

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #  
DATE FILED 3/7/13

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

HANS BODMER,

Defendant.

PRELIMINARY ORDER OF  
FORFEITURE/MONEY  
JUDGMENT

03 Cr. 947 (SAS)

x

WHEREAS, on or about August 5, 2003, HANS BODMER, (the "Defendant"), was charged in a two-count Indictment, 03 Cr. 947 (SAS) (the "Indictment"), with conspiracy to violate the Foreign Corrupt Practices Act, in violation of Title 18, United States Code, Section 371 (Count One); and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Count Two, seeking the forfeiture to the United States, pursuant to Title 18, United States Code, Section 982, of all property, real or personal, involved in the money laundering offense or any property traceable to such property, including but not limited to a sum of money equal to \$150,000,000 in United States currency, in that such sum in aggregate is property which was involved in the money laundering offense or is traceable to such property;

WHEREAS, on or about October 8, 2004, the Defendant pled guilty before Magistrate Judge Frank Maas to Count Two of the Indictment;

WHEREAS, on or about May 19, 2009, this Court ordered the Defendant's October 8, 2004 Guilty Plea be accepted;

AND FINAL

WHEREAS, the Defendant consents to a money judgment in the amount of \$131,906 in United States currency, representing the proceeds obtained as a result of the offense charged in Count Two;

WHEREAS, on February 28, 2013, the Defendant wire transferred \$131,906 (the "Payment") to the United States Marshals Service which is in full satisfaction of his forfeiture obligation;

WHEREAS, on March 6, 2013, the Defendant was sentenced and ordered to forfeit \$131,906 in United States currency, representing the amount of proceeds obtained by the Defendant as a result of the offense charged in Count Two of the Indictment;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Harry A. Chernoff, Esq., of counsel, and the Defendant, and his counsel, Saul M. Pilchen, Esq., and Michael P. Kelly, Esq., that:

1. As a result of the offense charged in Count Two of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$131,906 in United States currency (the "Money Judgment") shall be entered against the Defendant. The Payment is to be applied in full satisfaction of the Money Judgment.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, HANS BODMER, upon entry of this Order, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon execution of this Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service (or its designee) shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rule of Criminal Procedure.

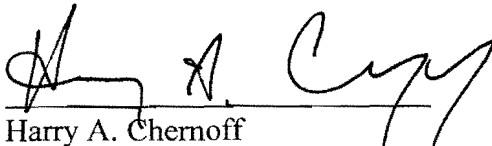
6. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

7. The signature page of this Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute

one and the same instrument.

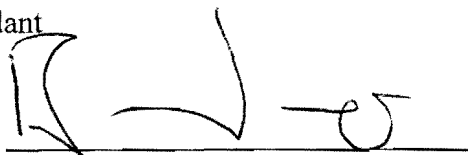
AGREED AND CONSENTED TO:

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff


By:   
Harry A. Chernoff  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007

3/6/13  
Date


Defendant

By:   
HANS BODMER

3/6/13  
Date


By:   
Saul M. Pilchen, Esq.  
Skadden, Arps, Slate, Meagher & Flom, LLP  
1440 New York Avenue, N.W.  
Washington, D.C. 20005-

3/6/13  
Date

By:   
Michael P. Kelly, Esq.  
Hogan Lovells US LLP  
555 Thirteenth Street, N.W.  
Washington, D.C. 20004

3/6/13  
Date

SO ORDERED:

  
HONORABLE SHIRA A. SCHEINDLIN  
UNITED STATES DISTRICT JUDGE

3/6/13  
Date