

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED

NOV 18 1994

MURPHY J. MURPHY, Clerk
CINCINNATI, OHIO

UNITED STATES OF AMERICA,
Plaintiff,

v.

HERBERT STEINDLER,

Defendant.

CR-1-94-29-1
CR-1-94-68

Arnold Morelli, Esq.
Mark Weisser, Esq.
Defendant's Attorneys

Case #	60
Date	
Journal	<input checked="" type="checkbox"/>
Section #	
Case #	CR-1-94-29-1
Case #	CR-1-94-68
Case #	
Case #	

JUDGMENT IN A CRIMINAL CASE
(Offense on or after November 1, 1987)

The defendant pleaded GUILTY to Count(s) 1, 23 and 47 in CR-1-94-29 and Count 1 in CR-1-94-68.

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
18:371	Conspiracy		1
18:1343 & 2	Wire Fraud		23
18:1956(a)(1)(B)(i)	Money Laundering		47
18:1952 & 2	Use of the Mail in Aid of Racketeering		1

The defendant is sentenced as provided in this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of EIGHTY FOUR (84) MONTHS on Count 47.

SIXTY (60) MONTHS on Counts 1 and 23 in CR-1-94-29, such sentences to be concurrent with each other and concurrent with the sentence imposed in Count 47.

SIXTY (60) MONTHS on Count 1 in CR-1-94-68, such sentence to be concurrent with sentence imposed in Counts 1, 23 and 47 in CR-1-94-29.

Upon release from imprisonment, the defendant shall be on supervised release for a term of TWO (2) YEARS on each of the four counts, such sentences to be served concurrently with each other

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

While on supervised release, the defendant shall not commit another Federal, state or local crime, and shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm or destructive device.

If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release.

The defendant shall comply with the standard conditions of probation of the Southern District of Ohio (set forth below).

The defendant shall surrender for service of sentence at the institute designated by the Bureau of Prisons before 12:00 noon on Friday, December 9, 1994.

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, restitutions, costs and special assessments imposed by this judgment are fully paid.

All remaining counts are DISMISSED on the motion of the United States.

FINANCIAL PENALTIES

The defendant shall pay the following total financial penalties in accordance with the schedule of payments set out below.

<u>Count</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
1	\$50.00		
23	\$50.00		
47	\$50.00		
1	\$50.00		
<u>Totals:</u>	\$200.00		

FOREFEITURE

Pursuant to Rule 32(b)(2), Fed.R.Cr.P., 18 U.S.C. § 982(a)(1) and (b)(1)(A), and paragraph 8 of the plea agreement, it is ORDERED, ADJUDGED AND DECREED that the defendant Herbert Steindler, forfeit to the United States of America \$1,741,453.00. It is further ORDERED, ADJUDGED AND DECREED that Herbert Steindler

forfeit to the United States of America all of his right, title and interest in the following substitute assets:

- a. the funds in account number [REDACTED] in Herbert B. Steindler's name at Merrill Lynch, Pierce, Fenner & Smith, Inc. (Count 89, item 1);
- b. the funds in account number [REDACTED] in the name of Concetta S. Steindler at Merrill Lynch, Pierce, Fenner & Smith, Inc. (Count 89, item 2);
- c. the property at [REDACTED], Melbourne Beach, Florida, titled in the name of Concetta Spinetti Steindler (Count 89, item 4);
- d. the cooperative apartment at [REDACTED], Rome, Italy, titled in the name of Concetta Spinetti Steindler (Count 89, item 5);
- e. all funds in the following accounts in the name of Concetta Spinetti Steindler at Banco di Sicilia, in Rome Italy: [REDACTED], and [REDACTED] (Count 89, item 6);
- f. all funds that are or were on deposit in account number [REDACTED] in the names of "Rome" at Banque Indosuez, Zurich, Switzerland (Count 89, item 7);
- g. all funds that are or were on deposit in account number [REDACTED] in the name of "Kingstree Finance Corp." at Union Bank of Switzerland, Zurich, Switzerland (Count 89, item 8);
- h. all funds that are or were on deposit in account number [REDACTED] in the name of "Hal" at Banque Indosuez, Zurich, Switzerland (Count 89, item 10); and
- i. all funds in Individual Retirement Account [REDACTED] in the name of Herbert B. Steindler at Transamerica Life Insurance & Annuity Company.

All financial penalty payments are to be made to the Clerk of Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guideline applications in the presentence report.

GUIDELINE RANGE DETERMINED BY THE COURT:

Total Offense Level: 28

Criminal History Category: I

Imprisonment Range: 78 to 97 Months

Probation Range: to Months

Supervised Release Range: 24 to 36 Months

Fine Range: \$12,500.00 to \$23,150,000.00

Fine waived because of inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

11/18/94

Date of Imposition of Judgment



Carl B. Rubin, Judge
United States District Court

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the 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 within seventy-two hours of 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 narcotic or other controlled substance, or any paraphernalia related to such 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.