

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,)	Case No.
)	
Plaintiff,)	
)	AFFIDAVIT OF GOOD CAUSE
v.)	
)	
GUILLERMO OSCAR MONDINO)	
)	
Defendant.)	

I, David Jansen, declare under penalty of perjury as follows:

1. I am a Special Agent with Homeland Security Investigations (“HSI”), a component of U.S. Immigration and Customs Enforcement (“ICE”), an agency with the U.S. Department of Homeland Security (“DHS”), and have been so employed since 2007. I am presently assigned to the Immigration Enforcement Group. I am responsible for conducting investigations of violations of immigration law and related federal criminal statutes as contained in the United States Codes. In this capacity, I have access to the official records of the DHS, including the immigration file of Guillermo Oscar Mondino (“Mondino”), A [REDACTED]-514.

2. I have examined records relating to Mondino, including, but not limited to his immigration file(s). Based upon my review of Mondino’s records, I state, on information and belief, that the information set forth in this Affidavit of Good Cause is true and correct.

I. Mondino was granted U.S. citizenship on May 10, 2004.

3. On or about May 5, 2003, Mondino mailed an Application for Naturalization, Form N-400, to the U.S. Citizenship and Immigration Services (“CIS”) at the Texas Service Center in Mesquite, Texas. The CIS accepted it for filing on or about May 12, 2003.

4. On or about April 22, 2004, Mondino was interviewed under oath to determine his eligibility for naturalization. On the basis of his written application and his testimony at the

naturalization interview, the CIS approved Mondino's application for naturalization on the same date.

5. On or about May 10, 2004, before taking the oath of allegiance, Mondino submitted DHS Form N-445, Notice of Naturalization Oath Ceremony, to the CIS. Based on the representations he made on this form, Mondino was allowed to take the oath of allegiance on May 10, 2004, and was granted U.S. citizenship. He was issued Certificate of Naturalization No. 27788499.

II. Mondino's Criminal Conspiracy

6. Between at least April 2003 until May 2009, Mondino was the owner of Texon, Incorporated ("Texon"), which was headquartered in Miami, Florida. Texon was an export company in the business of purchasing U.S. goods on behalf of clients in foreign countries and shipping those goods overseas. From at least April 2003 until May 2009, Mondino conspired with and assisted the co-conspirator, who was his office manager, to prepare more than \$24 million in fraudulent loan applications and loan transactions in which Texon acted as the "exporter" by falsifying documents sent to U.S. banks and to the Export-Import Bank of the United States ("Ex-Im Bank"). As a result of his conduct, Mondino misappropriated approximately \$14.1 million in loan proceeds that were guaranteed by the Ex-Im Bank.

7. Between April 2003 and May 2009, Mondino and the co-conspirator agreed to prepare and did prepare applications for insurance or guarantees that would be submitted to the Ex-Im Bank. Each of the applications represented that a lending bank intended to make a loan to a foreign borrower to enable the borrower to purchase U.S. goods and have the U.S. goods shipped out of the United States to buyers overseas. The applications requested the Ex-Im Bank to issue guarantees on the loans. Mondino and the co-conspirator knew at the time the loan applications were submitted to the Ex-Im Bank that they falsely reported the goods that would be

purchased and shipped to the foreign buyers. Neither Mondino nor the co-conspirator disclosed to the Ex-Im Bank or to the lending banks that the goods had not been, and would not be, purchased and/or shipped as stated on the false commercial invoices, bills of lading, and the Ex-Im Bank "Form of Exporter's Certificates." In some cases, Mondino provided loan proceeds to foreign buyers in cash, rather than using the proceeds to purchase goods to be shipped to the buyers.

8. Between at least April 2003 and May 2009, the Ex-Im Bank issued insurance or guarantees on more than \$24 million worth of fraudulent loans based on applications submitted to the Ex-Im Bank, including false statements made by Mondino and the co-conspirator, or at their direction.

9. Mondino commingled the loan proceeds with personal and other monies. Texon, and its related entities, retained approximately \$2.5 million of the proceeds of the Ex-Im Bank-insured or guaranteed loans. Mondino retained approximately \$170,000 of the loan proceeds for his own benefit and use. Mondino also transferred approximately \$6.4 million of the loan proceeds to bank accounts controlled by co-conspirators.

10. Between April 2003 and April 1, 2010, the Ex-Im Bank paid more than \$15.9 million to lending banks or their assignees based on claims on guaranteed loans that had defaulted. As of April 1, 2010, more than \$12.5 million of the amounts paid on claims for defaulted loans remained unrecovered.

11. On May 27, 2010, Mondino was charged by Criminal Information with Conspiracy to Defraud the United States and to Commit Mail Fraud, in violation of Title 18 U.S.C. § 371, and Money Laundering, in violation of Title 18 U.S.C. § 1957. The Money Laundering offense occurred on or about September 8, 2008, outside of the statutory period.

12. On June 23, 2010, Mondino pled guilty in the U.S. District Court for the District of Columbia to one count of Conspiracy to Defraud the United States and to Commit Mail Fraud, in violation of Title 18 U.S.C. § 371 and one count of Money Laundering, in violation of Title 18 U.S.C. § 1957, in full satisfaction of the Criminal Information.

13. On November 1, 2011, Mondino was sentenced to concurrent terms of forty-six (46) months of imprisonment on each count and concurrent terms of thirty-six (36) months of supervised release on each count upon release from prison. Mondino was ordered to pay restitution in the amount of \$13,349,708.20 to the victim, the Ex-Im Bank. Mondino was also ordered to forfeit \$2,718,695, which constitutes proceeds of the conspiracy offense to which he pled guilty.

III. Mondino was not eligible to naturalize and consequently illegally procured his naturalization.

14. Mondino was not eligible to naturalize and consequently illegally procured his naturalization. Mondino was ineligible to naturalize because he could not have established that he was a person of good moral character during the statutory period. As an applicant for naturalization pursuant to section 316(a) of the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1427(a), Mondino was required to prove that he was a person of good moral character from May 12, 1998, five years before he filed his application for naturalization, until May 10, 2004, the date on which he was admitted as a citizen of the United States (the “statutory period”).

A. Mondino committed a Crime Involving Moral Turpitude thereby preventing him from establishing good moral character

15. As a matter of law, an applicant necessarily lacks good moral character if he or she commits a crime involving moral turpitude (“CIMT”) during the statutory period and later either is convicted of the crime or admits his or her commission of the criminal activity. 8

U.S.C. § 1101(f)(3) (cross-referencing 8 U.S.C. § 1182(a)(2)(A)); 8 C.F.R. § 316.10(b)(2)(i) (providing that an applicant “shall be found to lack good moral character” if, for example, they committed and were convicted of one or more crimes involving moral turpitude).

16. From on or between April 2003 through May 2009 (during the statutory period), Mondino committed a CIMT by conspiring to obtain from the Ex-Im Bank more than \$24 million in fraudulent loan transactions and by falsifying documents sent to U.S. banks and to the Ex-Im Bank.

17. Mondino pled guilty to Conspiracy to Defraud the United States and to Commit Mail Fraud, in violation of Title 18 U.S.C. § 371, a felony offense. Mondino committed that crime and underlying fraud during the statutory period.

18. Because Mondino committed a CIMT during the statutory period, to which he later pled guilty and for which he was convicted, Mondino was barred, as a matter of law, from showing that he had the good moral character necessary to become a naturalized U.S. citizen.

19. Because Mondino committed a CIMT and was therefore not a person of good moral character, he was ineligible for naturalization under 8 U.S.C. § 1427(a)(3). Consequently, he illegally procured his naturalization.

B. Mondino committed unlawful acts that adversely reflected upon his moral character.

20. Mondino could not have established that he was a person of good moral character during the statutory period because he committed unlawful acts that adversely reflected upon his moral character.

21. Unless there are extenuating circumstances, an applicant for naturalization is precluded from establishing good moral character if, during the statutory period, he commits unlawful acts that adversely reflect upon his moral character.

22. Whether unlawful acts affect the applicant's moral character is a case-by-case determination, considering the standards of the average citizen in the applicant's community of residence.

23. From on or between April 2003 through May 2009 (during the statutory period), Mondino committed the ongoing crime of Conspiracy to Defraud the United States and to Commit Mail Fraud, in violation of Title 18 U.S.C. § 371, a felony offense.

24. Conspiracy to Defraud the United States and to Commit Mail Fraud (18 U.S.C. § 371) carries a maximum sentence of five years' imprisonment, a possible fine of \$250,000, and is an unlawful act that adversely reflects upon an individual's moral character as measured against the standards of the average citizen in the community of residence.

25. As evidenced by his post-naturalization conviction, there were no extenuating circumstances that mitigated the effect of Mondino's actions on his ability to establish good moral character.

26. Because Mondino committed unlawful acts adversely reflecting on his moral character within the period of time in which he was required to establish good moral character, he is precluded, as a matter of law, from establishing good moral character. Consequently, he illegally procured his naturalization.

C. Mondino provided false testimony during his naturalization interview to obtain his naturalization.

27. Mondino could not have established that he was a person of good moral character because, during his naturalization interview, he provided false testimony for the purpose of obtaining his naturalization.

28. An individual who, during the statutory period, provides false testimony to obtain an immigration benefit is precluded from establishing good moral character.

29. On April 22, 2004, during the statutory period, Mondino appeared before Susanna David, a CIS officer, for an interview regarding his application for naturalization.

30. At the beginning of the naturalization interview, Mondino took an oath or affirmed that he would answer all questions truthfully.

31. During the course of the naturalization interview, in order to determine his eligibility for naturalization, CIS officer Susanna David asked Mondino whether he had knowingly committed any crime for which he had not been arrested.

32. Mondino testified under oath that he had never knowingly committed any crime for which he had not been arrested.

33. This testimony was false. In fact, during the statutory period, Mondino and the co-conspirator prepared false documents that would be submitted to the lending banks and the Ex-Im Bank causing the Ex-Im Bank to issue insurance or guarantees on more than \$24 million worth of fraudulent loans. As a consequence, the Ex-Im Bank paid \$15.9 million to lending banks or their assignees based on claims on guaranteed loans that had defaulted. Mondino had not been arrested for this offense at the time of his naturalization interview.

34. Mondino's false testimony concealed that he committed criminal acts that precluded his naturalization.

35. Because Mondino provided false testimony to obtain naturalization during the statutory period, he could not have established good moral character. Therefore, he was ineligible to naturalize.

IV. Mondino willfully misrepresented and concealed his criminal activity when he failed to disclose his criminal activity at the CIS interview, and therefore procured his naturalization by willful misrepresentation and concealment of material facts.

36. On April 22, 2004, the CIS interviewed Mondino on his Form N-400, Application for Naturalization.

37. Part 10, Question D-15, on the Form N-400 asked whether Mondino had knowingly committed any crime for which he had not been arrested.

38. In May 2003¹, Mondino completed the questions on the Form N-400, and at his April 2004 interview on his Form N-400, he certified his answers were true.

39. In response to Question D-15 on the Form N-400, Mondino represented that he had not knowingly committed any crime for which he had not been arrested. This representation was false. In fact, during the statutory period, Mondino and the co-conspirator prepared false documents that would be submitted to the lending banks and the Ex-Im Bank causing the Ex-Im Bank to issue insurance or guarantees on more than \$24 million worth of fraudulent loans. As a consequence, the Ex-Im Bank paid \$15.9 million to lending banks or their assignees based on claims on guaranteed loans that had defaulted. Texon, and its related entities, retained approximately \$2.5 million of the proceeds of the Ex-Im Bank-insured or guaranteed loans. Mondino retained approximately \$170,000 of the loan proceeds for his own benefit and use. Mondino transferred approximately \$6.4 million to bank accounts controlled by co-conspirators.

40. On June 23, 2010, Mondino pled guilty in the U.S. District Court for the District of Columbia, *inter alia* to Conspiracy to Defraud the United States and to Commit Mail Fraud, in violation of Title 18 U.S.C. § 371.

41. Mondino's ongoing criminal activity of Conspiracy to Defraud the United States and to Commit Mail Fraud was material to determining his eligibility to naturalize because it would have had the natural tendency to influence CIS's decision whether to approve his application. In fact, Mondino's criminal activity precluded him from establishing good moral character, and thus would have resulted in a denial of his naturalization application.

¹ Mondino signed the Form N-400 and submitted it to the CIS on or about May 5, 2003.

