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 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT

12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,) CR No. 08-59(B)-GW
 14)
 Plaintiff,) GOVERNMENT'S NOTICE OF ERRATA IN
 15) SUPPLEMENTAL SENTENCING
 v.) MEMORANDUM; AMENDED APPENDIX B
 16)
 GERALD GREEN and) Sent. Date: April 1, 2010
 17 PATRICIA GREEN,) Sent. Time: 8:30 a.m.
)
 18 Defendants.)
)
 19)
)
 20)
)
 21)

22 Plaintiff United States of America, through its counsel of
 23 record, the United States Attorney's Office for the Central
 24 District of California, and the Fraud Section, United States
 25 Department of Justice, Criminal Division, hereby submits its
 26 notice of **errata** to its previously-filed supplemental memorandum
 27 regarding the sentencings of defendant GERALD GREEN and defendant
 28 PATRICIA GREEN, filed on March 12, 2010 ("Gov. Supp. Sent.

1 Mem.").

2 The government hereby corrects two inadvertent errors in
3 Appendix B to Gov. Supp. Sent. Mem., as reflected in the amended
4 Appendix B attached hereto. The government's corrections to this
5 appendix of sentencings in FCPA cases are as follows:

- 6
- 7 • Defendant number 7, Yaw Osei Amoakao. The following
8 footnote should be included after Mr. Amoakao's name:

9 "Judgment states "defendant is hereby
10 committed to the custody of the United States
11 Bureau of Prisons to be imprisoned for a term
12 of 18 months, including 6 months to be served
13 in a halfway house." [Docket Entry 35]"

- 14
- 15 • Defendant number 14, Gautam Sengupta. The information
16 in the Sentence category should read as follows:

17 "2 months' imprisonment; 4 months' home
18 confinement."

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20 In addition, the government hereby corrects a citation error
21 located at Gov. Supp. Sent. Mem., page 4, line 20, which cites
22 "Id.," but should instead cite "Background Notes to §2C1.1."

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1 The government apologizes for any inconvenience to the Court
2 from these errors.

3 DATED: March 24, 2010

Respectfully submitted,

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5 ANDRÉ BIROTTE JR.
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6 CHRISTINE C. EWELL
7 Assistant United States Attorney
Chief, Criminal Division

8
9 _____/s/
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11 Senior Trial Attorney
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12 of Justice, Fraud Section

13 Attorneys for Plaintiff
UNITED STATES OF AMERICA

APPENDIX B
SENTENCES OF PERSONS WHO PLED GUILTY TO FCPA VIOLATIONS SINCE 2000

	DEFENDANT	CASE NUMBER	5K DOWNWARD DEPARTURE BASED ON SUBSTANTIAL ASSISTANCE	AMOUNT OF BRIBES	SENTENCE (excluding monetary penalties)
1	Misao Hioki (General Manager)	<u>United States v. Hioki</u> 08-CR-795 (S.D. Tex. 2008)	YES	~ 1M	24 months' imprisonment
2	Shu Quan-Sheng (President, Secretary, and Treasurer)	<u>United States v. Quan-Sheng</u> , 08-CR-194 (E.D. Va. 2008)	NO	~ 189K	51 months' imprisonment
3	Martin Eric Self (CEO)	<u>United States v. Self</u> , 08-CR-110 (C.D. Cal. 2008)	NO	~ 70K	2 years' probation
4	Jason Edward Steph (General Manager)	<u>United States v. Steph</u> , 07-CR-307 (S.D. Tex. 2007)	YES	~ 6M	15 months' imprisonment
5	Jim Bob Brown (Managing Director)	<u>United States v. Brown</u> , 06-CR-316 (S.D. Tex. 2006)	YES	~ 6M	1 year and 1 day's imprisonment
6	Steven J. Ott (Executive Vice President)	<u>United States v. Ott</u> , 07-CR-608 (D. N.J. 2007)	YES	~ 267K	6 months' home confinement; 5 years' probation
7	Yaw Osei Amoako ¹ (Regional Director)	<u>United States v. Amoako</u> , 06-CR-702 (D. N.J. 2006)	YES	~ 267K	18 months' imprisonment
8	Roger Michael Young (Managing Director)	<u>United States v. Young</u> , 07-CR-609 (D. N.J. 2007)	YES	~ 267K	3 months' home confinement; 5 years' probation
9	Christian Sapsizian (Vice President)	<u>United States v. Sapsizian, et al.</u> , 06-CR-20797 (S.D. Fla. 2006)	YES	~ 2.4M	30 months' imprisonment
10	Steven Lynwood Head ² (Program Manager)	<u>United States v. Head</u> , 06-CR-1380 (S.D. Cal. 2006)	YES	~ 2M	6 months' imprisonment
11	Richard John Novak (Employee)	<u>United States v. Randock, et al.</u> , 05-CR-180 (E.D. Wash. 2005)	YES	~ 30K-70K	3 years' probation

¹ Judgment states "defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 18 months, including 6 months to be served in a halfway house." [Docket Entry 35]

² Pled to falsification of books and records portion of the FCPA; not anti-bribery.

APPENDIX B
SENTENCES OF PERSONS WHO PLED GUILTY TO FCPA VIOLATIONS SINCE 2000

	DEFENDANT	CASE NUMBER	5K DOWNWARD DEPARTURE BASED ON SUBSTANTIAL ASSISTANCE	AMOUNT OF BRIBES	SENTENCE (excluding monetary penalties)
12	Faheem Mousa Salam (Translator/Contractor)	<u>United States v. Salam,</u> 06-CR-157 (D.D.C. 2006)	YES	~ 60K	36 months' imprisonment
13	Richard G. Pitchford³ (Vice President; Country Manager)	<u>United States v. Pitchford,</u> 02-CR-365 (D.D.C. 2002)	YES	~ 400K	1 year and 1 day's imprisonment
14	Gautam Sengupta² (Task Manager)	<u>United States v. Sengupta,</u> 02-CR-040 (D.D.C. 2002)	YES	~ 127K	2 months' imprisonment; 4 months' home confinement
15	Ramendra Basu² (Trust Funds Manager)	<u>United States v. Basu,</u> 02-CR-475 (D.D.C. 2002)	NO	~ 127K	15 months' imprisonment
16	Richard K. Halford² (CFO)	<u>United States v. Halford,</u> 01-CR-221 (W.D. Mo. 2001)	YES	~ 1.5M	5 years' probation
17	Albert Reitz² (Vice President and Secretary)	<u>United States v. Reitz,</u> 01-CR-222 (W.D. Mo. 2001)	YES	~ 1.5M	6 months' home confinement; 5 years' probation
18	Daniel Ray Rothrock² (Vice President)	<u>United States v. Rothrock,</u> 01-CR-343 (W.D. Tex. 2001)	-- ⁴	~ 300K	1 year's probation
19	Albert Jackson "Jack" Stanley³ (Officer/Director)	<u>United States v. Stanley,</u> 08-CR-597 (S.D. Tex. 2008)	--	~ 10.8M	84 months' imprisonment; Rule 11(c)(1)(C)

³ United States Sentencing Guidelines Section 2B4.1, with a base offense level of 8, was the applicable U.S.S.G. Section at this time. After November 2002, Section 2C1.1, with a base offense level of 12, became the applicable U.S.S.G. Section in accordance with international treaty obligations.

⁴ No indication on docket.

⁵ Not yet sentenced; however, included in this chart since plea was pursuant to Rule 11(c)(1)(C) with an agreed upon sentence of 84 months. Plea agreement provides for the possibility of a sentence reduction below 84 months.