

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 18-cr-20224

v.

HON. LAURIE J. MICHELSON  
United States District Judge

D-2 PATRICIA E. GRAY,  
a.k.a. PATRICIA ENRIGHT,

Defendant.

---

**STIPULATION REGARDING RESTITUTION  
AS TO D-2 PATRICIA E. GRAY**

---

The United States of America, through its attorneys, and defendant Patricia E. Gray, through her attorney Bryan Sherer, stipulate and agree to the following regarding restitution.

1. On April 4, 2018, an indictment was issued against Larry A. Holley (D-1) and Patricia E. Gray (D-2), charging conspiracy to commit wire fraud and mail fraud, wire fraud, mail fraud, and money laundering. (ECF No. 1).

2. On May 28, 2019, Ms. Gray pleaded guilty to a violation of 18 U.S.C. § 1349, conspiracy to commit wire fraud and mail fraud.

3. On October 8, 2021, the Court held a sentencing hearing at which the parties agreed, pursuant to 18 U.S.C. § 3664(d)(5), to postpone a final determination of Ms. Gray's restitution obligations.

4. On March 28, 2017, the United States Securities and Exchange Commission (SEC) initiated a separate civil action in the Eastern District of Michigan against Larry Holley, Patricia Gray and Treasure Enterprise LLC in relation to allegations arising from the same underlying conduct. (*See* 4:17-cv-10963-MFL-SDD). A receiver was appointed in that case to take over assets related to that conduct, to determine the identities and allowed claim amounts of individuals who suffered losses from the conduct, and to make distributions to identified victims of the conduct from the recovered assets. (*See id.*, ECF No. 189, PageID.3281-3282).

5. The receiver instituted a court-approved claims procedure whereby known individuals were contacted to submit claims and supporting documentation, and notice of the claims procedure was also published. (*See id.*, PageID.3282). The receiver also obtained court approval of its proposed claims determination and distribution methodologies. (*See id.*, PageID.3283-3287).

6. With respect to the investors who were victims of the conduct underlying the offense of conviction in the current criminal case, the receiver considered available proofs and determined (1) the total principal amount of money turned over by the victims to Larry Holley, Patricia Gray, and Treasure Enterprise in relation to the defendants' fraudulent scheme, and (2) the total funds returned to the victims during the course of the scheme, regardless of whether those returned

funds were characterized at that time as interest payments, as repayment of principal, or otherwise. (*Id.*, PageID.3284). The difference between these two amounts was called the “A” portion of the allowed claim. (*Id.*). The “A” claim excluded any profits that had been promised but not paid, such as any promised interest. (*Id.*).

7. On November 4, 2019, the receiver filed a motion seeking, among other things, an order authorizing a first distribution to claimants based on the amount of their “A” claims, as set forth in Exhibit 1 to that motion. (*See id.*, PageID.3289, 3292-3294). Exhibit 1 included the receiver’s determination of the “A” claims for investor victims, who were also victims of the conduct underlying the offense of conviction in the current criminal case, and for other creditors. (*Id.*, PageID.3285). The “A” claims of six individuals and entities included in the receiver’s Exhibit 1 were still in dispute at the time that the receiver filed its motion. (*Id.*, PageID.3292-3294 (receiver claim numbers 14, 17, 29, 109, 138, 161)). No objections to the identity of the claimants or to the “A” claim amounts presented by the receiver were filed by Mr. Holley, Ms. Gray, or Treasure Enterprise.

8. On April 24, 2020, the court approved the receiver’s motion. (*See id.*, ECF No. 214). The court’s order noted that notice was given to all known creditors, a hearing was held, and no objections were filed or asserted. (*Id.*, PageID.3750-3751).

9. The parties hereby stipulate and agree that the receiver's determination of the identity of the claimants and of their "A" claim amounts in the SEC case is a reasonable and appropriate basis for entry of a restitution order in the current matter. The parties further stipulate and agree that only claimants who were investor victims of the relevant conduct underlying the offense of conviction in the current criminal case and who have "A" claims determined by the receiver to be greater than zero dollars will be included for restitution purposes in the current matter.

10. For investor victims whose "A" claim amounts are still in dispute with the receiver, as identified by the receiver in Exhibit 1 to its motion for an order authorizing a first distribution to claimants (*see id.*, ECF No. 189, PageID. 3292-3294), the parties agree that the receiver's determination of those victims' "A" claim amounts is a reasonable estimate of the loss suffered by those victims, and that restitution will be entered for those victims according to the amounts determined by the receiver.

11. The parties further stipulate and agree that the individuals or entities listed in Exhibit A to this proposed stipulation and order are victims of the relevant conduct underlying the offense of conviction in this matter and are entitled to restitution in the amounts listed in Exhibit A; that the Court should issue an amended judgment as to Ms. Gray reflecting this restitution award; and that the Court should

cancel the restitution hearing scheduled for March 9, 2022, at 10:00 a.m., as to Ms. Gray.

12. The parties further agree that any amounts that have been or will be distributed by the receiver to a victim listed in Exhibit A shall be credited against the restitution ordered for that victim in this case.

13. Nothing in this stipulation is intended to waive any rights or objections that Ms. Gray may have with respect to case number 4:17-cv-10963-MFL-SDD.

Respectfully submitted,

s/ANTHONY P. VANCE (P61148)  
Assistant United States Attorney  
600 Church Street  
Flint, Michigan 48502  
Phone: (810) 766-5177  
Email: anthony.vance@usdoj.gov

s/ANN NEE (P81487)  
Assistant United States Attorney  
600 Church Street  
Flint, Michigan 48502  
Phone: (810) 766-5177  
email: ann.nee@usdoj.gov

s/BRYAN J. SHERER (with consent) (P69254)  
Attorney for Defendant Gray  
111 East Court Street, Suite L-100  
Flint, Michigan 48502  
Phone: (810) 232-3600  
Email: bryan\_sherer@fd.org

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

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 18-cr-20224

v.

HON. LAURIE J. MICHELSON  
United States District Judge

D-2 PATRICIA E. GRAY,  
a.k.a. PATRICIA ENRIGHT,

Defendant.

---

**STIPULATED ORDER**

---

Based on the stipulation of the parties, having considered the information provided by the probation department regarding restitution and restitution requests, and pursuant to 18 U.S.C. §§ 3663A and 3664, the Court finds that the individuals and entities listed in Exhibit A are victims of the relevant conduct underlying the offense of conviction in the current case and are entitled to restitution in the amounts listed in Exhibit A, and, therefore:

**IT IS ORDERED** that an Amended Judgment as to D-2 Patricia E. Gray will be issued which awards restitution to the victims listed in Exhibit A in the amounts listed in Exhibit A.

**IT IS FURTHER ORDERED** that any amounts that have been or will be distributed by the receiver in case number 4:17-cv-10963-MFL-SDD in the Eastern District of Michigan to a victim listed in Exhibit A shall be credited against the restitution ordered for that victim in this case.

**IT IS FURTHER ORDERED** that nothing in the parties' stipulation or the Court's order regarding restitution is intended to waive any rights or objections that Patricia E. Gray may have with respect to case number 4:17-cv-10963-MFL-SDD in the Eastern District of Michigan.

**IT IS FURTHER ORDERED** that the restitution hearing scheduled for March 9, 2022, at 10:00 a.m. is cancelled as to D-2 Patricia E. Gray.

Dated: January 31, 2022

s/Laurie J. Michelson  
LAURIE J. MICHELSON  
UNITED STATES DISTRICT JUDGE