42. Based on the facts outlined in the foregoing paragraphs, good cause exists to institute proceedings pursuant to section 340(a) of the INA, 8 U.S.C. § 1451(a), to revoke Mondino's citizenship, and to cancel his certificate of naturalization.

43. Mondino's last known residence is at [REDACTED] Miami, Florida, 33186 located within the jurisdiction of the U.S. District Court for the Southern District of Florida.

DECLARATION IN LIEU OF JURAT
(28 U.S.C. § 1746)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

March 23, 2018.



David Jansen
Special Agent
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Homeland Security Investigations
Miami, Florida

Exhibit B

usually to the borrower's home country. The applications requested Ex-Im Bank to issue guarantees on the loans.

3. On approximately September 11, 2003, an application for insurance or guarantee for \$364,905 for a buyer located in South America was sent by a "broker" for the transaction located in San Antonio, Texas, to Ex-Im Bank in Washington, D.C. by commercial interstate carrier. Texon was identified on the application as the "exporter" for the transaction and MONDINO was the contact person for the transaction.

4. MONDINO and CC-2 knew at the time that the applications were submitted to the Ex-Im Bank that they falsely reported the goods that would be purchased and shipped to the foreign buyer. The September 11, 2003 application stated that the loan proceeds would be used to purchase and ship to South America motor graders and compactors. In fact, although invoices submitted to the Ex-Im Bank and prepared at the direction of MONDINO indicated that six pieces of equipment were purchased and shipped to the South American buyer, only one piece of equipment actually was purchased and shipped. This information was not submitted to or shared with transaction officials at the Ex-Im Bank.

5. Between at least April 2003 and May 2009, MONDINO instructed CC-2 and others to prepare false documents that would be submitted to the lending banks and the Ex-Im Bank to facilitate the fraudulent loan transactions. On July 27, 2006, MONDINO sent an e-mail to a buyer in the Dominican Republic, instructing the buyer to create false documents by altering true documents, including a bill of lading and a commercial invoice, to change the name of the buyer and the date of the invoice.

6. At MONDINO's instruction, CC-2 and others prepared false documents

stating that U.S. goods had been or would be purchased and shipped to the foreign buyers, and then CC-2 submitted those documents to the Ex-Im Bank through the lending banks. CC-2 and others prepared, or caused to be prepared, at the direction of MONDINO or pursuant to the established practice of MONDINO and CC-2 to prepare false documents for submission to United States banks or the Ex-Im Bank, false commercial invoices, bills of lading, and Ex-Im Bank “Form of Exporter’s Certificates”, stating that certain goods had been purchased and had been or would be shipped, but knowing that they had not been and would not be purchased and/or shipped.

7. On March 18, 2009, a lending bank located in Miami, Florida sent to the Ex-Im Bank via commercial interstate carrier a bill of lading that was prepared by CC-2, falsely stating that Caterpillar equipment identified on that document were shipped to a South American buyer. In truth, none of the goods identified on the document were purchased or shipped to the buyer. In this and in other fraudulent loan transactions, neither MONDINO nor CC-2 disclosed to the Ex-Im Bank or to the lending banks the true goods that were shipped.

8. Between at least April 2003 and May 2009, the Ex-Im Bank issued insurance or guarantees on more than \$24 million worth of fraudulent loans based on applications submitted to the Ex-Im Bank, including false statements made by MONDINO or CC-2, or at their direction.

9. Between at least April 2003 and May 2009, MONDINO, CC-2 and others also agreed that a smaller amount of the loan proceeds than was represented to the Ex-Im Bank would actually be used to purchase U.S. goods for foreign buyers. In some cases,

MONDINO provided loan proceeds to foreign buyers in cash, rather than using the proceeds to purchase goods to be shipped to the buyers.

10. MONDINO commingled the loan proceeds with personal and other monies. Texon and its related entities retained approximately \$2.5 million of the proceeds of the Ex-Im Bank-guaranteed loans. MONDINO retained approximately \$170,000 of the loan proceeds for his own benefit and use.

11. MONDINO also transferred loan proceeds to bank accounts controlled by co-conspirators. MONDINO transferred approximately \$6.4 million to his co-conspirators.

12. In addition, MONDINO engaged in monetary transactions by, through, or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, that is, mail fraud. On September 8, 2008, MONDINO transmitted by wire approximately \$217,647 from a Texon account at Bank Atlantic in Miami, Florida to the account of a freight forwarder at International Bank of Commerce in Laredo, Texas.


13. Many of the fraudulent loans that were guaranteed by the Ex-Im Bank based on applications including false statements by MONDINO, CC-2 or others at their direction went into default. Between April 2003 and April 1, 2010, Ex-Im Bank paid more than \$15.9 million to lending banks or their assignees based on claims on guaranteed loans that had gone into default. As of April 1, 2010, more than \$12.5 million of the amounts paid on claims for defaulted loans remained unrecovered.

14. Ex-Im Bank has identified an additional approximately \$9 million of loans

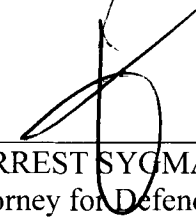
that it has insured or guaranteed that involve documentation containing fraudulent representations made by or at the direction of MONDINO, for which payment has not yet come due. With respect to these loans, should they go into default, Ex-Im Bank will be required to pay any claims submitted by the lending banks or their assignees as well.

The preceding statement is a summary, made for the purpose of providing the Court with a factual basis for my guilty plea to the charges against me. It does not include all of the facts known to me concerning criminal activity in which I and others engaged. I make this statement knowingly and voluntarily and because I am in fact guilty of the crimes charged.

DATE: 6/23/10



GUILLERMO O. MONDINO
Defendant



FORREST SYGMAN, ESQ.
Attorney for Defendant

Exhibit C

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,	:	CRIMINAL NO.
	:	
v.	:	VIOLATIONS:
	:	
GUILLERMO O. MONDINO,	:	18 U.S.C. § 371 (Count 1)
	:	Conspiracy to Defraud the United
Defendant.	:	States and to Commit Mail Fraud
	:	
	:	18 U.S.C. § 1957 (Count 2)
	:	Money Laundering
	:	

INFORMATION

The United States Department of Justice, Criminal Division, Fraud Section, charges that at all times material to this Information:

INTRODUCTION

1. GUILLERMO O. MONDINO (“MONDINO”) was the owner of Texon, Incorporated (“Texon”), an exporting company that was headquartered in Miami, Florida, that was in the business of purchasing United States goods on behalf of clients in the Caribbean, Central America, South America and other foreign countries and shipping those goods overseas.

2. Co-conspirator 2 (“CC-2”) was the Office Manager of Texon, living in Miami, Florida.

3. United States banks provided loans to borrowers in the Caribbean, Central America, South America and other foreign countries for the purchase of United States goods.

4. The Export-Import Bank of the United States (the “Ex-Im Bank”) was an independent agency of the executive branch of the United States and located in Washington, D.C. It was also the official export credit agency of the United States. The

mission of the Ex-Im Bank was to assist in the export of United States goods and services to companies overseas. One of the ways the Ex-Im Bank fulfilled this mission was by issuing loan guarantees to United States lending banks on behalf of creditworthy foreign companies for the purpose of purchasing United States goods. Once the Ex-Im Bank issued a loan guarantee, if the foreign borrower defaulted on its loan repayments to a United States bank, the Ex-Im Bank paid the amount of the outstanding loan to the United States bank. Before issuing a loan guarantee, the Ex-Im Bank required that a United States exporter – the person or entity shipping the United States goods on behalf of the foreign borrower – certify to the Ex-Im Bank the type, amount, and value of the United States goods that it would be shipping and that the goods shipped were made in the United States.

5. The above introductory allegations are realleged and incorporated in each count of this Information as if fully set forth in each count.

**COUNT ONE
(CONSPIRACY)**

THE CONSPIRACY

6. From at least April 2003 until in or about May 2009, in the District of Columbia and elsewhere, MONDINO, CC-2, together, and with others known and unknown, did knowingly and intentionally conspire, combine, confederate and agree to defraud the United States and agencies thereof and to commit an offense against them, to wit, to knowingly devise, and intend to devise, through the use of the mail, a scheme and artifice to defraud the United States and the Ex-Im Bank, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1341.

PURPOSE OF THE CONSPIRACY

7. The purpose of the conspiracy was for the co-conspirators, including MONDINO, to unlawfully enrich themselves financially by submitting false and fraudulent information to the Ex-Im Bank, through various lending banks, to obtain and misappropriate certain loan proceeds.

THE MANNER AND MEANS OF THE CONSPIRACY

8. To achieve the purpose of the conspiracy, MONDINO, CC-2, and others used the following manners and means, among others:

a. From at least April 2003 until in or about May 2009, MONDINO and CC-2 would agree to prepare, and did prepare or cause to be prepared, false applications for insurance or guarantees that would be submitted to the Ex-Im Bank to induce Ex-Im Bank to insure or guarantee approximately \$24 million of loans to the debtors from commercial banks, knowing and intending that all or some of the goods identified on the applications would not be purchased and/or would not be shipped to the debtor;

b. MONDINO would and did instruct CC-2 and others to prepare false documents that would be submitted to the lending banks and the Ex-Im Bank to facilitate the fraudulent loan transactions;

c. CC-2 would and did prepare false documents stating that United States goods had been purchased and shipped to the foreign companies totaling approximately \$24 million, and then CC-2 would submit those documents to the Ex-Im Bank, through the lending banks;

d. CC-2 or other co-conspirators would and did prepare, or cause to be prepared, at the direction of MONDINO or pursuant to the established practice of MONDINO and CC-2, false documents for submission to United States banks or the Ex-Im Bank, false commercial invoices, bills of lading, and Ex-Im Bank “Form of Exporter’s Certificates” (“Exporter’s Certificates”), stating that certain goods had been purchased and had been or would be shipped, but knowing that they had not been and would not be purchased and/or shipped;

e. MONDINO and CC-2 would and did fail to disclose to the Ex-Im Bank or to the lending banks the true goods that were shipped;

f. Texon would and did receive approximately \$2.5 million of the proceeds of the bank loans;

g. MONDINO would and did in some cases provide loan proceeds to borrowers in cash, rather than using the proceeds to purchase goods to be shipped to the borrowers;

g. MONDINO would and did commingle the loan proceeds with personal and other monies;

h. MONDINO would and did transfer loan proceeds to bank accounts controlled by co-conspirators; and

i. MONDINO would and did retain approximately \$170,000 of the loan proceeds for his own benefit and use.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

9. Within the District of Columbia and elsewhere, in furtherance of the above-described conspiracy, and in order to carry out the goal thereof, MONDINO, CC-2, and others known and unknown, committed the following overt acts, among others:

a. On or about September 11, 2003, an application for insurance or guarantee for \$364,905 for a buyer located in South America was sent by a “broker” located in San Antonio, Texas to Ex-Im Bank in Washington, D.C. by commercial interstate carrier, stating that Texon was the “exporter” for the transaction and MONDINO was the contact person for the transaction, falsely reporting the goods that would be purchased and shipped to the debtor;

b. On or about July 27, 2006, MONDINO sent an e-mail to a buyer in the Dominican Republic, instructing the buyer to create false documents by altering true documents, including a bill of lading and a commercial invoice, to change the name of the buyer and the date of the invoice;

c. On or about November 24, 2006, a lending bank sent to MONDINO at an account in the name of Texon at a bank located in Miami, Florida, a wire transfer in the amount of \$608,599.68;

d. On or about July 9, 2007, an application for insurance or guarantee for \$900,000 was sent by wire transfer from the lending bank in Miami, Florida to the Ex-Im Bank’s computer server in Washington, D.C., indicating that Texon was the “exporter” for the transaction, falsely reporting the goods that would be purchased and shipped to the debtor;

e. On or about August 7, 2007, a lending bank sent to MONDINO at an account in the name of Texon at a bank located in Miami, Florida a wire transfer in the amount of \$363,986.15;

f. On or about October 31, 2007, MONDINO transferred by wire \$1,996.75 from an account in the name of Texon at a bank located in Miami, Florida to the bank account of CC-2 at a bank located in Miami, Florida;

g. On or about December 10, 2007, a lending bank located in Birmingham, Alabama sent to the Ex-Im Bank a claim for payment on the Ex-Im Bank guarantee of a defaulted loan, including a commercial invoice prepared by CC-2, falsely stating that \$429,300 worth of goods were purchased for shipment to a buyer located in South America;

h. On or about April 18, 2008, a lending bank sent to MONDINO at an account in the name of Texon at a bank located in Miami, Florida a wire transfer in the amount of \$427,295;

i. On or about September 8, 2008, MONDINO transferred by wire \$217,647 from an account in the name of Texon at a bank located in Miami, Florida to the bank account of a freight forwarder at a bank located in Laredo, Texas;

j. On or about December 22, 2008, MONDINO transferred by wire \$79,026.13 from an account in the name of Texon at a bank located in Miami, Florida to the account of a buyer at a bank located in Laredo, Texas;

k. On or about January 20, 2009, MONDINO transferred by wire \$100,000 from an account in the name of Texon at a bank located in Miami, Florida to the account of a buyer at a bank located in the Dominican Republic;

l. On or about March 18, 2009, a lending bank located in Miami, Florida sent to the Ex-Im Bank via commercial interstate carrier a bill of lading that was prepared by CC-2, falsely stating that the goods identified on that document were shipped to a South American buyer; and

m. On or about April 6, 2009, a lending bank located in Miami, Florida sent to the Ex-Im Bank via commercial interstate carrier a claim for payment on the Ex-Im Bank guarantee of a defaulted loan, including an Exporter's Certificate that was prepared by MONDINO or CC-2 pursuant to MONDINO's instructions or their established practice to prepare false documents for submission to the Ex-Im Bank, falsely stating that goods and services totaling \$1,410,200 were purchased and the goods were shipped to a Central American buyer.

