

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:13CR20600

Hon. Paul D. Borman

v

D-1 FARID FATA,

Defendant.

**ORDER DETERMINING RESTITUTION
AND APPROVING FINAL VICTIM LIST**

The United States has filed a Motion For Determination of Restitution and for Approval of the United States' Final Victim List. (R. 238) The Court has overseen and approved of the extensive restitution process, restitution proceedings, and the review process by Magistrate Judge Grand. Because of the extensive prior proceedings and prior hearings, the Court finds that an additional hearing is not necessary. The restitution statute "grants a district court discretion to choose the procedures that will best aid the court in assessing the amount of loss." *United States v. Vandenberg*, 201 F.3d 805, 813 (6th Cir. 2000). The restitution statute states only that a district court "*may* require additional documentation or hear testimony." 18 U.S.C. § 3664(d)(4)(emphasis added). The statute "does not

mandate that . . . an evidentiary hearing must be conducted.” *Vandeberg*, 201 F.3d at 813; *see also Vandeberg*, 201 F.3d at 814 n.6; *United States v. Wallace*, 451 F. App’x 523, 528 (6th Cir. 2011); *United States v. Maurer*, 226 F.3d 150, 151–52 (2d Cir. 2000). Furthermore, a hearing is not necessary because Farid Fata has filed a waiver of appearance with the Court.

The Court, being fully advised, orders as follows:

IT IS ORDERED that restitution in a corrected amount of \$26,480,880.37 shall be entered against Farid Fata; the figure set forth by the United States in its motion is increased by \$1; and

IT IS ORDERED that the final victim list, as set forth in the Motion of the United States, is approved as modified to include the one dollar adjustment set forth above; and

IT IS ORDERED that the Clerk of the Court is prohibited from disbursing any funds to the victims until further order of the Court.

Dated: APR 02 2019



Hon. Paul D. Borman
United States District Court Judge