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2019 AUG 12 AM 10:42

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBIN LONGORIA,

Defendant.

) INFORMATION

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1 : 19 CR 482

CASE NO.

Title 18, United States Code,
Section 371

JUDGE BOYKO

GENERAL ALLEGATIONS

Relevant Entities and Individuals

At all times relevant to this Information:

1. Defendant ROBIN LONGORIA was a United States citizen and a “domestic concern” as that term is defined in the Foreign Corrupt Practices Act (“FCPA”), 15 U.S.C. § 78dd-2(h)(1)(A).

2. “Adoption Agency” was an international adoption agency that facilitated intercountry adoptions from Uganda and elsewhere for prospective adoptive parents in the United States. Adoption Agency had its principal place of business in Strongsville, Ohio, was organized under the laws of Ohio, and Adoption Agency was therefore a “domestic concern,” as that term is used in the FCPA, Title 15, United States Code, Section 78dd-2(h)(1). Defendant was an employee of Adoption Agency. Therefore, Defendant was an employee and agent of a domestic concern.

3. Adoption Agency Manager 1 was a United States citizen and an employee of Adoption Agency. Adoption Agency Manager 1 was therefore a “domestic concern” as that

term is defined in the FCPA, 15 U.S.C. § 78dd-2(h)(1)(A), and an employee and agent of a domestic concern.

4. “Ugandan Agent 1” was a Ugandan citizen and attorney who served as Adoption Agency’s foreign supervised provider of adoption services in Uganda. Ugandan Agent 1 was an agent of a domestic concern as that term is used in the FCPA, Title 15, United States Code, Section 78dd-2(h)(1).

5. “Ugandan Government Officials,” including certain Justices of the High Court of Uganda (also referred to as “Ugandan Judges”), were employees of a foreign government and were acting in their official capacities on behalf of a foreign government in exercising responsibilities related to the care of orphan children. Ugandan Government Officials, including the Ugandan Judges, were therefore “foreign officials” as that term is defined in the FCPA, 15 U.S.C. § 78dd-2(h)(2)(A).

The Conspiracy to Facilitate Intercountry Adoptions from Uganda through Bribery, Wire Fraud, and Visa Fraud

6. In or around 2012, Adoption Agency began to establish a program to facilitate adoptions of Ugandan children by prospective adoptive parents in the United States. From at least 2012 to in or around 2016, Defendant’s responsibilities at Adoption Agency included managing aspects of Adoption Agency’s adoption program in Uganda in coordination with Adoption Agency Manager 1 and others.

7. In or around 2013, Adoption Agency entered into an agreement with Ugandan Agent 1, an attorney based in Kampala, Uganda, to provide adoption-related services to Adoption Agency. From in or around 2013 to in or around 2016, Adoption Agency directed its clients in its Uganda program to hire Ugandan Agent 1 as their attorney for adoption-related proceedings. Ugandan Agent 1, among other things, identified children for potential adoption by

Adoption Agency's clients; represented Adoption Agency's clients in Ugandan court proceedings, including guardianship proceedings in the High Court of Uganda; and assisted Adoption Agency's clients in applying to the United States Department of State (the "State Department") for visas for the children they intended to adopt.

8. From in or around 2013 through in or around 2016, Adoption Agency, in collaboration with Ugandan Agent 1, facilitated the adoption of more than 30 Ugandan children by U.S. clients. Adoption Agency received more than \$800,000 from these clients, including fees charged to the clients that were described as "Foreign Program Fees." Adoption Agency's clients in the Uganda program often paid more than \$10,000 each in Foreign Program Fees.

9. From in or around 2013 through in or around 2016, Ugandan Agent 1 caused bribes to be paid to Ugandan Government Officials for the purpose of influencing them to misuse their official positions by taking actions that assisted Ugandan Agent 1 and Adoption Agency in facilitating adoptions. These bribes included, but were not limited to: (1) bribes to probation officers to influence them to issue favorable probation reports recommending that a particular child be placed into an orphanage; (2) bribes to court registrars to influence them to assign particular cases to "adoption-friendly" Ugandan Judges; and (3) bribes to Ugandan Judges to influence them to issue favorable guardianship orders to Adoption Agency's clients.

