

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL NO. 12-178**
v. * **SECTION: E**
KAREN SORK *

FACTUAL BASIS

Should this matter proceed to trial, both the Government and the defendant, **KAREN SORK** (hereinafter “defendant” or “Sork”), do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the Government would prove the following beyond a reasonable doubt at trial. The Government and the defendant further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant:

The Government would show that at all times mentioned in the Bill of Information, **SORK** was a resident of the Eastern District of Louisiana, living in Metairie, Louisiana.

Internal corporate records, as well as the testimony of Special Agents from the Federal Bureau of Investigation, would establish that Whitney National Bank, N.A. (“Whitney Bank”) was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation.

Whitney Bank maintained a branch located in Metairie, Louisiana, within the Eastern District of Louisiana.

Records from Whitney Bank, including pay stubs, would show that **SORK** was employed as a Banking Officer and Manager at a Whitney Bank branch located in Metairie, Louisiana from approximately December 8, 2008, until approximately August 3, 2009.

The Government would present evidence, namely the testimony of Whitney Bank supervisors, that in her position as a Banking Officer and Manager of the branch, **SORK** had the combination, and could access, the branch's vault. In addition, as manager, **SORK** operated a "cash drawer" that she could use to supplement her staff as a bank teller when needed. At the end of a shift, a teller is required to reconcile the amount of money remaining in the cash drawer with the amounts listed as being added and/or withdrawn in receipts. The teller then inputs this information into a "balance sheet," and it is uploaded electronically through Whitney's internal computer system to Whitney's main servers, located in Allen, Texas.

The Government would present evidence, including internal business records of Whitney Bank, as well as the testimony of employees of Whitney Bank, that beginning in or about February 2009, and continuing through on or about August 3, 2009, **KAREN SORK** would occasionally take cash from her "cash drawer" without authorization and use it for personal expenses. In total, **SORK** took approximately \$56,999.29 of funds without authorization for her personal use. After taking cash from the "cash drawer," **SORK** engaged in a process called "forced balancing" to hide the fact that she had taken cash without authorization from the "cash drawer."

The Government would further present evidence, including internal corporate records and the testimony of supervisors at Whitney Bank, that the process of “forced balancing” involved misstating the amount of money remaining in a teller’s “cash drawer” on the “balance sheet” that the teller was required to complete at the end of the teller’s shift.

The Government would further show, through the testimony of Whitney Bank employees and the introduction of Whitney Bank’s internal records, that after “force balancing” her cash drawer, **SORK** would upload the improper balance sheet electronically through Whitney’s internal computer system. In particular, on February 17, 2009, **SORK**, uploaded a “force balanced” balance sheet on which **SORK** intentionally overstated the amount contained in the cash drawer in her possession for the purposes of disguising her unauthorized taking of funds controlled by Whitney Bank for her personal use. **SORK’S** uploading caused a wire communication to be transmitted from the bank branch at which **SORK** worked, in Metairie, Louisiana, to Whitney Bank’s primary computer servers, located in Allen, Texas.

The Government would further show, through the testimony of Whitney Bank records, that **SORK** maintained personal checking accounts at Whitney Bank bearing account numbers XXXXXX6611 and XXXXXX1922. **SORK** frequently deposited the cash she took from the “cash drawer” into these bank accounts.

The Government would further show, through the testimony of Whitney Bank employees and records of **SORK’S** bank statements, that **SORK** would use the money she took without authorization from the “cash drawer” for her personal use. **SORK** used the money by initiating and authorizing automatic debits from her account to pay entities and individuals with whom she had personal outstanding debts and expenses and making cash withdrawals at automated teller machines

(“ATMs”).

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, Special Agents from the Federal Bureau of Investigation, as well as employees of Whitney Bank, business records from Whitney Bank, and the statements of the defendant, **KAREN SORK**.

KAREN SORK
Defendant

DATE

STEVEN LEMOINE
Counsel for Defendant

DATE

JORDAN GINSBERG
Assistant United States Attorney

DATE