

NAPCO INTERNATIONAL, INC.

DISTRICT OF MINNESOTA - THIRD DIVISION

By: Martin J. Leff

DOCKET NO.

Cr. 3-89-47(1)

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (3/82)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR May 25, 1989

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Allen I. Saeks (Name of Counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

FINDING & JUDGMENT

There being a finding/verdict of NOT GUILTY. Defendant is discharged. GUILTY.

Defendant has been convicted as charged of the offense(s) of conspiracy; in violation of 18 U.S.C. 371, as charged in Count I of the Information; bribery and recordkeeping violations of the Foreign Corrupt Practices Act; in violation of 15 U.S.C. 78dd-1(a)(1) and (3), 78dd-1(b) and 78ff(c)(1); and 18 U.S.C. 2, as charged in Count II of the Information; and aiding and assisting in filing false corporate tax returns; in violation of 26 U.S.C. 7206(2), as charged in Count III of the Information.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: Defendant is to pay a fine in the amount of \$685,000.00, as to Count II; a \$100,000.00 fine as to Count III; and a \$500,000.00 fine as to Count I. The fine in Count I is to be concurrent and not consecutive to the fine in Count II, for a total fine of \$785,000.00.

SPECIAL CONDITIONS OF PROBATION

Defendant is to make restitution in the amount of \$140,000.00 for full payment of its civil tax liability to the Defense Security Assistance Agency for appropriate crediting to the Foreign Military Sales account of the Republic of Niger.

Defendant is to make restitution in the amount of \$75,000.00 to the Internal Revenue for full payment of all criminal and civil tax liabilities, interest and penalties.

The sentence imposed regarding the fines and restitutions ordered will be paid concurrently and not consecutively with the sentence imposed regarding fines and restitutions in Criminal 3-89-47(2).

IT IS ORDERED That defendant pay a special assessment in the amount of \$200.00 for each count, or a total of \$600.00.

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends.

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

XX U.S. District Judge

U.S. Magistrate

Handwritten signature of Donald D. Alsop

DONALD D. ALSOP, Chief Judge

May 25, 1989