



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 Australian Avenue, Suite 400
West Palm Beach, Florida 33401
Telephone: (561) 820-8711
FAX: (561) 659-4526
March 20, 2006

RE: UNITED STATES V. GARY C. BRESTLE AND ISBELIA Q. BRESTLE
Case Number 05-80215-CR-RYSKAMP/HOPKINS

Dear Victim:

This letter is to inform you that a federal felony prosecution is pending in this district against the above-named persons. The defendants have been charged with the following offenses: conspiracy to commit wire fraud and mail fraud in violation of Title 18, United States Code, Section 1346, wire fraud in violation of Title 18, United States Code, Section 1343, interstate transportation of property taken by fraud in violation of Title 18, United States Code, Section 2314, money laundering in violation of Title 18, United States Code, Sections 1956 and 1957, and asset forfeiture. The defendants have been arrested and, released on bond.

Trial is tentatively scheduled for the two week period beginning April 3, 2006. When trial begins, the first order of business will be jury selection. The trial is expected to last approximately two weeks.

You may be called as a witness in this case. Those persons subpoenaed by the government to testify at trial will be contacted by Special Agent Joseph Sconzo, or another agent, of Federal Bureau of Investigation, 561-833-7517. The government may ask to have a voluntary pre-trial conference with you. Witnesses will be notified as early as possible, and every effort will be made to handle witnesses' preparation and appearance in a timely and convenient manner, but this office does not control the court's schedule.

You are entitled to understand what is happening in any case in which you are involved. If you have questions, the telephone number of the Office of the United States Attorney is 561-820-8711. You may ask for Assistant U.S. Attorney Ellen Cohen, who is handling this case, or you may call the office of the Victim-Witness Coordinator in Miami at [305] 961-9195 or toll free in Miami at [1-888] 513-0867, Ft.Lauderdale 1-800-379-4643, West Palm 1-800-379-8572. **You may also find information timely information about this case by going to the following internet site:** <http://www.usdoj.gov/usao/fls/VW-USvBrestle.htm>

Persons who are victims of federal crime have certain rights and are entitled to certain services. You may be eligible to obtain restitution. We have enclosed a form which you are

requested to fill out if the address we have used for this letter is incorrect. Also enclosed is a copy of Congress's statement of crime victims' rights, enacted as part of the Victims' Rights and Restitution Act of 1990. This office's Victim-Witness Unit can provide you with more information about the Act, and about services to victims of crime, if you wish such information.

Please be aware that any statements you make, whether oral or written, including in filling out forms, may be subject to disclosure to the defense. If this causes you concern, please let us know.

If you are a victim of a federal crime:

YOU HAVE THE RIGHT TO BE FREE FROM ANY THREATS ARISING FROM YOUR ROLE IN THIS CASE. If anyone threatens you, or you feel that you're being harassed because of the case, you should immediately notify the Assistant United States Attorney handling your case, the Victim-Witness Specialist, the [name of agency], or the Federal Bureau of Investigation.

YOU HAVE THE RIGHT TO THE PROMPT RETURN OF YOUR PROPERTY IF IT IS HELD AS EVIDENCE. It is sometimes necessary for the United States Government to retain personal property to be used as evidence in the case. Unfortunately, your property may necessarily be held for a long time. However, every effort will be made to return your property to you as soon as possible after the trial and/or appeal.

YOU WILL RECEIVE NOTICE OF A PLEA OR CONVICTION AND ANY SENTENCE IMPOSED. This will be a letter sent to victims by the United States Probation Office.

If you are subpoenaed to testify in this matter:

YOU ARE ENTITLED TO A WITNESS FEE FOR EVERY DAY THAT YOU APPEAR IN COURT IN CONNECTION WITH THE CASE. Information regarding witness fees will be attached to your subpoena. Please read it carefully.

IF YOU ARE SUBPOENAED BY THE GOVERNMENT, YOU HAVE THE RIGHT TO A WAITING AREA THAT IS SEPARATE FROM THE AREA DESIGNATED FOR THE DEFENSE. In this district, many of the federal courtrooms have a lobby directly outside the courtroom where all witnesses may wait. Any witness who wishes to wait in an area removed from and out of the sight and hearing of the defendant and defense witnesses will be provided such an area; notify the Assistant United States Attorney, case agent, or Victim-Witness Unit if this is your wish.

Thank you for your cooperation.

Very truly yours,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

BY:
ELLEN L. COHEN
ASSISTANT UNITED STATES ATTORNEY
Telephone No. (561) 820-8711

Enclosures 2

cc: Special Agent Joseph Sconzo, FBI
Victim Witness Coordinator

Enclosure for Letter at Time of Indictment.
(All Victims Including Corporate Victims)

CHANGE OF ADDRESS FORM

MAIL TO: United States Attorney's Office
Victim-Witness Unit
99 N.E. 4th Street
Miami, Florida 33132

RE: UNITED STATES V. GARY C. BRESTL AND ISBELIA Q. BRESTLE
CASE NUMBER 05-80215-CR-RYSKAMP/HOPKINS

NAME: _____

ADDRESS: _____
(Street)

(City) (State) (Zip)

TELEPHONE: Home: _____
(Area Code) (Phone No.)

Work: _____
(Area Code) (Phone No.)

Enclosure for Letter at Time of Indictment.
(All Victims Including Corporate Victims)

(a) **BEST EFFORTS TO ACCORD RIGHTS.**

Officers and employees to the Department of Justice . . . engaged in the . . . prosecution of crime shall make their best efforts to see that victims of crime are accorded the rights described in subsection (b).

(b) **RIGHTS OF CRIME VICTIMS.**

A crime victim has the following rights:

- (1) The right to be treated with fairness and with respect for the victim's dignity and privacy.
- (2) The right to be reasonably protected from the accused offender.
- (3) The right to be notified of court proceedings.
- (4) The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
- (5) The right to confer with attorney for the Government in the case.
- (6) The right to restitution.
- (7) The right to information about the conviction, sentencing, imprisonment, and release of the offender.

See CRIME CONTROL ACT OF 1990, Pub.L. No. 101-647, (November 29, 1990) §502; 42 U.S.C. §10606