



DB12000P - Deutsche Bank Private Bank

Batch Date: 2/5/2018  
Added to Monitoring: 02/05/2018

Alert  
Alert Date: 2/5/2018

Organization: The 2017 Caterpillar Trust

Address: Country: UNITED STATES

Tracking ID: KYC 01898372

Reporting ID:

Alerted Entity #: 1 of 1

Risk Priority: Critical

Alert ID: 12612432.11620919.86458141

Entity Information

Entity ID: 86458141

Riskid: R2238037

Entity Name: Caterpillar Inc.

Alias: • CAT

- Caterpillar Belgium SA
- Caterpillar (NI) Limited
- FG Wilson (Engineering) Ltd
- Caterpillar International Finance Ltd
- Caterpillar Financial Services Corp
- Caterpillar SARL
- 卡特彼勒
- Caterpillar Credito, S.A. de C.V. SOFOM E.N.R.

Address: • Morton, Illinois, UNITED STATES

- AUSTRALIA
- SWITZERLAND
- Old Glenam Road, Lame, Northern Ireland, BT40 1EJ, UNITED KINGDOM
- Avenue des Etats-Unis 1, Gosselies, Hainaut, 6041, BELGIUM
- 100 North East Adams Street, Peoria, Illinois, 61629, UNITED STATES

**Riskography:** In January 2013, Caterpillar was charged with fraud after a disclosure of "deliberate, multi-year, coordinated accounting misconduct" at the Siwei unit of ERA Mining Machinery (ERA). Caterpillar closed the purchase of ERA and its subsidiary Siwei in June 2012, paying \$653.4 million. After the deal was closed, Caterpillar found that physical inventory did not match the accounting statements. In January 2013, Caterpillar announced that it would write off most of the \$654 million which it had paid to acquire ERA. In 2011, a former Caterpillar executive accused the company of using offshore subsidiaries to avoid paying \$2 billion in U.S. taxes from 2000 to 2009. It paid \$2.55 million to settle allegations that it violated the U.S. Clean Air Act, according to the U.S. Justice Department.

**Recent Event(s):** • ENV - Environmental Crimes (Poaching, Illegal Logging, Animal Cruelty / ASC - Associated with, Seen with, 12/08/2017  
United Industries LLC, a subsidiary of Progress Rail Services, Inc., which itself is a subsidiary of Caterpillar, Inc., pleaded guilty to a federal environmental offense of dumping parts into the ocean to conceal that it was performing unnecessary and improper repairs for several railcar operators and was imposed a sentence that required United Industries to pay a \$5 million criminal fine and \$20 million in restitution to three victim companies - TTX Company, Pacer International and Greenbrier Company. As a result of illegal conduct that spanned the years 2008 through 2014 - including the unnecessary and improper repairs on railcar adapters, brake beams, grating platforms, brake shoes, friction castings, hand brakes, roof liners and side bearings - United Industries earned at least \$5 million., 12/08/2017, [DOJ US Attorneys Offices Press Releases 2017](#)

**Event:** • REG - Regulatory Action / FIM - Fine - More than \$10,000, 04/04/2003  
Caterpillar, Inc. has remitted \$ 18,000.00 to settled allegations of a violations of 515 Sanctions Program. Actual or Alleged Violation of Export (Goods or Services), 04/04/2003, [OFAC Civil Penalties List](#)

• SEC - SEC Violations (Insider Trading, Securities Fraud) / DMS - Dismissed, 02/25/2016  
The Securities and Exchange Commission ends tax probe without action against its foreign subsidiary, known as Caterpillar SARL., 02/25/2016, [McClatchy Tribune Academic Restricted](#)

• IRC - Iran Connect / ASC - Associated with, Seen with, 08/24/2012  
Caterpillar Inc was listed among hundreds of US companies identified by the New York Times on 24 December 2010 that took legal advantage of a controversial loophole in US sanctions legislation to