(In violation of Title 18, United States Code, Section 371.)

**COUNT TWO
(MONEY LAUNDERING)**

10. On or about September 8, 2008, in the District of Columbia and elsewhere, MONDINO, along with others known and unknown, did knowingly engage or attempt to engage in a monetary transaction by, through, or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, that is, mail fraud: MONDINO transferred by wire approximately \$217,647 from an account in the name of Texon, Inc. at Bank Atlantic in Miami, Florida to the account of a freight forwarder at International Bank of Commerce in Laredo, Texas.

(In violation of Title 18, United States Code, Section 1957.)

DENIS J. McINERNEY
Chief, Fraud Section

By: _____

NICOLE H. SPRINZEN
D.C. Bar # 468568
Trial Attorney
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United States Department of Justice
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Dated: May ____, 2010



U.S. Department of Justice

Criminal Division

*1400 New York Avenue NW
Washington, D.C. 20530*

May 14, 2010

Forrest Sygman, Esq.
8603 South Dixie Hwy, Suite 303
Miami, FL 33143

Re: United States v. Guillermo Mondino

Dear Mr. Sygman:

This letter sets forth the full and complete plea offer to your client, Mr. Guillermo Mondino (the “defendant”). This offer is binding only upon the Fraud Section, Criminal Division of the United States Department of Justice (hereinafter “the Government”), and will expire on May 24, 2010. Upon the Government’s receipt of the executed letter, the letter itself will become the plea agreement. The terms of the offer are as follows:

1. Charges. The defendant agrees to waive Indictment and plead guilty to a two-count Information, charging him with one count of conspiracy to defraud the United States and to commit mail fraud (18 U.S.C. § 371), and one count of money laundering (18 U.S.C. § 1957). It is understood that the guilty plea will be based on a factual admission of guilt to the offenses charged to be made before the Court by the defendant. The defendant agrees that the attached “Statement of the Offense” fairly and accurately describes the defendant’s actions and involvement in the charged offenses. During the plea hearing, the Defendant will adopt the Statement of the Offense as a written proffer of evidence.

2. Potential penalties and assessments. The defendant understands that 18 U.S.C. § 371 carries a maximum sentence of 5 years imprisonment, a possible fine of \$250,000, or a fine of twice the gross gain or gross loss pursuant to 18 U.S.C. § 3571(d), a \$100 special assessment, a three-year term of supervised release, an order of restitution, and an obligation to pay any applicable interest or penalties on fines or restitution not timely made.

The defendant also understands that 18 U.S.C. § 1957 carries a maximum sentence of 10 years imprisonment, a possible fine of \$250,000, or a fine of twice the amount of the criminally derived property involved in the transaction pursuant to 18 U.S.C. § 1957(b)(2), a \$100 special assessment per offense, a three-year term of supervised release, an order of restitution, and an obligation to pay any applicable interest or penalties on fines or restitution not timely made. Therefore, the maximum sentence

that can be imposed for the violations charged in the Information is: up to fifteen years' imprisonment, a fine of not more than \$500,000 or twice the gross gain or gross loss, and up to three years' supervised release.

Notwithstanding the maximum sentence, the defendant understands that the sentence to be imposed in this case will be determined by the Court, guided by the factors enumerated in 18 U.S.C. § 3553(a), including a consideration of the guidelines and policies promulgated by the United States Sentencing Guidelines Commission, Guidelines Manual, 2009 Edition (hereinafter "Sentencing Guidelines" or "U.S.S.G."). The defendant understands that his sentence, including the applicable Sentencing Guideline range, will be determined solely by the Court, and the Government cannot and does not make any promises, representations, or predictions regarding what sentence the Court will impose. The defendant further understands that if the Court imposes a sentence greater than that provided in the Sentencing Guidelines range as determined by the Court, or which is in any other way unsatisfactory to him, he cannot withdraw his guilty plea. This does not, however, limit the defendant's right to appeal an unlawful sentence.

3. Forfeiture. The defendant agrees to entry of a money judgment against him in the amount of \$2,718,695, which constitutes proceeds of the conspiracy offense to which he will plead guilty. The defendant will pay this money judgment at the time of sentencing by way of certified check in the amount of \$2,718,695, made payable to the United States Marshal Service, in satisfaction of the money judgment, and this amount will constitute the total amount forfeitable from the defendant as a result of the conspiracy offense to which he will plead guilty. In order to effectuate the forfeiture, the defendant agrees to the entry of a Consent Order of Forfeiture, a copy of which is attached hereto. The defendant warrants that he is the sole owner of the \$2,718,695 being submitted to the United States and agrees to hold the United States, its agents and employees harmless from any claims whatsoever in connection with the forfeiture of such money and property.

The defendant further agrees to waive all interest in the forfeited assets in any administrative or judicial forfeiture proceeding, whether criminal or civil, state or federal. The defendant agrees to consent to the entry of orders of forfeiture for such property and waives the requirements of Federal Rules of Criminal Procedures 32.2 regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment. The defendant understands that the forfeiture of assets is part of the plea agreement and waives any failure by the Court to advise him of this, pursuant to Rule 11(b)(1)(J), at the time his guilty plea is accepted.

The defendant further agrees to waive all constitutional and statutory challenges in any manner (including direct appeal, habeas corpus, or any other means) to any forfeiture carried out in accordance with this plea agreement on any grounds, including that the forfeiture constitutes an excessive fine or punishment. The defendant agrees to take all steps as requested by the Government to pass clear title to forfeitable assets to the United States, and to testify truthfully in any judicial forfeiture proceeding. The

defendant acknowledges that all property covered by this plea agreement is subject to forfeiture as proceeds of illegal conduct and/or substitute assets for property otherwise subject to forfeiture.

4. Restitution. In addition to the other penalties provided by law, the Court must also order that the defendant make restitution under 18 U.S.C. § 3663A. In addition to any restitution that may be ordered by the Court, the defendant agrees to make restitution in full as of the date of sentencing, which we understand as of this date to be approximately \$12.5 million, to all victims of the defendant's criminal conduct, in this case, to the Export-Import Bank of the United States

5. Defendant's Obligations. The defendant agrees that he shall cooperate fully with the Government by providing truthful, candid, and complete information as to all matters within his knowledge concerning his wrongful conduct as well as any wrongful conduct involving others. The defendant understands that such cooperation will include:

- a. Attending all meetings at which the Government requests his presence;
- b. Providing to the Government, upon request, any document, record, or other evidence relating to matters about which the Government or any designated law enforcement agency inquires, including but not limited to a full, complete and accurate personal financial statement;
- c. Testifying truthfully at any trial, hearing, or other grand jury or court proceeding if requested to do so by the Government; and
- d. Bringing to the attention of the Government all crimes which he has committed, and all administrative, civil, or criminal proceedings, investigations, or prosecutions in which he has been or is a subject, target, party, or witness.

6. The Government reserves the right to evaluate the nature and extent of the defendant's cooperation and to make the defendant's cooperation, or lack thereof, known to the Court at the time of sentencing. If in the sole and unreviewable judgment of the Government the defendant's cooperation is of such quality and significance to the investigation or prosecution of other criminal matters as to warrant the Court's downward departure from the sentence calculated by the Sentencing Guidelines, the Government may at or before sentencing make a motion pursuant to Section 5K1.1 of the Sentencing Guidelines reflecting that the defendant has provided substantial assistance and recommending a downward departure from the applicable guideline range. The defendant acknowledges and agrees, however, that nothing in this Agreement may be construed to require the Government to file such a motion and that the Government's assessment of the nature, value, truthfulness, completeness, and accuracy of the defendant's cooperation shall be binding on the defendant.

7. The defendant understands and acknowledges that the Court is under no obligation to grant a Government motion pursuant to Section 5K1.1 of the Sentencing Guidelines as referred to in paragraph 6 of this agreement, should the Government exercise its discretion to file such a motion.

8. Federal Sentencing Guidelines. Although not binding on the Court, the parties agree that the 2009 Sentencing Guidelines apply as follows:

(i) Base Offense Level [U.S.S.G. §§ 2S1.1 and 2B1.1(a)(1)]	6
(ii) Loss (more than \$20 million, less than \$50 million) [U.S.S.G. § 2B1.1(b)(1)(L)]	+22
(iii) Convicted under 18 U.S.C. § 1957 [U.S.S.G. § 2S1.1(b)(2)]	+1
(iv) Role in the offense [U.S.S.G. § 3B1.1]	+4
Subtotal	33
(vi) Acceptance of Responsibility [U.S.S.G. § 3E1.1(a)]	-2
(vii) Assistance [U.S.S.G. § 3E1.1(b)]	-1
Adjusted Offense Level	30

9. The parties agree that a sentence within the applicable Sentencing Guidelines range for the Adjusted Offense Level set forth in paragraph 8 above would constitute a reasonable sentence in light of all the factors set forth in Title 18, United States Code, Section 3553(a). In addition, neither party will seek a sentence outside of the applicable Sentencing Guidelines range or suggest that the Court consider a sentence outside of the applicable Sentencing Guidelines range. In the event that this plea offer is either not accepted or is accepted and subsequently withdrawn, the parties will not be bound by the proposed interpretations of applicable Sentencing Guidelines provisions contained herein.

10. Financial Arrangements. The defendant agrees that prior to or at the time of the sentencing, he will deliver to the Clerk’s Office, United States District Court, a certified check in the amount of \$200 to cover the special assessment of \$100 per offense, as required in Title 18, United States Code, Section 3013. The defendant also agrees to provide to the Government a full and complete accounting of all assets, real or tangible, held by his or in any other name for his benefit, and, to that end, to submit a standard form 500 (Financial Statement of Debtor).

11. Reservation of Allocation. The Government reserves its full right of allocation for purposes of sentencing and post-sentencing in this matter, including the right to set forth at sentencing and any proceedings(s) before the Bureau of Prisons all of its evidence with respect to the defendant's criminal activities.

12. The Government reserves the right to inform the presentence report writer and the Court of any relevant facts, to dispute any factual inaccuracies in the presentence report and to contest any matters not provided for in this plea agreement.

13. If in this plea agreement the Government has agreed to recommend or refrain from recommending to the sentencing judge a particular resolution of any sentencing issue, the Government reserves the right to full allocation in any post-sentence litigation in order to defend the sentencing judge's ultimate decision on such issues.

