Introduction to Foreign Corrupt Practices Act Reporter, 2d

July 2026

In this update, we are pleased to bring you new material to help keep you updated on recent Foreign Corrupt Practice Act (FCPA) developments. Starting in 2026, the Foreign Corrupt Practices Act Reporter will be updated three times per year. Updates in this supplement include the new DOJ bribery cases identified below. We've revised Chapter 1 to discuss this case and update the discussions of the key elements of the FCPA. The full text of the DOJ enforcement actions have been added to Chapters 48 and 49.

Cases in this Report and Supplement include:

DOJ Bribery Cases: United States v. Rovirosa and Avila, August 6, 2025, 6 FCPA Rep. § 48:5 (2025); United States v. Nazar Mohamed and Azruddin Mohamed, October 2, 2025, 6 FCPA Rep. § 48:6 (2025); United States v. David Ferrera et al., March 4, 2026, 6 FCPA Rep. § 49:1 (2026).

United States v. Rovirosa and Avila, August 6, 2025, 6 FCPA Rep. § 48:5 (2025)

On August 6, 2025, a grand jury in the Southern District of Texas returned an indictment charging Ramon Alexandro Rovirosa Martinez and Mario Alberto Avila Lizarraga with conspiracy to violate the Foreign Corrupt Practices Act ("FCPA") and three substantive FCPA counts. According to the indictment, Rovirosa and Avila, both Mexican citizens and lawful permanent residents of Texas, acted as domestic concerns under the FCPA and engaged in a bribery scheme involving officials at Petróleos Mexicanos ("PEMEX") and its subsidiary PEMEX Exploración y Producción ("PEP"). The indictment alleged that, from at least June 2019 through October 2021, the defendants offered and paid bribes in the form of cash, luxury goods, and other things of value to PEMEX and PEP officials in order to obtain business, secure contract awards, resolve audits favorably, and obtain payment approvals for companies associated with Rovirosa in the Mexican energy sector.

The scheme centered on bribery of three PEMEX or PEP officials, including a senior internal audit manager, a procurement coordinator, and an official involved in land infrastructure services. The defendants allegedly used WhatsApp messages, cash deliveries, and intermediaries to arrange corrupt payments and conceal the scheme. Among the alleged benefits provided were a Louis Vuitton handbag, a Hublot watch worth approximately $12,500, a treadmill, and substantial cash payments. The defendants sought favorable treatment in connection with the closure of an audit involving pipeline maintenance work, the release of PEMEX and PEP payments, and the award of two contracts identified as the Roads and Platforms Contract and the Mechanical Integrity Contract.

The bribery scheme allegedly succeeded in helping the defendants' affiliated companies obtain and retain business with PEMEX and PEP. In particular, the government alleged that, in 2020, certain of the companies and their partners received PEMEX and PEP contracts with a combined value of at least $2.5 million, including a Roads and Platforms Contract valued between approximately MXP $12 million and MXP $30 million and a Mechanical Integrity Contract valued at approximately MXP $52 million. The defendants offered, promised, authorized, or paid at least $150,000 in bribes between June 2019 and October 2021. The substantive FCPA counts were tied to specific interstate communications, including WhatsApp messages coordinating cash bribes in November 2019 and March 2020.

In addition to the conspiracy charge under 18 U.S.C.A. § 371, Counts Two through Four charge substantive FCPA violations under 15 U.S.C.A. § 78dd-2 and aiding and abetting under 18 U.S.C.A. § 2.

United States v. Nazar Mohamed and Azruddin Mohamed, October 2, 2025, 6 FCPA Rep. § 48:6 (2025)

On October 2, 2025, a federal grand jury in the Southern District of Florida returned an indictment charging Guyanese businessmen Nazar Mohamed and Azruddin Mohamed in connection with a long-running fraud and money laundering scheme involving the export of gold from Guyana through Miami. According to the indictment, Nazar Mohamed owned 90% of Mohamed's Enterprise and Azruddin Mohamed owned the remaining 10%. Mohamed's Enterprise was a Guyana-based gold wholesaler and exporter that sold gold primarily to buyers in Miami and Dubai. From approximately 2017 through June 11, 2024, the defendants allegedly conspired to defraud the government of Guyana by evading export taxes owed to the Guyana Revenue Authority ("GRA") and royalties owed to the Guyana Gold Board ("GGB") on gold shipments.

