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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

February 2001 Grand Jury

02 CR 1966 **ALH**

UNITED STATES OF AMERICA,)
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Plaintiff,)
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v.)
)
PARTHASARATHI MAJUMDER (1),)
)
aka Bob Majumder,)
)
aka "Dr." Majumder,)
)
SCIENCE AND APPLIED)
)
TECHNOLOGY, INC. (2),)
)
Defendants.)

Criminal Case No. _____

INDICTMENT

Title 18, U.S.C., Sec. 371 - Conspiracy to Defraud the United States; Title 18, U.S.C., Sec. 1001 - False Statements; Title 18, U.S.C., Sec. 1512 - Witness Tampering; Title 2, United States Code, Secs. 441b(a), 441c(a), 441f and 437g(d) - Illegal Campaign Contributions; Title 18, U.S.C., Sec. 2 - Aiding and Abetting

The grand jury charges:

INTRODUCTORY ALLEGATIONS

1. At all times material herein, the Federal Election Campaign Act ("FECA") was a federal statute that regulated the financing of campaigns for candidates seeking federal elective offices. Among other things, FECA: (i) limited the amount that individual contributors could give to candidates seeking federal office; (ii) prohibited the making or receipt of contributions from certain sources, including defense contractors and corporations; and (iii) required the political committees supporting candidates seeking federal office to publicly disclose contributions through the Federal Election Commission.

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PLBH:nlv(2)(xxx):San Diego
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1 2. At all times material herein, FECA required that contributions to candidates for
2 federal office be made in the name of the person or entity supplying the money to fund the
3 contribution. In doing so, the Act prohibited individuals and entities from making contributions
4 to federal candidates in the names of other persons ("conduits").

5 3. At all times material herein, FECA limited to \$1,000 the amount of money that
6 individuals could lawfully contribute to candidates seeking federal office with respect to any
7 primary or general election.

8 4. At all times material herein, FECA prohibited corporations from using their assets
9 to make contributions and expenditures in connection with the nomination and election of
10 candidates for federal office.

11 5. At all times material herein, FECA prohibited persons and entities that had, or were
12 negotiating for, contracts to provide material, equipment and supplies to the United States
13 Government from making contributions to candidates for federal office. As described more fully
14 below, defendant SCIENCE AND APPLIED TECHNOLOGIES, INC. was a government
15 contractor within the meaning of this statute.

16 6. At all times material herein, the Federal Election Commission ("FEC") was an
17 agency of the United States entrusted by statute with the responsibility of: (i) enforcing the
18 reporting requirements of FECA; (ii) making public reports of contributions and expenditures filed
19 by the political committees supporting candidates seeking nomination and election to federal
20 office; and (iii) enforcing compliance with the prohibitions and limitations imposed by FECA on
21 contributions made to influence federal elections.

22 7. At all times material herein, FECA required that each treasurer of a political
23 committee file periodic reports of receipts and disbursements with the FEC, including an
24 itemization of the names, addresses, and occupations of all persons and entities who had
25 contributed an aggregate of at least \$200 within an individual calendar year to a candidate or
26 political committee. In addition, the Act required the treasurer to report the amounts, dates and
27 aggregate totals of all such contributions.

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1 8. At all time material to this Indictment the United States promulgated rules and
2 regulations designed to prohibit federal contractors from improperly utilizing federal funds.
3 Among other things, these rules precluded contractors from passing on the costs of disguised
4 campaign contributions to the government.

5 9. At all time material to this Indictment the Internal Revenue Service ("IRS") was an
6 agency of the United States charged with the ascertainment, computation, assessment and
7 collection of revenue, including individual and corporation income taxes. At all times herein, it
8 was improper for any corporation (or individual) to deduct campaign contributions and thereby
9 reduce its taxable income.

10 10. At all times material to this Indictment, defendant SCIENCE AND APPLIED
11 TECHNOLOGY, INC. (hereinafter "defendant SAT") was incorporated in the State of California.
12 Defendant SAT was organized as a small business (for federal contracting purposes) and operated
13 primarily as a federal contractor in the defense field. Its main offices were located in San Diego
14 and Woodland Hills, California.

15 11. At all times material to this Indictment, defendant PARTHASARATHI
16 MAJUMDER was the President, Chief Executive Officer, sole corporate officer and sole owner
17 of defendant SAT.

18 12. During calendar year 1998, the aggregate contributions made in violation of
19 Counts 13 through 40 of this Indictment exceeded \$2,000.

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1 Count 1

2 Beginning in or about 1990, and continuing until December 14, 1998, within the Southern
3 District of California and elsewhere, defendants PARTHASARATHI MAJUMDER and
4 SCIENCE AND APPLIED TECHNOLOGY, INC. did knowingly conspire with others to defraud
5 the United States by impairing, impeding and frustrating, by deceitful and dishonest means, the
6 lawful functions of the:

- 7 (1) Federal Election Commission – including its responsibility to: (i) enforce the
8 reporting requirements of FECA; (ii) ensure public disclosure of an accurate
9 accounting for the contributions made to, and the expenditures made by, candidates
10 and political committees supporting candidates for federal office; and (iii) ensure
11 compliance with the contribution limitations and prohibitions of FECA described
12 in the Introduction to this Indictment;
- 13 (2) Internal Revenue Service – including its ability to ascertain, compute, assess
14 and collect revenue, that is, federal individual income taxes; and
- 15 (3) Department of Defense – including its ability to supervise and administer
16 defense contracts and ensure that its funds be disbursed on an appropriate and
17 lawful basis.

18 Methods and Means

19 1. It was a method of the conspiracy that defendant PARTHASARATHI MAJUMDER
20 would fraudulently enhance his educational background and falsely claim to possess a Ph.D.