14. Waiver of Certain Rights. The defendant understands that by pleading guilty, he relinquishes certain constitutional rights – including the right to a jury trial – as well as the right to collaterally attack his conviction. Additionally, the defendant acknowledges and agrees that the Court has jurisdiction and authority over this case and that it has the right to impose any sentence within the statutory maximum set for the offenses to which the defendant pleads guilty. The defendant is aware that the Government's factual stipulations and predictions about the calculation of the Sentencing Guidelines are not binding on the sentencing judge. Knowing that, the defendant waives the right to appeal his sentence or the manner in which it was determined pursuant to 18 U.S.C. § 3742, except to the extent that (a) the Court sentences the defendant to a period of imprisonment longer than the statutory maximum, or (b) the defendant's sentence is otherwise unlawful. The defendant also waives any challenges to his plea based upon statute of limitations. The defendant agrees that he is not a "prevailing party" within the meaning of the "Hyde Amendment," Section 617, P.L. 105-119 (Nov. 26, 1997), and will not file any claim under that law.

15. Government Concessions. In exchange for the defendant's guilty plea, the Government agrees to recommend a two-level adjustment for acceptance of responsibility and a one-level adjustment for assisting authorities pursuant to U.S.S.G. § 3E1.1 based upon the defendant's recognition and timely acceptance of personal responsibility. The Government, however, will not be required to make these recommendations if any of the following occurs: (1) defendant fails or refuses to make a full, accurate, and complete disclosure to the Government or the probation office of the circumstances surrounding the relevant offense conduct and his present financial condition; (2) defendant is found to have misrepresented facts to the Government prior to entering into this plea agreement; (3) defendant commits any misconduct after entering into this plea agreement, including but not limited to, committing a state or federal offense, violating any term of release, or making a false statement or misrepresentation to any governmental entity or official; or (4) defendant fails to comply with any terms of this plea agreement.

16. Also, subject to other paragraphs in this agreement, the Government agrees not to bring any additional criminal charges against the defendant for the criminal activity outlined in the attached Statement of the Offense. This agreement not to prosecute the defendant does not extend to crimes of violence. It is understood that the United States has no evidence, as of the date of the agreement, of any crimes of violence involving the defendant.

17. Pre-Sentence Conditions. The defendant agrees that prior to or at the time of entry of his guilty plea before the Court, the defendant will surrender his passport(s) to the U.S. Marshals Service. The defendant also agrees that the government may make recommendations regarding the defendant's bond status at the time of entry of his guilty plea, including the recommendation of detention pending sentencing.

18. Breach of agreement. Defendant agrees that if he fails to comply with any of the provisions of this plea agreement, including the failure to tender such plea agreement to the Court, makes false or misleading statements before the Court, commits any further crimes, or attempts to withdraw the plea, the Government will have the right to characterize such conduct as a breach of this plea agreement. In the event of such a breach, (a) the United States will be free from its obligations under the agreement and further may take whatever position it believes appropriate as to the sentence and the conditions of the defendant's release (for example, should the defendant commit any conduct after the date of this agreement that would form the basis for an increase in the defendant's offense level or justify an upward departure – examples of which include but are not limited to, obstruction of justice, failure to appear for a court proceeding, criminal conduct while pending sentencing, and false statements to law enforcement agents, the probation officer, or Court – the Government is free under this agreement to seek an increase in the offense level based on that post-agreement conduct); (b) the defendant will not have the right to withdraw the guilty plea; (c) the defendant shall be fully subject to criminal prosecution for any other crimes which he has committed or might commit, if any, including perjury and obstruction of justice; and (d) the United States will be free to use against the defendant, directly and indirectly, in any criminal or civil proceeding any of the information or materials provided by him pursuant to this agreement.

19. In the event of a breach of this plea agreement, any such prosecution of the defendant not time-barred by the applicable statute of limitations on the date of the signing of this agreement may be commenced against the defendant in accordance with this paragraph, notwithstanding the running of the applicable statute of limitations before the commencement of such prosecutions. The defendant knowingly and voluntarily agrees to waive any and all defenses based on the statute of limitations for any prosecutions commenced pursuant to the provisions of this paragraph.

20. Fraud Section, Criminal Division of the United States Department of Justice Bound. The defendant understands that this agreement is binding only upon the Fraud Section, Criminal Division of the United States Department of Justice. This agreement does not bind any United States Attorney's Office, nor does it bind any other state, local, or federal prosecutor. It also does not bar or compromise any civil, tax, or administrative claim pending or that may be made against the defendant.

21. Complete Agreement. No other agreements, promises, understandings, or representations have been made by the parties or their counsel other than those contained in writing herein, nor will any such agreements, promises, understandings, or representations be made unless committed to writing and signed by the defendant, the defendant's counsel, and the Government.

DENIS J. McINERNEY
Chief, Fraud Section
Criminal Division
United States Department of Justice

By: _____
NICOLE H. SPRINZEN
Trial Attorney
Fraud Section, Criminal Division
United States Department of Justice
1400 New York Avenue, NW
Washington, D.C. 20005
(202) 305-3063
Nicole.Sprinzen@usdoj.gov

Acceptances:

I have read this plea agreement and discussed it with my attorney, Forrest Sygman, Esq. I fully understand this agreement and agree to it without reservation. I do this voluntarily and of my own free will, intending to be legally bound. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this agreement fully. I am pleading guilty because I am in fact guilty of the offense(s) identified in paragraph one.

I reaffirm that absolutely no promises, agreements, understandings, or conditions have been made or entered into in connection with my decision to plead guilty except those set forth in connection with this plea agreement and matters related to it.

Date: _____

Guillermo O. Mondino

I have read each of the pages constituting this plea agreement, reviewed them with my client, and discussed the provisions of the agreement with my client fully. These pages accurately and completely set forth the entire plea agreement. I concur in my client's desire to plead guilty as set forth in this agreement.

Date: _____

Forrest Sygman, Esq.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,	:	CRIMINAL NO.
	:	
v.	:	VIOLATIONS:
	:	
GUILLERMO O. MONDINO,	:	18 U.S.C. § 371 (Count 1)
	:	Conspiracy to Defraud the United
Defendant.	:	States and to Commit Mail Fraud
	:	
	:	18 U.S.C. § 1957 (Count 2)
	:	Money Laundering
	:	

STATEMENT OF THE OFFENSE

1. Between at least April 2003 until May 2009, GUILLERMO O. MONDINO (“Mondino”), was the owner of Texon, Incorporated (“Texon”). Texon was an exporting company that was in the business of purchasing United States goods on behalf of clients in the Caribbean, Central America, South America and other foreign countries and shipping those goods overseas. From at least April 2003 until May 2009, MONDINO conspired with others, to obtain from the Export-Import Bank of the United States (“Ex-Im Bank”), more than \$24 million in fraudulent loan transactions in which Texon acted as the “exporter,” to falsify documents sent to United States banks and to the Ex-Im Bank, and to misappropriate approximately \$14.1 million in loan proceeds that were guaranteed by the Ex-Im Bank.

2. Between at least April 2003 and May 2009, MONDINO and the office manager of Texon (“CC-2”), agreed to prepare, and did prepare or cause to be prepared, applications for insurance or guarantees that would be submitted to the Ex-Im Bank. Each of the applications represented that a lending bank intended to make a loan to a foreign borrower to enable the borrower to purchase goods meeting the Ex-Im Bank’s definition of “United States goods,” and have the equipment shipped out of the U.S.,

usually to the borrower's home country. The applications requested Ex-Im Bank to issue guarantees on the loans.

3. On approximately September 11, 2003, an application for insurance or guarantee for \$364,905 for a buyer located in South America was sent by a "broker" for the transaction located in San Antonio, Texas, to Ex-Im Bank in Washington, D.C. by commercial interstate carrier. Texon was identified on the application as the "exporter" for the transaction and MONDINO was the contact person for the transaction.

4. MONDINO and CC-2 knew at the time that the applications were submitted to the Ex-Im Bank that they falsely reported the goods that would be purchased and shipped to the foreign buyer. The September 11, 2003 application stated that the loan proceeds would be used to purchase and ship to South America motor graders and compactors. In fact, although invoices submitted to the Ex-Im Bank and prepared at the direction of MONDINO indicated that six pieces of equipment were purchased and shipped to the South American buyer, only one piece of equipment actually was purchased and shipped. This information was not submitted to or shared with transaction officials at the Ex-Im Bank.

5. Between at least April 2003 and May 2009, MONDINO instructed CC-2 and others to prepare false documents that would be submitted to the lending banks and the Ex-Im Bank to facilitate the fraudulent loan transactions. On July 27, 2006, MONDINO sent an e-mail to a buyer in the Dominican Republic, instructing the buyer to create false documents by altering true documents, including a bill of lading and a commercial invoice, to change the name of the buyer and the date of the invoice.

6. At MONDINO's instruction, CC-2 and others prepared false documents

stating that U.S. goods had been or would be purchased and shipped to the foreign buyers, and then CC-2 submitted those documents to the Ex-Im Bank through the lending banks. CC-2 and others prepared, or caused to be prepared, at the direction of MONDINO or pursuant to the established practice of MONDINO and CC-2 to prepare false documents for submission to United States banks or the Ex-Im Bank, false commercial invoices, bills of lading, and Ex-Im Bank “Form of Exporter’s Certificates”, stating that certain goods had been purchased and had been or would be shipped, but knowing that they had not been and would not be purchased and/or shipped.

7. On March 18, 2009, a lending bank located in Miami, Florida sent to the Ex-Im Bank via commercial interstate carrier a bill of lading that was prepared by CC-2, falsely stating that Caterpillar equipment identified on that document were shipped to a South American buyer. In truth, none of the goods identified on the document were purchased or shipped to the buyer. In this and in other fraudulent loan transactions, neither MONDINO nor CC-2 disclosed to the Ex-Im Bank or to the lending banks the true goods that were shipped.

8. Between at least April 2003 and May 2009, the Ex-Im Bank issued insurance or guarantees on more than \$24 million worth of fraudulent loans based on applications submitted to the Ex-Im Bank, including false statements made by MONDINO or CC-2, or at their direction.

9. Between at least April 2003 and May 2009, MONDINO, CC-2 and others also agreed that a smaller amount of the loan proceeds than was represented to the Ex-Im Bank would actually be used to purchase U.S. goods for foreign buyers. In some cases,

MONDINO provided loan proceeds to foreign buyers in cash, rather than using the proceeds to purchase goods to be shipped to the buyers.

10. MONDINO commingled the loan proceeds with personal and other monies. Texon and its related entities retained approximately \$2.5 million of the proceeds of the Ex-Im Bank-guaranteed loans. MONDINO retained approximately \$170,000 of the loan proceeds for his own benefit and use.

11. MONDINO also transferred loan proceeds to bank accounts controlled by co-conspirators. MONDINO transferred approximately \$6.4 million to his co-conspirators.

12. In addition, MONDINO engaged in monetary transactions by, through, or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, that is, mail fraud. On September 8, 2008, MONDINO transmitted by wire approximately \$217,647 from a Texon account at Bank Atlantic in Miami, Florida to the account of a freight forwarder at International Bank of Commerce in Laredo, Texas.

13. Many of the fraudulent loans that were guaranteed by the Ex-Im Bank based on applications including false statements by MONDINO, CC-2 or others at their direction went into default. Between April 2003 and April 1, 2010, Ex-Im Bank paid more than \$15.9 million to lending banks or their assignees based on claims on guaranteed loans that had gone into default. As of April 1, 2010, more than \$12.5 million of the amounts paid on claims for defaulted loans remained unrecovered.

14. Ex-Im Bank has identified an additional approximately \$9 million of loans

that it has insured or guaranteed that involve documentation containing fraudulent representations made by or at the direction of MONDINO, for which payment has not yet come due. With respect to these loans, should they go into default, Ex-Im Bank will be required to pay any claims submitted by the lending banks or their assignees as well.

The preceding statement is a summary, made for the purpose of providing the Court with a factual basis for my guilty plea to the charges against me. It does not include all of the facts known to me concerning criminal activity in which I and others engaged. I make this statement knowingly and voluntarily and because I am in fact guilty of the crimes charged.

