arifjan. MARTIN maintained bank accounts in Kuwait and the U.S., including a savings account at Credit Union ONE, account no. *****66S1 (the “MARTIN CUO savings account”), a checking account at Credit Union ONE, account no. *****66S8 (the “MARTIN CUO checking account”), and a checking account, together with defendant RICHARD ALLEN EVICK’s wife, at Citizens National Bank, account no. ***1638 (the “EVICK/MARTIN CNB joint checking account”).

4. From approximately September 2005 to approximately August 2006, co-conspirator James Momon was a Major in the U.S. Army deployed as a contracting specialist to Camp Arifjan in Kuwait. As an Army officer assigned to the contracting office at Camp Arifjan, Momon was responsible for soliciting bids for DoD contracts and BPAs for goods and services necessary to support Operation Iraqi Freedom, evaluating

the sufficiency of those bids, recommending the award of contracts and BPAs to particular contractors, and arranging for calls to be issued under such BPAs.

5. From approximately September 2005 to approximately March 2006, co-conspirator Christopher Murray was a Major in the U.S. Army deployed as a contracting specialist to Camp Arifjan in Kuwait. As an Army officer assigned to the contracting office at Camp Arifjan, Murray was responsible for soliciting bids for DoD contracts and BPAs for goods and services necessary to support Operation Iraqi Freedom, evaluating the sufficiency of those bids, recommending the award of contracts and BPAs to particular contractors, and arranging for calls to be issued under such BPAs.

6. From approximately 2004 to approximately August 2007, co-conspirator Wajdi Reziq Birjas, also known as "Dino," was a contract employee of DoD at Camp Arifjan, where he worked in the Host Nation Affairs office. Birjas maintained a private residence in a villa near Camp Arifjan which contained a hidden safe.

7. From at least 2005 to at least December 2006, co-conspirator number one ("CC-1") operated firms which were seeking and did obtain contracts and BPAs from DoD in Kuwait. Based upon official acts taken by defendant RICHARD ALLEN EVICK, co-conspirator James Momon, and other contracting officials during that period, DoD paid CC-1's firms a total of over \$23 million in connection with contracts and BPAs, among other things, to deliver bottled water for U.S. troops serving in Iraq.

8. From at least 2005 to at least August 2007, co-conspirator number two ("CC-2") operated firms which were seeking and did obtain contracts from DoD in Kuwait. During that period, DoD paid CC-2's firms a total of over \$1.7 million in connection with contracts, among other things, to paint and clean DoD facilities and to

provide office furniture, computer equipment, plasma televisions, signs, and cement security barriers.

9. From at least 2005 to approximately June 2009, co-conspirator number three ("CC-3") was an employee of DoD at Camp Arifjan, where he worked as a customs agent in the Host Nation Affairs office.

10. As an Army contracting official, defendant RICHARD ALLEN EVICK had the duty to promote competition to the maximum extent practicable to obtain supplies and services from the contractor whose offer is most advantageous to the government. Additionally, EVICK was prohibited from using his public office for private gain and from disclosing nonpublic information without authorization to further his own private interest or that of another.

The Conspiracy

11. Between approximately mid-2005 and approximately early 2008, in Kuwait, the Northern District of West Virginia, and elsewhere,

RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN,
the defendants, did unlawfully, willfully and knowingly combine, conspire, confederate, and agree, together with others known and unknown to the Grand Jury, to commit offenses against the United States, as follows:

(a) being a public official, to corruptly demand, seek, receive, accept, and agree to receive and accept, directly and indirectly, a thing of value personally and for another person and entity, in return for (i) being influenced in the performance of an official act, (ii) being influenced to commit and aid in committing, and to collude in, and allow, any fraud, and make opportunity for the commission of any fraud, on the United

States, and (iii) being induced to do and omit any act in violation of official duty of such official, in violation of Title 18, United States Code, Section 201(b)(2)(A),(B) and (C); and

(b) to corruptly give, offer, and promise, directly and indirectly, a thing of value to a public official and another person with intent to (i) influence an official act, (ii) influence such public official to commit and aid in committing, and collude in, and allow, any fraud, and make opportunity for the commission of any fraud, on the United States, and (iii) induce such public official to do and omit any act in violation of official duty of such official or person, in violation of Title 18, United States Code, Section 201(b)(1)(A),(B) and (C).

Purposes of the Conspiracy

12. It was a purpose of the conspiracy for defendant RICHARD ALLEN EVICK, co-conspirator James Momon, co-conspirator Christopher Murray, and certain other U.S. Army officers to enrich themselves and others, including defendant CRYSTAL YVETTE MARTIN, through corrupt means, by demanding, seeking, receiving, and agreeing to receive and accept things of value from CC-1, CC-2, CC-3, co-conspirator Wajdi Reziq Birjas, and others in return for the Army officers being influenced in the performance of official acts, including, but not limited to, the award of DoD contracts and BPAs, calls under BPAs, and the improper disclosure of Army contracting information.

13. It was further a purpose of the conspiracy for CC-1, CC-2, CC-3, co-conspirator Wajdi Reziq Birjas, and others to enrich themselves through corrupt means, by giving, offering and promising things of value to certain public officials and others

with the intent to influence official acts, including, but not limited to, the award of DoD contracts and BPAs, calls under BPAs, and the disclosure of confidential Army contracting information.

14. It was further a purpose of the conspiracy for defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN to conceal their criminal activities from law enforcement scrutiny.

