

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,
100 F Street, N.E.
Washington, DC 20549**

Plaintiff,

v.

**CHARLES MICHAEL MARTIN,
1502 North Ivanhoe Street
Arlington, Virginia 22210**

Defendant.

CASE NUMBER 1:07CV00434

JUDGE: Ricardo M. Urbina

DECK TYPE: General Civil

DATE STAMP: 03/06/2007

COMPLAINT

Plaintiff United States Securities and Exchange Commission (the "Commission") alleges for its Complaint against Defendant Charles Michael Martin ("Martin") as follows:

SUMMARY

1. In 2002, Defendant Martin, who was employed by Monsanto Company ("Monsanto") as its Government Affairs Director for Asia, authorized and directed an Indonesian consulting firm ("Consulting Firm") to pay a bribe totaling \$50,000 to a senior Indonesian Ministry of Environment official ("the Senior Environment Official"). The illegal payment was made to influence the Senior Environment Official to repeal language in a decree that was unfavorable to Monsanto's business in Indonesia.

2. To generate the funds to make the illegal \$50,000 payment, and to conceal the unlawful activity, Martin directed the Consulting Firm to create a set of invoices to falsely bill Monsanto in an amount sufficient to cover the illegal payment. Martin subsequently approved the

false invoices for payment by Monsanto, and took steps to ensure that Monsanto paid the false invoices, thereby causing Monsanto's books and records to be falsified and circumventing Monsanto's system of internal accounting controls, which Monsanto was required to devise and maintain. As a result of Martin's actions, Monsanto falsely recorded the \$50,000 payment in its books and records as a payment for consulting services when, in fact, it was an illegal payment to the Senior Environment Official. Even though Martin's scheme was carried out pursuant to his instructions and the \$50,000 payment was made to the Senior Environment Official, the unfavorable decree remained in place.

3. Through his conduct in devising and orchestrating the illegal payment, Martin violated, and aided and abetted violations of, the anti-bribery provisions of the Foreign Corrupt Practices Act, and the internal controls and books and records provisions of the federal securities laws as described below. By this Complaint, the Commission respectfully requests that the Court issue orders permanently enjoining Martin from committing, and from aiding and abetting, violations of the federal securities laws as alleged in this Complaint and directing Martin to pay a civil monetary penalty.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to Sections 21(d)(3), 21(e), and 27 of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §§ 78u(d)(3), 78u(e), and 78aa]. In connection with the conduct described herein, the defendant, a United States citizen and national, made use of the mails and a means or instrumentality of interstate commerce corruptly in furtherance of the acts, practices and courses of business alleged here. Martin's unlawful conduct involved the offer, promise, authorization, and payment of money to the Senior Environment Official, a foreign official as defined in Section 30A(f) of the Exchange Act [15 U.S.C. § 78dd-1(f)].

