

The defendant has been available on a continuous and regular basis and has met whenever needed (on at least five occasions) with the FBI and with attorneys from the United States Department of Justice, both of which had a substantial need for his assistance. The defendant also testified in the trial of others alleged to have participated in the criminal activity.

Defendant has provided both general and specific information which has been of assistance to the investigation. Generally, this defendant has provided information regarding the efforts undertaken by himself and others to pay a bribe to the Director General of the Saudi Foundation. The defendant's assistance was especially significant given the practical difficulties involved in securing evidence relating to this activity, which occurred not only in the Northern District of Alabama, but also in Australia and Saudi Arabia. The defendant also provided specific information regarding the identity and role of other individuals involved in this activity, the dates of certain activity, and the precise means by which the activity was carried out.

Information provided by the defendant has also corroborated information by other individuals who have independently assisted the investigation. The information provided by the defendant, to the best of the government's knowledge, has been truthful and accurate. The defendant's cooperation allowed the case to be prosecuted at a pace which, on a relative basis, constitutes swift and efficient enforcement of the United States' criminal laws.

Once the Court makes a finding as to the appropriate Guideline sentencing range, the United States will make a specific recommendation to the Court as to the number of months which the Court should depart downward based on the defendant's substantial assistance to authorities.

Respectfully submitted,
ALICE H. MARTIN
United States Attorney
Northern District of Alabama

by: /s/William C. Athanas
WILLIAM C. ATHANAS
Trial Attorney
Fraud Section, Criminal Division
United States Department of Justice
LAURA D. HODGE
Assistant U.S. Attorney
United States Attorney's Office
1801 4th Avenue North
Birmingham, Alabama 35203
(205) 244-2206

August 1, 2005

Certificate of Service

I, William C. Athanas, hereby certify that I have caused a copy of the Government's Motion for Downward Departure Pursuant to United States Sentencing Guidelines §5K1.1 to be served on Tommy Spina, Esq, Fawal & Spina, 1330 21st Way South, Suite 200, Birmingham, Alabama, 35203 by electronic filing this the 1st day of August, 2005.

/s/William C. Athanas
WILLIAM C. ATHANAS