Manners and Means of the Conspiracy

15. Among the manners and means defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN and their co-conspirators used to achieve the unlawful objects of the conspiracy were the following:

a. Certain U.S. Army officers, including defendant RICHARD ALLEN EVICK, co-conspirator James Momon, co-conspirator Christopher Murray, and others, promised to take and did in fact take official action, including arranging for the award of DoD contracts and BPAs, issuing calls under BPAs, and improperly disclosing Army contracting information.

b. CC-1, CC-2, CC-3, co-conspirator Wajdi Reziq Birjas, and others promised certain U.S. Army officers, including defendant RICHARD ALLEN EVICK, co-conspirator James Momon, co-conspirator Christopher Murray, and others, money and other things of value in exchange for official acts, including arranging for the award of DoD contracts and BPAs, issuing calls under BPAs, and improperly disclosing Army contracting information.

c. CC-1, CC-2, CC-3, co-conspirator Wajdi Reziq Birjas, and others provided things of value to certain U.S. Army officers, including defendant RICHARD

ALLEN EVICK, co-conspirator James Momon, co-conspirator Christopher Murray, and others, in the form of cash, airplane tickets, hotel accommodations, and the ability to conceal large sums of cash in a hidden safe in Birjas's villa. Among other things, defendant RICHARD ALLEN EVICK received at least \$150,000 in cash from CC-1, CC-1's associates, and co-conspirator James Momon, and Momon arranged to receive over \$4 million from CC-1.

d. Defendant RICHARD ALLEN EVICK gave co-conspirator Wajdi Rezik Birjas Army contract solicitations before they were released to other contractors; Birjas, working with CC-2 and CC-3, used that procurement information to submit bids from several different companies that appeared to be independent but which in fact were controlled by or associated with CC-2, one of which bids would be the lowest; and EVICK arranged for contracts to be awarded to what appeared to be the lowest bidder.

e. Defendant RICHARD ALLEN EVICK entrusted his bribe money to defendant CRYSTAL YVETTE MARTIN, who arranged to transfer money from Kuwait to the U.S. into the possession and for the benefit of defendant RICHARD ALLEN EVICK, EVICK's wife and EVICK's girlfriend.

f. Defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN assisted co-conspirator James Momon's efforts to retrieve Momon's bribe money from co-conspirator Wajdi Rezik Birjas and to transfer that money from Kuwait to the U.S..

g. Defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN attempted to conceal and did conceal their crimes by, among other things, making false statements to and withholding material facts from U.S. law enforcement

investigators who were questioning them about the unlawful activities of EVICK and MARTIN.

Overt Acts

16. In furtherance of the conspiracy and in order to accomplish its objects, defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN, together with their co-conspirators, committed overt acts in Kuwait, the Northern District of West Virginia, and elsewhere, including the following:

a. On or about September 12, 2005, in Kuwait, defendant RICHARD ALLEN EVICK arranged for DoD to award one of CC-2's firms a contract to provide office furniture to DoD, as a result of which DoD paid that firm approximately \$153,915.

b. On or about September 17, 2005, in Kuwait, defendant RICHARD ALLEN EVICK arranged for DoD to award one of CC-2's firms a contract to provide computer equipment to DoD, as a result of which DoD paid that firm approximately \$16,185.

c. On or about September 21, 2005, in Kuwait, defendant RICHARD ALLEN EVICK arranged for DoD to award one of CC-2's firms a contract to provide computer equipment to DoD, as a result of which DoD paid that firm approximately \$133,386.

d. In or about late September 2005, in Kuwait, CC-3 paid defendant RICHARD ALLEN EVICK between \$7,500 and \$8,000 for having arranged for the award of the furniture contract described in the sub-paragraph 16.a above to CC-2's firm.

e. On or about October 15, 2005, in Kuwait, defendant RICHARD ALLEN EVICK arranged for DoD to award one of CC-2's firms a contract to install

signs for DoD, as a result of which DoD paid that firm approximately \$17,700.

f. In approximately fall 2005, co-conspirator Wajdi Rezik Birjas paid defendant RICHARD ALLEN EVICK approximately \$4,000 for having arranged for the award of the computer equipment contract described in the sub-paragraph 16.b above to CC-2's firm.

g. In approximately fall 2005, CC-3 paid defendant RICHARD ALLEN EVICK between \$8,000 and \$9,000 for having arranged for the award of the computer equipment contract described in the sub-paragraph 16.c above to CC-2's firm.

h. In approximately fall 2005, co-conspirator Wajdi Rezik Birjas paid defendant RICHARD ALLEN EVICK approximately \$2,500 for having arranged for the award of the sign contract described in the sub-paragraph 16.e above to CC-2's firm.

i. In or about late 2005, in Kuwait, defendant RICHARD ALLEN EVICK facilitated a meeting between CC-1 and co-conspirator James Momon, at which CC-1 agreed to pay Momon for calls he would issue under CC-1's bottled water BPA with DoD.

j. In approximately late December 2005, in Kuwait, co-conspirator Wajdi Rezik Birjas paid the airplane and hotel expenses of defendant RICHARD ALLEN EVICK and co-conspirator James Momon to celebrate New Year's Eve in Dubai, United Arab Emirates.

k. On or about January 3, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$720,000.

l. On or about January 6, 2006, in Kuwait, defendant RICHARD

ALLEN EVICK arranged for DoD to award one of CC-2's firms a contract to provide signs to DoD, as a result of which DoD paid that firm approximately \$5,304.

m. On or about January 16, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$2,280,000.

n. On or about January 30, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$1,320,000.

o. On or about February 19, 2006, in Kuwait, co-conspirator Christopher Murray arranged for DoD to award one of CC-2's firms a contract to provide cement security barriers, as a result of which DoD paid that firm approximately \$439,600.

