

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT OWENSBORO

UNITED STATES OF AMERICA

PLAINTIFF

v.

CRIMINAL NO. 4:17CR-12-GNS
FILED UNDER SEAL

FARADAY HOSSEINIPOUR

DEFENDANT

PLEA SUPPLEMENT
(WITH COOPERATION)

The United States of America, by Michael A. Bennett, United States Attorney for the Western District of Kentucky, and defendant, FARADAY HOSSEINIPOUR, and her attorney, Wayne Manning, have agreed upon the following Plea Supplement:

1. In addition to the items listed in paragraph 11 of the Plea Agreement, at the time of sentencing, the United States will also:

-make a motion pursuant to §5K1.1 of the Sentencing Guidelines, stating the extent to which the defendant has provided substantial assistance in the investigation or prosecution of another person who has committed an offense. Based upon defendant's cooperation prior to entry into this Plea Agreement, anticipating that such cooperation will continue up to and including testimony at trial in compliance with the terms of this agreement, the United States intends to recommend that the Court sentence the defendant to a term of probation.

2. Defendant understands and agrees that complete and truthful cooperation is a material condition of the Plea Agreement and this Plea Supplement. Defendant understands that such cooperation shall be provided to any state, local, and federal law enforcement agencies designated by counsel for the United States. Cooperation will include:

- A. providing all information known to defendant regarding any criminal activity, including but not limited to the offenses described in this Agreement;
- B. complying with all reasonable instructions from the United States;
- C. submitting to interviews by investigators and attorneys at such reasonable times and places to be determined by counsel for the United States; and
- D. testifying fully and truthfully before any grand juries or at any trials or proceedings where defendant's testimony is deemed by the United States to be relevant.

3. The defendant agrees that any statements made by defendant during the cooperation phase shall not be used against defendant in any subsequent civil or criminal prosecutions unless and until there is a determination by the Court that defendant has breached the Plea Agreement or the Plea Supplement. However, the United States will be free to use at sentencing in this case any statements and evidence provided by defendant during the cooperation phase of the Plea Agreement or Plea Supplement.

4. In the event the United States believes defendant has failed to fulfill any obligations under this Plea Agreement or Plea Supplement, then the United States shall, in its discretion, have the option of being relieved of its obligations under the Plea Agreement and Plea Supplement. Whether or not defendant has completely fulfilled all of the obligations under the Plea Agreement and Plea Supplement shall be determined by the United States.

5. Defendant and the United States agree that in the event the defendant has breached the Plea Agreement or Plea Supplement:

- A. Defendant will not be permitted to withdraw any guilty plea and agrees not to petition for withdrawal of any guilty plea;

B. The United States will be free to make any recommendations to the Court and the Court will be free to sentence the defendant to any sentence the Court deems appropriate;

C. Any evidence or statements made by defendant during the change of plea proceedings and/or the cooperation phase will be admissible at any trials or sentencing;

D. The United States will be free to bring any other charges it has against defendant; and

E. Other provisions of the Plea Agreement, including the defendant's waiver of appeals, will remain in effect.

6. Nothing in this Agreement shall protect defendant in any way from prosecution for any offense committed after the date of this Agreement, including perjury, false declaration, or false statement, in violation of 18 U.S.C. §§ 1621, 1623, or 1001, or obstruction of justice, in violation of 18 U.S.C. §§ 1503, 1505, or 1510, should defendant commit any of those offenses during the cooperation phase of this Agreement. Should defendant be charged with any offense alleged to have occurred after the date of this Agreement, the information and documents disclosed to the United States during the course of the cooperation could be used against defendant in any such prosecution.

AGREED:

MICHAEL A. BENNETT
United States Attorney

By:

Madison Sewell
Assistant U.S. Attorney

Date

I have read this Plea Supplement and carefully reviewed every part of it with my attorney. I fully understand it and I voluntarily agree to it.

FARADAY HOSSEINIPOUR
Defendant

Date

I am the defendant's counsel. I have carefully reviewed every part of this Plea Supplement with the defendant. To my knowledge my client's decision to enter into this Plea Supplement is an informed and voluntary one.

Wayne Manning
Counsel for Defendant

Date