10. Ugandan Agent 1 and her staff regularly sent emails to Defendant and Adoption Agency Manager 1 requesting payment for their services. These emails at times included requests for money to fund bribes to Ugandan government officials. Bribe payments were not explicitly described as bribes but, rather, as "fees" or other types of costs. For example, Ugandan Agent 1 at times described bribes to court registrars as "court filing fees" and bribes to Ugandan Judges as "judge's fees." Individual bribes were in the amount of hundreds of U.S.

dollars or more. Defendant and others caused Adoption Agency to wire funds to Ugandan Agent 1 knowing that the funds would be used, at least in part, to pay bribes to Ugandan government officials.

11. Adoption Agency undertook to conceal these bribes from its clients. Specifically, Defendant assisted Adoption Agency Manager 1 in concealing from Adoption Agency's clients information regarding how Adoption Agency and Ugandan Agent 1 spent client funds, including the Foreign Program Fees. For example, in or about September 2016, an Adoption Agency client emailed Defendant and others requesting "a breakdown of exactly what the foreign program fees covered." Defendant did not provide the requested information, and instead falsely wrote to the client, "[w]e do not have more detailed information."

12. A prospective adoptive parent who intends to bring a Ugandan child into the United States for adoption typically must obtain an IR4 visa for the child from the State Department. Defendant, Adoption Agency Manager 1, Ugandan Agent 1 and others also caused Adoption Agency's clients to provide false information to the State Department for the purpose of misleading the State Department in its adjudication of these visa applications.

13. In or about May 2015, Defendant and Adoption Agency Manager 1 received an email from Ugandan Agent 1 telling them to create false documents for a particular Adoption Agency client because otherwise "it will be problematic at embassy." Defendant then created documents falsely representing the date upon which Adoption Agency had referred the Ugandan child at issue to the client—a fact that is significant to the State Department in its adjudication of IR4 visa applications. Defendant provided the false documents to Adoption Agency's client so that the client would submit them to the State Department in the client's visa application.

COUNT 1

(Conspiracy to Violate the Foreign Corrupt Practices Act and to Commit Wire Fraud and Visa Fraud, 18 U.S.C. § 371)

The United States Attorney charges:

14. The allegations set forth in paragraphs 1 through 13 are incorporated and realleged as though fully set forth herein.

The Conspiracy to Violate the FCPA and to Commit Wire and Visa Fraud

15. From in or around 2012 to in or around 2016, both dates being approximate and inclusive, within the Northern District of Ohio, Eastern Division, and elsewhere, Defendant ROBIN LONGORIA, together with others, including Adoption Agency Manager 1 and others, did knowingly and willfully conspire, combine, confederate and agree to commit one or more offenses against the United States, to wit:

a. being a domestic concern and an employee and agent of a domestic concern, to make use of the wires and means and instrumentalities of interstate commerce corruptly in furtherance of an offer, payment, promise to pay, and authorization of the payment of any money, offer, gift, promise to give, and authorization of the giving of anything of value to a foreign official and to any person, while knowing that all and a portion of such money and thing of value would be offered, given, and promised, directly and indirectly, to a foreign official, for purposes of: (i) influencing any act and decision of such foreign official in his or her official capacity; (ii) inducing such foreign official to do and omit to do any act in violation of the lawful duties of such official; (iii) securing any improper advantage; or (iv) inducing such foreign official to use his or her influence with a foreign government and instrumentality thereof to affect and influence acts and decisions of such government and instrumentality, in order to assist Adoption Agency, Defendant, Adoption Agency Manager 1, and others known and unknown in

obtaining and retaining business for and with, and directing business to Adoption Agency, Defendant, Adoption Agency Manager 1, and others known and unknown, in violation of Title 15, United States Code, Section 78dd-2; and

b. to knowingly devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice, to transmit and cause to be transmitted by means of wire communication in interstate commerce, writings, signs, signals, and pictures, in violation of Title 18, United States Code, Section 1343; and

c. to knowingly use, attempt to use, possess, obtain, accept, or receive any immigrant or nonimmigrant visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained, in violation of Title 18, United States Code, Section 1546(a).