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CONFIDENTIAL

CONFIDENTIAL - PURSUANT TO FED. R. CRIM. P. 6(e)

DB-SDNY-0023635

EFTA\_00171324

EFTA01255385



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December 2010 that took legal advantage of a controversial loophole in US sanctions legislation to procure a US Treasury Department license to sell selected goods in Iran despite trade sanctions and embargoes. The licenses were granted under a 2000 law mandating that agricultural and medical humanitarian aid be exempted from sanctions; the New York Times notes that this and other entities identified in the article received special licenses to enter into transactions that would otherwise be prohibited by trade embargoes and sanctions rules., 08/24/2012, [Iran Connect](#)

- IRC - Iran Connect / ASC - Associated with, Seen with, 08/24/2012

Caterpillar has performed business in Iran through its wholly-owned subsidiary Lovat, (a Canadian tunnel-boring machine company), and Arya Machinery, which states it is the exclusive dealer of Caterpillar in Iran. Solar Turbines, a division of Caterpillar, requested license to bid on a project to build a natural mixing station needed by the Turkish government-owned pipeline company, Botas., 08/24/2012, [Iran Connect](#)

- IRC - Iran Connect / ASC - Associated with, Seen with, 07/29/2010

Caterpillar Belgium SA is an associate of National Iranian Oil Engineering and Construction Company. On July 29, 2010, Australian Department of Foreign Affairs and Trade has listed National Iranian Oil Engineering and Construction Company (NIOEC) under sub-regulation 17E (3) of the Charter of the United Nations (Sanctions - Iran) Regulations 2008. According to the Official Journal of the European Union Website, dated December 22, 2012, NIOEC was designated under Regulation (EU) No 1264/2012, as an entity which is a subsidiary of National Iranian Oil Refining and Distribution Company., 07/29/2010, [Iran Connect](#)

- IRC - Iran Connect / ASC - Associated with, Seen with, 07/29/2010

Caterpillar NI Limited is an associate of National Iranian Oil Engineering and Construction Company. On July 29, 2010, Australian Department of Foreign Affairs and Trade has listed National Iranian Oil Engineering and Construction Company (NIOEC) under sub-regulation 17E (3) of the Charter of the United Nations (Sanctions - Iran) Regulations 2008. According to the Official Journal of the European Union Website, dated December 22, 2012, NIOEC was designated under Regulation (EU) No 1264/2012, as an entity which is a subsidiary of National Iranian Oil Refining and Distribution Company., 07/29/2010, [Iran Connect](#)

- REG - Regulatory Action / ACT - Disciplinary, Regulatory Action, 01/23/2003

Entity appears on the Arizona Corporate Commission Securities Division Enforcement Actions site, 01/23/2003, [Arizona - Corp. Commission Securities Division Enforcement Actions](#)

- DEN - Denied Entity / ASC - Associated with, Seen with, 07/31/2015

This entity appears on the Iowa Board of Regents' list of scrutinized companies doing business in Sudan., 07/31/2015, [Iowa Board of Regents - Scrutinized Companies](#)

- FRD - Fraud, Scams, Swindles / SET - Settlement or Suit, 03/14/2017

Daniel Schlicksup in 2009 filed suit and accused Caterpillar of breaking the law and misleading stockholders. (The case was reportedly settled out of court.) Shareholder Judy Pill also sued, accusing Cat of violating its "fiduciary duties" in 2017., 03/14/2017, [Register-Mail, The \(Galesburg, IL\)](#)

- TAX - Tax Related Offenses / DMS - Dismissed, 02/25/2016

The Securities and Exchange Commission ends tax probe without action against its foreign subsidiary, known as Caterpillar SARL., 02/25/2016, [McClatchy Tribune Academic Restricted](#)