p. On or about February 26, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$2,300,000.

q. On or about March 12, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$535,714.

r. On or about March 20, 2006, in Kuwait, co-conspirator Christopher Murray arranged for DoD to award one of CC-2's firms a contract to install fencing, as a result of which DoD paid that firm approximately \$191,796.

s. On or about March 21, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay

that firm approximately \$3 million.

t. In or about March and April 2006, in Kuwait, defendant RICHARD ALLEN EVICK, acting at the request of co-conspirator James Momon, served as the point of contact for CC-1's bottled water BPA with DoD.

u. In or about late April or early May 2006, in Kuwait, CC-1 and co-conspirator James Momon gave defendant RICHARD ALLEN EVICK \$150,000 cash.

v. In or about spring 2006, in Kuwait, defendant RICHARD ALLEN EVICK participated in a meeting at co-conspirator Wajdi Rezik Birjas's villa, at which EVICK disclosed confidential information to CC-2 and Birjas about DoD's plans to award a valuable BPA to provide painting and carpet cleaning services at Camp Arifjan.

w. On or about May 1, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged for DoD to award one of CC-2's firms a BPA to provide painting and carpet cleaning services at Camp Arifjan, as a result of which DoD paid that firm a total of approximately \$510,000.

x. On or about May 4, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged for DoD to award one of CC-2's firms a contract to supply plasma television sets to DoD, as a result of which DoD paid that firm \$9,105.

y. On or about May 10, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$4,275,000.

z. On or about June 1, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$2,000,000.

aa. On or about June 30, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from CC-1's firm, causing DoD to pay that firm approximately \$1,650,000.

bb. On or about July 21, 2006, in Kuwait, co-conspirator James Momon arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$1,928,000.

cc. In or about mid-2006, in Kuwait, defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN met with co-conspirator James Momon to discuss MARTIN's ability to transfer Momon's bribe money from Kuwait to the U.S.

dd. On or about August 22, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$1,685,000.

ee. On or about August 24, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$1,340,000.

ff. On or about September 27, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged for a call to be issued under the painting and carpet cleaning services referenced above in sub-paragraph 16.w above to pay invoices submitted by CC-2 totaling 27,596.17 Kuwaiti dinars (approximately \$98,557.71).

gg. On or about September 27, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged for a call to be issued under the painting and carpet cleaning services referenced above in sub-paragraph 16.w above to pay invoices submitted by CC-2 totaling 25,564.48 Kuwaiti dinars (approximately \$91,301.71).

hh. On or about September 27, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged for a call to be issued under the painting and carpet cleaning services referenced above in sub-paragraph 16.w above to pay invoices submitted by CC-2 totaling 19,339.78 Kuwaiti dinars (approximately \$69,070.64).

ii. On or about October 5, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$2,197,000.

jj. On or about October 27, 2006, in Kuwait, defendant RICHARD ALLEN EVICK arranged a call for bottled water from one of CC-1's firms, causing DoD to pay that firm approximately \$1,263,000.

kk. In or about late 2006, in Kuwait, defendant RICHARD ALLEN EVICK provided a statement of work to CC-1 regarding an upcoming bottled water contract before the statement of work was released to other contractors.

ll. In July or August 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN received approximately \$42,000 in Kuwaiti dinars from co-conspirator Wajdi Rezik Birjas.

mm. On or about November 25, 2007, defendant RICHARD ALLEN EVICK met with co-conspirator James Momon to discuss the status of the efforts to retrieve Momon's bribe money and bring that money to the U.S. EVICK told Momon that he had already spoken with MARTIN about delivering Momon's bribe money. EVICK stated: "Crystal's a . . . sir, I'm telling you. She knows, she knows everything about me and you . . . She knows that Dino has a million dollars of your money. 'Cause I told her. I said listen, that money is, is, is Mr. M's, and if you get it back here, you'll be

well-compensated.”

nn. During the same conversation referenced in sub-paragraph 15.mm, defendant RICHARD ALLEN EVICK further informed co-conspirator James Momon that defendant CRYSTAL YVETTE MARTIN had already received some of Momon’s bribe money. EVICK stated: “We did talk, like I said, we did talk about you, you know, bringing [expletive] back. She said she got it. She made a dry-run last time, flying, she flew to Italy . . . I don’t know, she flew halfway around the [expletive] world.”

oo. During the same conversation referenced in sub-paragraph 15.mm, defendant RICHARD ALLEN EVICK further promised co-conspirator James Momon that EVICK and defendant CRYSTAL YVETTE MARTIN would not reveal Momon’s involvement in the scheme if questioned by law enforcement officials. EVICK stated: “She said, I’ll do everything and anything I can and if something ever, you know, she’s like me, if something ever went down, your name would never be brought up . . . you know, same with me, you know, we’re had these conversations, but, uh, I’ll call her tonight, sir.”

pp. In or about November or December 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN received approximately \$22,000 in Kuwaiti dinars from co-conspirator Wajdi Rezik Birjas.

qq. In approximately January or February 2008, in Kuwait, defendant CRYSTAL YVETTE MARTIN received approximately \$20,000 in Kuwaiti dinars from co-conspirator Wajdi Rezik Birjas.

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

COUNT TWO
18 U.S.C. § 201(b)(2)(A), (b)(2)(B)
(Bribery)

17. The allegations of paragraphs 1-4, 7, 10 and 15-16 of this Indictment are repeated and realleged as though set forth herein.