21 2. It was a further method of the conspiracy that defendant PARTHASARATHI
22 MAJUMDER would solicit employees (and their family members), subcontractors and personal
23 friends to contribute to various politicians he believed could affect the awarding of business -- and
24 the release of funds -- to defendant SAT.

25 3. It was a further method of the conspiracy that defendant PARTHASARATHI
26 MAJUMDER would inform defendant SAT employees that the company's existence depended
27 on his ability to raise federal campaign contributions.

28 4. It was a further method of the conspiracy that defendant PARTHASARATHI
MAJUMDER would inform defendant SAT employees that contributions to specific congressmen,
including Congressman Duncan Hunter and Congressman Randy "Duke" Cunningham and
Senator John Kerry, were necessary for the success of an experimental program than being

1 developed by the defendant SAT -- the Advanced Anti-Radiation Guided Missile (hereinafter
2 "AARGM") program.

3 5. It was a further method of the conspiracy that defendant PARTHASARATHI
4 MAJUMDER would and did solicit defendant SAT employees (and their family members) and
5 defendant SAT subcontractors (and their family members) to make political contributions to the
6 above candidates (and others) for federal office.

7 6. It was a further method of the conspiracy that defendant PARTHASARATHI
8 MAJUMDER would reimburse straw donors who were unwilling to utilize their own funds to
9 make campaign contributions by providing them with cash payments and writing checks drawn
10 on his personal checking account.

11 7. It was a further method of the conspiracy that defendant PARTHASARATHI
12 MAJUMDER would also reimburse straw donors for their campaign contributions by instructing
13 SAT's payroll clerk to award bonuses from the corporate assets of SAT to employees who were
14 not willing to make campaign contributions without receiving some form of reimbursement.

15 8. It was a further method of the conspiracy that defendant PARTHASARATHI
16 MAJUMDER would also reimburse straw donors for their campaign contributions by instructing
17 a subcontractor (who was otherwise unwilling to make campaign contributions) to inflate the labor
18 hours on his SAT time sheets to cover the amount of various contributions.

19 9. It was a further method of the conspiracy that defendants SAT and
20 PARTHASARATHI MAJUMDER would seek to have various congressmen attempt to influence
21 the awarding of business -- and the release of funds -- to defendant SAT.

22 10. It was a further method of the conspiracy that defendant SAT would improperly seek
23 payment from the United States Navy for campaign contributions (disguised as bonuses and
24 inflated wages) when submitting its billing records.

