

# The United States Attorney's Office

## Southern District of Florida



### Press Release

#### **DEFENDANT PLEADS GUILTY TO FALSIFYING TEST REPORTS OF METALS FOR USE IN SPACE PROGRAM**

January 19, 2007

#### **FOR IMMEDIATE RELEASE**

R. Alexander Acosta, United States Attorney for the Southern District of Florida, John Corbett, Special Agent in Charge, Central Field Office, NASA Office of Inspector General, Adrian Gallegos, Acting Special Agent in Charge, Department of Energy, Office of Inspector General, Central Investigations Operations, Christopher Amato, Special Agent in Charge, Defense Criminal Investigative Service, Southeast Field Office, and John W. Long, Special Agent in Charge, Department of Transportation, Office of Inspector General, announced today that after a two-week trial before United States District Court Judge James I. Cohn, in Ft. Lauderdale, **Russ B. Cohen**, 48, of Pompano Beach, pled guilty to the two-count Superseding Indictment against him. The Indictment charged Cohen with conspiracy to make material false statements concerning aircraft and space vehicle parts, to make material false statements in a matter within the jurisdiction of the National Aeronautics and Space Administration (NASA), and to commit wire fraud; and with making a material false statement to the United Space Alliance, NASA's contractor for the Space Shuttle Program. Sentencing is scheduled for April 20, 2007 at 9 a.m.

Cohen was the sales manager of M & M International Aerospace Metals (M & M Metals) of Ft. Lauderdale, a metals distributor to the aerospace industry, including NASA. M&M Metals was owned by defendants **Timothy Muldoon**, 54, and **Tina Muldoon**, 47, both of Lighthouse House Point, Florida. The evidence presented during the trial established that Cohen and the Muldoons conspired with several of M & M's administrative employees, including defendants **Ella Hernandez**, 49, of Hollywood, and **Leonor C. Mora**, 30, of North Miami, to alter test certificates from metals testing laboratories, to

alter the mill reports of metals manufacturers, and to alter the certificates of compliance from metals distributors, when the test results and specifications listed on these documents did not conform with the customers' purchase order requirements, including metals specifications.

M & M's customers included aerospace contractors within the jurisdiction of NASA, including the United Space Alliance, NASA's contractor for launching and processing the space shuttle fleet, and Teledyne Brown Engineering, a NASA subcontractor for the International Space Station Program, the United States Department of Defense and its military components, the Department of Energy, including its missile manufacturing divisions, and the Department of Transportation, including the FAA. Based on the charges in the Indictment, and evidence presented during the trial which concluded in Cohen's guilty plea, Cohen and his co-conspirators, through the false reports, induced the United Space Alliance/NASA to unwittingly purchase, receive and place into serviceable stock for use on the orbiter fleet and critical ground support equipment, substandard and non-conforming metals.

Timothy Muldoon, Tina Muldoon, Ella Hernandez, and Leonor C. Mora had all previously pled guilty to the charges in the case. Timothy Muldoon and Tina Muldoon's guilty pleas included charges relating to material false statements made concerning metals and parts intended for use in the W87 Peacekeeper Nuclear Missile, with the jurisdiction of the Department of Energy. Cohen had also previously pled guilty to these charges, but entered his guilty plea in the United States District Court, Western District of Missouri, Kansas City Division, which is where Honeywell Federal Manufacturing and Technologies, Department of Energy's managing and operating contractor for its Kansas City Plant, is located.

Cohen, the Muldoons and Mora face up to five years imprisonment. Ella Hernandez was previously sentenced by the Honorable Cecilia M. Altonaga, United States District Judge in Miami, to two years probation, including a 3 month term of home confinement.

Mr. Acosta commended the investigative efforts of the NASA Office of Inspector General and all the other investigative agencies involved in this case. The case was prosecuted by Assistant U.S. Attorney Jose A. Bonau of the Economic and Environmental Crimes Section.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

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