DATE: _____

GUILLERMO O. MONDINO
Defendant

FORREST SYGMAN, ESQ.
Attorney for Defendant

Exhibit D



U.S. Department of Justice
Criminal Division

Let
this
be
filed,

FILED

1400 New York Avenue NW
Washington, D.C. 20530

JUN 23 2010

May 14, 2010

U.S. DISTRICT COURT

Forrest Sygman, Esq.
8603 South Dixie Hwy, Suite 303
Miami, FL 33143

CR 10-141
(RMK)

John
M
Faccaro
6/23/10

Re: United States v. Guillermo Mondino

Dear Mr. Sygman:

This letter sets forth the full and complete plea offer to your client, Mr. Guillermo Mondino (the "defendant"). This offer is binding only upon the Fraud Section, Criminal Division of the United States Department of Justice (hereinafter "the Government"), and will expire on May 24, 2010. Upon the Government's receipt of the executed letter, the letter itself will become the plea agreement. The terms of the offer are as follows:

1. Charges. The defendant agrees to waive Indictment and plead guilty to a two-count Information, charging him with one count of conspiracy to defraud the United States and to commit mail fraud (18 U.S.C. § 371), and one count of money laundering (18 U.S.C. § 1957). It is understood that the guilty plea will be based on a factual admission of guilt to the offenses charged to be made before the Court by the defendant. The defendant agrees that the attached "Statement of the Offense" fairly and accurately describes the defendant's actions and involvement in the charged offenses. During the plea hearing, the Defendant will adopt the Statement of the Offense as a written proffer of evidence.

2. Potential penalties and assessments. The defendant understands that 18 U.S.C. § 371 carries a maximum sentence of 5 years imprisonment, a possible fine of \$250,000, or a fine of twice the gross gain or gross loss pursuant to 18 U.S.C. § 3571(d), a \$100 special assessment, a three-year term of supervised release, an order of restitution, and an obligation to pay any applicable interest or penalties on fines or restitution not timely made.

The defendant also understands that 18 U.S.C. § 1957 carries a maximum sentence of 10 years imprisonment, a possible fine of \$250,000, or a fine of twice the amount of the criminally derived property involved in the transaction pursuant to 18 U.S.C. § 1957(b)(2), a \$100 special assessment per offense, a three-year term of supervised release, an order of restitution, and an obligation to pay any applicable interest or penalties on fines or restitution not timely made. Therefore, the maximum sentence

that can be imposed for the violations charged in the Information is: up to fifteen years' imprisonment, a fine of not more than \$500,000 or twice the gross gain or gross loss, and up to three years' supervised release.

Notwithstanding the maximum sentence, the defendant understands that the sentence to be imposed in this case will be determined by the Court, guided by the factors enumerated in 18 U.S.C. § 3553(a), including a consideration of the guidelines and policies promulgated by the United States Sentencing Guidelines Commission, Guidelines Manual, 2009 Edition (hereinafter "Sentencing Guidelines" or "U.S.S.G."). The defendant understands that his sentence, including the applicable Sentencing Guideline range, will be determined solely by the Court, and the Government cannot and does not make any promises, representations, or predictions regarding what sentence the Court will impose. The defendant further understands that if the Court imposes a sentence greater than that provided in the Sentencing Guidelines range as determined by the Court, or which is in any other way unsatisfactory to him, he cannot withdraw his guilty plea. This does not, however, limit the defendant's right to appeal an unlawful sentence.

3. Forfeiture. The defendant agrees to entry of a money judgment against him in the amount of \$2,718,695, which constitutes proceeds of the conspiracy offense to which he will plead guilty. The defendant will pay this money judgment at the time of sentencing by way of certified check in the amount of \$2,718,695, made payable to the United States Marshal Service, in satisfaction of the money judgment, and this amount will constitute the total amount forfeitable from the defendant as a result of the conspiracy offense to which he will plead guilty. In order to effectuate the forfeiture, the defendant agrees to the entry of a Consent Order of Forfeiture, a copy of which is attached hereto. The defendant warrants that he is the sole owner of the \$2,718,695 being submitted to the United States and agrees to hold the United States, its agents and employees harmless from any claims whatsoever in connection with the forfeiture of such money and property.

The defendant further agrees to waive all interest in the forfeited assets in any administrative or judicial forfeiture proceeding, whether criminal or civil, state or federal. The defendant agrees to consent to the entry of orders of forfeiture for such property and waives the requirements of Federal Rules of Criminal Procedures 32.2 regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment. The defendant understands that the forfeiture of assets is part of the plea agreement and waives any failure by the Court to advise him of this, pursuant to Rule 11(b)(1)(J), at the time his guilty plea is accepted.

The defendant further agrees to waive all constitutional and statutory challenges in any manner (including direct appeal, habeas corpus, or any other means) to any forfeiture carried out in accordance with this plea agreement on any grounds, including that the forfeiture constitutes an excessive fine or punishment. The defendant agrees to take all steps as requested by the Government to pass clear title to forfeitable assets to the United States, and to testify truthfully in any judicial forfeiture proceeding. The

defendant acknowledges that all property covered by this plea agreement is subject to forfeiture as proceeds of illegal conduct and/or substitute assets for property otherwise subject to forfeiture.

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5. Defendant's Obligations. The defendant agrees that he shall cooperate fully with the Government by providing truthful, candid, and complete information as to all matters within his knowledge concerning his wrongful conduct as well as any wrongful conduct involving others. The defendant understands that such cooperation will include:

- a. Attending all meetings at which the Government requests his presence;
- b. Providing to the Government, upon request, any document, record, or other evidence relating to matters about which the Government or any designated law enforcement agency inquires, including but not limited to a full, complete and accurate personal financial statement;
- c. Testifying truthfully at any trial, hearing, or other grand jury or court proceeding if requested to do so by the Government; and
- d. Bringing to the attention of the Government all crimes which he has committed, and all administrative, civil, or criminal proceedings, investigations, or prosecutions in which he has been or is a subject, target, party, or witness.

6. The Government reserves the right to evaluate the nature and extent of the defendant's cooperation and to make the defendant's cooperation, or lack thereof, known to the Court at the time of sentencing. If in the sole and unreviewable judgment of the Government the defendant's cooperation is of such quality and significance to the investigation or prosecution of other criminal matters as to warrant the Court's downward departure from the sentence calculated by the Sentencing Guidelines, the Government may at or before sentencing make a motion pursuant to Section 5K1.1 of the Sentencing Guidelines reflecting that the defendant has provided substantial assistance and recommending a downward departure from the applicable guideline range. The defendant acknowledges and agrees, however, that nothing in this Agreement may be construed to require the Government to file such a motion and that the Government's assessment of the nature, value, truthfulness, completeness, and accuracy of the defendant's cooperation shall be binding on the defendant.

7. The defendant understands and acknowledges that the Court is under no obligation to grant a Government motion pursuant to Section 5K1.1 of the Sentencing Guidelines as referred to in paragraph 6 of this agreement, should the Government exercise its discretion to file such a motion.

8. Federal Sentencing Guidelines. Although not binding on the Court, the parties agree that the 2009 Sentencing Guidelines apply as follows:

(i) Base Offense Level [U.S.S.G. §§ 2S1.1 and 2B1.1(a)(1)]	6
(ii) Loss (more than \$20 million, less than \$50 million) [U.S.S.G. § 2B1.1(b)(1)(L)]	+22
(iii) Convicted under 18 U.S.C. § 1957 [U.S.S.G. § 2S1.1(b)(2)]	+1
(iv) Role in the offense [U.S.S.G. § 3B1.1]	+4
Subtotal	33
(vi) Acceptance of Responsibility [U.S.S.G. § 3E1.1(a)]	-2
(vii) Assistance [U.S.S.G. § 3E1.1(b)]	-1
Adjusted Offense Level	30

9. The parties agree that a sentence within the applicable Sentencing Guidelines range for the Adjusted Offense Level set forth in paragraph 8 above would constitute a reasonable sentence in light of all the factors set forth in Title 18, United States Code, Section 3553(a). In addition, neither party will seek a sentence outside of the applicable Sentencing Guidelines range or suggest that the Court consider a sentence outside of the applicable Sentencing Guidelines range. In the event that this plea offer is either not accepted or is accepted and subsequently withdrawn, the parties will not be bound by the proposed interpretations of applicable Sentencing Guidelines provisions contained herein.

10. Financial Arrangements. The defendant agrees that prior to or at the time of the sentencing, he will deliver to the Clerk's Office, United States District Court, a certified check in the amount of \$200 to cover the special assessment of \$100 per offense, as required in Title 18, United States Code, Section 3013. The defendant also agrees to provide to the Government a full and complete accounting of all assets, real or tangible, held by his or in any other name for his benefit, and, to that end, to submit a standard form 500 (Financial Statement of Debtor).

11. Reservation of Allocation. The Government reserves its full right of allocation for purposes of sentencing and post-sentencing in this matter, including the right to set forth at sentencing and any proceedings(s) before the Bureau of Prisons all of its evidence with respect to the defendant's criminal activities.

12. The Government reserves the right to inform the presentence report writer and the Court of any relevant facts, to dispute any factual inaccuracies in the presentence report and to contest any matters not provided for in this plea agreement.

13. If in this plea agreement the Government has agreed to recommend or refrain from recommending to the sentencing judge a particular resolution of any sentencing issue, the Government reserves the right to full allocation in any post-sentence litigation in order to defend the sentencing judge's ultimate decision on such issues.

14. Waiver of Certain Rights. The defendant understands that by pleading guilty, he relinquishes certain constitutional rights – including the right to a jury trial – as well as the right to collaterally attack his conviction. Additionally, the defendant acknowledges and agrees that the Court has jurisdiction and authority over this case and that it has the right to impose any sentence within the statutory maximum set for the offenses to which the defendant pleads guilty. The defendant is aware that the Government's factual stipulations and predictions about the calculation of the Sentencing Guidelines are not binding on the sentencing judge. Knowing that, the defendant waives the right to appeal his sentence or the manner in which it was determined pursuant to 18 U.S.C. § 3742, except to the extent that (a) the Court sentences the defendant to a period of imprisonment longer than the statutory maximum, or (b) the defendant's sentence is otherwise unlawful. The defendant also waives any challenges to his plea based upon statute of limitations. The defendant agrees that he is not a "prevailing party" within the meaning of the "Hyde Amendment," Section 617, P.L. 105-119 (Nov. 26, 1997), and will not file any claim under that law.

15. Government Concessions. In exchange for the defendant's guilty plea, the Government agrees to recommend a two-level adjustment for acceptance of responsibility and a one-level adjustment for assisting authorities pursuant to U.S.S.G. § 3E1.1 based upon the defendant's recognition and timely acceptance of personal responsibility. The Government, however, will not be required to make these recommendations if any of the following occurs: (1) defendant fails or refuses to make a full, accurate, and complete disclosure to the Government or the probation office of the circumstances surrounding the relevant offense conduct and his present financial condition; (2) defendant is found to have misrepresented facts to the Government prior to entering into this plea agreement; (3) defendant commits any misconduct after entering into this plea agreement, including but not limited to, committing a state or federal offense, violating any term of release, or making a false statement or misrepresentation to any governmental entity or official; or (4) defendant fails to comply with any terms of this plea agreement.

16. Also, subject to other paragraphs in this agreement, the Government agrees not to bring any additional criminal charges against the defendant for the criminal activity outlined in the attached Statement of the Offense. This agreement not to prosecute the defendant does not extend to crimes of violence. It is understood that the United States has no evidence, as of the date of the agreement, of any crimes of violence involving the defendant.

17. Pre-Sentence Conditions. The defendant agrees that prior to or at the time of entry of his guilty plea before the Court, the defendant will surrender his passport(s) to the U.S. Marshals Service. The defendant also agrees that the government may make recommendations regarding the defendant's bond status at the time of entry of his guilty plea, including the recommendation of detention pending sentencing.

18. Breach of agreement. Defendant agrees that if he fails to comply with any of the provisions of this plea agreement, including the failure to tender such plea agreement to the Court, makes false or misleading statements before the Court, commits any further crimes, or attempts to withdraw the plea, the Government will have the right to characterize such conduct as a breach of this plea agreement. In the event of such a breach, (a) the United States will be free from its obligations under the agreement and further may take whatever position it believes appropriate as to the sentence and the conditions of the defendant's release (for example, should the defendant commit any conduct after the date of this agreement that would form the basis for an increase in the defendant's offense level or justify an upward departure – examples of which include but are not limited to, obstruction of justice, failure to appear for a court proceeding, criminal conduct while pending sentencing, and false statements to law enforcement agents, the probation officer, or Court – the Government is free under this agreement to seek an increase in the offense level based on that post-agreement conduct); (b) the defendant will not have the right to withdraw the guilty plea; (c) the defendant shall be fully subject to criminal prosecution for any other crimes which he has committed or might commit, if any, including perjury and obstruction of justice; and (d) the United States will be free to use against the defendant, directly and indirectly, in any criminal or civil proceeding any of the information or materials provided by him pursuant to this agreement.

