

ORIGINAL

DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
MAR 21 2005
CLERK U.S. DISTRICT COURT
By *[Signature]*
Deputy

United States District Court
Northern District of Texas
Dallas Division

UNITED STATES OF AMERICA

v.

Case Number 3:03-CR-189-D(01)

DANIEL T. ROSE
Defendant.

U S Marshal Number 30841-177

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, DANIEL T. ROSE, was represented by Burton H. Shostak.

The defendant was found guilty by a jury to Count 1 of the Indictment filed on June 4, 2003. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number</u>
15 USC § 1	Violation of the Sherman Antitrust Act	September 29, 1998	1

As pronounced on March 18, 2005, the defendant is sentenced as provided in pages 1 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100, for Count 1, which shall be due immediately. Said special assessment shall be made to the Clerk, U.S. District Court.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Signed this the 21st day of March, 2005.

[Signature]

SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE

AO 245 S (Rev. 01/01) Sheet 2 - Imprisonment

Defendant: DANIEL T. ROSE

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of thirty(30) months.

The court recommends to the Bureau of Prisons that the defendant be assigned to FPC-Marion, Illinois, if eligible.

It is ordered that the defendant report directly to the designated institution, at his own expense, on Tuesday, June 14, 2005, no later than 2:00 p.m.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DANIEL T. ROSE
Case Number: 3:03-CR-189-D(01)

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of one (1) year.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

The defendant shall not possess a firearm, destructive device or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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SPECIAL CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the U.S. Probation Officer.

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall immediately pay a fine to the United States in the amount of \$20,000, payable to the United States District Clerk. If upon commencement of the term of supervised release any part of the fine remains unpaid, the defendant shall make payments on such unpaid balance beginning 60 days after release from custody at the rate of at least \$2,000 per month until the fine is paid in full. It is ordered that the defendant pay interest on the unpaid balance pursuant to 18 U. S. C. § 3612(f)(1).

The defendant shall provide to the U.S. Probation Officer any requested financial information.

The defendant shall refrain from incurring new credit charges or opening additional lines of credit without approval of the U. S. Probation Officer.

The defendant shall cooperate in the collection of DNA within the first 180 days of supervision, as directed by the U. S. Probation Officer.

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FINE

The defendant shall pay a fine of \$20,000. This fine includes any costs of incarceration and supervision.

It is ordered that the defendant shall immediately pay a fine to the United States in the amount of \$20,000, payable to the United States District Clerk. If upon commencement of the term of supervised release any part of the fine remains unpaid, the defendant shall make payments on such unpaid balance beginning 60 days after release from custody at the rate of at least \$2,000 per month until the fine is paid in full. It is ordered that the defendant pay interest on the unpaid balance pursuant to 18 U. S. C. § 3612(f)(1).

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons Inmate Financial Responsibility Program are to be made as directed by the court, the probation officer, or the United States attorney.

CLOSED

CASE NUMBER: 3:03-CR-0189-D

DATE : 03/21/05

TRIAL: _____ YES

__X__ NO