18. Between approximately mid-2005 and approximately December 2006, in Kuwait and elsewhere,

RICHARD ALLEN EVICK,

the defendant, being a public official, directly and indirectly, corruptly did demand, seek, receive, accept, and agree to receive and accept something of value from CC-1, in return for EVICK being influenced in the performance of official acts, including, but not limited to, the award of contracts and BPAs and calls under BPAs for bottled water, and in return for EVICK being influenced to do and omit any act in violation of official duty, including, but not limited to, the improper disclosure of Army contracting information.

All in violation of Title 18, United States Code, Sections 201(b)(2)(A), (b)(2)(C), 2 and 3238.

COUNT THREE
18 U.S.C. § 201(b)(2)(A) and 2
(Bribery)

19. The allegations of paragraphs 1-4, 7, 10 and 15-16 of this Indictment are repeated and realleged as though set forth herein.

20. Between approximately late 2005 and approximately August 2006, in Kuwait, the Northern District of West Virginia, and elsewhere,

RICHARD ALLEN EVICK,

the defendant, did aid and abet a public official, directly and indirectly, to corruptly

demand, seek, receive, accept, and agree to receive and accept something of value in return for being influenced in the performance of official acts, including, but not limited to, the award of contracts and BPAs and calls under BPAs for bottled water, in that EVICK assisted the public official, co-conspirator James Momon, in receiving and agreeing to receive bribes from CC-1.

All in violation of Title 18, United States Code, Sections 201(b)(2)(A), 2 and 3238.

COUNT FOUR
18 U.S.C. § 1956(h)
(Money Laundering Conspiracy)

21. The allegations of paragraphs 1-9 of this Indictment are repeated and realleged as though set forth herein.

22. Between approximately mid-2005 and approximately early 2008, in Kuwait, the Northern District of West Virginia, and elsewhere,

RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN,

the defendants, did knowingly combine, conspire, confederate, and agree, together with co-conspirator Wajdi Rezik Birjas, co-conspirator James Momon, and others known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Sections 1956 and 1957, to wit:

a. to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, bribery of a public official in violation of Title 18, United States Code, Section 201, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and

control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);

b. to transport, transmit, and transfer and attempt to transport, transmit, and transfer a monetary instrument and funds to a place in the United States from a place outside the United States knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, that is, bribery of a public official in violation of 18 U.S.C. § 201, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i); and

c. to knowingly engage and attempt to engage in a monetary transaction by, through and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, and which is derived from specified unlawful activity, that is, bribery of a public official in violation of Title 18, United States Code, Section 201, in violation of Title 18, United States Code, Section 1957.

Purposes of the Conspiracy

23. It was a purpose of the conspiracy for the proceeds of bribe money which defendant RICHARD ALLEN EVICK and co-conspirator James Momon had received in Kuwait to be transferred into the possession and for the benefit of defendant RICHARD

ALLEN EVICK, EVICK's wife and EVICK's girlfriend, and co-conspirator James Momon in the United States without detection by government authorities.

24. It was further a purpose of the conspiracy for defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN to conceal their criminal activities from law enforcement scrutiny.

Manners and Means of the Conspiracy

25. Among the manners and means the defendants RICHARD ALLEN EVICK, CRYSTAL YVETTE MARTIN and others used to achieve the unlawful objects of the conspiracy were the following:

a. Defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN transferred EVICK's bribe money from Kuwait to the U.S., and spent that money by, among other means: (a) purchasing postal money orders in Kuwait and then transferring them to the U.S for deposit in bank accounts held by EVICK, his wife and his girlfriend; (b) transferring money from Kuwait to the U.S. via Western Union; (c) transporting cash on their persons from Kuwait to the U.S., which, after arriving in the U.S., was converted into various financial instruments, including personal checks, cashier's checks, and money orders; and (d) arranging for money transported into the U.S. to be applied against debts held by RICHARD ALLEN EVICK and his wife, and deposited into bank accounts controlled by defendants RICHARD ALLEN EVICK, CRYSTAL YVETTE MARTIN, and EVICK's wife; and (e) purchasing and causing EVICK's wife to purchase home building materials, home furnishings, and other items with large amounts of cash.

b. In an effort to retrieve between \$200,000 and \$250,000 of co-

conspirator James Momon's bribe proceeds from co-conspirator Wajdi Rezik Birjas, defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN obtained money from Birjas in Kuwait;

c. On or about July 7, 2005, in Kuwait, defendant RICHARD ALLEN EVICK caused four \$700 postal money orders to be purchased which identified EVICK's wife as the payor and Chase Credit Card Services as the payee.

d. On or about August 19, 2005, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to pay her Chase credit card bill using two of the four money orders referenced in sub-paragraph 25.c above.

e. On or about September 22, 2005, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to pay her Chase credit card bill using two of the four money orders referenced in sub-paragraph 25.c above.

f. On or about December 12, 2005, defendant RICHARD ALLEN EVICK purchased two \$5,000 cashier's checks at the Armed Forces Bank of California that were payable to EVICK's wife.

g. On or about December 20, 2005, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to deposit the two cashier's checks referenced in sub-paragraph 25.f above into a checking account in the name of defendant RICHARD ALLEN EVICK and his wife at USAA Federal Savings Bank, account no. ****2220 (the "EVICK USAA joint checking account").

h. On or about December 29, 2005, defendant CRYSTAL YVETTE MARTIN opened the MARTIN CUO checking account.

i. On or about December 29, 2005, defendant CRYSTAL YVETTE

MARTIN opened the MARTIN CUO savings account.