25 11. It was a further method of the conspiracy that defendant SAT would improperly
26 deduct campaign contributions (disguised as bonuses and inflated wages) as business expenses
27 on its federal tax returns.
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- 1 6. On or about March 4, 1991, defendant MAJUMDER submitted a Certificate of
2 Procurement Integrity falsely claiming that he possessed a doctorate.
- 3 7. In or about September 1991, defendant SAT caused the Navy to award it with
4 \$774,000 in funding to complete the development phase of their Anti-Radiation
5 Missile System.
- 6 8. On or about December 14, 1991, defendant MAJUMDER requested that Kent
7 Sherman (a subcontractor to SAT) contribute \$1,000 to the campaign committee for
8 Congressman Randy "Duke" Cunningham. At that time, defendant MAJUMDER
9 provided Sherman with a "job order number" and instructed him to inflate the labor
10 hours on his SAT time sheet to cover the cost of the contribution to Congressman
11 Cunningham.
- 12 9. On or about December 14, 1991, defendant MAJUMDER requested that Rajiv Dutta
13 (an employee of SAT) contribute \$250 at a campaign fund raiser for Congressman
14 Randy "Duke" Cunningham.
- 15 10. On or about December 16, 1991, defendant MAJUMDER requested that Charles
16 Buman (an employee of SAT) contribute \$925 to Congressman Randy "Duke"
17 Cunningham.
- 18 11. On or about December 23, 1991, defendant MAJUMDER reimbursed Rajiv Dutta
19 for his December 14, 1991 contribution to Congressman Cunningham by instructing
20 SAT's payroll clerk to issue Rajiv Dutta a bonus check in the net amount of \$250.
- 21 12. On or about December 23, 1991, defendant MAJUMDER partially reimbursed
22 Charles Buman for his December 16, 1991 contribution to Congressman
23 Cunningham by instructing SAT's payroll clerk to issue Buman a bonus check in the
24 net amount of \$700.
- 25 13. On or about May 8, 1992, defendant MAJUMDER requested that Charles Buman
26 (an employee of SAT) contribute \$1,000 to the campaign committee for
27 Congressman Duncan Hunter.
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- 1 14. On or about May 9, 1992, defendant MAJUMDER requested that Kent Sherman (a
2 subcontractor to SAT) contribute \$1,000 to the campaign committee for
3 Congressman Duncan Hunter. At that time, defendant MAJUMDER provided
4 Sherman with a "job order number" and instructed him to inflate his labor hours to
5 cover the cost of the contribution to Congressman Duncan Hunter.
- 6 15. On or about May 9, 1992, defendant MAJUMDER requested that Rajiv Dutta (an
7 employee of SAT) contribute \$1,000 to the campaign committee for Congressman
8 Duncan Hunter.
- 9 16. On or about May 9, 1992, John Lojudice (an employee of SAT) contributed \$1,000
10 to the campaign committee for Congressman Duncan Hunter.
- 11 17. On or about May 11, 1992, defendant MAJUMDER reimbursed Rajiv Dutta for his
12 May 9, 1992 contribution to Congressman Duncan Hunter by instructing SAT's
13 payroll clerk to issue Rajiv Dutta a bonus check (which netted out \$1,259.18).
- 14 18. On or about May 11, 1992, defendant MAJUMDER reimbursed Buman for his
15 May 8, 1992 contribution to Congressman Duncan Hunter by instructing SAT's
16 payroll clerk to issue Buman a bonus check in the net amount of \$1,505.04.
- 17 19. On or about May 11, 1992, defendant MAJUMDER reimbursed Lojudice for his
18 May 9, 1992 contribution to Congressman Duncan Hunter by instructing SAT's
19 payroll clerk to issue Lojudice a bonus check in the net amount of \$1,111.65.
- 20 20. On or about August 21, 1992, defendant MAJUMDER requested that Kent Sherman
21 (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign committee
22 for Congressman Randy "Duke" Cunningham. At that time, defendant MAJUMDER
23 provided Sherman with a "job order number" and instructed him to inflate his labor
24 hours to cover the cost of the contribution to Congressman Cunningham.
- 25 21. On or about August 21, 1992, defendant MAJUMDER provided Charles Buman (an
26 employee of SAT) with the money to make a contribution to Congressman
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- 1 Cunningham by instructing SAT's payroll clerk to issue Buman a check in the
2 amount of \$2,000.
- 3 22. On or about August 24, 1992, Charles Buman (at the direction of defendant
4 MAJUMDER) and his wife contributed \$2,000 to the campaign committee for
5 Congressman Randy "Duke" Cunningham.
- 6 23. On or about August 24, 1992, defendant MAJUMDER requested that Rajiv Dutta
7 (an employee of SAT) and his wife, Namita Dutta, contribute \$2,000 to the
8 campaign committee for Congressman Randy "Duke" Cunningham.
- 9 24. On or about September 1, 1992, defendant MAJUMDER reimbursed the Duttas for
10 their August 24, 1992 contribution to Congressman Cunningham by instructing
11 SAT's payroll clerk to issue Rajiv Dutta a bonus check in the net amount of \$2,000.
- 12 25. On or about September 25, 1992, defendant MAJUMDER instructed SAT's payroll
13 clerk to issue Charles Buman (an employee of SAT) a check in the amount of
14 \$2,000 -- in order to provide Buman with sufficient funds for his contribution to
15 Congressman Duncan Hunter.
- 16 26. On or about September 28, 1992, defendant MAJUMDER requested that Kent
17 Sherman (a subcontractor to SAT) contribute \$2,000 to the campaign committee for
18 Congressman Duncan Hunter. At that time, defendant MAJUMDER provided
19 Sherman with a "job order number" and instructed him to inflate the labor hours on
20 his SAT time sheet to cover the cost of the contribution to Congressman Duncan
21 Hunter.
- 22 27. On or about September 28, 1992, defendant MAJUMDER instructed SAT's payroll
23 clerk to issue Rajiv Dutta (an employee of SAT) a bonus check in the net amount
24 of \$2,000 -- in order to reimburse Rajiv Dutta for an agreed-upon \$2,000
25 contribution to Congressman Duncan Hunter.
- 26 28. On or about September 29, 1992, Rajiv and Namita Dutta contributed \$2,000 to the
27 campaign committee for Congressman Duncan Hunter.
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- 1 29. On or about September 29, 1992, defendant MAJUMDER requested that Charles
2 Buman (an employee of SAT) and his wife contribute \$2,000 to the campaign
3 committee for Congressman Duncan Hunter.
- 4 30. On or about July 13, 1993, defendant MAJUMDER requested that Kent Sherman
5 (a subcontractor to SAT) and his wife contribute \$1,800 to the campaign committee
6 for Congressman Randy "Duke" Cunningham. At that time, Defendant
7 MAJUMDER provided Sherman with a "job order number" and instructed him to
8 inflate the labor hours on his SAT time sheet to cover the cost of the contribution
9 to Congressman Cunningham.
- 10 31. On or about August 17, 1993, defendant MAJUMDER requested that Kent Sherman
11 (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign committee
12 for Congressman John Murtha. At that time, defendant MAJUMDER provided
13 Sherman with a "job order number" and instructed him to inflate the labor hours on