The defendants developed a scheme in which Mohamed's Enterprise would lawfully pay taxes and royalties on one shipment of gold, obtain the necessary GRA and GGB customs seals, and then fraudulently reuse those same declarations and seals on later shipments to make it appear that taxes and royalties had been paid when they had not. The defendants caused empty wooden boxes with intact GRA and GGB seals to be shipped from Dubai to Miami and then forwarded from Miami to Guyana for reuse in subsequent gold exports. The government also alleged that the defendants paid bribes to Guyanese customs and other officials so that shipments bearing duplicate paperwork and reused seals would be accepted. At least 10,000 kilograms of gold were exported through Miami without proper payment of Guyanese taxes and royalties, causing an estimated loss of approximately $50 million to Guyanese authorities.

The charging document includes Count 1 for conspiracy to commit mail and wire fraud, Counts 2 through 5 charging Nazar Mohamed with substantive wire fraud based on emails sent from Guyana to a Miami shipping company requesting transport of gold shipments to Dubai through Miami, and Counts 6 through 9 charging Azruddin Mohamed with substantive mail fraud based on shipments of empty sealed boxes from Dubai to Miami. Count 10 charges both defendants with conspiracy to commit money laundering, alleging that they transmitted funds internationally between Guyana and the United States to promote the fraud, bribery, and related unlawful activity. The specified unlawful activity includes mail fraud, wire fraud, and offenses against Guyana involving bribery of public officials and misappropriation of public funds.

Azruddin Mohamed was also separately charged in Count 11 with mail fraud arising from an alleged scheme to evade Guyanese import duties on a 2020 Lamborghini Aventador SV. According to the indictment, Azruddin directed another individual to obtain the vehicle for approximately $680,000, caused it to be shipped from Miami to Guyana, and arranged for a false invoice stating a value of only $75,300 to be presented to Guyanese authorities, thereby avoiding more than $1 million in taxes.

United States v. David Ferrera et al., March 4, 2026, 6 FCPA Rep. § 49:1 (2026)

On March 4, 2026, a grand jury in the United States District Court for the Central District of California returned an indictment charging David Ferrera and Marc Tilman with conspiracy to violate the Foreign Corrupt Practices Act ("FCPA"), substantive FCPA violations, conspiracy to commit money laundering, and international promotional money laundering. Ferrera, a U.S. citizen and Orange County resident, was alleged to be a senior executive of a California-based medical device company that was a wholly owned subsidiary of a French parent company. Tilman, a Belgian citizen, allegedly owned and operated a Belgium-based consulting company and served as an agent of the U.S. subsidiary. The indictment alleged that the defendants participated in a bribery scheme involving a French public hospital, Centre Hospitalier Universitaire de Reims ("CHU Reims"), an instrumentality of the French government, in order to increase sales of medical devices, including coils used to treat brain aneurysms and other vascular conditions.

From approximately 2017 through September 2023, Ferrera and Tilman allegedly conspired to pay bribes to a French hospital employee identified as a "foreign official" under the FCPA. The alleged purpose of the scheme was to influence the official to cause CHU Reims to purchase the companies' medical devices and thereby help Ferrera, Tilman, and the affiliated companies obtain and retain business. The indictment alleged that the defendants used Tilman's consulting company as an intermediary to funnel corrupt payments through sham consulting agreements, false invoices, and purported bonus payments. The defendants concealed the scheme by communicating through personal email accounts and encrypted messaging applications, using coded language such as "training," "bonuses," and "our friend" to refer to bribes and the recipient.

The defendants allegedly engaged in numerous overt acts in furtherance of the conspiracy, including messages and emails discussing payment amounts tied to device sales and the use of fabricated business justifications for reimbursements. There was also a series of wire transfers from the U.S.-based medical company's bank account to the consulting company in Belgium, followed by transfers from Belgium to bank accounts in France allegedly controlled by or for the benefit of the foreign official. Among the substantive FCPA counts, the indictment specifically identifies approximately €20,000 and €25,000 wire transfers in July and October 2019. The money laundering counts similarly identify additional transfers of approximately €25,000 and €38,500 in 2020 that allegedly promoted the underlying bribery scheme.