- TAX - Tax Related Offenses / ASC - Associated with, Seen with, 03/03/2017

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Wsj.com listed an article on 3 March 2017, re: The Caterpillar Inc. locations searched were believed to be connected to the Caterpillar subsidiary known as CSARL. The search was in connection with a possible tax matter. Caterpillar Chief Executive Jim Umpleby said the company believes the search warrant is connected the Switzerland-based subsidiary, which he noted had been under review for more than three years., 03/03/2017, [Special Media](#)

- TAX - Tax Related Offenses / ACT - Disciplinary, Regulatory Action, 03/14/2017  
Cat is accused of being engaged in tax and accounting fraud. Agents from the Internal Revenue Service and other government body raided Cat's World Headquarters and some offices. IRS is already seeking \$2 billion in taxes and penalties, which Cat is appealing, and no charges have been filed., 03/14/2017, [Register-Mail, The \(Galesburg, IL\)](#)
- SEC - SEC Violations (Insider Trading, Securities Fraud) / SET - Settlement or Suit, 04/20/2017  
The Law Offices of Vincent Wong announce that a class action lawsuit has been commenced in the United States District Court for the Northern District of Illinois on behalf of investors who purchased Caterpillar, Inc. According to the complaint, throughout the Class Period, the Company issued materially false and misleading statements and/or failed to disclose., 04/20/2017, [Legal Monitor Worldwide \(Jordan\)](#)
- REG - Regulatory Action / SET - Settlement or Suit, 04/04/2003  
Caterpillar, Inc. has remitted \$ 18,000.00 to settled allegations of a violations of 515 Sanctions Program. Actual or Alleged Violation of Export (Goods or Services), 04/04/2003, [OFAC Civil Penalties List](#)
- TAX - Tax Related Offenses / SET - Settlement or Suit, 03/21/2017  
Caterpillar Inc. was named in a class action lawsuit for unlawfully used foreign subsidiaries to avoid paying billions of dollars in U.S. taxes, heightened regulatory scrutiny and potential criminal sanctions, Caterpillars public statements were materially false and misleading at all relevant times., 03/21/2017, [Legal Monitor Worldwide \(Jordan\)](#)
- SEC - SEC Violations (Insider Trading, Securities Fraud) / CMP - Complaint Filed, 03/29/2017  
This class action seeks to recover damages against Defendants for alleged violations of the federal securities laws under the Securities Exchange Act of 1934 (the Exchange Act)., 03/29/2017, [Legal Monitor Worldwide \(Jordan\)](#)
- FRD - Fraud, Scams, Swindles / PRB - Probe, 03/08/2017  
A US government-commissioned review concluded Caterpillar intentionally committed tax and financial reporting fraud. Federal agents last week raided the Illinois headquarters of the US industrial giant, which failed to account for \$7.9 billion in overseas income for tax purposes. The Internal Revenue Service in November notified Caterpillar that it owed about \$2 billion in adjustments and penalties connected to returns from 2010 to 2012., 03/08/2017, [Agence France-Presse](#)
- SEC - SEC Violations (Insider Trading, Securities Fraud) / PRB - Probe, 02/19/2016  
Securities and Exchange Commission completed an investigation related to its SARL subsidiary, did not recommend an enforcement action, 02/19/2016, [Newsbank - North Carolina News Sources](#)
- REG - Regulatory Action / PRB - Probe, 04/04/2017  
A federal raid of Caterpillar Inc. offices reveled company's controversial strategy to avoid paying U.S. taxes, and also Securities and Exchange Commission set for inquiries that its business interests in three sanctioned countries: Sudan, Syria and Iran. in 2012 after a series of depositions laid out the company's tax strategy in public for the first time, parts sales generated \$5.6 billion in profit over several years -

