



U.S. Department of Justice

*United States Attorney
District of New Jersey*

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Newark, NJ 07102

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April 1, 2016

John Azzarello, Esq.
Whipple Azzarello, LLC
161 Madison Avenue
Suite 325
Morristown, NJ 07960

Re: Plea Agreement with WILLIAM ARGEROS

Dear Mr. Azzarello:

This letter sets forth the plea agreement between your client, WILLIAM ARGEROS, and the United States Attorney for the District of New Jersey and United States Department of Justice, Criminal Division, Public Integrity Section ("this Office").

Charges

Conditioned on the understandings specified below, this Office will accept a guilty plea from WILLIAM ARGEROS to a two-count Information, which charges the following:

- 1) Count 1: In or about October 2012, WILLIAM ARGEROS, aiding and abetting other individuals, did knowingly and willfully make a foreign national contribution and donation in connection with a federal election and to a fundraising and political campaign committee, aggregating \$25,000 and more during a calendar year, in violation of Title 52, United States Code, Section 30121(a), and Section 30109 (d)(1)(A)(i); and
- 2) Count 2: On or about February, 18, 2015, in the District of New Jersey, WILLIAM ARGEROS, while under oath and testifying before a Grand Jury proceeding in the District of New Jersey, knowingly did make a false

material declaration, in violation of Title 18, United States Code, Section 1623(a).

If WILLIAM ARGEROS enters a guilty plea and is sentenced on these charges, and otherwise fully complies with all of the terms of this agreement, this Office will not initiate any further criminal charges against WILLIAM ARGEROS for violations of 52 U.S.C. § 30121(a) and § 30109(d)(1)(A)(i) and 18 U.S.C. § 1623 with respect to the Counts described above. However, in the event that a guilty plea in this matter is not entered for any reason or the judgment of conviction entered as a result of this guilty plea does not remain in full force and effect, WILLIAM ARGEROS agrees that any dismissed charges and any other charges that are not time-barred by the applicable statute of limitations on the date this agreement is signed by WILLIAM ARGEROS may be commenced against him, notwithstanding the expiration of the limitations period after WILLIAM ARGEROS signs the agreement.

Sentencing

The violation of 52 U.S.C. §§ 30121(a) and 30109(d)(1)(A)(i) to which WILLIAM ARGEROS agrees to plead guilty carries a statutory maximum prison sentence of 5 years, and a statutory maximum fine of \$250,000. The violation of 18 U.S.C. § 1623(a) to which WILLIAM ARGEROS agrees to plead guilty carries a statutory maximum prison sentence of 5 years, and a statutory maximum fine of \$250,000. The sentence on each count may run consecutively. Fines imposed by the sentencing judge may be subject to the payment of interest.

The sentence to be imposed upon WILLIAM ARGEROS is within the sole discretion of the sentencing judge, subject to the provisions of the Sentencing Reform Act, 18 U.S.C. §§ 3551-3742, and the sentencing judge's consideration of the United States Sentencing Guidelines. The United States Sentencing Guidelines are advisory, not mandatory. The sentencing judge may impose any reasonable sentence up to and including the statutory maximum term of imprisonment and the maximum statutory fine. This Office cannot and does not make any representation or promise as to what guideline range may be found by the sentencing judge, or as to what sentence WILLIAM ARGEROS ultimately will receive.

Further, in addition to imposing any other penalty on WILLIAM ARGEROS, the sentencing judge: (1) will order WILLIAM ARGEROS to pay an assessment of \$100 per count pursuant to 18

U.S.C. § 3013, which assessment must be paid by the date of sentencing; (2) may order WILLIAM ARGEROS to pay restitution pursuant to 18 U.S.C. §§ 3663 et seq.; and (3) pursuant to 18 U.S.C. § 3583 may require WILLIAM ARGEROS to serve a term of supervised release of not more than 3 years per count, which will begin at the expiration of any term of imprisonment imposed. Should WILLIAM ARGEROS be placed on a term of supervised release and subsequently violate any of the conditions of supervised release before the expiration of its term, WILLIAM ARGEROS may be sentenced to not more than 2 years of imprisonment per count in addition to any prison term previously imposed, regardless of the statutory maximum term of imprisonment set forth above and without credit for time previously served on post-release supervision, and may be sentenced to an additional term of supervised release.

Rights of This Office Regarding Sentencing

Except as otherwise provided in this agreement, this Office reserves its right to take any position with respect to the appropriate sentence to be imposed on WILLIAM ARGEROS by the sentencing judge, to correct any misstatements relating to the sentencing proceedings, and to provide the sentencing judge and the United States Probation Office all law and information relevant to sentencing, favorable or otherwise. In addition, this Office may inform the sentencing judge and the United States Probation Office of: (1) this agreement; and (2) the full nature and extent of WILLIAM ARGEROS' activities and relevant conduct with respect to this case.

