

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 19-20580-CR-WILLIAMS

UNITED STATES OF AMERICA

vs.

ROBERTO BARRERA,

Defendant.

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FACTUAL PROFFER IN SUPPORT OF GUILTY PLEA

The United States Department of Justice, Criminal Division, Fraud Section and Money Laundering and Asset Recovery Section (collectively, the “Government”), and the Defendant, Roberto Barrera (“the defendant”) stipulate and agree that the information stated herein is true and accurate and a sufficient basis for the defendant’s plea of guilty to the money laundering conspiracy in violation of Title 18, United States Code, Section 1956(h) charged in the instant case. Had this matter proceeded to trial, the defendant stipulates and agrees that the Government would have proven the facts alleged below beyond a reasonable doubt and forfeiture allegations set forth in his criminal Information by a preponderance of the evidence.

Empresa Pública de Hidrocarburos del Ecuador (“PetroEcuador”) is the state-owned and state-controlled oil company in Ecuador. Beginning in or around 2018 and lasting until at least June 2019, the defendant, an Ecuadorian citizen who worked as a businessman in real estate in Ecuador, conspired with PetroEcuador officials and other Ecuadorian government officials and with certain individuals in a scheme to receive millions of dollars in bribes in exchange for those officials using their positions to allow an Ecuadorian company doing business with PetroEcuador

(“Oil Services Company”) to obtain and retain contracts and contractual payments from PetroEcuador (“the illegal bribery scheme”).

The defendant was a close associate of a senior PetroEcuador Official who was involved in and had oversight over the awarding of PetroEcuador contracts and payments on those contracts (“PetroEcuador Official 1”). The defendant’s co-defendant and co-conspirator, Jose Raul de la Torre Prado (“de la Torre”), worked at PetroEcuador. Between in or around 2018 and in or around June 2019, the defendant and others knowingly and willfully used the mails and means and instrumentalities of interstate commerce to corruptly promise to pay, and to pay, de la Torre and other PetroEcuador and Ecuadorian officials to influence de la Torre and the other PetroEcuador and Ecuadorian officials in their official capacity in order to assist an executive from Oil Services Company (“Executive 1”) in obtaining and retaining contracts and contractual payments from PetroEcuador.

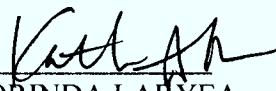
The defendant and de la Torre solicited a bribe of approximately \$3.15 million from Oil Services Company in exchange for de la Torre and other PetroEcuador and Ecuadorian government officials helping Executive 1 and Oil Services Company obtain new contracts from PetroEcuador and payments on its existing contracts. The defendant knowingly and willfully conspired with de la Torre and others to conduct financial transactions knowing that the financial transactions involved the proceeds of the illegal bribery scheme and knowing that the transactions were designed to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the illegal bribery scheme. Specifically, the defendant and de la Torre laundered the bribe proceeds in and through the United States by directing Oil Services Company to send payments to bank accounts in the Southern District of Florida that were not held in their names, purchasing luxury goods in the Southern District of Florida, and receiving

cash in the Southern District of Florida. The defendant personally received approximately \$150,000, sent to a Florida-based bank account as directed by the defendant, from Oil Services Company executives. The defendant and de la Torre also met with Oil Services Company executives in Ecuador to discuss the distribution of bribe payments to the defendant, de la Torre, PetroEcuador Official 1, and other PetroEcuador officials.

The defendant knew at the time he received the illegal bribery proceeds in the United States that the money was the proceeds of unlawful activity. The defendant also, knowing that his conduct was wrong and unlawful, concealed and disguised, and agreed with others to conceal and disguise, the nature, source, location, ownership, and control of the unlawful proceeds by, among other things, causing financial transactions involving the unlawful proceeds, and agreeing to cause financial transactions involving the unlawful proceeds, to be made in cash, through the purchase of luxury items, and to and from bank accounts located in the United States, including bank accounts held in the name of third parties.

Date: 10/8/19

ROBERT ZINK
CHIEF, FRAUD SECTION
Department of Justice, Criminal Division

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ASSISTANT CHIEF
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TRIAL ATTORNEYS

Date: 10/8/2019

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ROBERTO BARRERA
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