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- dismissed., 04/04/2017, [Peoria Journal Star, The \(IL\)](#)
- TAX - Tax Related Offenses / PRB - Probe, 10/30/2015  
Wsj.com listed an article on 30 October 2015, re: Caterpillar Inc. has received more subpoenas relating to a U.S. grand jury investigation of its tax practices., 10/30/2015, [Special Media](#)
- BRB - Bribery, Graft, Kickbacks, Political Corruption / ALL - Allege, 06/30/2010  
The named entity was identified publicly in a 30 June 2010 document leaked to Global Witness -- an international NGO focused on examining the relationship of natural resources and international trade systems with corruption -- that detailed Western banking institutions holding Libyan oil money as well as investments by the Libyan Investment Authority (LIA) in foreign businesses. The NY Times on 26 May 2011 noted that it had independently verified the leaked document as authentic and described it as a "summary of LIA investments." Global Witness cited the information as justification for a new laws requiring banks and investment funds to disclose all managed state funds to make it more difficult for sanctioned persons or companies to move the proceeds of corruption through the global financial system., 06/30/2010, [Special Media](#)
- ENV - Environmental Crimes (Poaching, Illegal Logging, Animal Cruelty / ASC - Associated with, Seen with, 12/08/2017  
United Industries LLC, a subsidiary of Progress Rail Services, Inc., which itself is a subsidiary of Caterpillar, Inc., pleaded guilty to a federal environmental offense of dumping parts into the ocean to conceal that it was performing unnecessary and improper repairs for several railcar operators and was imposed a sentence that required United Industries to pay a \$5 million criminal fine and \$20 million in restitution to three victim companies - TTX Company, Pacer International and Greenbrier Company. As a result of illegal conduct that spanned the years 2008 through 2014 - including the unnecessary and improper repairs on railcar adapters, brake beams, grating platforms, brake shoes, friction castings, hand brakes, roof liners and side bearings - United Industries earned at least \$5 million., 12/08/2017, [DOJ US Attorneys Offices Press Releases 2017](#)
- ENV - Environmental Crimes (Poaching, Illegal Logging, Animal Cruelty / SET - Settlement or Suit, 07/28/2011  
The U.S. Department of Justice says Caterpillar Inc. has agreed to pay \$2.55 million to settle allegations that it violated the U.S. Clean Air Act., 07/28/2011, [Associated Press Newswires](#)

- Relationship:**
- [W Frank Blount, Associate](#)
  - [Solar Turbines Incorporated, Associate](#)
  - Associate of [National Iranian Oil Engineering and Construction Company](#)

**Alert Notes**

**Notes:** Caterpillar Inc., United Industries LLC, a subsidiary of Progress Rail Services, Inc., which itself is a subsidiary of Caterpillar, Inc., pleaded guilty to a federal environmental offense of dumping parts into the ocean to conceal that it was performing unnecessary and improper repairs for several railcar operators and was imposed a sentence that required United Industries to pay a \$5 million criminal fine and \$20 million in restitution to three victim companies.

**Source Information**

- RDC URL:** <https://grid.rdc.com/wss/entity.html?entityId=d6b78c2d3114a8ce5d3f3d53eb346cc4>
- Source Name:** RiskConnect, 02/04/2018
- Entity URL:** • <http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Documents/04042003.pdf>

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- <http://www.treasury.gov/resource-center/sanctions/CivPen/Pages/2003.aspx>
- [http://www.nytimes.com/2011/05/27/world/africa/27qaddafi.html?\\_r=1&hp](http://www.nytimes.com/2011/05/27/world/africa/27qaddafi.html?_r=1&hp)
- <http://www.globalwitness.org/sites/default/files/library/Libyan%20Investment%20Authority,%20as%20of%20June%202010.pdf>
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- Iowa Board of Regents - Scrutinized Companies, Iowa Board of Regents - Scrutinized Companies, <http://www.regents.iowa.gov/Reports/iranannualreport1014.pdf>
- Newsbank - North Carolina News Sources, MEDIA Article, Headline: The briefcase
- McClatchy Tribune Academic Restricted, MEDIA Article, Headline: CAT tax probe ends without action
- McClatchy Tribune Academic Restricted
- Agence France-Presse
- Register-Mail, The (Galesburg, IL), MEDIA Article, Headline: Guest column Change 'tax avoidance' laws
- Legal Monitor Worldwide (Jordan)
- Legal Monitor Worldwide (Jordan), MEDIA Article, Headline: SHAREHOLDER ALERT: Bronstein, Gewirtz & Grossman, LLC Reminds Investors of Class Action Against Caterpillar Inc. (CAT) & Lead Plaintiff Deadline: May 2, 2017
- Peoria Journal Star, The (IL)
- Legal Monitor Worldwide (Jordan), MEDIA Article, Headline: CAT INVESTOR ALERT: The Law Offices of Vincent Wong Reminds Investors of a Class Action Involving Caterpillar, Inc. and a Lead Plaintiff Deadline of May 2, 2017
- DOJ US Attorneys Offices Press Releases 2017, DOJ US Attorneys Offices Press Releases 2017, <http://www.justice.gov/usao/about/usattorneys.html>
- Peoria Journal Star, MEDIA Article, United States, Headline: Decatur woman sues for coverage -- Debbie Robinson's attorney will file class action lawsuit,