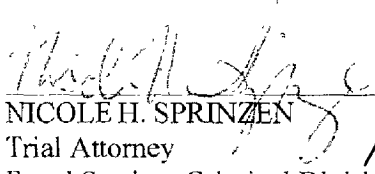
19. In the event of a breach of this plea agreement, any such prosecution of the defendant not time-barred by the applicable statute of limitations on the date of the signing of this agreement may be commenced against the defendant in accordance with this paragraph, notwithstanding the running of the applicable statute of limitations before the commencement of such prosecutions. The defendant knowingly and voluntarily agrees to waive any and all defenses based on the statute of limitations for any prosecutions commenced pursuant to the provisions of this paragraph.

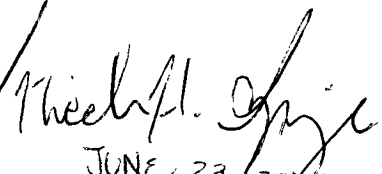
20. Fraud Section, Criminal Division of the United States Department of Justice Bound. The defendant understands that this agreement is binding only upon the Fraud Section, Criminal Division of the United States Department of Justice. This agreement does not bind any United States Attorney's Office, nor does it bind any other state, local, or federal prosecutor. It also does not bar or compromise any civil, tax, or administrative claim pending or that may be made against the defendant.

21. Complete Agreement. No other agreements, promises, understandings, or representations have been made by the parties or their counsel other than those contained in writing herein, nor will any such agreements, promises, understandings, or representations be made unless committed to writing and signed by the defendant, the defendant's counsel, and the Government.

DENIS J. McINERNEY
Chief, Fraud Section
Criminal Division
United States Department of Justice

By:


NICOLE H. SPRINZEN
Trial Attorney
Fraud Section, Criminal Division
United States Department of Justice
1400 New York Avenue, NW
Washington, D.C. 20005
(202) 305-3063
Nicole.Sprinzen@usdoj.gov

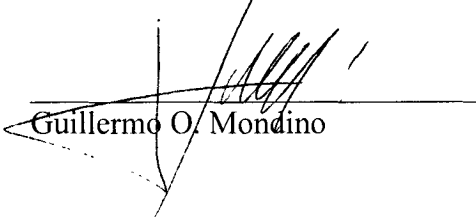

JUNE 23, 2010

Acceptances:

I have read this plea agreement and discussed it with my attorney, Forrest Sygman, Esq. I fully understand this agreement and agree to it without reservation. I do this voluntarily and of my own free will, intending to be legally bound. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this agreement fully. I am pleading guilty because I am in fact guilty of the offense(s) identified in paragraph one.

I reaffirm that absolutely no promises, agreements, understandings, or conditions have been made or entered into in connection with my decision to plead guilty except those set forth in connection with this plea agreement and matters related to it.

Date: 6/23/10


Guillermo O. Mondino

I have read each of the pages constituting this plea agreement, reviewed them with my client, and discussed the provisions of the agreement with my client fully. These pages accurately and completely set forth the entire plea agreement. I concur in my client's desire to plead guilty as set forth in this agreement.

Date: 6/23/10

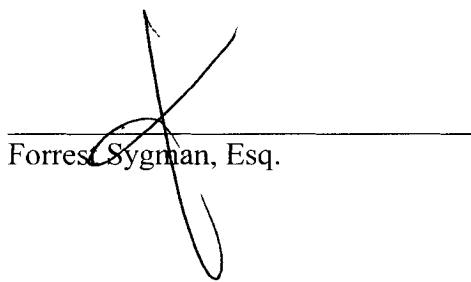

Forrest Sygman, Esq.

Exhibit E

UNITED STATES DISTRICT COURT
for the District of Columbia

UNITED STATES OF AMERICA
V.
GUILLERMO O. MONDINO

JUDGMENT IN A CRIMINAL CASE

FILED

NOV 3 - 2011

Case Number: 10-141-01

USM Number: 31114-016

Clerk, U.S. District and
Bankruptcy Courts

Cary M. Feldman, Esquire and Forrest Sygman, Esquire
Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) One (1) and Two (2) of the Information filed on 5/27/2010 (plea entered on 6/23/2010).
- pleaded nolo 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:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. 371	Conspiracy to Defraud the United States and to Commit Mail Fraud.	May 2009	1
18 U.S.C. 1957	Money Laundering.	9/8/2008	2

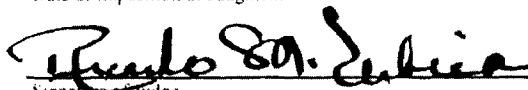
The defendant is sentenced as provided in pages 2 through 11 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) _____
- Count(s) _____ is/are dismissed on the motion of the United States.

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.

November 1, 2011

Date of Imposition of Judgment

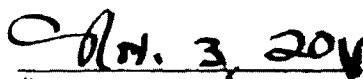

Signature of Judge

Ricardo M. Urbina

Name of Judge

U.S. District Judge

Title of Judge


Date

DEFENDANT: GUILLERMO O. MONDINO
CASE NUMBER: 10-141-01

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

CONCURRENT TERMS OF FORTY SIX (46) MONTHS ON EACH OF COUNTS ONE (1) AND TWO (2).

The court makes the following recommendations to the Bureau of Prisons:

That the Bureau of Prisons designate incarceration at a facility in South Florida.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____.

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on 1/16/2012.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: GUILLERMO O. MONDINO
CASE NUMBER: 10-141-01

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

CONCURRENT TERMS OF THIRTY SIX (36) MONTHS ON EACH OF COUNTS ONE (1) AND TWO (2) WITH CONDITIONS.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

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 release from imprisonment 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.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (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 supervised release 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

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 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;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) 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 defendant's compliance with such notification requirement.

DEFENDANT: GUILLERMO O. MONDINO
CASE NUMBER: 10-141-01

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

1. Special Assessment - The defendant shall pay a \$200.00 Special Assessment which shall be due immediately and payable to the Clerk of the Court for U.S. District Court, District of Columbia.
2. Restitution Obligation - The defendant shall pay \$13,349,708.20. The restitution amount shall be due immediately and payable to the Clerk of the Court for the U.S. District Court, District of Columbia for its disbursement to the victim, Export-Import Bank at 811 Vermont Avenue, NW, Washington, DC 20571.
3. Change of Address - Within 30 days of any change of address, the defendant shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

DEFENDANT: GUILLERMO O. MONDINO
CASE NUMBER: 10-141-01

SPECIAL CONDITIONS OF SUPERVISION

1. DNA Sample Requirement - Pursuant to 42 U.S.C. 14135a, for all felony offenses, the defendant shall submit to the collection and use of DNA identification information while incarcerated in the Bureau of Prisons, or at the direction of the U.S. Probation Office.
2. Community Service - The defendant shall contribute 100 hours of community service, at a rate of no less than 20 hours per month, unless excused from the monthly requirement by the Probation Office.
3. Financial Restrictions - The defendant is prohibited from incurring new credit charges, opening additional lines of credit, or negotiating or consummating any financial contracts without the approval of the Probation Office.
4. Financial Disclosure - The defendant shall provide the Probation Office with his income tax returns, authorization for release of credit information, and information about any business or finances in which he has a control or interest until all restitution is satisfied.
5. Restitution Obligation - The defendant shall pay the balance of any restitution owed at a rate of no less than \$100.00 each month and provide verification of same to the Probation Office.

Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, the defendant, Guillermo Mondino, is ordered to forfeit \$2,718,695 by consenting to the entry of a money judgment. (Order attached).

The Court finds that the provision for submission of periodic drug tests, as required under 18 U.S.C. 3563(a) and 3583(b), is suspended, as the defendant is believed to pose a low risk of future substance abuse.

The Probation Office shall release the presentence investigation report to all appropriate agencies in order to execute the sentence of the Court. Treatment agencies shall return the presentence report to the Probation Office upon the defendant's completion or termination from treatment.

DEFENDANT: GUILLERMO O. MONDINO
 CASE NUMBER: 10-141-01

CRIMINAL MONETARY PENALTIES

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 200.00	\$ 0.00	\$ 13,349,708.20

- The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Export-Import Bank 811 Vermont Avenue, NW Washington, DC 20571		\$13,349,708.20	

TOTALS	\$ _____	0.00	\$ _____	13,349,708.20
---------------	----------	------	----------	---------------

- Restitution amount ordered pursuant to plea agreement \$ _____
- 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).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- the interest requirement is waived for the fine restitution.
- the interest requirement for the fine restitution is modified as follows:

* 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.

DEFENDANT: GUILLERMO O. MONDINO
CASE NUMBER: 10-141-01

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A Lump sum payment of \$ 200.00 due immediately, balance due
 - not later than _____, or
 - in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or 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 Special instructions regarding the payment of criminal monetary penalties:

The defendant shall pay a special assessment fee of \$200.00 and \$13,349,708.20 in restitution. These amounts are payable to the Clerk of the Court, U.S. District Court, D.C. The Clerk of the Court shall disburse the restitution amount to the victim, Export-Import Bank. Upon his release the defendant shall pay the balance of any restitution at a rate of no less than \$100.00 per month. If payments are not made immediately, the defendant shall make payments through his participation in the Bureau of Prisons' Inmate Financial Responsibility Program.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and 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:

Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, the defendant, Guillermo Mondino, is ordered to forfeit \$2,718,695 by consenting to the entry of a money judgment.

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.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

NOV 1 - 2011

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES OF AMERICA,

v.

GUILLERMO O. MONDINO,

Defendant.

NO. 1:10-CR-00141-RMU

AMENDED CONSENT ORDER OF FORFEITURE

WHEREAS, a written plea agreement was filed with this Court and signed by defendant, GUILLERMO O. MONDINO ("MONDINO"), and his counsel, Forrest Sygman, Esq., in which defendant MONDINO pled guilty to two felony violations, that is, one count of conspiracy to defraud the United States and to commit mail fraud, in violation of Title 18, United States Code, Section 371, and one count of money laundering, in violation of Title 18, United States Code, Section 1957;

WHEREAS, in his plea agreement, defendant expressly agreed and consented to the entry of an Order of Forfeiture concerning the property that is the subject of this Order, which property is substitute property in satisfaction of a money judgment entered against him in the amount of the proceeds he obtained as a result of his violation of Title 18, United States Code, Section 371 and Title 18, United States Code, Section 1957.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That this Preliminary Order of Forfeiture is entered in accordance with Fed. R. Crim. P. 32.2(b)(2) concerning the following property, which is declared forfeited to the

United States, pursuant to Title 18, United States Code, Section 981, and Title 28, United States Code, Section 2461(c):

Money Judgment: \$2,718,695, which represents the sum of money equal to the amount of money constituting, or derived from, proceeds obtained, directly or indirectly, as the result of the defendant's violation of Title 18, United States Code, Section 371 (conspiracy to defraud the United States and to commit mail fraud) and Title 18, United States Code, Section 1957 (money laundering). Fed. R. Crim. P. 32.2(b)(1).

2. That this money judgment shall be due and owing as of the time of sentencing, and shall be payable by way of certified check made payable to the Secretary of the Treasury, and delivered to the Offices of the U.S. Department of the Treasury.

3. That the Attorney General or the Secretary of the Treasury, or their designee, is authorized to seize and dispose of the forfeited property in accordance with the law.

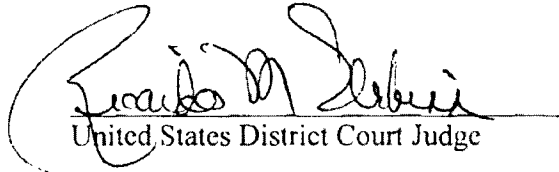
4. That should defendant fail to make payment as ordered, the Attorney General or the Secretary of the Treasury, or their designee, retains the right to petition this Court to conduct any discovery proper in identifying, locating or disposing of the property subject to forfeiture, or substitute assets, in accordance with Fed. R. Crim. P. 32.2(b)(3).

5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P 32.2(e).

7. That the Clerk is directed to forward a true and certified copy of this order to all counsel of record and to the Secretary of the Treasury.

Dated this 1st day of November, 2011.


