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U.S. Sues First Choice Armor & Equipment for Providing Defective Bullet-Proof Vests to Law Enforcement Agencies

The United States has filed a False Claims Act lawsuit against First Choice Armor & Equipment Inc. and its founder, Edward Dovner, for submitting false claims for bullet-proof vests purchased by the United States for federal, state, local and tribal law enforcement agencies, the Justice Department announced today.

First Choice, which manufactured and sold bullet-proof vests containing Zylon fiber from 2000- 2005, marketed its vests to law enforcement agencies as a thinner and more lightweight alternative to other bullet-proof vests. The United States alleges that at the same time First Choice was selling its Zylon bullet-proof vests, the company and its founder knew of significant manufacturing and degradation problems in the Zylon fiber that rendered the material unsafe for ballistic use. In fact, when the Justice Department's National Institute of Justice tested eight of First Choice's bullet-proof vests in 2005, all failed.

The United States has also sued Mr. Dovner and Karen Herman, Mr. Dovner's wife and First Choice's president, for a fraudulent conveyance – a transfer of property that is made to swindle, hinder or delay a creditor, or to put such property beyond his or her reach – in violation of the Federal Debt Collection Procedures Act. The government alleges that after learning of the investigation into Zylon bullet-proof vests, Mr. Dovner and Ms. Herman removed more than \$5 million from First Choice. Mr. Dovner then purchased a Ferrari, a Maserati and a private jet through various shell companies.

"By providing defective bullet-proof vests to the nation's law enforcement officers, First Choice put the lives of those officers at risk," stated Tony West, Assistant Attorney General for the Civil Division of the Department of Justice. "The government's investigation has determined that bullet-proof vest manufacturers, such as First Choice, wasted taxpayer dollars by failing to address these problems even after they were warned about them."

The United States is already pursuing lawsuits against Toyobo Co., the manufacturer of the Zylon fiber used in the First Choice bullet-proof vests, as well as Second Chance Body Armor and Honeywell International Inc., two other companies that manufactured Zylon vests or components for those vests. The government has previously settled for more than \$47 million with five other entities that allegedly were involved in the manufacture or sale of defective Zylon vests.

Assistant Attorney General West acknowledged the cooperation between the many government agencies participating in this ongoing investigation, including the Justice Department's Civil Division, the U.S. Attorney's Office for the District of Columbia, the General Services Administration Office of the Inspector General, the Department of Homeland Security Office of Inspector General, the Treasury Inspector General for Tax Administration, the Defense Criminal Investigative Service, the U.S. Army Criminal Investigative Division, the Air Force Office of Special Investigations, the Department of Energy Office of the Inspector General, the U.S. Agency for International Development Office of the Inspector General, the Federal Bureau of Investigation and the Defense Contracting Audit Agency.

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