UNITED STATES DISTRICT COURT WESTERN District of **NEW YORK** JUDGMENT IN A CRIMINAL CASE UNITED STATES OF AMERICA V. Case Number: 06-CR-6099T Lynn Lanphear **USM Number:** Not processed Richard Ohlson, Esq. Defendant's Attorney THE DEFENDANT: X pleaded guilty to count(s) pleaded noto contendere to count(s) which was accepted by the court. was found guilty on count(s) after a plea of not guilty. The defendant is adjudicated guilty of these offenses: Offense Ended Nature of Offense Title & Section Count 29:501 Embezzlement and Theft of Labor Union Assets 7/03 The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. ☐ The defendant has been found not guilty on count(s) ☐ is are dismissed on the motion of the United States. ☐ Count(s) It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances. August 14, 2006 Date of Imposition of Judgment Signature of Judge Michael A. Telesca, U.S.D. Name and Title of Judge

Date

AO 245B

DEFENDANT:

CASE NUMBER:

Sheet 4---Probation

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PROBATION

The defendant is hereby sentenced to probation for a term of:

5 years.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.

The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

X The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)

X The defendant shall cooperate in the collection of DNA as required by the Justice for All Act of 2004. (Check, if applicable.)

The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- the defendant shall not leave the judicial district without the permission of the court or probation officer; 1)
- the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of 2) each month;
- the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer; 3)
- the defendant shall support his or her dependents and meet other family responsibilities; 4)
- the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other 5) acceptable reasons;
- the defendant shall notify the probation officer at least ten days prior to any change in residence or employment; 6)
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer; 10)
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the 12) permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the 13) defendant's compliance with such notification requirement.

AO 245B

Case 6:06-cr-06099-MAT (Rev. 12/03) Judgment in a Criminal Case

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SPECIAL CONDITIONS OF SUPERVISION

Defendant shall perform 100 hours of community services at the direction of the U.S. Probation Office.

Defendant shall submit to a search of his person, property, vehicle, place of residence or any other property under his control and permit confiscation of any evidence or contraband discovered.

AO 24	45B	(Rev. 12/03)	See 6:06 Crimar C inal Monetary Penalties	99-MAT	Document 7	Filed 08/14/2006	Page 4 of 5	Ivette Hernandez
		DANT: NUMBER:	Lynn Lan 06-CR-60	99T	AL MONETAR		nt Page 4 of	5
The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.								
то	TAL		sessment 0.00		Fine \$	· · · · · · · · · · · · · · · · · · ·	Restitution 9441.29	
		determination such determin		erred until	An Amend	ed Judgment in a Crimin	nal Case (AO 245C)	will be entered
	The	defendant mus	t make restitution (including con	munity restitution)	to the following payees in	the amount listed belo	ow.
	If the the p before	e defendant ma priority order o re the United S	kes a partial payme r percentage payme tates is paid.	ent, each paye ent column be	e shall receive an ar low. However, pur	proximately proportioned suant to 18 U.S.C. § 3664	payment, unless speci (i), all nonfederal victi	fied otherwise in ims must be paid
Graj Loci 315 Suit	phics al Un 9 Sou e 206	Payee Communication 503-M ath Winton Ross r, NY 14623	ns	<u>"otal Loss*</u> \$944	11.29	estitution Ordered \$9441.29	<u>Priority or </u>	<u>Percentage</u>
TOT	ΓALS	6	\$	\$944	1.29\$	\$9441.29		
	Rest	titution amoun	ordered pursuant	to plea agreen	nent \$,		
	The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).							
X						y interest and it is ordered	that:	
			puirement is waived puirement for the		fine I restitution is m			

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^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Hav	/ing a	ssessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:							
A		Lump sum payment of \$ due immediately, balance due							
		not later than, or in accordance							
B		Payment to begin immediately (may be combined with $\square C$, $\square D$, or $\square F$ below); or							
C		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or							
D	□ .	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or							
E		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or							
F	\mathbf{X}	Special instructions regarding the payment of criminal monetary penalties:							
		The \$100.00 assessment is due in full immediately. Restitution to be paid as follows: Defendant shall make monthly restitution payments at a rate of 10% of his monthly gross income. Payments are to be in the form of a money order payable to Clerk, U.S. District Court, 68 Court Street, 304 U.S. Courthouse, Buffalo, NY, 14202 and are to be forwarded to Graphics Communications, Local Union 503-M, 3159 South Winton Road, Suite 206, Rochester, New York, 14623.							
Unl imp Res	ess the rison ponsi	e court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial bility Program, are made to the clerk of the court.							
The	defer	ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.							
	Join	t and Several							
		endant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, corresponding payee, if appropriate.							
	The	defendant shall pay the cost of prosecution.							
	The	defendant shall pay the following court cost(s):							
	The	defendant shall forfeit the defendant's interest in the following property to the United States:							

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.