

## United States v. Yaw Osei Amoako (D.N.J. 2005)

### Nature of the Business.

Procurement of business and individual telecommunication services contracts by Yaw Osei Amoako (“Amoako”), the former regional director for Africa for ITXC Corp. (“ITXC”), a U.S.-based provider of global telecommunications services. In 2004, ITXC merged with Teleglobe International Holdings, Ltd. (“Teleglobe”), a U.S.-based provider of international voice, data, Internet, and mobile roaming services.

### Influence to be Obtained.

According to the criminal and SEC complaints in this action and the SEC complaint in separate actions against his co-conspirators, Amoako helped arranged several payments to officials at government-owned telephone companies, Nitel, Rwandatel, and Sonatel. In exchange for the payments, Amoako sought the award of lucrative telephone contracts to provide individual and business telecommunication services in those countries.

### Enforcement.

After identifying the potential improper payments, Teleglobe notified the SEC and DOJ and conducted its own internal investigation. After conducting their own investigations, the SEC and DOJ in June 2005 brought separate cases against Amoako for violations of the FCPA. On September 6, 2006, the DOJ reported that Amoako had pled guilty to one count of conspiring to violate the anti-bribery provisions of the FCPA. On August 1, 2007, Amoako was sentenced to 18 months imprisonment, including 6 months in a halfway house, 2 years of supervised release with special conditions, a fine of \$7,500 and a special assessment of \$100. On April 18, 2008, Amoako entered into a settlement agreement with the SEC as well.

### Key Facts

**Citation.** *United States v. Amoako*, No. 3:05-cr-01122 (D.N.J. 2006).

**Date Filed.** June 28, 2005.

**Country.** Nigeria, Rwanda, Senegal.

**Date of Conduct.** 2001 – 2004.

**Amount of the Value.** \$267,468.95.

**Amount of Business Related to the Payment.** \$11,509,733.

**Intermediary.** None.

**Foreign Official.** Senior Officials of Government-Owned Telephone Companies.

**FCPA Statutory Provision.** Conspiracy.

**Other Statutory Provision.** Conspiracy (Travel Act).

**Disposition.** Plea Agreement.

**Defendant Jurisdictional Basis.** Agent of Issuer; Conspiracy.

**Defendant’s Citizenship.** Not Stated.<sup>1</sup>

**Total Sanction.** 18-Months Imprisonment, \$7,500 Criminal Fine.

**Related Enforcement Actions.** *SEC v. Amoako*.

---

<sup>1</sup> Yaw Osei Amoako was a resident of New Jersey.