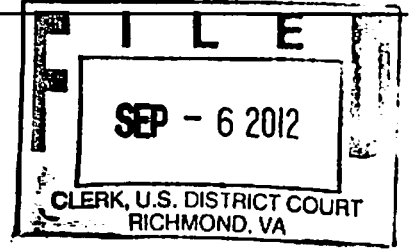


**UNITED STATES DISTRICT COURT  
Eastern District of Virginia  
Richmond Division**



UNITED STATES OF AMERICA

v.

Case Number: 3:11CR00014-001

PROVIDENT CAPITAL INDEMNITY, LTD.,

Defendant's Attorney: John B. Russell, Jr., Esq.

Defendant.

**JUDGMENT IN A CRIMINAL CASE**

The defendant pleaded guilty to Count One of the Superseding Indictment.

Accordingly, the defendant is adjudged guilty of the following count involving the indicated offenses.

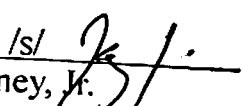
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Offense Class</u>	<u>Offense Ended</u>	<u>Count</u>
18:1349; 18:981(a)(1)(C) as incorporated by 28:2461(c) & 21:853(p)	CONSPIRACY TO COMMIT WIRE AND MAIL FRAUD; FORFEITURE ALLEGATION OF RELATED PROPERTY	Felony	1/19/11	1s

On motion of the United States, the Court has dismissed the indictment and the remaining counts in the superseding indictment as to defendant PROVIDENT CAPITAL INDEMNITY, LTD.

As pronounced on September 5, 2012, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is 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 must notify the court and United States Attorney of material changes in economic circumstances.

Judgment Imposed this 5th day of September, 2012.

  
 \_\_\_\_\_  
 John A. Gibney, Jr.  
 United States District Judge

Dated: 9/6/12

---

**Case Number:** 3:11CR00014-001  
**Defendant's Name:** PROVIDENT CAPITAL INDEMNITY, LTD.,

### **PROBATION**

The defendant is hereby placed on probation for a term of ONE (1) YEAR.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of probation.

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

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

### **STANDARD CONDITIONS OF SUPERVISION**

The defendant shall comply with the standard conditions that have been adopted by this court set forth below:

- 1) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;

**Case Number:** 3:11CR00014-001  
**Defendant's Name:** PROVIDENT CAPITAL INDEMNITY, LTD.,

### **SPECIAL CONDITIONS OF SUPERVISION**

While on probation pursuant to this Judgment, the defendant shall also comply with the following additional special conditions:

- 1) The defendant shall submit the Receiver's quarterly status reports, as ordered in the Order Appointing Receiver, to the U.S. Probation Office until the sentence of probation has expired. This reporting requirement shall satisfy any other reporting requirement that probation may require. This condition is required under U.S.S.G. § 8D1.3(b) and 18 U.S.C. § 3563(b).

**Case Number:** 3:11CR00014-001  
**Defendant's Name:** PROVIDENT CAPITAL INDEMNITY, LTD.,

### CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Count</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
	1s	\$400.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00
<b>TOTALS:</b>		<b>\$400.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

### FINES

No fines have been imposed in this case.

### RESTITUTION

The Court makes a finding of extraordinary conditions, which would render restitution plainly unreasonable based on the company being in receivership. Therefore, there is no restitution imposed under U.S.S.G. §8D1.3(b).

In addition, the Court does not impose restitution as mandated in 18 U.S.C. § 3663A, which the parties agreed would apply in this case. The Court makes a finding that determining complex issues of fact related to the cause or amount of the victim's losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim is outweighed by the burden on the sentencing process.

---

**Case Number:** 3:11CR00014-001  
**Defendant's Name:** PROVIDENT CAPITAL INDEMNITY, LTD.,

## **SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

The defendant shall forfeit the defendant's interest in the following property to the United States:

SEE Consent Order of Forfeiture entered by the Court on September 5, 2012.

Also, please note the final judgment as to this defendant (Document No. 153) in the related civil matter, 3:11CV00045.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. Payments shall be applied in the following order: (1) assessment (2) restitution principal (3) restitution interest (4) fine principal (5) fine interest (6) community restitution (7) penalties and (8) costs, including cost of prosecution and court costs.

Nothing in the court's order shall prohibit the collection of any judgment, fine, or special assessment by the United States.