14 his SAT time sheet to cover the cost of the contribution to Congressman Murtha.
- 15 32. On or about August 18, 1993, defendant MAJUMDER instructed Rajiv Dutta (an
16 employee of SAT) to purchase a \$2,000 cashier's check (on behalf of Rajiv and
17 Namita Dutta) payable to Murtha for Congress.
- 18 33. On or about August 18, 1993, defendant MAJUMDER requested that Rajiv Dutta
19 accompany him to the Bank of America. At the bank, defendant MAJUMDER
20 provided the bank with the cash necessary to purchase the \$2,000 cashier's check.
- 21 34. On or about November 19, 1993, defendant MAJUMDER instructed Rajiv Dutta (an
22 employee of SAT) to purchase a \$2,000 cashier's check (on behalf of Rajiv and
23 Namita Dutta) payable to Murtha for Congress.
- 24 35. On or about November 19, 1993, defendant MAJUMDER requested that Rajiv
25 Dutta accompany him to the Bank of America. At the bank, defendant MAJUMDER
26 provided the bank with the cash necessary to purchase the \$2,000 cashier's check.
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- 1 36. On or about September 20, 1994, SAT caused the Department of the Navy to award
2 a SBIR Phase III contract to SAT with \$15,093,869 in additional funding to
3 complete the system design and to manufacture an AARGM prototype.
- 4 37. On or about October 3, 1994, defendant MAJUMDER requested that Kent Sherman
5 (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign committee
6 for Congressman Randy "Duke" Cunningham. At that time, defendant
7 MAJUMDER provided Sherman with a "job order number" and instructed him to
8 inflate the labor hours on his SAT time sheet to cover the cost of the contribution
9 to Congressman Cunningham.
- 10 38. On or about October 21, 1994, defendant MAJUMDER instructed Rajiv Dutta (an
11 employee of SAT) to purchase a \$2,000 cashier's check (on behalf of Rajiv and
12 Namita Dutta) payable to Friends of Cunningham.
- 13 39. On or about October 21, 1994, defendant MAJUMDER requested that Rajiv Dutta
14 accompany him to the Bank of America. At the bank, defendant MAJUMDER
15 provided the bank with the cash necessary to purchase the \$2,000 cashier's check.
- 16 40. On or about November 3, 1994, defendant MAJUMDER instructed Rajiv Dutta (an
17 employee of SAT) to purchase a \$2,000 cashier's check (on behalf of Rajiv and
18 Namita Dutta) payable to the Committee to Re-Elect Congressman Duncan Hunter.
- 19 41. On or about November 3, 1994, defendant MAJUMDER requested that Rajiv Dutta
20 accompany him to the Bank of America. At the bank, defendant MAJUMDER
21 cashed a \$5,000 check drawn on the SAT corporate account (in which he was both
22 the payee and the signatory) to fund the purchase of the \$2,000 cashier's check.
- 23 42. On or about July 21, 1995, defendant MAJUMDER told Renee LaRiviere (an
24 employee of SAT) that it was necessary for company employees to make a certain
25 amount of political contributions if the company were to stay in business.
- 26 43. On or about July 21, 1995, defendant MAJUMDER directed Renee LaRiviere to
27 make out a \$1,000 personal check to the Friends of Cunningham.
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- 1 44. On or about July 21, 1995, defendant MAJUMDER reimbursed LaRiviere for her
2 contribution to Congressman Cunningham by giving her a personal check in the
3 amount of \$1,000.
- 4 45. On or about July 22, 1995, defendant MAJUMDER requested that Kent Sherman
5 (a subcontractor to SAT) and his wife contribute \$2,000 to the Friends of
6 Cunningham. At that time, defendant MAJUMDER provided Sherman with a "job
7 order number" and instructed him to inflate the labor hours on his SAT time sheet
8 to cover the cost of the contribution to Congressman Cunningham.
- 9 46. On or about August 23 1995, defendant SAT caused the Navy to award it with
10 \$6,998,572 in additional funding to further develop the AARGM program and
11 expand the initial test regime.
- 12 47. In or about August 1995, defendant MAJUMDER told Walker Butler (a
13 subcontractor to defendant SAT) that he could inflate the labor hours on his SAT
14 time sheets in order to receive reimbursement for contributions that he made at
15 defendant MAJUMDER's direction.
- 16 48. On or about August 9, 1995, defendant MAJUMDER directed Renee LaRiviere (an
17 employee of SAT) to make out a \$1,000 check to J. Scarborough for Congress.
- 18 49. On or about August 9, 1995, defendant MAJUMDER reimbursed LaRiviere for her
19 contribution to Congressman Scarborough by giving her a check (drawn on
20 defendant MAJUMDER's personal bank account) in the amount of \$1,000.
- 21 50. On or about August 9, 1995, defendant MAJUMDER requested that Rajiv Dutta (an
22 employee of SAT) and his wife contribute \$2,000 to J. Scarborough for Congress
23 Committee. At that time, defendant MAJUMDER gave Dutta \$2,000 in cash to
24 reimburse him for the contribution.
- 25 51. On or about August 10, 1995, defendant MAJUMDER requested that Carrie
26 Johnson (an employee of SAT) write a \$1,000 check to J. Scarborough for Congress
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- 1 Committee. In making this request, defendant MAJUMDER made it clear that her
2 job was dependent upon her making the contribution.
- 3 52. On or about August 10, 1995, defendant MAJUMDER gave Carrie Johnson a
4 \$1,000 check (drawn on defendant MAJUMDER's personal bank account) to
5 reimburse her for her contribution to Congressman Scarborough.
- 6 53. On or about September 7, 1995, defendant MAJUMDER requested that Rajiv Dutta
7 (an employee of SAT) and his wife contribute \$2,000 to Congressman Duncan
8 Hunter. At that time, defendant MAJUMDER gave Dutta \$2,000 in cash to
9 reimburse him for the contribution.
- 10 54. On or about September 7, 1995, defendant MAJUMDER gave Carrie Johnson (an
11 employee of SAT) a \$1,000 check (drawn on defendant MAJUMDER's personal
12 account) and directed her to write a check for that amount to Congressman Duncan
13 Hunter's campaign committee.
- 14 55. On or about September 7, 1995, defendant MAJUMDER gave Renee LaRiviere (an
15 employee of SAT) a \$1,000 check (drawn on defendant MAJUMDER's personal
16 account) and directed her to write a check for that amount to Hunter for Congress.
- 17 56. On or about September 8, 1995, Renee LaRiviere gave defendant MAJUMDER a
18 \$1,000 check (drawn on LaRiviere's personal bank account) payable to Duncan
19 Hunter for Congress.
- 20 57. On or about September 9, 1995, Carrie Johnson gave defendant MAJUMDER a
21 \$1,000 check (drawn on Johnson's personal bank account) payable to Hunter for
22 Congress.
- 23 58. On or about September 9, 1995, defendant MAJUMDER requested that Kent
24 Sherman (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign
25 committee for Congressman Duncan Hunter. At that time, defendant MAJUMDER
26 provided Sherman with a "job order number" and instructed him to inflate the labor
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1 hours on his SAT time sheets to cover the cost of the contribution to Congressman
2 Duncan Hunter.