Objects of the Conspiracy

16. The objects of the conspiracy were:

a. to bribe Ugandan government officials, including Justices of the Ugandan High Court and others, to facilitate the adoption of Ugandan children by Adoption Agency's clients and thereby assist Adoption Agency in obtaining and retaining business;

- b. to obtain payment for adoption services from Adoption Agency's clients by using false and fraudulent pretenses including, among other things, deceiving Adoption Agency's clients about bribes paid to Ugandan government officials to facilitate the adoptions; and
- c. to cause Adoption Agency's clients to provide false information to the State Department for the purpose of misleading the State Department in its adjudication of visa applications for prospective Ugandan adoptees.

Manner and Means of the Conspiracy

17. The conspiracy was carried out through the following manner and means, among others:
- a. Defendant and her co-conspirators discussed in person, via email, and on the telephone their plan to pay bribes to Ugandan government officials to influence them to misuse their official positions by taking actions that assisted Adoption Agency and Ugandan Agent 1 in facilitating adoptions.
 - b. Defendant and her co-conspirators discussed in person, via email, and on the telephone the method by which they would pay bribes to Ugandan government officials, including sending funds from the United States to Uganda via wire transfer.
 - c. Defendant and her co-conspirators deceived Adoption Agency's clients through communications in person, via email, and on the telephone about the manner in which the clients' fees were spent in Uganda, including the use of those fees by Ugandan Agent 1 and others to pay bribes to Ugandan government officials.
 - d. Defendant and her co-conspirators discussed in person, via email, and on the telephone their scheme to mislead the State Department in its adjudication of visa applications by, among other things, the creation of false documents to submit to the State Department.

e. The co-conspirators used instrumentalities of interstate commerce to execute their scheme, including making illicit payments through international wire transfers and money orders, making false and fraudulent communications over email, and transmitting false documents over email.

Overt Acts

18. In furtherance of the conspiracy, and to effect the objects thereof, Defendant and Adoption Agency Manager 1, and others, committed the following overt acts in the Northern District of Ohio, Eastern Division, and elsewhere:

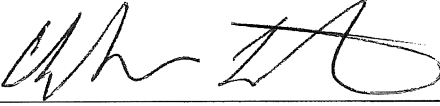
a. In or around May 2015, Defendant, in coordination with Adoption Agency Manager 1 and others, created documents falsely representing the date on which Adoption Agency had referred a Ugandan child to Adoption Agency's client.

b. In or around May 2015, Defendant, in coordination with Adoption Agency Manager 1 and others, caused false documents to be submitted to the State Department in connection with a visa application.

c. In or around March 2016, Defendant, in coordination with Adoption Agency Manager 1 and others, caused approximately \$13,000 to be wired to Ugandan Agent 1 in response to a request for, among other things, approximately \$4,000 for "Judges' fees."

d. In or around September 2016, Defendant assisted Adoption Agency Manager 1 in concealing from Adoption Agency's clients information regarding how Adoption Agency spent the Foreign Program Fees.

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



For ROBERT ZINK
Chief, Fraud Section



JUSTIN E. HERDMAN
United States Attorney

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

1:19 CR 482

United States of America

v.

Robin Longoria

Defendant

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Case No.

JUDGE BOYKO

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _____

Defendant's signature

Signature of defendant's attorney

Steven T. Jumes

Printed name of defendant's attorney

Judge's signature

United States District Judge

Judge's printed name and title