



Department of Justice

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NORTHERN DISTRICT OF CALIFORNIA RECOVERS MORE THAN \$345 MILLION IN DEBT OWED TO U.S. TAXPAYERS

U.S. Attorneys' Offices Nationwide Collect 6.5 Billion in Civil, Criminal Actions During Fiscal Year 2011

SAN FRANCISCO – The Northern District of California recovered \$346,983,000.30 in civil and criminal cases during fiscal year (FY) 2011, U.S. Attorney Melinda Haag announced. Of this amount, \$309,685,106.50 was collected in criminal actions and \$37,297,893.80 was collected in civil actions. Additionally, the office collected \$14,203,025 in criminal and civil forfeitures. These collections came from, among others, the following two cases:

- USA v. TomorrowNow, Inc. (case # CR 11-0642 PJH), in which \$20,004,800 was collected. This case related to the defendant TomorrowNow, Inc.'s unauthorized access to the computer systems of Oracle Corporation to unlawfully download software and related documentation pertaining to certain Oracle product lines. In addition to admitting its guilt with respect to unauthorized computer access charges, TomorrowNow also pleaded guilty to a criminal copyright charge alleging that it infringed the copyrights of Oracle software applications by installing numerous illegal copies of those software applications on Tomorrow's computer systems.

- USA v. Kie-Con, Inc. (case # CR 10-0934 NC) in which \$5,000,125 was collected. This environmental case related to the defendant Kie-Con, Inc.'s unlawful discharge of process water from its manufacturing process of pre-stressed and pre-fabricated concrete products directly to the San Joaquin river. In a plea agreement, Kie-Con admitted that, starting at a time unknown to the government, but no later than January 2004, and continuing to April 2007, employees routinely discharged the process water by using a hose that pumped the process water from sedimentation basins to a nearby storm water drain.

Nationwide, the U.S. Attorneys' offices collected \$6.5 billion in criminal and civil actions during FY 2011, surpassing \$6 billion for the second consecutive year. A portion of this amount, \$1.3 billion, was collected in shared cases in which one or more U.S. Attorneys' offices or department litigating divisions were also involved. The \$6.5 billion represents more than three times the appropriated budget of the combined 94 offices for FY 2011.

"During this time of economic recovery, these collections are more important than ever," U.S. Attorney Haag said. "The hard work of the attorneys and staff has helped return millions of dollars to the U.S. treasury and victims of crimes, while ensuring that the criminals who wrongfully took the funds were put behind bars."

The U.S. Attorneys' Offices, along with the department's litigating divisions, are responsible for enforcing and collecting civil and criminal debts owed to the U.S. and criminal debts owed to federal crime victims. Statistics indicate that the total amount collected in criminal actions totaled \$2.66 billion in restitution, criminal fines, and felony assessments. The law requires defendants to pay restitution to victims of certain federal crimes who have suffered a physical injury or financial loss. While restitution is paid directly to the victim, criminal fines and felony assessments are paid to the department's Crime Victims' Fund, which distributes the funds to state victim compensation and victim assistance programs.

The statistics also indicate that \$3.83 billion was collected by the U.S. Attorneys' offices in individually and jointly handled civil actions. The largest civil collections were from affirmative civil enforcement cases, in which the United States recovered government money lost to fraud or other misconduct or collected fines imposed on individuals and/or corporations for violations of federal health, safety, civil rights or environmental laws. In addition, civil debts were collected on behalf of several federal agencies, including the U.S. Department of Housing and Urban Development, Health and Human Services, Internal Revenue Service, and Small Business Administration.

Additionally, the U.S. Attorneys' offices, working with partner agencies and divisions, collected \$1.68 billion in asset forfeiture actions in FY 2011. Forfeited assets are deposited into the Department of Justice Assets Forfeiture Fund and Department of Treasury Forfeiture Fund and are used to restore funds to crime victims and for a variety of law enforcement purposes.

The nationwide collection totals for the U.S. Attorneys' offices for FY 2010 and FY 2011 combined is \$13.18 billion, which represents nearly a 52 percent increase over the FY 2008 and FY 2009 combined total of \$8.55 billion.

Further Information:

The Department of Justice Annual Statistical Reports can be found on the internet at http://www.justice.gov/usao/reading_room/foiamanuals.html.

A copy of this press release may be found on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

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