

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	
)	CRIMINAL NO.
ARGOS USA LLC,)	4:21-CR-0002-RSB-CLR
f.k.a. ARGOS READY MIX LLC,)	
)	
Defendant.)	
)	

JOINT MOTION FOR DEFERRED PROSECUTION CONTINUANCE

Pursuant to Title 18, United States Code, Section 3161(h)(2), and in light of the Deferred Prosecution Agreement (“DPA”) between defendant Argos USA LLC (“Argos”) and the United States, the parties jointly move that any prosecution and trial of the Information filed in this case against Argos be deferred until whichever of the following events occurs first:

1. The United States makes a final determination that Argos has breached the DPA, as defined in the DPA, and the United States elects, consistent with the DPA, to prosecute Argos on the Information, in which event the United States will request that this case be returned to the Court’s calendar; or

2. The United States concludes that Argos is in full compliance with all of its obligations under the DPA, and the United States, within 30 days after the expiration of the deferral period (*i.e.*, three years from the filing date of the Information), files a motion with the Court seeking the dismissal with prejudice of the Information against Argos.

The parties also request that the period of time outlined above be excluded in computing the time within which an indictment must be filed or the time within which the trial of any such

offense must commence, pursuant to 18 U.S.C. § 3161(h)(2), and that any such requirement under the Speedy Trial Act of 1974 be tolled.

Argos has agreed to waive any rights under 18 U.S.C. § 3161 in the DPA, and Argos hereby consents through its counsel to this motion. A copy of the DPA executed by the defendant and the United States has already been filed with the Court (ECF No. 4).

WHEREFORE, the United States and Argos respectfully request that the joint motion be granted.

DATED: January 4, 2021

Respectfully submitted,

By: /s/ Howard Feller

Howard Feller
J. Brent Justus
Casey Erin Lucier
Jason H. Cowley
MCGUIREWOODS LLP

Counsel for ARGOS USA LLC

By: /s/ Matthew Stegman

Matthew Stegman
Patrick Brown
Julia Maloney
Trial Attorneys

United States Department of Justice
Antitrust Division
450 Fifth Street NW
Washington, DC 20530
Tel.: 202-307-0520

By: /s/ E. Greg Gilluly, Jr.

E. Greg Gilluly, Jr.
Assistant United States Attorney
Deputy Chief, Criminal Division
Southern District of Georgia

CERTIFICATE OF SERVICE

This is to certify that I have on this day served all the parties in this case in accordance with the notice of electronic filing (“NEF”), which was generated as a result of electronic filing in this Court.

Submitted this 4th day of January, 2021.

/s/ Julia Maloney _____
JULIA MALONEY
Trial Attorney