

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2009 JUL -8 P 3:58

CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

SA 09 CR 549 FB

UNITED STATES OF AMERICA

v.

NYREE PETTAWAY,

Defendant.

Violation: 18 U.S.C. § 371
(Conspiracy)

The United States, by and through its attorneys, charges:

INFORMATION

1. For purposes of this Information, the relevant period is that period from in or about December 2006 until in or about November 2007. From on or about June 30, 2004 until in or about December 2005, defendant's uncle, John Cockerham, a Major in the U.S. Army, was deployed to Camp Arifjan, Kuwait, as a Contracting Officer. In or about November 2005, defendant relocated to Kuwait to accept employment with a contractor working at Camp Arifjan.
2. In or about 2005, John Cockerham demanded, sought, received, accepted, and agreed to receive and accept at least \$9.6 million in bribes from contractors in return for awarding contracts and performing contracting actions on behalf of those contractors.
3. In or about 2005, John Cockerham's family and associates, including, among others, his sister, Carolyn Blake, and his wife, Melissa Cockerham, received these bribe payments from contractors on John Cockerham's behalf. In or about 2005, Blake received approximately \$3.1 million and Melissa Cockerham received approximately \$1.9 million, all paid in cash in United States, Kuwaiti, and Emirati currency.
4. In or about 2005, Blake, Melissa Cockerham, and others placed at least

\$3.6 million in United States and Kuwaiti currency, received as bribe payments from contractors on John Cockerham's behalf, in safe deposit boxes in Kuwait.

5. On or about December 20, 2006, criminal investigators searched John Cockerham's and Melissa Cockerham's house, and uncovered evidence that money paid as bribes to John Cockerham was received by Blake, Melissa Cockerham, and others, and was kept in safe deposit boxes in Kuwait and elsewhere.

COUNT ONE
18 U.S.C. § 371
(Conspiracy To Obstruct Justice)

Paragraphs 1 through 5 of this Information are incorporated by reference as if fully stated herein, and the following is further alleged:

6. From in or about January 2007 until at least in or about November 2007, the exact dates being unknown, in the Western District of Texas, Kuwait, and elsewhere, defendant

NYREE PETTAWAY

and others known and unknown did knowingly and unlawfully combine, conspire, confederate, and agree to commit an offense against the United States, that is:

(a) to corruptly alter, destroy, mutilate, and conceal records, documents, and other objects, and attempt to do so, with the intent to impair the object's integrity and availability for use in an official proceeding, and otherwise obstruct, influence, and impede an official proceeding, and attempt to do so, in violation of Title 18, United States Code, Section 1512(c)(1), (2); and

(b) to corruptly persuade another person, and attempt to do so, and engage in misleading conduct toward another person, with intent to influence, delay, and prevent

the testimony of a person in an official proceeding, and cause and induce a person to alter, destroy, mutilate, and conceal objects with intent to impair the object's integrity and availability for use in an official proceeding, in violation of Title 18, United States Code, Section 1512(b)(1), (2)(B).

OBJECT OF THE CONSPIRACY

7. It was an object of the conspiracy for defendant and others to misrepresent the source of funds, to create fraudulent and misleading agreements and other documents in an effort to make the source of payments made by contractors to John Cockerham and his assignees appear legitimate, to conceal cash and give cash to others for safekeeping in an effort to prevent its availability for use in official proceedings, and otherwise to obstruct, influence, and impede the investigation.

MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that defendant and others would, among other things, do the following:

8. Create an email address under an assumed name to facilitate undetected communication among co-conspirators.
9. Create fraudulent and misleading agreements and other documents to make the source of payments made by contractors to John Cockerham and his assignees appear legitimate.
10. Deliver the fraudulent and misleading agreements and other documents to co-conspirators for their signature and ratification.
11. Direct co-conspirators to destroy evidence and make false statements and representations if questioned by investigators.

12. Give money to co-conspirators for safekeeping to impair the money's availability for use in an official proceeding.

13. Make false statements and representations when questioned by investigators.

OVERT ACTS

In furtherance of the conspiracy and in order to accomplish its objects, the following overt acts, among others, were committed by defendant and others in the Western District of Texas, Kuwait, and elsewhere:

14. In or about December 2006, in Texas, John Cockerham approached defendant for help relaying messages, passing documents, and delivering money to co-conspirators in Kuwait. Defendant agreed to do so upon her return to Kuwait later that month.

15. In or about January 2007, defendant created the email account praystandbestill@yahoo.com under the assumed name Jane Johnson, in order to facilitate undetected communication among co-conspirators.

16. In or about January 2007, defendant delivered fraudulent and misleading agreements and other documents to the contractors and requested their signatures on these documents.

17. In or about January 2007, defendant returned one of these fraudulent agreements to John Cockerham in San Antonio, after obtaining the contractor's signature and corporate stamp on the document which the contractor back-dated to August 16, 2006.

18. In or about January 2007, Blake retrieved approximately \$3 million cash from safe deposit boxes in Kuwait and gave the money to defendant.

19. In or about January 2007, defendant delivered cash to co-conspirators for

safekeeping, out of reach of criminal investigators.

20. On or about November 17, 2007, defendant made false statements and representations to investigators when questioned.


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

DATED: July 6, 2009, at Washington, D.C.

For the United States

LISA M. PHELAN, Chief
National Criminal Enforcement Section
Antitrust Division

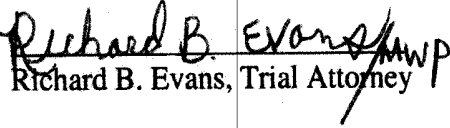
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