j. On or about January 25, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to purchase a \$6,000 cashier's check from Citizens National Bank and deposit that check into a savings account in the name of defendant RICHARD ALLEN EVICK and his wife at USAA Federal Savings Bank, account no. ****2212 (the "EVICK USAA joint savings account").

k. On or about March 3, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused the payment of \$23,200 in cash and \$2,700 in cashier's checks and postal money orders to a supplier of construction materials for the building of the Evicks' Parsons, West Virginia residence.

l. On or about March 12, 2006, in Kuwait, defendant RICHARD ALLEN EVICK transferred \$875 to his wife in the Northern District of West Virginia via Western Union wire transfer.

m. On or about March 20, 2006, in Kuwait, defendant RICHARD ALLEN EVICK transferred \$800 to his girlfriend via Western Union wire transfer.

n. On or about March 27, 2006, in Kuwait, defendant RICHARD ALLEN EVICK transferred \$625 to his wife in the Northern District of West Virginia via Western Union wire transfer.

o. From on or about April 24, 2006 to on or about May 7, 2006, in Kuwait, defendant RICHARD ALLEN EVICK caused four \$700 postal money orders to be purchased which identified the mother of defendant EVICK's girlfriend as the payor and defendant EVICK's girlfriend as the payee.

p. On or about May 4, 2006, in Kuwait, defendant RICHARD ALLEN EVICK transferred \$1,200 to his wife in the Northern District of West Virginia via Western Union wire transfer.

q. On or about May 4, 2006, in Kuwait, defendant RICHARD ALLEN EVICK caused Western Union money orders of \$1,000 and \$200 to be purchased which identified EVICK's wife as the payee.

r. On or about May 11, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to deposit the two money orders referenced in sub-paragraph 25.q above into the EVICK USAA joint checking account.

s. On or about May 22, 2006, defendant RICHARD ALLEN EVICK caused his girlfriend to deposit the four postal money orders referenced in sub-paragraph 25.o above into her checking account at Bank of America, account no. *****8747.

t. On or about May 25, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to open a savings account in the name of EVICK, his son and herself at Citizens National Bank, account no. ***0142 (the "EVICK Family CNB savings account") using a \$1,000 cash deposit.

u. On or about May 25, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to purchase a \$2,000 cashier's check from Citizens National Bank and deposit it in the EVICK USAA joint savings account.

v. On or about May 25, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife purchased a \$2,000 cashier's

check from Citizens National Bank and used it to pay her Chase credit card bill.

w. On or about May 28, 2006, in Kuwait, defendant RICHARD ALLEN EVICK caused a postal money order of \$700 to be purchased which identified EVICK's wife as the payor and USAA Federal Savings Bank as the payee.

x. On or about June 16, 2006, three days after she had arrived in the U.S. from overseas, defendant CRYSTAL YVETTE MARTIN caused approximately \$9,900 in cash to be deposited into the MARTIN CUO checking account.

y. On or about June 16, 2006, defendant CRYSTAL YVETTE MARTIN caused the wiring of approximately \$10,020 from MARTIN's CUO checking account to her checking account at Fort Hood National Bank, account no. ***9262 (the "MARTIN FHNB checking account").

z. On or about June 17, 2006, one day before departing the U.S. for overseas, defendant CRYSTAL YVETTE MARTIN caused approximately \$9,800 in cash to be deposited into the MARTIN CUO checking account.

aa. On or about June 20, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife paid \$1,600 cash for furnishings at a home improvement store.

bb. On or about June 26, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife paid \$800 cash for furnishings at a home improvement store.

cc. On or about July 3, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife paid \$2,600 cash for a new washer/dryer appliance.

dd. On or about July 13, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to deposit the \$700 postal money order referenced in sub-paragraph 25.w above into the EVICK USAA joint checking account.

ee. On or about July 28, 2006, in Kuwait, defendant RICHARD ALLEN EVICK transferred \$500 to his wife in the Northern District of West Virginia via Western Union wire transfer.

ff. In or about mid-2006, in Kuwait, defendants RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN met with co-conspirator James Momon to discuss MARTIN's ability to transfer Momon's bribe money from Kuwait to the U.S.

gg. On or about August 4, 2006, defendant CRYSTAL YVETTE MARTIN caused \$4,000 in cash to be deposited into the MARTIN CUO savings account.

hh. On or about August 4, 2006, defendant CRYSTAL YVETTE MARTIN caused \$4,000 in cash to be deposited into the MARTIN CUO checking account.

ii. On or about August 4, 2006, defendant CRYSTAL YVETTE MARTIN caused the purchase a \$4,000 cashier's check from Credit Union ONE made payable to defendant RICHARD ALLEN EVICK's girlfriend, using funds from the MARTIN CUO savings account.

jj. On or about August 8, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused the payment of approximately \$20,000 cash to a supplier of construction materials for the building of the Evicks' Parsons, West Virginia residence.

kk. On or about August 15, 2006, defendant CRYSTAL YVETTE MARTIN wrote a personal check, no. 1001, payable to defendant RICHARD ALLEN EVICK's wife for \$4,000 on the MARTIN CUO checking account.

ll. On or about August 16, 2006, defendant CRYSTAL YVETTE MARTIN wrote a personal check, no. 440, payable to defendant RICHARD ALLEN EVICK's wife for \$3,000 on the MARTIN FHNB checking account.

mm. On or about August 17, 2006, defendant CRYSTAL YVETTE MARTIN wrote a personal check, no. 439, payable to defendant RICHARD ALLEN EVICK's wife for \$3,000 on the MARTIN FHNB checking account.