United States District Court Judge

WE ASK FOR THIS:

DENIS J. MCINERNEY
Chief, Fraud Section
Criminal Division
United States Department of Justice

By: _____
NICOLE H. SPRINZEN
D.C. BAR NO. 468568
Trial Attorney
Fraud Section, Criminal Division
United States Department of Justice
1400 New York Avenue, NW
Washington, D.C. 20005
(202) 305-3063
Nicole.Sprinzen@usdoj.gov

GUILLERMO O. MONDINO
Defendant

FORREST SYGMAN, ESQ.
Counsel for Defendant

Exhibit F

U.S. Department of Justice
Immigration and Naturalization Service

10F2

OMB No. 1545-0047

Application for Naturalization

Print clearly or type your answers using CAPITAL letters. Failure to print clearly may delay your application. Use black or blue ink.

Part 1. Your Name (The Person Applying for Naturalization)

Write your INS "A" number here

A [Redacted] 514

A Your current legal name.

Family Name (Last Name)

MONDINO

Given Name (First Name)

EUILLERMO

Full Middle Name (If applicable)

OSCAR

FOR INS USE ONLY

Bar Code

Date Stamp

B Your name exactly as it appears on your Permanent Resident Card.

Family Name (Last Name)

MONDINO

Given Name (First Name)

EUILLERMO

Full Middle Name (If applicable)

O.

C If you have ever used other names, provide them below

Family Name (Last Name)

N/A.

Given Name (First Name)

Middle Name

D Name change (optional)

Please read the Instructions before you decide whether to change your name

1 Would you like to legally change your name? Yes No

2 If "Yes," print the new name you would like to use. Do not use initials or abbreviations when writing your new name.

Family Name (Last Name)

[Blank]

Given Name (First Name)

[Blank]

Full Middle Name

[Blank]

Part 2. Information About Your Eligibility (Check Only One)

I am at least 18 years old AND

A I have been a Lawful Permanent Resident of the United States for at least 5 years.

B I have been a Lawful Permanent Resident of the United States for at least 3 years, AND I have been married to and living with the same U.S. citizen for the last 3 years, AND my spouse has been a U.S. citizen for the last 3 years

C I am applying on the basis of qualifying military service

D Other (Please explain)



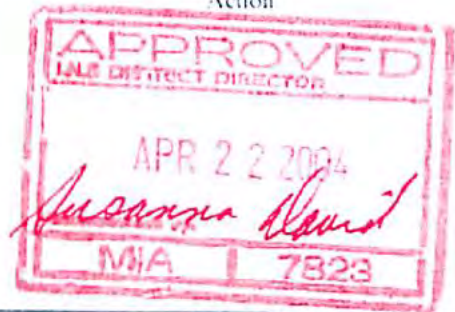
Remarks

NO
ARC
JAN 27 2004
2300296

APR 1/PP 9/12 Best
Signature pass
Ad 4/22/04

10200P44903

Action



3300296
05/08/2018

Part 3. Information About You

Write your INS "A" number here
A [REDACTED] 514

A. Social Security Number
[REDACTED] 2476

B. Date of Birth (Month/Day/Year)
[REDACTED] 1/1/1962

C. Date You Became a Permanent Resident (Month/Day/Year)
~~10/01/1990~~ 11/21/90 #181 AS7

D. Country of Birth
ARGENTINA

E. Country of Nationality
ARGENTINO

F. Are either of your parents U.S. citizens? (If yes, see Instructions) Yes No

G. What is your current marital status? Single, Never Married Married Divorced Widowed
 Marriage Annulled or Other (Explain) _____

H. Are you requesting a waiver of the English and/or U.S. History and Government requirements based on a disability or impairment and attaching a Form N-648 with your application? Yes No

I. Are you requesting an accommodation to the naturalization process because of a disability or impairment? (See Instructions for some examples of accommodations.) Yes No

If you answered "Yes", check the box below that applies

- I am deaf or hearing impaired and need a sign language interpreter who uses the following language _____
- I use a wheelchair
- I am blind or sight impaired.
- I will need another type of accommodation. Please explain _____

Part 4. Addresses and Telephone Numbers

A. Home Address - Street Number and Name (Do Not Put a P.O. Box in this space)
[REDACTED] Apartment Number [REDACTED]
City: MIAMI County: DADE State: FLORIDA ZIP Code: 33186 Country: U.S.A.

B. Care of Mailing Address - Street Number and Name (If different from home address)
[REDACTED] "SAME" Apartment Number [REDACTED]
City: [REDACTED] State: [REDACTED] ZIP Code: [REDACTED] Country: [REDACTED]

C. Daytime Phone Number (If any) [REDACTED] Evening Phone Number (If any) [REDACTED] E-mail Address (If any) [REDACTED]@lexoninc.com

Part 5. Information for Criminal Records Search

Write your INS "A" number here
 A [REDACTED] 514

Note: The categories below are those required by the FBI. See instructions for more information

A. Gender

Male Female

B. Height

6 Feet 0 Inches

C. Weight

210 Pounds

D. Are you Hispanic or Latino?

Yes No

E. Race (Select one or more)

White Asian Black or African American American Indian or Alaskan Native Native Hawaiian or Other Pacific Islander

F. Hair color

Black Brown Blonde Gray White Red Sandy Bald (No Hair)

G. Eye color

Brown Blue Green Hazel Gray Black Pink Maroon Other

Part 6. Information About Your Residence and Employment

A. Where have you lived during the last 5 years? Begin with where you live now and then list every place you lived for the last 5 years. If you need more space, use a separate sheet of paper.

Street Number and Name, Apartment Number, City, State, Zip Code and Country	Dates (Month/Year)	
	From	To
Current Home Address - Same as Part 4.A [REDACTED] MIAMI FLORIDA 33186 USA	05, 1998	Present

B. Where have you worked (or, if you were a student, what schools did you attend) during the last 5 years? Include military service. Begin with your current or latest employer and then list every place you have worked or studied for the last 5 years. If you need more space, use a separate sheet of paper.

Employer or School Name	Employer or School Address (Street, City and State)	Dates (Month/Year)		Your Occupation
		From	To	
TEXON, Inc	13501 Sw 98 st, suite 216 MIAMI FLORIDA 33186	06, 1991	Present	EXPORTER.

Part 7. Time Outside the United States
 (Including Trips to Canada, Mexico, and the Caribbean Islands)

Wife's Name: [Redacted] A: [Redacted] 5-14

- A. How many total days did you spend outside of the United States during the past 5 years? 153 days
- B. How many trips of 24 hours or more have you taken outside of the United States during the past 5 years? 28 trips
- C. List below all the trips of 24 hours or more that you have taken outside of the United States since becoming a Lawful Permanent Resident. Begin with your most recent trip. If you need more space, use a separate sheet of paper.

Claims others (7) see page #1

Date You Left the United States (Month/Day/Year)	Date You Returned to the United States (Month/Day/Year)	Did Trip Last 6 Months or More?		Countries to Which You Traveled	Total Days Out of the United States
		<input type="checkbox"/> Yes	<input type="checkbox"/> No	Attached List.	
2/04	2/04	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Nicaragua	10
7/03	7/03	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	DR	5
9/03	9/03	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Guatemala	5
8/03	3/03	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Nicaragua	7
11/03	11/03	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Nicaragua	7
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		
		<input type="checkbox"/> Yes	<input type="checkbox"/> No		

Part 8. Information About Your Marital History

A. How many times have you been married (including annulled marriages)? 1 If you have NEVER been married, go to Part 9

B. If you are now married, give the following information about your spouse

1. Spouse's Family Name (Last Name) [Redacted] Given Name (First Name) [Redacted] Full Middle Name (if applicable) [Redacted]

2. Date of Birth (Month/Day/Year) [Redacted] 3. Date of Marriage (Month/Day/Year) 11/07/1986 4. Spouse's Social Security Number [Redacted]

5. Home Address - Street Number and Name [Redacted] Apartment Number [Redacted]

City: Miami State: FLORIDA ZIP Code: 33186

Part 8. Information About Your Marital History (Continued)

Write your INS "A" number here
A [redacted] 514

C. Is your spouse a U.S. citizen? Yes No

D. If your spouse is a U.S. citizen, give the following information:

1. When did your spouse become a U.S. citizen? At Birth Other

If "Other," give the following information:

2. Date your spouse became a U.S. citizen
_ _ / _ _ / _ _ _ _

3. Place your spouse became a U.S. citizen (Please see Instructions)

City and State

E. If your spouse is NOT a U.S. citizen, give the following information:

1. Spouse's Country of Citizenship
NICARAGUA

2. Spouse's INS "A" Number (If applicable)
A [redacted] 513

3. Spouse's Immigration Status
 Lawful Permanent Resident Other _____

F. If you were married before, provide the following information about your prior spouse. If you have more than one previous marriage, use a separate sheet of paper to provide the information requested in questions 1-5 below.

1. Prior Spouse's Family Name (Last Name) Given Name (First Name) Full Middle Name (If applicable)
_____/_____/_____

2. Prior Spouse's Immigration Status
 U.S. Citizen
 Lawful Permanent Resident
 Other _____

3. Date of Marriage (Month/Day/Year)
_ _ / _ _ / _ _ _ _

4. Date Marriage Ended (Month/Day/Year)
_ _ / _ _ / _ _ _ _

5. How Marriage Ended
 Divorce Spouse Died Other _____

G. How many times has your current spouse been married (including annulled marriages)? (1) (8)

If your spouse has EVER been married before, give the following information about your spouse's prior marriage. If your spouse has more than one previous marriage, use a separate sheet of paper to provide the information requested in questions 1-5 below.

1. Prior Spouse's Family Name (Last Name) Given Name (First Name) Full Middle Name (If applicable)
_____/_____/_____

2. Prior Spouse's Immigration Status
 U.S. Citizen
 Lawful Permanent Resident
 Other _____

3. Date of Marriage (Month/Day/Year)
_ _ / _ _ / _ _ _ _

4. Date Marriage Ended (Month/Day/Year)
_ _ / _ _ / _ _ _ _

5. How Marriage ended
 Divorce Spouse Died Other _____

Part 9. Information About Your Children

Write your INS "A" number here
 A. [Redacted] 514

A. How many sons and daughters have you had? For more information on which sons and daughters you should include and how to complete this section, see the Instructions

3

B. Provide the following information about all of your sons and daughters. If you need more space, use a separate sheet of paper.

Claims No others (9)

Full Name of Son or Daughter	Date of Birth (Month/Day/Year)	INS "A" number (if child has one)	Country of Birth	Current Address (Street, City, State & Country)
[Redacted]	1984	A [Redacted] 515	Argentina	"with me"
[Redacted]	1991	A [Redacted]	USA	"with me"
[Redacted]	1999	A [Redacted]	U.S.A.	"with me"
	__/__/__	A _____		
	__/__/__	A _____		
	__/__/__	A _____		
	__/__/__	A _____		
	__/__/__	A _____		

Part 10. Additional Questions

Please answer questions 1 through 14. If you answer "Yes" to any of these questions, include a written explanation with this form. Your written explanation should (1) explain why your answer was "Yes," and (2) provide any additional information that helps to explain your answer.

A. General Questions

1. Have you EVER claimed to be a U.S. citizen (in writing or any other way)?
2. Have you EVER registered to vote in any Federal, state, or local election in the United States?
3. Have you EVER voted in any Federal, state, or local election in the United States?
4. Since becoming a Lawful Permanent Resident, have you EVER failed to file a required Federal, state, or local tax return?
5. Do you owe any Federal, state, or local taxes that are overdue?
6. Do you have any title of nobility in any foreign country?
7. Have you ever been declared legally incompetent or been confined to a mental institution within the last 5 years?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Part 10. Additional Questions (Continued)

Write your answer here
 A [REDACTED] 514

B. Affiliations

8. a. Have you EVER been a member of or associated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place?

Yes No

b. If you answered "Yes," list the name of each group below. If you need more space, attach the names of the other group(s) on a separate sheet of paper.

Claims None 10

Name of Group	Name of Group
1.	6.
2.	7.
3.	8.
4.	9.
5.	10.

9. Have you EVER been a member of or in any way associated (either directly or indirectly) with:

a. The Communist Party?

Yes No

b. Any other totalitarian party?

Yes No

c. A terrorist organization?

Yes No

10. Have you EVER advocated (either directly or indirectly) the overthrow of any government by force or violence?

Yes No

11. Have you EVER persecuted (either directly or indirectly) any person because of race, religion, national origin, membership in a particular social group, or political opinion?

