

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 4:12-CR-00150-RAS-DDB-1
	§	
ORTHOFIX INTERNATIONAL, N.V.,	§	
	§	
Defendant.	§	

JOINT STATUS REPORT

The Government and Defendant Orthofix International N.V. (“Orthofix”) hereby file this Joint Status Report in order to update the Court on the status of this matter:

A. The Deferred Prosecution Agreement

On July 10, 2012, the United States Department of Justice, Criminal Division, Fraud Section (the “Department”) filed a one-count criminal information charging Orthofix with violating the internal controls provisions of the Foreign Corrupt Practices Act (“FCPA”), Title 15, United States Code, Section 78m(b)(2). Docket Entry (“DE”) No. 1. On that same date, the Department entered into a deferred prosecution agreement (“DPA” or “Agreement”) with Orthofix in which the Department agreed to defer prosecution of the criminal information for the three year and seven day Term of the DPA, and dismiss the information after that Term if Orthofix satisfied the various obligations identified in the DPA. DE No. 2.

B. The Extension of the Deferred Prosecution Agreement

The DPA was scheduled to expire on July 17, 2015. The Department and Orthofix agreed on June 15, 2015, however, to extend the Term of the DPA for an additional two months in order to give the Department additional time to (1) evaluate Orthofix’s compliance with the internal controls and compliance undertakings in the DPA and (2) further investigate potentially

improper conduct the company disclosed during the term of the DPA. The Department and Orthofix agree that this two-month extension extends all of the terms of the DPA and does not waive, or in any way prejudice, any of the Department's rights under the DPA. The DPA's expiration date has thus been extended to September 17, 2015.

The Department intends to complete its evaluation and further investigation in August 2015, and will notify the Court and Orthofix of its proposed course of action shortly thereafter.

Respectfully submitted,

JOHN S. (JAY) DARDEN
Paul Hastings LLP
875 15th Street, N.W.
Washington, DC 20005
Phone: (202) 551-1961
Fax: (202) 551-0461
Email: jaydarden@paulhastings.com
Counsel for Orthofix International, N.V.

ANDREW WEISSMANN
CHIEF, FRAUD SECTION
CRIMINAL DIVISION

By: /s/ Laura N. Perkins
LAURA N. PERKINS
Assistant Chief, Fraud Section
United States Department of Justice
Criminal Division
1400 New York Ave., N.W.
Washington, D.C. 20005
DC Bar No. 479048
Phone: (202) 616-8917
Fax: (202) 616-3511
Email: laura.perkins@usdoj.gov