nn. On or about August 18, 2006, defendant CRYSTAL YVETTE MARTIN wrote a personal check, no. 1002, payable to defendant RICHARD ALLEN EVICK's wife for \$2,000 on the MARTIN CUO checking account.

oo. On or about August 19, 2006, defendant CRYSTAL YVETTE MARTIN wrote a personal check, no. 1003, payable to defendant RICHARD ALLEN EVICK's wife for \$2,000 on the MARTIN CUO checking account.

pp. On or about August 19, 2006, in Kuwait, defendant RICHARD ALLEN EVICK caused five \$500 postal money orders to be purchased which identified EVICK's wife as both the payor and the payee.

qq. On or about August 30, 2006, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit the two \$4,000 personal checks, nos. 1001 and 439, from MARTIN referenced in sub-paragraphs 25.kk and 25.mm above into the EVICK Family CNB savings account.

rr. On or about August 30, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to purchase two cashier's checks from Citizens National Bank in the amounts of \$805.26 and \$6,670.77 to pay debts associated with the building of the Evicks' Parsons, West Virginia residence.

ss. On or about August 31, 2006, in Kuwait, defendant RICHARD ALLEN EVICK transferred \$500 to his girlfriend via Western Union wire transfer.

tt. On or about September 1, 2006, defendant RICHARD ALLEN EVICK transferred \$500 to his girlfriend via Western Union wire transfer.

uu. On or about September 5, 2006, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit the three personal checks totaling \$7,000 from MARTIN, nos. 1002, 1003 and 440, referenced in sub-paragraphs 25.ll, 25.nn and 25.oo above into the EVICK USAA joint savings account.

vv. On or about October 23, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to open the EVICK/MARTIN CNB joint checking account with three of the money orders, totaling \$1,500, referenced in sub-paragraph 25.pp above.

ww. On or about October 31, 2006, defendant CRYSTAL YVETTE MARTIN caused three \$1,000 WAL-MART MoneyGram money orders to be purchased which identified MARTIN as the payor and defendant RICHARD ALLEN EVICK's wife as the payee.

xx. On or about November 3, 2006, defendant CRYSTAL YVETTE MARTIN caused three \$1,000 WAL-MART MoneyGram money orders to be purchased

which identified MARTIN as the payor and defendant RICHARD ALLEN EVICK's wife as the payee.

yy. On or about November 7, 2006, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit two of the \$1,000 money orders from defendant MARTIN referenced in sub-paragraph 25.xx above into the EVICK/MARTIN CNB joint checking account.

zz. On or about December 11, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK caused his wife to deposit two \$500 postal money orders from EVICK referenced above in sub-paragraph 25.pp above into the EVICK USAA joint checking account.

aaa. On or about December 12, 2006, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit two \$1,000 postal money orders from MARTIN referenced in sub-paragraphs 25.ww and 25.xx above into the EVICK/MARTIN CNB joint checking account.

bbb. On or about December 18, 2006, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit two of the \$1,000 money orders from MARTIN referenced in sub-paragraph 25.ww above into the EVICK/MARTIN CNB joint checking account.

ccc. On or about December 29, 2006, defendant CRYSTAL YVETTE MARTIN became a co-signor on the EVICK/MARTIN CNB joint checking account.

ddd. On or about December 29, 2006, defendant CRYSTAL YVETTE MARTIN paid approximately \$7,400.23 by MasterCard to a supplier of construction materials for the building of the Evicks' Parsons, West Virginia residence.

eee. On or about December 29, 2006, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife deposited \$1,500 cash into the EVICK/MARTIN CNB joint checking account.

fff. On or about January 9, 2007, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK transferred approximately \$8,538 in cash to a car dealership for the purchase of a 1999 Chevrolet C-1500 truck.

ggg. On or about January 10, 2007, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK transferred \$400 to his girlfriend via Western Union wire transfer.

hhh. On or about January 31, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN caused postal money orders for \$1,000 and \$500 to be purchased which identified MARTIN as the payor and Citizens National Bank as the payee.

iii. On or about February 10, 2007, defendant CRYSTAL YVETTE MARTIN transferred \$500 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

jjj. On or about February 27, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$500 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

kkk. On or about February 27, 2007, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD

ALLEN EVICK's wife to deposit the two money orders totaling \$1,500 from MARTIN referenced in the sub-paragraph 25.hhh above into the EVICK/MARTIN CNB joint checking account.

iii. On or about March 13, 2007, defendant CRYSTAL YVETTE MARTIN caused approximately \$1,066 in cash to be withdrawn from the MARTIN CUO checking account.

mmm. On or about March 16, 2007, defendant CRYSTAL YVETTE MARTIN caused the purchase of postal money orders for \$1,000, \$990 and \$200 which identified MARTIN as the payor and defendant RICHARD ALLEN EVICK as the payee.

nnn. On or about March 23, 2007, in the Northern District of West Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit the \$1,000 and \$990 money orders from MARTIN referenced in the sub-paragraph 25.mmm above into the EVICK/MARTIN CNB joint checking account.

ooo. On or about March 30, 2007, defendant CRYSTAL YVETTE MARTIN wrote a personal check for approximately \$3,270.09 drawn on the MARTIN CUO checking account towards the payment of EVICK's wife's credit card bill from JP Morgan Chase.

ppp. On or about March 30, 2007, defendant CRYSTAL YVETTE MARTIN wrote a personal check for approximately \$2,091.29 drawn on the MARTIN CUO checking account towards the payment of a consumer loan of the defendant RICHARD ALLEN EVICK's wife with CitiFinancial.