3 59. In or about 1996, defendant MAJUMDER informed Basil Papadales (an employee
4 of SAT) that giving campaign contributions was a condition of his employment.
5 Defendant MAJUMDER added that such contributions were expected of all of his
6 senior staff and were vital to the viability of the company.

7 60. In or about 1996, defendant MAJUMDER informed Basil Papadales that he would
8 give him cash if he was uncomfortable being reimbursed for the contributions by
9 using corporate bonuses.

10 61. On or about March 19, 1996, defendant SAT caused the Navy to award it with
11 \$599,995 for continued development of the AARGM system.

12 62. On or about July 15, 1996, defendant MAJUMDER instructed Rajiv Dutta (an
13 employee of SAT) to purchase a \$1,000 cashier's check payable to Congressman
14 Cunningham's campaign committee.

15 63. On or about July 15, 1996, defendant MAJUMDER requested that Rajiv Dutta
16 accompany him to the Bank of America. At the bank, Defendant MAJUMDER
17 provided the bank with the cash necessary to purchase the \$1,000 cashier's check.

18 64. On or about July 18, 1996, Tamio Kitahara (an employee of SAT) told Francis Clark
19 that defendant MAJUMDER expected SAT senior employees to make campaign
20 contributions. In so doing, Kitahara made it clear that Clark would be reimbursed
21 by SAT for any contributions.

22 65. On or about July 18, 1996, at the instruction of defendant MAJUMDER, Tamio
23 Kitahara told Francis Clark (an employee of SAT) that he and his wife, Barbara
24 Clark, should write a \$2,000 check payable to "Friends of Duke Cunningham."

25 66. On or about July 19, 1996, Francis Clark gave Tamio Kitahara a \$2,000 check
26 (drawn on Clark's personal bank account) payable to Friends of Duke Cunningham.
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- 1 67. On or about July 20, 1996, defendant MAJUMDER requested that Kent Sherman
2 (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign committee
3 for Congressman Randy "Duke" Cunningham. At that time, defendant MAJUMDER
4 provided Sherman with a "job order number" and instructed him to inflate the labor
5 hours on his SAT time sheet to cover the cost of the contribution to Congressman
6 Cunningham.
- 7 68. On or about July 26, 1996, defendant MAJUMDER instructed SAT's payroll clerk
8 to issue Francis Clark a bonus check in the net amount of \$8,900 – in order to
9 reimburse Clark for contributions to various politicians. After deductions, the net
10 amount of the bonus was \$5,856.35.
- 11 69. On or about August 1, 1996, at the instruction of defendant MAJUMDER, Tamio
12 Kitahara told Francis Clark (an employee of SAT) that he and his wife should write
13 a \$2,000 check payable to the NRCC/Calif Victory Fund '96.
- 14 70. On or about August 2, 1996, Francis Clark gave Tamio Kitahara a \$2,000 check
15 (drawn on Clark's personal bank account) payable to the NRCC/California Victory
16 Fund '96.
- 17 71. On or about September 3, 1996, defendant MAJUMDER requested that Basil
18 Papadales (an employee of SAT) and Kay Thompson each write \$1,000 checks to
19 the Kerry Committee. Defendant MAJUMDER assured Papadales that they would
20 both be reimbursed for their contribution.
- 21 72. On or about September 3, 1996, Basil Papadales gave defendant MAJUMDER the
22 two \$1,000 checks made out to the Kerry Committee. In return, defendant
23 MAJUMDER gave Papadales two envelopes -- each containing ten \$100 bills.
- 24 73. On or about September 3, 1996, defendant MAJUMDER instructed Basil Papadales
25 not to redeposit the entire \$1,000 cash in the same bank account that the check was
26 drawn upon, but rather to break it up into odd amounts.
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- 1 74. On or about September 17, 1996, defendant MAJUMDER instructed Rajiv Dutta
2 (an employee of SAT) to purchase a \$2,000 cashier's check (on behalf of Rajiv and
3 Namita Dutta) payable to the Kerry Committee.
- 4 75. On or about September 17, 1996, defendant MAJUMDER requested that Rajiv
5 Dutta accompany him to the Bank of America. At the bank, defendant MAJUMDER
6 provided the bank with the cash necessary to purchase the \$2,000 cashier's check.
- 7 76. On or about September 18, 1996, at the direction of defendant MAJUMDER, Tamio
8 Kitahara told Francis Clark (an employee of SAT) that he and his wife should write
9 a \$2,000 check payable to Congressman Duncan Hunter.
- 10 77. On or about September 19, 1996, Francis Clark gave Tamio Kitahara a \$2,000 check
11 payable to the Hunter for Congress.
- 12 78. On or about September 21, 1996, defendant MAJUMDER requested that Basil
13 Papadales (an employee of SAT) write a \$1,000 check to the Hunter for Congress.
14 In return, defendant MAJUMDER gave Papadales an envelope containing ten \$100
15 bills.
- 16 79. On or about September 23, 1996, defendant MAJUMDER requested that Kent
17 Sherman (a subcontractor to SAT) and his wife contribute \$2,000 to Hunter for
18 Congress. At that time, defendant MAJUMDER provided Sherman with a "job order
19 number" and instructed him to inflate the labor hours on his SAT time sheet to cover
20 the cost of the contribution to Congressman Duncan Hunter.
- 21 80. On or about October 11, 1996, defendant SAT caused the Navy to award it with
22 \$98,213,940 in additional funding to continue development of the AARGM
23 program, including analysis, re-design and captive flight testing.
- 24 81. On or about October 11, 1996, defendant MAJUMDER falsely identified himself
25 as possessing a doctorate in the SBIR Phase III (mod 8) proposal.
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- 1 82. On or about June 27, 1997, defendant MAJUMDER asked Pradip Sur (a personal
2 friend) to write a \$1,000 check to the Friends of Cunningham. In exchange for the
3 check, defendant MAJUMDER gave Sur approximately \$1,000 in cash.
- 4 83. On or about June 24, 1997, defendant MAJUMDER requested that Kent Sherman
5 (a subcontractor to SAT) and his wife contribute \$2,000 to the Friends of
6 Cunningham. At that time, defendant MAJUMDER provided Sherman with a "job
7 order number" and instructed him to inflate the labor hours on his SAT time sheets
8 to cover the cost of the contribution to Congressman Cunningham.
- 9 84. On or about June 28, 1997, defendant MAJUMDER asked Peter Lam (an employee
10 of SAT) to write a \$1,000 check to the Friends of Cunningham. Several days later,
11 defendant MAJUMDER provided Lam with \$1,000 in cash.
- 12 85. On or about October 23, 1997, defendant MAJUMDER requested that Kent
13 Sherman (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign
14 committee for Senator John Kerry. At that time, defendant MAJUMDER provided
15 Sherman with a "job order number" and instructed him to inflate the labor hours on
16 his SAT time sheets to cover the cost of the contribution to Congressman Duncan
17 Hunter.
- 18 86. On or about June 24, 1998, defendant MAJUMDER requested that Chris Stewart
19 (an employee of SAT) and his wife contribute \$2,000 to the Kerry Committee.
- 20 87. On or about June 26, 1998, defendant MAJUMDER instructed SAT's payroll clerk
21 to issue Chris Stewart a \$3,000 bonus check.
- 22 88. On or about July 14, 1998, SAT caused the Navy to award it \$11,031,172 to re-
23 establish the performance period and change particular Government Funded
24 Equipment ("GFE") to contractor funded.
- 25 89. On or about October 26, 1998, defendant MAJUMDER requested that Kent
26 Sherman (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign
27 committee for Congressman Randy "Duke" Cunningham. At that time, defendant
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- 1 MAJUMDER provided Sherman with a "job order number" and instructed him to
2 inflate the labor hours on his SAT time sheets to cover the cost of the contribution
3 to Congressman Cunningham.
- 4 90. On or about November 29, 1998, defendant MAJUMDER asked Pradip Sur (a
5 personal friend) to write a \$1,000 check to the Kerry Committee. In exchange for
6 the check, defendant MAJUMDER gave Sur \$1,000 in cash.
- 7 91. On or about December 2, 1998, defendant MAJUMDER requested that Kent
8 Sherman (a subcontractor to SAT) and his wife contribute \$2,000 to the campaign
9 committee for Senator John Kerry. At that time, defendant MAJUMDER provided
10 Sherman with a "job order number" and instructed him to inflate the labor hours on
11 his SAT time sheets to cover the cost of the contribution to Congressman Duncan
12 Hunter.
- 13 92. On or about December 3, 1998, defendant MAJUMDER requested that Chris
14 Stewart (an employee of SAT) and his wife contribute \$2,000 to the Kerry
15 Committee.
- 16 93. On or about December 25, 1998, defendant MAJUMDER instructed SAT's payroll
17 clerk to issue Chris Stewart a \$3,000 bonus check (which netted out to \$2,051.86).
- 18 94. In or about late May 1999, defendant MAJUMDER requested that Chris Stewart (an
19 employee of SAT) and his wife contribute \$2,000 to the campaign committee for
20 Congressman Cunningham.
- 21 95. In or about late May 1999, Chris Stewart told SAT's payroll clerk that defendant
22 MAJUMDER had approved the issuance of a company check in the amount of
23 \$2,000 - to reimburse Stewart for a check that defendant MAJUMDER wanted him
24 to write for Congressman Cunningham.
- 25 96. On or about May 28, 1999, SAT directed its payroll company to book in Stewart's
26 name a "non-payroll" check in the amount of \$3,312.96 (after deductions, this check
27 netted out to exactly \$2,000).
- 28