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DB-SDNY-0023639

EFTA\_00171328

EFTA01255389



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- Associated Press Newswires, MEDIA Article, United States, Headline: Caterpillar turns profit; says global economy improving, demand rising in emerging markets, <http://global.factiva.com/en/du/article.asp?NAPC=S&AccessionNo=APRS000020100426e64q001yh>
- St. Louis Post-Dispatch, MEDIA Article, United States, Headline: Caterpillar sees 'revival' as global demand increases, <http://global.factiva.com/en/du/article.asp?NAPC=S&AccessionNo=SLMO000020100427e64r000b8>
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- New York Law Journal, MEDIA Article, Headline: Oscar Buitrago and Maria Buitrago, Plaintiffs v. H.O. Penn Machinery Company, Inc., H.O. Penn Machinery Leasing, LLC and Caterpillar Inc., Defendants, 100154/08; Supreme Court, New York County, Part 7; Torts, <http://global.factiva.com/en/du/article.asp?NAPC=S&AccessionNo=NYLJ000020130531e95v0008p>
- Associated Press Newswires, MEDIA Article, Headline: Caterpillar sued over death of contract worker, <http://global.factiva.com/en/du/article.asp?NAPC=S&AccessionNo=APRS000020090218e52i0011o>
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- <http://global.factiva.com/en/du/article.asp?NAPC=S&AccessionNo=WSJO000020140113ea1c0015p>
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- Rapid City Journal, The (SD), MEDIA Article, Headline: Caterpillar offices raided in probe related to Swiss unit, [http://rapidcityjournal.com/caterpillar-offices-raided-in-probe-related-to-swiss-unit/article\\_f3aab49b-3da7-5f29-81f1-3f0eca56ec6f.html](http://rapidcityjournal.com/caterpillar-offices-raided-in-probe-related-to-swiss-unit/article_f3aab49b-3da7-5f29-81f1-3f0eca56ec6f.html)
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- Peoria Journal Star, The (IL), MEDIA Article, Headline: Caterpillar eliminating 'middleman,' alright
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- Peoria Journal Star, The (IL), MEDIA Article, Headline: EXCLUSIVE: Federal raid resurrects questions about company's business dealings in Sudan, Syria and Iran
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At White House event, company pledges support for grass-roots campaign
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DB-SDNY-0023641

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EFTA01255391



DB12000P - Deutsche Bank Private Bank

Alert

Batch Date: 2/5/2018  
Added to Monitoring: 02/05/2018

Alert Date: 2/5/2018

Organization: The 2017 Caterpillar Trust

Address: Country: UNITED STATES

Tracking ID: KYC 01898372

Reporting ID:

Alerted Entity #: 1 of 1

Risk Priority: Critical

Alert ID: 12612432.11620919.86458141

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- United Against Nuclear Iran Website, Source provides details on Caterpillar Inc, <http://www.unitedagainstnucleariran.com/company/caterpillar-inc>

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