qqq. On or about April 6, 2007, in the Northern District of West

Virginia, defendant CRYSTAL YVETTE MARTIN caused defendant RICHARD ALLEN EVICK's wife to deposit the \$200 money order referenced in sub-paragraph 25.mmm above into the EVICK/MARTIN CNB joint checking account.

rrr. On or about April 9, 2007, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife deposited \$500 cash into the EVICK/MARTIN CNB joint checking account.

sss. On or about June 25, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$900 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

ttt. On or about July 7, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$900 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

uuu. On or about August 9, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN caused \$900 to be transferred to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

vvv. In July or August 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN received approximately \$42,000 in Kuwaiti dinars from co-conspirator Wajdi Rezik Birjas.

www. On or about September 18, 2007, defendant CRYSTAL YVETTE MARTIN arrived in the U.S. from Fiji.

xxx. On or about October 17, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$900 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

yyy. On or about October 18, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$500 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

zzz.. On or about November 1, 2007, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife deposited \$300 cash into the EVICK/MARTIN CNB joint checking account.

aaaa. On or about November 16, 2007, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife deposited \$200 cash into the EVICK/MARTIN CNB joint checking account.

bbbb. On or about November 21, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$350 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

cccc. On or about November 25, 2007, defendant RICHARD ALLEN EVICK met with co-conspirator James Momon to discuss the status of the efforts to retrieve Momon's bribe money and to bring that money to the U.S. During that meeting, EVICK told Momon that he had already spoken with MARTIN about delivering Momon's bribe money. EVICK stated: "Crystal's a . . . sir, I'm telling you. She knows, she knows everything about me and you . . . She knows that Dino has a million dollars of your money. 'Cause I told her. I said listen, that money is, is, is Mr. M's, and if you get it back here, you'll be well-compensated."

dddd. During the same conversation referenced in sub-paragraph 25.cccc, defendant RICHARD ALLEN EVICK further informed co-conspirator James Momon that defendant CRYSTAL YVETTE MARTIN had already received some of Momon's

bribe money. EVICK stated: "We did talk, like I said, we did talk about you, you know, bringing [expletive] back. She said she got it. She made a dry-run last time, flying, she flew to Italy . . . I don't know, she flew halfway around the [expletive] world."

eeee. During the same conversation referenced in sub-paragraph 25.cccc, defendant RICHARD ALLEN EVICK further promised co-conspirator James Momon that EVICK and defendant CRYSTAL YVETTE MARTIN would not reveal Momon's involvement in the scheme if questioned by law enforcement officials. EVICK stated: "She said, I'll do everything and anything I can and if something ever, you know, she's like me, if something ever went down, your name would never be brought up . . . you know, same with me, you know, we're had these conversations, but, uh, I'll call her tonight, sir."

ffff. In or about November or December 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN received approximately \$22,000 in Kuwaiti dinars from co-conspirator Wajdi Rezik Birjas.

gggg. On or about November 29, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$900 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

hhhh. On or about December 10, 2007, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$900 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

iiii. On or about January 3, 2008, in Kuwait, defendant CRYSTAL YVETTE MARTIN transferred \$600 to defendant RICHARD ALLEN EVICK via Western Union wire transfer.

jjj. On or about January 4, 2008, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife deposited \$600 cash into the EVICK/MARTIN CNB joint checking account.

kkkk. On or about January 10, 2008, in the Northern District of West Virginia, defendant RICHARD ALLEN EVICK's wife deposited \$600 cash into the EVICK/MARTIN CNB joint checking account.

lll. On or about January 19, 2008, defendant CRYSTAL YVETTE MARTIN arrived in the U.S. from Argentina.

mmmm. In approximately January or February 2008, in Kuwait, defendant CRYSTAL YVETTE MARTIN received approximately \$20,000 in Kuwaiti dinars from co-conspirator Wajdi Rezik Birjas.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS FIVE THROUGH TEN
18 U.S.C. § 1956(a)(1)(B)(i)
(Money Laundering)

26. The allegations of paragraphs 1-3 of this Indictment are repeated and realleged as though set forth herein.

27. . On or about the dates set forth below, in Kuwait, the Northern District of West Virginia, and elsewhere,

RICHARD ALLEN EVICK and CRYSTAL YVETTE MARTIN,

the defendants, knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, did knowingly conduct and attempt to conduct such a financial transaction which in fact involved the proceeds of specified unlawful activity, to wit, bribery of a public official in violation of Title 18, United States

Code, Section 201, knowing that the transaction was designed in whole and in part to conceal and disguise the source, ownership, and control of the proceeds of specified unlawful activity, as follows:

Count	Defendant(s)	Date	Financial Transaction
Five	Richard Evick	8/8/06	Payment of approximately \$20,000 cash to a supplier of construction materials for the building of the Evicks' Parsons, West Virginia residence.
Six	Richard Evick Crystal Martin	8/30/06	Deposit of check no. 1001 for \$4,000, drawn on Martin's CUO checking account, and check no. 439 for \$4,000, drawn on Martin's FHNB account, into the EVICK Family CNB savings account.
Seven	Richard Evick Crystal Martin	8/30/06	Purchase of a cashier's check for \$6,670.77 made out to a company that assisted in building the Evicks' Parsons, West Virginia residence.
Eight	Richard Evick Crystal Martin	9/5/06	Deposit of check no. 1002 for \$2,000 and check no. 1003 for \$2,000, both drawn on Martin's CUO checking account, and check no. 440 for \$3,000 drawn on Martin's FHNB account, into the EVICK USAA joint checking account.
Nine	Richard Evick Crystal Martin	12/29/06	Payment by MasterCard of \$7,400.23 to a supplier of construction materials for the building of the Evicks' Parsons, West Virginia residence.
Ten	Richard Evick	1/9/07	Payment of \$8,538 in cash to a car dealership for the purchase of a 1999 Chevrolet C-1500 truck.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

COUNT ELEVEN
18 U.S.C. § 1505
(Obstruction of Agency Proceeding)

28. The allegations of paragraphs 1-27 of this Indictment are repeated and realleged as though set forth herein.

29. The Department of Defense is a department and agency within the executive branch of the U.S. government. The Office of the Inspector General, U.S. Department of Defense, Defense Criminal Investigation Service ("DCIS") and the Army

Criminal Investigation Division (“CID”) are investigative agencies within the Department of Defense.

