



# Department of Justice

United States Attorney Richard B. Roper  
Northern District of California

FOR IMMEDIATE RELEASE  
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## **ORINDA MAN PLEADS GUILTY TO PRODUCING CHILD PORNOGRAPHY**

### **Mortgage Finance Expert to Be Sentenced November 14, 2008**

OAKLAND – United States Attorney Joseph P. Russoniello announced that Leonard B. Auerbach, 61, of Orinda, California, pleaded guilty today in federal court to producing child pornography, in violation of 18 U.S.C. § 2251(c). Mr. Auerbach is presently in federal custody awaiting sentencing, which is set for November 14, 2008 before U.S. District Court Judge D. Lowell Jensen.

In his plea agreement with the government, Mr. Auerbach admitted that between September 2004 and April 2007, he traveled to Costa Rica to engage in a sexual relationship with a minor victim who was born in April 1992. Mr. Auerbach further admitted that he took sexually explicit photographs and videos of the victim and transported them back to the United States, where they were recovered by federal law enforcement when they executed a search warrant on his Orinda home in August 2007.

Under the terms of the plea agreement, Mr. Auerbach agreed to serve a 15-year term in prison, pay a \$200,000 fine, and forfeit \$270,000, which represents proceeds from the sale of a Costa Rican beach house that he used to commit the crime. He also agreed to make restitution in the amount of \$178,000: \$78,000 to the minor victim and \$100,000 to the National Center for Missing and Exploited Children (NCMEC). NCMEC is a private, non-profit organization created by Congress in 1984 to help prevent child abduction and sexual exploitation help find missing children, and assist victims of child abduction and sexual exploitation, their families, and the professionals who serve them. In serving this mission, NCMEC assists law enforcement agencies in maintaining records and data relating to child pornography cases such as this case.

As with all criminal cases, Mr. Auerbach's sentence will be determined by the court. The maximum statutory penalty for producing child pornography in violation of 18 U.S.C. § 2251(c) is 30 years, with a 15 year mandatory minimum, \$250,000 fine, lifetime supervised release, sex offender registration, restitution, and forfeiture.

This case is being investigated by U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security. Andrew S. Huang is the Assistant U.S. Attorney who is prosecuting the case with the assistance of Lead Legal Assistant Cynthia Daniel.

**Further Information:**

Case #: 4:08-367 DLJ

A copy of this press release may be found on the U.S. Attorney's Office's website at [www.usdoj.gov/usao/can](http://www.usdoj.gov/usao/can).

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

All press inquiries to the U.S. Attorney's Office should be directed to Joshua Eaton at (415) 436-6958 or by email at [Josh.Eaton@usdoj.gov](mailto:Josh.Eaton@usdoj.gov).

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