Yes No

12. Between March 23, 1933, and May 8, 1945, did you work for or associate in any way (either directly or indirectly) with:

a. The Nazi government of Germany?

Yes No

b. Any government in any area (1) occupied by, (2) allied with, or (3) established with the help of the Nazi government of Germany?

Yes No

c. Any German, Nazi, or S.S. military unit, paramilitary unit, self-defense unit, vigilante unit, citizen unit, police unit, government agency or office, extermination camp, concentration camp, prisoner of war camp, prison, labor camp, or transit camp?

Yes No

C. Continuous Residence

Since becoming a Lawful Permanent Resident of the United States:

13. Have you EVER called yourself a "nonresident" on a Federal, state, or local tax return?

Yes No

14. Have you EVER failed to file a Federal, state, or local tax return because you considered yourself to be a "nonresident"?

Yes No

Part 10. Additional Questions (Continued)

Write your INS "A" number here

A [REDACTED] 514

D. Good Moral Character

For the purposes of this application, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record.

- 15. Have you EVER committed a crime or offense for which you were NOT arrested? Yes No
- 16. Have you EVER been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason? Yes No
- 17. Have you EVER been charged with committing any crime or offense? Yes No
- 18. Have you EVER been convicted of a crime or offense? Yes No
- 19. Have you EVER been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? Yes No
- 20. Have you EVER received a suspended sentence, been placed on probation, or been paroled? Yes No
- 21. Have you EVER been in jail or prison? Yes No

If you answered "Yes" to any of questions 15 through 21, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Claims no arrest / no DUI / no offenses (16)

Why were you arrested, cited, detained, or charged?	Date arrested, cited, detained, or charged (Month/Day/Year)	Where were you arrested, cited, detained or charged? (City, State, Country)	Outcome or disposition of the arrest, citation, detention or charge (No charges filed, charges dismissed, jail, probation, etc.)

Answer questions 22 through 33. If you answer "Yes" to any of these questions, attach (1) your written explanation why your answer was "Yes," and (2) any additional information or documentation that helps explain your answer.

- 22. Have you EVER:
 - a. been a habitual drunkard? Yes No
 - b. been a prostitute, or procured anyone for prostitution? Yes No
 - c. sold or smuggled controlled substances, illegal drugs or narcotics? Yes No
 - d. been married to more than one person at the same time? Yes No
 - e. helped anyone enter or try to enter the United States illegally? Yes No
 - f. gambled illegally or received income from illegal gambling? Yes No
 - g. failed to support your dependents or to pay alimony? Yes No
- 23. Have you EVER given false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal? Yes No
- 24. Have you EVER lied to any U.S. government official to gain entry or admission into the United States? Yes No

Each

Part 10. Additional Questions (Continued)

Write your INS "A" number here:
A [redacted] 514

E. Removal, Exclusion, and Deportation Proceedings

- 25. Are removal, exclusion, rescission or deportation proceedings pending against you?
- 26. Have you EVER been removed, excluded, or deported from the United States?
- 27. Have you EVER been ordered to be removed, excluded, or deported from the United States?
- 28. Have you EVER applied for any kind of relief from removal, exclusion, or deportation?

GOM

Yes No

Yes No

Yes No

Yes No

F. Military Service

- 29. Have you EVER served in the U.S. Armed Forces?
- 30. Have you EVER left the United States to avoid being drafted into the U.S. Armed Forces?
- 31. Have you EVER applied for any kind of exemption from military service in the U.S. Armed Forces?
- 32. Have you EVER deserted from the U.S. Armed Forces?

Yes No

Yes No

Yes No

Yes No

G. Selective Service Registration

- 33. Are you a male who lived in the United States at any time between your 18th and 26th birthdays in any status except as a lawful nonimmigrant?

Yes No

If you answered "NO", go on to question 34

If you answered "YES", provide the information below

If you answered "YES", but you did NOT register with the Selective Service System and are still under 26 years of age, you must register before you apply for naturalization, so that you can complete the information below:

Date Registered (Month/Day/Year) Selective Service Number

If you answered "YES", but you did NOT register with the Selective Service and you are now 26 years old or older, attach a statement explaining why you did not register

H. Oath Requirements (See Part 14 for the text of the oath)

Answer questions 34 through 39. If you answer "No" to any of these questions, attach (1) your written explanation why the answer was "No" and (2) any additional information or documentation that helps to explain your answer.

- 34. Do you support the Constitution and form of government of the United States?
- 35. Do you understand the full Oath of Allegiance to the United States?
- 36. Are you willing to take the full Oath of Allegiance to the United States?
- 37. If the law requires it, are you willing to bear arms on behalf of the United States?
- 38. If the law requires it, are you willing to perform noncombatant services in the U.S. Armed Forces?
- 39. If the law requires it, are you willing to perform work of national importance under civilian direction?

Yes No

Yes No

Yes No

Yes No

Yes No

Yes No

Part 11. Your Signature

Write your INS File Number here
A [redacted] 514

I certify, under penalty of perjury under the laws of the United States of America, that this application, and the evidence submitted with it, are all true and correct. I authorize the release of any information which INS needs to determine my eligibility for naturalization

Your Signature

Date (Month/Day/Year)

[Handwritten signature]

~~05/05/2003~~

Part 12. Signature of Person Who Prepared This Application for You (if applicable)

I declare under penalty of perjury that I prepared this application at the request of the above person. The answers provided are based on information of which I have personal knowledge and/or were provided to me by the above named person in response to the exact questions contained on this form.

Preparer's Printed Name

Preparer's Signature

[Empty box]

[Empty box]

Date (Month/Day/Year)

Preparer's Firm or Organization Name (If applicable)

Preparer's Daytime Phone Number

___/___/___

[Empty box]

()

Preparer's Address - Street Number and Name

City

State

ZIP Code

[Empty box]

[Empty box]

[Empty box]

[Empty box]

Do Not Complete Parts 13 and 14 Until an INS Officer Instructs You To Do So

Part 13. Signature at Interview

I swear (affirm) and certify under penalty of perjury under the laws of the United States of America that I know that the contents of this application for naturalization subscribed by me, including corrections numbered 1 through 11 and the evidence submitted by me numbered pages 1 through 1, are true and correct to the best of my knowledge and belief.

Subscribed to and sworn to (affirmed) before me

Susanna L David

APR 22 2004

Officer's Printed Name or Stamp

Date (Month/Day/Year)

Complete Signature of Applicant

Officer's Signature

Guillermo Oscar Mondino

Susanna David

Part 14. Oath of Allegiance

If your application is approved, you will be scheduled for a public oath ceremony at which time you will be required to take the following oath of allegiance immediately prior to becoming a naturalized citizen. By signing, you acknowledge your willingness and ability to take this oath:

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which which I have heretofore been a subject or citizen;

that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

that I will bear true faith and allegiance to the same;

that I will bear arms on behalf of the United States when required by the law,

that I will perform noncombatant service in the Armed Forces of the United States when required by the law,

that I will perform work of national importance under civilian direction when required by the law; and

that I take this obligation freely, without any mental reservation or purpose of evasion. So help me God

Printed Name of Applicant

Complete Signature of Applicant

~~Guillermo O. Mondino~~

Guillermo Oscar Mondino

Exhibit G

U.S. Department of Justice
Immigration and Naturalization Service

OMB No. 1115-0052
Notice of Naturalization Oath Ceremony

AR # 514
Date 04-22-04

• *Guillermo Oscar Mondino*

5/10/04

You are hereby notified to appear for a Naturalization Oath Ceremony on:

at: **Miami Beach Convention Center
1901 Convention Center Drive
Miami Beach, Florida, 33139**

HALL C

Please report promptly at **12:00 NOON**

GATE 2

You must bring the following with you:

- This letter, WITH ALL OF THE QUESTIONS ON THE OTHER SIDE ANSWERED IN INK OR ON A TYPEWRITER.
- Alien Registration Card.
- Reentry Permit, or Refugee Travel Document.
- Any Immigration documents you may have.
- If the naturalization application is on behalf of your child (children), bring your child (children).
- Other

Proper attire should be worn.

If you cannot come to this ceremony, return this notice immediately and state why you cannot appear. In such case, you will be sent another notice of ceremony at a later date. You must appear at an oath ceremony to complete the naturalization process.

In connection with your application for naturalization, please answer each of the questions by checking "Yes" or "No". You should answer these questions the day you are to appear for the citizenship oath ceremony. These questions refer to actions since the date you were first interviewed on your Application for Naturalization. They do not refer to anything that happened before that interview.

After you have answered every question, sign your name and fill in the date and place of signing, and provide your current address.

You must bring this completed questionnaire with you to the oath ceremony, as well as the documents indicated on the front, and give them to the Immigration employee at the oath ceremony. You may be questioned further on your answers at that time.

AFTER the date you were first interviewed on your Application for Naturalization, Form N-400:	ANSWERS
1. Have you married, or been widowed, separated, or divorced? (If "Yes" please bring documented proof of marriage, death, separation or divorce.)	1. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Have you traveled outside the United States?	2. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Have you knowingly committed any crime or offense, for which you have not been arrested; or have you been arrested, cited, charged, indicted, convicted, fined, or imprisoned for breaking or violating any law or ordinance, including traffic violations?	3. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Have you joined any organization, including the Communist Party, or become associated or connected therewith in any way?	4. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Have you claimed exemption from military service?	5. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Has there been any change in your willingness to bear arms on behalf of the United States; to perform non-combatant service in the armed forces of the United States; to perform work of national importance under civilian direction, if the law requires it?	6. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Have you practiced polygamy; received income from illegal gambling; been a prostitute, procured anyone for prostitution or been involved in any other unlawful commercialized vice; encouraged or helped any alien to enter the United States illegally; illicitly trafficked in drugs or marihuana; given any false testimony to obtain immigration benefits; or been a habitual drunkard?	7. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

I certify that each of the answers shown above were made by me or at my direction, and that they are true and correct.

Signed at Miami, Florida, on 5/10/04
(City and State) (Date)

Jesilleruo Leon Mendez Miami FL 33181
(Full Signature) (Full Address and ZIP Code)

Authority for collection of the information requested on Form N-445 is contained in Sections 101(f), 316, 332, 335 and 336 of the Immigration and Nationality Act (8 U.S.C. 1101 (f), 1427, 1443, 1446 and 1447). Submission of the information is voluntary. The principal purposes for requesting the information are to enable examiners of the Immigration and Naturalization Service to determine an applicant's eligibility for naturalization. The information requested may, as a matter of routine use, be disclosed to naturalization courts and to other federal, state, local or foreign law enforcement and regulatory agencies, the Department of Defense, including any component thereof, the Selective Service System, the Department of State, the Department of the Treasury, the Department of Transportation, Central Intelligence Agency, Interpol and individuals and organizations in the processing of any application for naturalization, or during the course of investigation to elicit further information required by the Immigration and Naturalization Service to carry out its functions. Information solicited which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating, enforcing or prosecuting such violations. Failure to provide all or any of the requested information may result in a denial of the application for naturalization.

Public Reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Department of Justice, Immigration and Naturalization Service, (Room 5304), Washington, DC 20536; and to the Office of Management and Budget, Paperwork Reduction Project: OMB No. 1118-0052; Washington, DC 20503.

Exhibit H



No. 27788499

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

INS Registration No. A-██████████-514

Personal description of holder as of date of naturalization:

I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.

Date of birth: ██████████ 1962

Sex: MALE

Height: 6 feet 0 inches

Marital status: MARRIED

Country of former nationality: ARGENTINA

(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Attorney General

at: MIAMI, FLORIDA

The Attorney General having found that:

GUILLERMO OSCAR MONDINO



then residing in the United States, intends to reside in the United States when so required by the Naturalization Laws of the United States, and had in all other respects complied with the applicable provisions of such naturalization laws and was entitled to be admitted to citizenship, such person having taken the oath of allegiance in a ceremony conducted by the

U.S. IMMIGRATION AND NATURALIZATION SERVICE

at: MIAMI BEACH, FLORIDA

on: MAY 10, 2004

that such person is admitted to citizenship of the United States of America.

Handwritten signature of Commissioner of Immigration and Naturalization

Commissioner of Immigration and Naturalization

IT IS PUNISHABLE BY U. S. LAW TO COPY, PRINT OR PHOTOGRAPH THIS CERTIFICATE, WITHOUT LAWFUL AUTHORITY.