News Release

U.S. Department of Justice

United States Attorney
Northern District of Ohio

For Release:
2/11/08

Gregory A. White
United States Attorney

Robert W. Kern
Assistant U.S. Attorney
(216) 622-3836

Gregory A. White, United States Attorney for the Northern District of Ohio, announced today that a one count Information was filed in U.S. District Court in Cleveland, Ohio, charging Kent S. Andrews, age 41, of Middleburg Heights, Ohio, with one count of Mail Fraud.

The Information charges that between December 2003, and May 2006, Andrews executed a scheme and artifice to defraud Cisco Systems, Inc., by fraudulently causing Cisco to ship via Federal Express or other commercial interstate carrier, approximately 241 items of computer networking equipment valued at approximately $1,982,926.00.

According to the Information, Andrews was a certified Cisco engineer and held the designation as a Cisco Certified Internetwork Expert, which is the highest level of Cisco certification, and is highly respected in the Information Technology (IT) industry. Cisco Systems, Inc., is the leading manufacturer and seller of computer networking equipment and services in the world, and is headquartered in San Jose, California.

According to the Information, Andrews devised and executed a scheme to defraud Cisco by submitting fraudulent service claims under Cisco's Advance Replacement program, under service contracts known as SMARTnet service contracts. Under this program, Cisco customers are able to obtain replacement parts for failed or defective parts without first returning the

defective part, but must return the defective parts within 30 days. Between December 2003 and May 2006, Andrews submitted fraudulent service claims for approximately 241 Cisco computer networking parts valued at over $1.9 million, despite the fact that Andrews did not possess the claimed defective parts, and was not otherwise entitled to submit claims for the parts under the SMARTnet program.

The Information charges that after fraudulently obtaining the parts from Cisco, Andrews sold the equipment to unsuspecting buyers, including individuals who placed bids in on-line, E-Bay auctions where Andrews offered many of the fraudulently obtained parts for sale.

If convicted, the defendant's sentence will be determined by the Court after review of factors unique to this case, including the defendant's prior criminal record, if any, the defendant's role in the offense and the characteristics of the violation. In all cases the sentence will not exceed the statutory maximum and in most cases it will be less than the maximum.

This case is being prosecuted by Assistant U.S. Attorney Robert W. Kern, Cybercrime Coordinator for the Cleveland U.S. Attorney's Office, following an investigation by the Cleveland Office of the Federal Bureau of Investigation.

An Information is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

#####