

APPENDIX A

Co-conspirator plea agreements (with final government recommendation at sentencing and ultimate sentence imposed by Court). All references are to the 2003 Guidelines Manual.

Public Official Co-Conspirators Who Pled to Honest-Services Fraud

| Defendant | Date of Plea | Offense(s) | Guideline (Base Offense Level) | Honest-Services/Bribery Enhancements | Adjustments | Total Offense Level | Government Recommendation | Court's Sentence |
|----------------|--------------|--|--------------------------------|---|---|---|--|--|
| Robert Ney | 9/15/06 | Honest-Services Fraud, False Statements, Employment Restrictions | §2C1.7 (10) and §2C1.3 (6) | +8 (Elected Official) | +2 or +3 (Role in the Offense) -3 (Acceptance of Responsibility) | 17 or 18 (24-30 months or 27-33 months) | 27 months (argued in favor of +3 "Role in the Offense" enhancement) | 30 months incarceration |
| William Heaton | 2/26/07 | Honest-Services Fraud | §2C1.7 (10) | +8 (Elected Official) | -3 (Acceptance of Responsibility) | 15 (18-24 months) | "Low end" of 6-12 month range with home confinement (5K1.1 letter requested 5-level reduction) | 48 months probation |
| Mark Zachares | 4/24/07 | Honest-Services Fraud | §2C1.7 (10) | +8 (Elected Official) | -3 (Acceptance of Responsibility) | 15 (18-24 months) | 12-18 months (5K1.1 letter requested 2-level reduction) | 48 months probation (24 days in jail on weekends) |
| John Albaugh | 6/2/08 | Honest-Services Fraud | §2C1.7 (10) | +8 (Elected Official; "greater than any adjustment ... based on value of [bribes]") | -2 (Acceptance of Responsibility) | 16 (21-27 months) | 27 months (Objected to 2-level reduction for Acceptance of Responsibility) | 60 months probation (4 months in halfway house) |
| Ann Copland | 3/10/09 | Honest-Services Fraud | §2C1.7 (10) | +4 (Value of bribe "exceeds \$10,000 but is less than \$30,000") | -2 (Acceptance of Responsibility) | 12 (10-16 months) | 10 to 16 months | 48 months probation (75 days in halfway house, 75 days home detention) |

Greenberg Traurig Lobbyist Co-Conspirators Who Pled to Honest-Services Fraud

| Defendant | Date of Plea | Offense(s) | Guideline (Base Offense Level) | Honest-Services/ Bribery Enhancements | Adjustments | Total Offense Level | Government Recommendation | Court's Sentence |
|---|--------------|---|---|--|---|------------------------|---|-------------------------|
| Michael Scanlon | 11/21/05 | Bribery, Fraud, Honest-Services Fraud | §2C1.1 (10) for "Corruption Offenses" §2B1.1 (6) for "Fraud Offenses" | +2 (More Than One Bribe) +8 (Elected Official) | +1 (Multiple Counts) -3 (Acceptance of Responsibility) | 24* (51-63 months) | 24 months (5K1.1 letter) | 20 months incarceration |
| Jack Abramoff | 1/3/06 | Bribery, Fraud, Honest-Services Fraud, Tax Evasion, Employment Restrictions | §2C1.1 (10) for "Corruption Offenses" §2B1.1 (6) for "Fraud Offenses" §2T4.1 (22) for "Tax Offenses" | +2 (More Than One Bribe) +8 (Elected Official) | +4 (Role in the Offense) +1 (Multiple Counts) -3 (Acceptance of Responsibility) | 31* (108-135 months) | 39 months (5K1.1 letter requested 6-level reduction and credit for time served for offense in S.D. Fl.) | 48 months incarceration |
| Neil Volz | 5/8/06 | Honest-Services Fraud, Employment Restrictions | §2C1.7 (10) for Honest-Services Fraud §2C1.3 (6) for Employment Restrictions | +8 (Elected Official) | -3 (Acceptance of Responsibility) | 15 (18-24 months) | "low end" of 4-10 months, with home confinement (5K1.1 letter requested 6-level reduction) | 24 months probation |
| Tony Rudy | 3/31/06 | Mail & Wire Fraud, Honest-Services Fraud, Employment Restrictions | §2C1.7 (10) for Honest-Services Fraud §2B1.1 (6) for Mail & Wire Fraud §2C1.3 (6) for Employment Restrictions | +8 (Elected Official) | +2 (Multiple Counts) -3 (Acceptance of Responsibility) | 17 (24-30 months) | Plea Agreement includes potential for 5K1.1 letter | Not yet sentenced |
| Todd Boulanger | 1/30/09 | Honest-Services Fraud | §2C1.7 (10) | +8 (Elected Official; "greater than any adjustment ... based on" bribe value) | -3 (Acceptance of Responsibility) | 15 (18-24 months) | Plea Agreement includes potential for 5K1.1 letter | Not yet sentenced |
| Kevin Ring (Government's current position re: Guidelines) | N/A | Illegal Gratuities, Honest-Services Fraud | §2C1.1 (10) | +2 (More Than One Bribe) +20 (Benefit received in exchange for bribes between \$7mm and \$20mm) | +3 (Role in the Offense) +2 (Obstruction of Justice) | 37 (210 to 262 months) | 210 to 262 months | |

*Scanlon and Abramoff's total offense level driven by §2B1.1, which related to the fraud on the Indian tribes. This resulted in an offense level of 26 for Scanlon (due to \$7 million to \$20 million loss to the tribes) and 32 for Abramoff (due to \$25 million loss to the tribes).