

JJO/cmb

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 89-802-CR-KEPDE(S)

UNITED STATES OF AMERICA

v.

ROBERT NEIL GURIN
_____ /

RECEIVED & FILED IN OPEN COURT
ON 03/23/1990 AT
MIAMI FLA
Robert M. March, Clerk
United States District Court
Southern District of Florida

: PLEA AGREEMENT :

The United States of America, by and through the undersigned Assistant United States Attorney, and Robert Neil Gurin (hereinafter referred to as the "defendant"), enter into the following Agreement:

1. The defendant agrees to plead guilty to a one count information, which count charges the defendant with conspiracy to violate Title 15, United States Code, Section 78 dd-2 Foreign Corrupt Practice Act relative to aircraft N6846L.

2. The defendant agrees to waive his right to indictment, and proceed pursuant to the aforementioned information.

3. The defendant agrees to cooperate fully with this office, agents of the United States Customs Service and the Federal Bureau of Investigation and any other law enforcement agencies, as this office may require. This cooperation will include the following:

64
TIW

A. The defendant agrees to be fully debriefed, that is, to provide information concerning his knowledge of, and participation in, all criminal activities including, but not limited to corruption. This debriefing will be conducted by this office, agents of the United States Customs Service and the Federal Bureau of Investigation and any other law enforcement agencies this office may require. All documents which are relevant to the investigation and which are in the defendant's possession or under his control will be furnished to this office upon request. All information provided by the defendant shall be truthful, complete and accurate. In addition, the government may seek to verify, by any means it chooses, the truthfulness of information provided by the defendant.

B. The defendant agrees to truthfully testify before grand juries in this district and elsewhere, and at any trials in this district and elsewhere, as this office may require.

C. The defendant agrees to work in an undercover role under the supervision and guidance of the United States Customs Service and the Federal Bureau of Investigation agents and Assistant United States Attorneys and to contact and negotiate with corrupt individuals.

4. No information disclosed by the defendant during the course of his cooperation will be used against him provided that the information and testimony he furnished is truthful, complete and accurate. However, should it be determined by this office that

the defendant has intentionally given false, incomplete or misleading information or testimony or has otherwise violated any provision of this Agreement, the defendant is subject to prosecution for any and all federal criminal violations known to the government, including but not limited to conspiracy, subornation of perjury, obstruction of justice and witness tampering. Any such prosecution may be premised upon information provided by the defendant during the course of his cooperation and such information, including his statements, will be admissible against the defendant in any grand jury or court proceeding. Also, if the defendant has already entered a plea of guilty pursuant to the terms of this Agreement, that plea of guilty will stand.

5. The United States reserves the right to evaluate the nature and extent of the defendant's cooperation and to advise the court of the nature and extent of such cooperation at the time of sentencing. If, in the judgment of the United States, the circumstances of the defendant's cooperation warrants a reduction below the level established by statute as minimum sentence and departure by the court from the guideline sentence as determined by the Probation Department, the government shall make a motion pursuant to Title 18, United States Code, Section 3553(e), and Section 5K1.1 of the Sentencing Guidelines, stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who has committed an offense.

6. The United States reserves the right to make a recommendation as to the quality and quantity of punishment, and

subject to the provisions of paragraph 5 of this Agreement, reserves the right to inform the court and the Probation Department of all facts to the sentencing process, including all relevant information concerning the defendant and his background.

7. The defendant understands and agrees that the court is under no obligation to grant the government's motion referred to in paragraph 5 of this Agreement; that the court may impose any sentence authorized by law; that is up to five (5) years incarceration and the applicable fine and that the defendant may not withdraw his plea solely as a result of this sentence imposed.

8. The defendant further understands and agrees that in addition to any sentence imposed under paragraph 7 of this Agreement, a special assessment in the amount of fifty dollars (\$50.00) will be imposed.

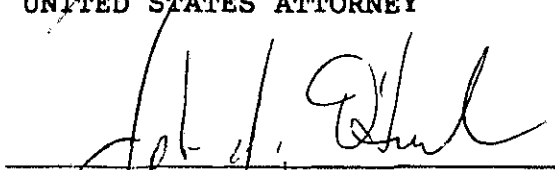
9. The wife of the defendant will not be charged for any involvement she had relative to the attempted release of aircraft. The defendant will not be charged for any crimes he may have committed of which the United States Attorney's Office for the Southern District of Florida is aware of through their investigation of the Federal Aviation Administration and recovery of aircraft.

10. This is the entire Agreement and understanding between the United States and the defendant. There are no other agreements or understanding between the parties.

Respectfully submitted,

DEXTER W. LEHTINEN
UNITED STATES ATTORNEY

Date: 11/3/89

By: 


JOHN J. O'SULLIVAN
ASSISTANT UNITED STATES ATTORNEY

Date: 11-3-89



ROBERT NEIL GURIN

Date: 11-3-89



MICHAEL DODDO, ESQ.
ATTORNEY FOR DEFENDANT