Stipulations

This Office and WILLIAM ARGEROS agree to stipulate at sentencing to the statements set forth in the attached Schedule A, which hereby is made a part of this plea agreement. This agreement to stipulate, however, cannot and does not bind the sentencing judge, who may make independent factual findings and may reject any or all of the stipulations entered into by the parties. To the extent that the parties do not stipulate to a particular fact or legal conclusion, each reserves the right to argue the existence of and the effect of any such fact or conclusion upon the sentence. Moreover, this agreement to stipulate on the part of this Office is based on the information and evidence that this Office possesses as of the date of this agreement. Thus, if this Office obtains or receives additional evidence or information prior to sentencing that it determines to be credible and to be materially in conflict with any

stipulation in the attached Schedule A, this Office shall not be bound by any such stipulation. A determination that any stipulation is not binding shall not release either this Office or WILLIAM ARGEROS from any other portion of this agreement, including any other stipulation. If the sentencing court rejects a stipulation, both parties reserve the right to argue on appeal or at post-sentencing proceedings that the sentencing court was within its discretion and authority to do so. These stipulations do not restrict the Government's right to respond to questions from the Court and to correct misinformation that has been provided to the Court.

Waiver of Appeal and Post-Sentencing Rights

As set forth in Schedule A, this Office and WILLIAM ARGEROS waive certain rights to file an appeal, collateral attack, writ, or motion after sentencing, including but not limited to an appeal under 18 U.S.C. § 3742 or a motion under 28 U.S.C. § 2255. The waiver of the right to collateral review does not operate to waive a collateral challenge on the ground of ineffective assistance of counsel.

Immigration Consequences

WILLIAM ARGEROS understands that, if he is not a citizen of the United States, his guilty plea to the charged offenses may result in his being subject to immigration proceedings and removed from the United States by making him deportable, excludable, or inadmissible, or ending his naturalization. WILLIAM ARGEROS understands that the immigration consequences of this plea will be imposed in a separate proceeding before the immigration authorities. WILLIAM ARGEROS wants and agrees to plead guilty to the charged offenses regardless of any immigration consequences of this plea, even if this plea will cause his removal from the United States. WILLIAM ARGEROS understands that he is bound by his guilty plea regardless of any immigration consequences of the plea. Accordingly, WILLIAM ARGEROS waives any and all challenges to his guilty plea and to his sentence based on any immigration consequences, and agrees not to seek to withdraw his guilty plea, or to file a direct appeal or any kind of collateral attack challenging his guilty plea, conviction, or sentence, based on any immigration consequences of his guilty plea.

Other Provisions

This agreement is limited to the United States Attorney's Office for the District of New Jersey and United States Department of Justice, Criminal Division, Public Integrity Section, and cannot bind other federal, state, or local authorities. However, this Office will bring this agreement to the attention of other prosecuting offices, if requested to do so.

This agreement was reached without regard to any civil or administrative matters that may be pending or commenced in the future against WILLIAM ARGEROS. This agreement does not prohibit the United States, any agency thereof (including the Internal Revenue Service), or any third party from initiating or prosecuting any civil or administrative proceeding against WILLIAM ARGEROS.

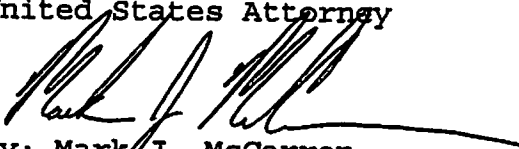
No provision of this agreement shall preclude WILLIAM ARGEROS from pursuing in an appropriate forum, when permitted by law, an appeal, collateral attack, writ or motion claiming that WILLIAM ARGEROS received constitutionally ineffective assistance of counsel.

No Other Promises

This agreement constitutes the plea agreement between WILLIAM ARGEROS and this Office and supersedes any previous agreements between them. No additional promises, agreements, or conditions have been made or will be made unless set forth in writing and signed by the parties.


Very truly yours,

PAUL J. FISHMAN
United States Attorney



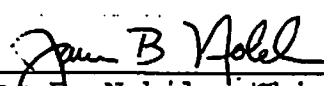
By: Mark J. McCarren
Assistant U.S. Attorney

RAYMOND HULSER
Chief, Public Integrity Section



By: Charles Walsh & Peter Halpern
Trial Attorneys
U.S. Department of Justice

APPROVED BY:



James E. Nobile, Chief
Special Prosecutions Division

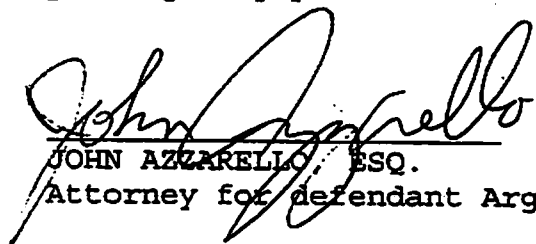
I have received this letter from my attorney, John Azzarello, Esq. I have read it. My attorney and I have discussed it and all of its provisions, including those addressing the charges, sentencing, stipulations, waiver, and immigration consequences. I understand this letter fully. I hereby accept its terms and conditions and acknowledge that it constitutes the plea agreement between the parties. I understand that no additional promises, agreements, or conditions have been made or will be made unless set forth in writing and signed by the parties. I want to plead guilty pursuant to this plea agreement.

