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Thursday, January 19, 2023

Businesswoman Sentenced for Facilitating Unregistered Lobbying Campaign in Exchange for Approximately \$3 Million

An American businesswoman with international ties was sentenced in the District of Hawaii yesterday to two years in prison for her role in facilitating an unregistered lobbying campaign of the Administration of the former President of the United States and the U.S. Department of Justice on behalf of foreign principals in exchange for millions of dollars.

According to court documents, Nickie Mali Lum Davis, 47, of Honolulu, Hawaii, admitted that between March 2017 and January 2018, she and her co-conspirators – Elliott Broidy, George Higginbotham, and Prakazrel “Pras” Michel – agreed to lobby the then-President of the United States, the Attorney General, and other high-level U.S. government officials to drop civil forfeiture proceedings and a criminal investigation into the embezzlement of billions of dollars from 1Malaysia Development Berhad (1MDB), a strategic investment and development company wholly owned by the Government of Malaysia.

For their efforts, Lum Davis and her co-conspirators were paid millions of dollars by Low Taek Jho, aka Jho Low, an alleged architect of the 1MDB scheme. Lum Davis and others also agreed to lobby the Administration and Justice Department on behalf of Low and a minister of the People’s Republic of China (PRC Minister A), to arrange for the removal and return of a dissident of the PRC living in the United States. Lum Davis and her co-conspirators concealed from the officials whom they lobbied that they were working on behalf of Low and PRC Minister A, and were being paid millions of dollars by Low with the expectation of tens of millions more in success fees. The lobbying campaigns were ultimately unsuccessful.

Among other actions, Lum Davis and her co-conspirators tried to arrange meetings for PRC Minister A with the Attorney General, the Secretary of Homeland Security, and other high-level officials during PRC Minister A’s visit to the United States in May 2017; provided talking points to the Secretary of State referencing the 1MDB investigation in advance of a meeting between the Secretary of State and the Malaysian Prime Minister in August 2017; and pushed the White House Chief of Staff for a meeting and golf game between the former President and the Malaysian Prime Minister to allow the Malaysian Prime Minister to raise resolution of the 1MDB investigation. Lum Davis was paid at least \$3 million for her role in the scheme, which she agreed to forfeit as part of her plea agreement. Broidy was paid at least \$9 million.

Broidy previously pleaded guilty for his role in the scheme on Oct. 20, 2020, in U.S. District Court for the District of Columbia. Broidy received a full presidential pardon on Jan. 19, 2021.

Higginbotham previously pleaded guilty for his role in the scheme on Nov. 30, 2018, in U.S. District Court for the District of Columbia. He will be sentenced at a later date.

Michel was charged by superseding indictment for his role in the scheme on June 10, 2021. His trial is set to begin on March 27 in U.S. District Court for the District of Columbia.

Assistant Attorney General Kenneth A. Polite, Jr. of the Justice Department’s Criminal Division, Assistant Attorney General Matthew G. Olsen of the Justice Department’s National Security Division, U.S. Attorney Clare E. Connors for the District of Hawaii, Special Agent in Charge Steven B. Merrill of the FBI Honolulu

Field Office, and Special Agent in Charge Keith Bonanno of the Department of Justice Office of the Inspector General (DOJ-OIG), Cyber Investigations Office made the announcement.

The DOJ-OIG and the FBI Honolulu and Los Angeles Field Offices investigated the case.

Principal Deputy Chief John D. Keller, Director of Enforcement and Litigation for Election Crimes Sean F. Mulryne, and Trial Attorney Nicole R. Lockhart of the Criminal Division's Public Integrity Section (PIN), and Assistant U.S. Attorney Ken Sorenson for the District of Hawaii are prosecuting the case. Former PIN Trial Attorneys James C. Mann and Ryan Ellersick also provided significant assistance.