1 97. On or about June 3, 1999, defendant MAJUMDER suggested that Carrie Johnson
2 characterize her campaign contribution reimbursement as a loan.

3 98. On or about June 3, 1999, defendant MAJUMDER instructed Basil Papadales to
4 characterize falsely his reimbursement payments as a loan.

5 99. On or about June 3, 1999, defendant MAJUMDER suggested to Basil Papadales that
6 he mislead federal investigators by telling them that he never repaid defendant
7 MAJUMDER's "loan" because he did not have the financially capability to repay
8 the money when he left defendant SAT.

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

10 Count 2

11 On or about October 15, 1996, in the Southern District of California and elsewhere,
12 defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY,
13 INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and
14 willfully cause the political committee listed below to make materially false and fraudulent
15 statements and representations and to falsely conceal and cover up a material fact, to wit: the
16 defendants caused the Treasurer of The Kerry Committee to create and submit a false report to the
17 FEC which indicated that lawful contributions were made by certain individuals, whereas in truth
18 and in fact, as the defendants well knew, said contributions were made illegally by defendants in
19 violation of FECA; all in violation of Title 18, United States Code, Sections 1001 and 2.

20 Count 3

21 On or about October 15, 1996, in the Southern District of California and elsewhere,
22 defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY,
23 INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and
24 willfully cause the political committee listed below to make materially false and fraudulent
25 statements and representations and to falsely conceal and cover up a material fact, to wit: the
26 defendants caused the Treasurer of the Friends of Cunningham to create and submit a false report
27 to the FEC which indicated that lawful contributions were made by certain individuals, whereas
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1 in truth and in fact, as the defendants well knew, said contributions were made illegally by
2 defendants in violation of FECA; all in violation of Title 18, United States Code, Sections 1001
3 and 2.

