

# Introduction to Foreign Corrupt Practices Act Reporter, 2d December 2025

In this update, we are pleased to bring you new material to help keep you updated on recent Foreign Corrupt Practice Act (FCPA) developments. Updates in this supplement include the new DOJ bribery cases and SEC cases identified below. We've revised Chapter 1 to discuss this case and update the discussions of the key elements of the FCPA. New summaries of SEC books and records cases have been added to Chapter 27 and the full text of the DOJ and SEC enforcement actions have been added to Chapter 48.

## **Cases in this Report and Supplement include:**

**DOJ Bribery Cases:** In the Matter of United States v. Glenn Oztemel, August 11, 2025, 6 FCPA Rep. § 48:2 (2025)

**SEC Bribery Cases:** SEC v. Coburn, July 15, 2025, 6 FCPA Rep. § 48:1 (2025)

**SEC v. Coburn, July 15, 2025, 6 FCPA Rep. § 48:1 (2025)**

On July 15, 2025, the Securities and Exchange Commission filed a joint stipulation with Defendants Gordon J. Coburn and Steven E. Schwartz to dismiss, with prejudice, the Commission's ongoing civil enforcement action against them. The defendants, former executives of Cognizant Technology Solutions Corporation, were charged in connection with alleged Foreign Corrupt Practices Act violations. The government had previously sought a delay to allow the newly sworn United States Attorney time to consider the impact of President Trump's February 10, 2025 Executive Order, which directed the Attorney General to review all pending FCPA enforcement actions.

**In the Matter of United States v. Glenn Oztemel, August 11, 2025, 6 FCPA Rep. § 48:2 (2025)**

On August 11, 2025, the United States District Court for the District of Connecticut issued a memorandum of decision denying defendant Glenn Oztemel's post-trial motions for judgment of acquittal or, alternatively, for a new trial. Oztemel was convicted by a jury on multiple counts, including conspiracy to violate the Foreign Corrupt Practices Act ("FCPA"), three substantive FCPA violations, conspiracy to engage in international promotional money laundering, and two counts of money laundering. The charges stemmed from Oztemel's involvement in a scheme to bribe officials at the Brazilian state-owned oil company Petrobras in exchange for confidential information, with payments funneled through wire transfers and sham consultancy arrangements involving Freepoint Commodities, LLC and Wertech.

Oztemel's principal post-trial argument was that the prosecution was time-barred, asserting that the government failed to prove any illegal conduct occurred after August 14, 2017, the agreed statute of limitations cut-off. The court rejected this argument, finding that witness testimony established that the conspiracy and related acts continued into late 2018, well within the limitations period. The witness testimony, corroborated by emails, encrypted messages, and other records, implicated Oztemel in ongoing efforts to obtain confidential information and to facilitate bribe payments, even when some promised payments were not

ultimately made.

Oztemel also challenged the sufficiency and clarity of the jury instructions, particularly regarding the FCPA's statutory subsections, the definition of "domestic concern," and the need for jury unanimity on the precise method of FCPA violation. The court found the instructions legally sound, noting that the FCPA provides multiple means of violation and that the jury need not be unanimous as to the specific subsection violated. The court further held that any errors in the instructions were harmless, given the overwhelming evidence of Oztemel's knowing participation and the jury's conviction on substantive counts based on acts within the limitations period.

The court concluded that none of the alleged errors, whether procedural or substantive, warranted overturning the jury's verdict or granting a new trial. Accordingly, Oztemel's motions for judgment of acquittal and for a new trial were denied.