AGREED AND ACCEPTED:


WILLIAM ARGEROS

Date: 5/26/16

I have discussed with my client this plea agreement and all of its provisions, including those addressing the charge, sentencing, stipulations, waiver, and immigration consequences. My client understands this plea agreement fully and wants to plead guilty pursuant to it.


JOHN AZZARELLO, ESQ.
Attorney for defendant Argeros

Date: 5/26/16

Plea Agreement With WILLIAM ARGEROS

Schedule A

1. This Office and WILLIAM ARGEROS recognize that the United States Sentencing Guidelines are not binding upon the Court. This Office and WILLIAM ARGEROS nevertheless agree to the stipulations set forth herein.

2. The version of the United States Sentencing Guidelines effective November 1, 2015 applies in this case.

Count 1: 52 U.S.C. § 30121(a) and § 30109 (d) (1) (A) (i)

3. The applicable guideline is U.S.S.G. § 2C1.8. This guideline carries a Base Offense Level of 8.

4. Because the amount of the foreign contribution exceeded \$40,000 but did not exceed \$95,000, the base offense level is increased by 6 points. See U.S.S.G. § 2C1.8(b) (1) and § 2B1.1(b) (1) (D) .

5. Because the offense involved directly or indirectly, an illegal transaction made by or received from a foreign national, the base offense level is increased by 2 points. See U.S.S.G. § 2C1.8(b) (2) (A) .

Count 2: 18 U.S.C. § 1623(a)

6. The applicable guideline is U.S.S.G. § 2J1.3. This guideline carries a Base Offense Level of 14.

7. Because the perjury resulted in substantial interference with the administration of justice, including the unnecessary expenditure of governmental resources, the base offense level is increased by 3 points. See U.S.S.G. § 2J1.3(b) (2) .

Total Offense Level

8. Since WILLIAM ARGEROS is convicted of both an obstruction offense and the underlying offense, the offense level for that group of closely related counts will be greater of: 1) the offense level for the underlying offense increased by the 2-level adjustment contained in § 3C1.1(obstruction of

justice); or 2) the offense level for the obstruction offense. See U.S.S.G. § 2J1.3, Application Note 3 & § 3C1.1, Application Note 8.

9. In this case, the parties agree that the greater offense level is for the underlying offense increased by the 2-level obstruction adjustment (Count 1), and therefore the parties agree that the total Guidelines offense level is 18.

10. As of the date of this letter, WILLIAM ARGEROS has clearly demonstrated a recognition and affirmative acceptance of personal responsibility for the offenses charged. Therefore, a downward adjustment of 2 levels for acceptance of responsibility is appropriate if WILLIAM ARGEROS's acceptance of responsibility continues through the date of sentencing. See U.S.S.G. § 3E1.1(a).

11. As of the date of this letter, WILLIAM ARGEROS has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting this Office to avoid preparing for trial and permitting this Office and the court to allocate their resources efficiently. At sentencing, this Office will move for a further 1-point reduction in WILLIAM ARGEROS's offense level pursuant to U.S.S.G. § 3E1.1(b) if the following conditions are met: (a) WILLIAM ARGEROS enters a plea pursuant to this agreement, (b) this Office in its discretion determines that WILLIAM ARGEROS's acceptance of responsibility has continued through the date of sentencing and WILLIAM ARGEROS therefore qualifies for a 2-point reduction for acceptance of responsibility pursuant to U.S.S.G. § 3E1.1(a), and (c) WILLIAM ARGEROS's offense level under the Guidelines prior to the operation of § 3E1.1(a) is 16 or greater.

12. In accordance with the above, the parties agree that the total Guidelines offense level applicable to WILLIAM ARGEROS is 15 (the "agreed total Guidelines offense level").

13. The parties agree not to seek or argue for any upward or downward adjustment, departure or variance with the exception that WILLIAM ARGEROS reserves the right to move for a downward variance pursuant to U.S.S.G. § 3553(a), and the Government reserves the right to oppose such a motion.

14. WILLIAM ARGEROS knows that he has and, except as noted below in this paragraph, voluntarily waives, the right to file any appeal, any collateral attack, or any other writ or motion,

including but not limited to an appeal under 18 U.S.C. § 3742 or a motion under 28 U.S.C. § 2255, which challenges the sentence imposed by the sentencing court if that sentence falls within or below the Guidelines range that results from the agreed total Guidelines offense level of 15. This Office will not file any appeal, motion or writ which challenges the sentence imposed by the sentencing court if that sentence falls within or above the Guidelines range that results from the agreed total Guidelines offense level of 15. The parties reserve any right they may have under 18 U.S.C. § 3742 to appeal the sentencing court's determination of the criminal history category. The provisions of this paragraph are binding on the parties even if the Court employs a Guidelines analysis different from that stipulated to herein. Furthermore, if the sentencing court accepts a stipulation, both parties waive the right to file an appeal, collateral attack, writ, or motion claiming that the sentencing court erred in doing so.

15. Both parties reserve the right to oppose or move to dismiss any appeal, collateral attack, writ, or motion barred by the preceding paragraph and to file or to oppose any appeal, collateral attack, writ or motion not barred by the preceding paragraph.