4 Count 4

5 On or about October 17, 1996, in the Southern District of California and elsewhere,
6 defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY,
7 INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and
8 willfully cause the political committee listed below to make materially false and fraudulent
9 statements and representations and to falsely conceal and cover up a material fact, to wit: the
10 defendants caused the Treasurer of the Committee to Re-Elect Congressman Duncan Hunter to
11 create and submit a false report to the FEC which indicated that lawful contributions were made
12 by certain individuals, whereas in truth and in fact, as the defendants well knew, said contributions
13 were made illegally by defendants in violation of FECA; all in violation of Title 18, United States
14 Code, Sections 1001 and 2.

15 Count 5

16 On or about July 30, 1997, in the Southern District of California and elsewhere, defendants
17 PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY, INC., in a
18 matter within the jurisdiction of the Federal Election Commission, did knowingly and willfully
19 cause the political committee listed below to make materially false and fraudulent statements and
20 representations and to falsely conceal and cover up a material fact, to wit: the defendants caused
21 the Treasurer of the Friends of Cunningham to create and submit a false report to the FEC which
22 indicated that lawful contributions were made by certain individuals, whereas in truth and in fact,
23 as the defendants well knew, said contributions were made illegally by defendants in violation of
24 FECA, all in violation of Title 18, United States Code, Sections 1001 and 2.

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Count 6

On or about January 30, 1998, in the Southern District of California and elsewhere, defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY, INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and willfully cause the political committee listed below to make materially false and fraudulent statements and representations and to falsely conceal and cover up a material fact, to wit: the defendants caused the Treasurer of The Kerry Committee to create and submit a false report to the FEC which indicated that lawful contributions were made by certain individuals, whereas in truth and in fact, as the defendants well knew, said contributions were made illegally by defendants in violation of FECA; all in violation of Title 18, United States Code, Sections 1001 and 2.

Count 7

On or about July 31, 1998, in the Southern District of California and elsewhere, defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY, INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and willfully cause the political committee listed below to make materially false and fraudulent statements and representations and to falsely conceal and cover up a material fact, to wit: the defendants caused the Treasurer of The Kerry Committee to create and submit a false report to the FEC which indicated that lawful contributions were made by certain individuals, whereas in truth and in fact, as the defendants well knew, said contributions were made illegally by defendants in violation of FECA; all in violation of Title 18, United States Code, Sections 1001 and 2.

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1 Count 8

2 On or about December 3, 1998, in the Southern District of California and elsewhere,
3 defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY,
4 INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and
5 willfully cause the political committee listed below to make materially false and fraudulent
6 statements and representations and to falsely conceal and cover up a material fact, to wit: the
7 defendants caused the Treasurer of the Friends of Cunningham to create and submit a false report
8 to the FEC which indicated that lawful contributions were made by certain individuals, whereas
9 in truth and in fact, as the defendants well knew, said contributions were made illegally by
10 defendants in violation of FECA; all in violation of Title 18, United States Code, Sections 1001
11 and 2.

12 Count 9

13 On or about January 29, 1999, in the Southern District of California and elsewhere,
14 defendants PARTHASARATHI MAJUMDER and SCIENCE AND APPLIED TECHNOLOGY,
15 INC., in a matter within the jurisdiction of the Federal Election Commission, did knowingly and
16 willfully cause the political committee listed below to make materially false and fraudulent
17 statements and representations and to falsely conceal and cover up a material fact, to wit: the
18 defendants caused the Treasurer of The Kerry Committee to create and submit a false report to the
19 FEC which indicated that lawful contributions were made by certain individuals, whereas in truth
20 and in fact, as the defendants well knew, said contributions were made illegally by defendants in
21 violation of FECA; all in violation of Title 18, United States Code, Sections 1001 and 2.

22 Count 10

23 On or about June 2, 1999, in the Southern District of California and elsewhere, defendant
24 PARTHASARATHI MAJUMDER, in a matter within the jurisdiction of an agency of the United
25 States, did knowingly and willfully make a material false, fictitious and fraudulent statement to
26 IRS Special Agent Sheila Olander and DCIS Special Agent Samuel Megidovich, to wit: that he
27 had never been involved in any political fund raising where he reimbursed employees of his
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1 company, whereas in truth and in fact, as the defendant well knew, he had reimbursed numerous
 2 company employees (and others) for their federal political contributions; in violation of Title 18,
 3 United States Code, Sections 1001 and 2.

4 Count 11

5 On or about June 3, 1999, in the Southern District of California and elsewhere, defendant
 6 PARTHASARATHI MAJUMDER, did corruptly attempt to persuade Basil Papadales with intent
 7 to influence his testimony in an official proceeding; in violation of Title 18, United States Code,
 8 Sections 1512 (b)(1) and 2.

9 Count 12

10 On or about June 3, 1999, in the Southern District of California and elsewhere, defendant
 11 PARTHASARATHI MAJUMDER, did corruptly attempt to persuade Carrie Johnson with intent
 12 to influence her testimony in an official proceeding; in violation of Title 18, United States Code,
 13 Sections 1512 (b)(1) and 2.