30. In or about November 2007, DCIS and CID began investigating allegations of bribery and money laundering relating to defendant RICHARD ALLEN EVICK and others. In connection with this investigation, DCIS and CID agents had the responsibility to secure relevant documents and interview material witnesses.

31. On or about March 7, 2008, defendant RICHARD ALLEN EVICK submitted to a voluntary interview conducted by DCIS agents at his residence in Parsons, West Virginia. At the time of the interview, EVICK knew DCIS was conducting the above-referenced investigation, and EVICK signed a military suspect’s warning and waiver of rights form in which he acknowledged that he knew about the investigation.

32. During the interview, defendant RICHARD ALLEN EVICK made the following false and misleading statements and withheld and concealed the following information:

a. When asked if co-conspirator James Momon took money from contractors, EVICK stated, “best of my knowledge, no,” and did not disclose that he knew Momon had received over \$1 million in bribes from contractors and that EVICK had agreed to assist Momon to transport some of his bribe money from Kuwait to the U.S.

b. EVICK denied that he had taken any money or things of value from contractors, except for a few cigars, denied that he had ever been offered money or things of value, and did not disclose that he had received bribe money from CC-1, CC-2, CC-3, and co-conspirators James Momon and Wajdi Reziq Birjas.

c. When asked about the allegation that CC-1 had paid him \$75,000 in March or April 2006 while co-conspirator James Momon was on mid-tour break, EVICK stated that the allegation was untrue, asked who CC-1 was, and stated that he had never heard of CC-1, and EVICK did not disclose that he knew CC-1, that he had received \$150,000 from CC-1, and that EVICK had facilitated co-conspirator James Momon's bribery arrangement with CC-1.

d. EVICK stated that he had never steered a contract to a contractor for a reason other than it had presented the lowest bid, and did not disclose his bid rigging scheme with CC-2, CC-3, and co-conspirator Wajdi Rezik Birjas.

e. EVICK stated that he had never provided a contractor with a statement of work before a contract was offered, and did not disclose that he had given CC-1 an advance copy of the statement of work for the U.S. Army's bottled water IDIQ.

f. EVICK stated that he had never been to co-conspirator Wajdi Rezik Birjas's house and did not disclose that he had been in Birjas's house to assist co-conspirator James Momon to deposit a large amount of cash into Birjas's safe.

g. EVICK stated that he had never offered to help a contracting officer to bring cash into the U.S. from Kuwait, and did not disclose that he was attempting to do that for co-conspirator James Momon.

h. EVICK stated that he had never offered to bury money in the backyard of his West Virginia residence and did not disclose that he had offered to do that for co-conspirator James Momon.

33. On or about March 7, 2008, in the Northern District of West Virginia,

RICHARD ALLEN EVICK,

the defendant, did knowingly and corruptly endeavor to influence, obstruct and impede the due and proper administration of law under which a proceeding, to wit, an investigation into allegations of bribery and money laundering, was pending before the Department of Defense, by making materially false and misleading statements to, and withholding and concealing information from, agents conducting the investigation, as set forth in the preceding paragraph.

All in violation of Title 18, United States Code, Sections 1505 and 2.

CRIMINAL FORFEITURE ALLEGATION

34. Paragraphs 1 through 33 are re-alleged as though set forth fully herein and incorporated by reference for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), and the provisions of Title 18, United States Code, Section 982(a)(1).

35. Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), each defendant who is convicted of Count 1 (Bribery Conspiracy) and Counts 2 and 3 (Bribery) shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to said violations. If more than one defendant is convicted of an offense, the defendants so convicted shall be jointly and severally liable for the amount involved in such offense.

36. Pursuant to Title 18, United States Code, Section 982(a)(1), each defendant who is convicted of Count 4 (Money Laundering Conspiracy) and Counts 5 through 10 (Money Laundering) shall forfeit to the United States any property, real or

personal, involved in such offenses, and any property traceable to such property, including a money judgment for the total amount involved in the violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h). If more than one defendant is convicted of an offense, the defendants so convicted shall be jointly and severally liable for the amount involved in such offense.

37. The property to be forfeited in connection with the convictions in Counts 1 through 10 includes, but is not limited to the following:

- a. Real Property: HC 64 Box 265-1, Parsons, West Virginia, further described as Lot 5, containing 2.03 acres in Holly Meadows Riverbend subdivision, Tucker County.

38. If, as a result of any act or omission of a defendant, any of the property described above as being subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 that cannot be subdivided without difficulty;

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code 2461(c).

A TRUE BILL
/s/ Electronic Signature

FOREPERSON OF THE GRAND JURY

JACK SMITH
Chief, Public Integrity Section
Criminal Division

/s/ Electronic Signature

Peter C. Sprung
Timothy J. Kelly
Trial Attorneys