

JUDGE EWING WERLEIN, JR. Case Manager Joyce Hancock Court Reporter J. Byers
USPO Wright-Bailey, Mejia, Garcia Interpreter N/A Time: 10:03 a.m. to 10:57 a.m.
DATE February 22, 2008

CR. No. 02-597

Dft No 1

UNITED STATES OF AMERICA	§	Jonathan Lopez	AUSA
§			
vs.	§		
§			
David Bermingham	§	Dan Cogdell, Jimmy Ardoin	
Giles Darby	§	Dick DeGuerin, Matt Hennessy	
Gary Mulgrew	§	David Schwarz, Reid Figel	

SENTENCING X Sentencing held on **Ct 4** pursuant to a **Guilty**
Plea on November 28, 2007. **Evidence** contested as defined in R. 32 (c)(3)(D).

X **SENTENCE: (All 3 defts):** Ct(s) 4 Custody for 37 months
Supervised Release Term for 3 yrs **No fine Restitution: Jointly**
liable for \$7,352,626.00

(Birmingham and Darby) Lump sum payment in the amount of \$500,000 to U.S.D.C. when defendants are ordered into custody; remaining balance due to the victim bank in accordance to the civil judgment in Great Britain. (Mulgrew) Lump sum payment in the amount of \$250,000 to U.S.D.C. when defendant is ordered into custody; remaining balance due to the victim bank in accordance to the civil judgment in Great Britain. **Special Assessment** on Ct(s) 1 for a total of \$100.00 due immediately.

X **Standard Conditions of Release:** X No firearm or destructive device X Dft to provide financial information X Drug testing suspended X No employment fiduciary role

Dft to incur costs of drug treatment & testing X Dft not to incur new lines of credit X
Collection of DNA sample X No credit access devices unless authorized

X **TIME TO SERVE** X **WRITTEN NOTICE REGARDING APPEAL RIGHTS** Total Offense Level 22 Crim. History Cat. I

X Ct(s) 1,2,3,5,6,7 dismissed on Government's Motion. Order to follow. X Dft **BOND** Continued. Defendants' motion for voluntary surrender is GRANTED. X Terminate other settings and motions for this defendant X Other: The Court recommends that all 3 defendants be assigned to BOP in Allenwood, PA.
Court recommends to BOP that deportable alein public safety factor be waived.