14 Counts 13 - 19

15 On or about the dates listed below (Column "A"), in the Southern District of California and
 16 elsewhere, defendant SCIENCE AND APPLIED TECHNOLOGY, INC., acting through and aided
 17 and abetted by defendant PARTHASARATHI MAJUMDER, did knowingly and willfully make
 18 a contribution in violation of the prohibition against disguised contributions made through
 19 conduits or strawmen contained in the Federal Election Campaign Act, to wit, the said defendants
 20 did knowingly and willfully make a \$1,000 contribution to the below listed federal political
 21 committee (Column "B"), in the name of the below listed donor (Column "C"):

22	"A"	"B"	"C"	
23	<u>COUNT</u>	<u>DATE</u>	<u>POLITICAL COMMITTEE</u>	<u>PURPORTED DONOR</u>
24	13	October 26, 1998	Friends of Cunningham	Judy H. Sherman
25	14	October 26, 1998	Friends of Cunningham	Kent L. Sherman
26	15	November 29, 1998	The Kerry Committee	Pradip Sur
27	16	December 2, 1998	The Kerry Committee	Judy H. Sherman

	"A"	"B"	"C"
<u>COUNT</u>	<u>DATE</u>	<u>POLITICAL COMMITTEE</u>	<u>PURPORTED DONOR</u>
17	December 2, 1998	The Kerry Committee	Kent L. Sherman
18	December 3, 1998	The Kerry Committee	Christopher B. Stewart
19	December 3, 1998	The Kerry Committee	Cynthia L. Stewart

All in violation of Title 2, United States Code, Sections 441f and Section 437g(d).

Counts 20 - 26

On or about the date listed below (Column "A"), in the Southern District of California and elsewhere, defendant SCIENCE AND APPLIED TECHNOLOGY, INC., a government contractor within the meaning of Section 441c of Title 2 of the United States Code, acting through and aided and abetted by the defendant PARTHASARATHI MAJUMDER, did knowingly and willfully make a contribution in violation of the prohibition against contributions from United States Government contractors contained in the Federal Election Campaign Act, to wit, the said defendants did knowingly and willfully make a \$1,000 contribution to the below listed federal political committee (Column "B"), in the name of the below listed donor (Column "C"):

	"A"	"B"	"C"
<u>COUNT</u>	<u>DATE</u>	<u>POLITICAL COMMITTEE</u>	<u>PURPORTED DONOR</u>
20	October 26, 1998	Friends of Cunningham	Judy H. Sherman
21	October 26, 1998	Friends of Cunningham	Kent L. Sherman
22	November 29, 1998	The Kerry Committee	Pradip Sur
23	December 2, 1998	The Kerry Committee	Judy H. Sherman
24	December 2, 1998	The Kerry Committee	Kent L. Sherman
25	December 3, 1998	The Kerry Committee	Christopher B. Stewart
26	December 3, 1998	The Kerry Committee	Cynthia L. Stewart

All in violation of Title 2, United States Code, Sections 441c(a) and Section 437g(d).

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Counts 27 -33

On or about the date listed below (Column "A"), in the Southern District of California and elsewhere, defendant SCIENCE AND APPLIED TECHNOLOGY, INC., a corporation organized under the laws of the State of California, did knowingly and willfully make a contribution in violation of the prohibition against corporate contributions contained in the Federal Election Campaign Act, to wit, the said defendant did knowingly and willfully make a \$1,000 contribution to the below listed federal political committee (Column "B"), in the name of the below listed donor (Column "C"):

	"A"	"B"	"C"
<u>COUNT</u>	<u>DATE</u>	<u>POLITICAL COMMITTEE</u>	<u>PURPORTED DONOR</u>
27	October 26, 1998	Friends of Cunningham	Judy H. Sherman
28	October 26, 1998	Friends of Cunningham	Kent L. Sherman
29	November 29, 1998	The Kerry Committee	Pradip Sur
30	December 2, 1998	The Kerry Committee	Judy H. Sherman
31	December 2, 1998	The Kerry Committee	Kent L. Sherman
32	December 3, 1998	The Kerry Committee	Christopher B. Stewart
33	December 3, 1998	The Kerry Committee	Cynthia L. Stewart

All in violation of Title 2, United States Code, Sections 441b(a) and Section 437g(d).

Counts 34 -40

On or about the date listed below (Column "A"), in the Southern District of California and elsewhere, defendant PARTHASARATHI MAJUMDER, being an officer of Science and Applied Technology, Inc., did knowingly and willfully make, and consent to the making of, a contribution in violation of the prohibition against corporate contributions contained in the Federal Election Campaign Act, to wit, the said defendant did knowingly and willfully make a \$1,000 contribution

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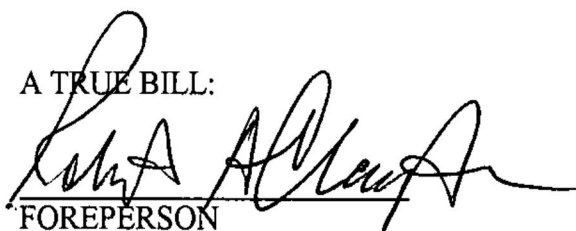
1 to the below listed federal political committee (Column "B"), in the name of the below listed
 2 donor (Column "C"):

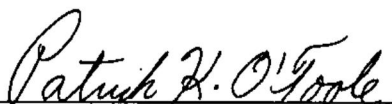
3	"A"	"B"	"C"	
4	<u>COUNT</u>	<u>DATE</u>	<u>POLITICAL COMMITTEE</u>	<u>PURPORTED DONOR</u>
5	34	October 26, 1998	Friends of Cunningham	Judy H. Sherman
6	35	October 26, 1998	Friends of Cunningham	Kent L. Sherman
7	36	November 29, 1998	The Kerry Committee	Pradip Sur
8	37	December 2, 1998	The Kerry Committee	Judy H. Sherman
9	38	December 2, 1998	The Kerry Committee	Kent L. Sherman
10	39	December 3, 1998	The Kerry Committee	Christopher B. Stewart
11	40	December 3, 1998	The Kerry Committee	Cynthia L. Stewart

12 All in violation of Title 2, United States Code, Sections 441b(a) and Section 437g(d).

13 DATED: July 25, 2002.

14 A TRUE BILL:

15 
 16 FOREPERSON

17 
 18 PATRICK K. O'TOOLE
 19 United States Attorney

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 21 By: PHILLIP L. B. HALPERN
 22 Assistant U.S. Attorney

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