

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,
Plaintiff,

Case No. 1:15cr098

v.

Judge Michael R. Barrett

Kayaba Industry Co., LTD,
Defendant.
(Δ Rep - Masaru Tsuboi)

CRIMINAL MINUTES before
United States District Judge Michael R. Barrett

Courtroom Deputy: Barbara Crum

Court Reporter: Official Court Reporter, Maryann Maffia

Law Clerk:

9:14 - 9:21

USPO: Laura Jensen/Laura Shannon

Date: October 29, 2015

Time: Commenced 9:29^{am} Concluded 10:10^{am} Total : 48 mins.

United States Attorney: Carla Stern / Daniel Glad

Defendant Attorney: Ralph Kohner / Larry Mackey /
Curtin Felvus / Brian Weir-Harden

Initial Appearance/Plea:

Dft Pleads Guilty to: Count(s) 1 of Indictment / Information (Count(s) _____ remain)

- Waiver of Indictment signed / executed in open court.
- Dft's Counsel moves ~~to allow Dft to plead guilty~~ ^{to} enter into a Plea of Guilty. Dft Pleads Guilty
- Dft sworn.
- Court questions Dft regarding his competency to enter a plea of guilty.
- Court reviews Defendant's rights regarding: Consequences of a plea _____ Restitution _____ Forfeiture
 sentencing under the USSCG; rights to trial; _____ mandatory minimum and right to appeal.
(Waiver of Appellate Rights at ¶ 3 of Plea Agreement)
- Plea Agreement summarized by AUSA NOT REVIEWED (filed in open court on 9/16/15 (Doc. 9))
- SA C.J. Freihofe presents Statement of Facts. Agent Sworn.
- 2nd Opportunity for Dft to plead guilty
- Plea preliminarily formally accepted by the Court

SENTENCING:

- ~~PSI Waived~~ ^{Sentencing Memo} Plaintiff Defendant (Docs. 21 & 22) - motion granted orally
- Mitigation Dft Cnsl Statement Dft Statement Plf Statement _____ Other Statements
(Brian Weir-Harden)
- Defendant sentenced.
- _____ Custody _____ Months (remanded/vol sur.) Fine \$ 62M (interest waived)
- _____ Probation _____ Years Special Assessment \$ 400.00
- _____ Supervised Release _____ Years (_____ Mo.) _____ Restitution \$ _____ (interest waived)
- _____ Forfeiture (see below)

_____ Standard/Special Conditions of Sup'd Rel/Probation

_____ No firearms; _____ no other criminal behavior; _____ Collect in DNA	<input checked="" type="checkbox"/> fine to be paid 15 days following the date of judgment		
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Informed of Defendant's Right to Appeal _____ Clerk to Prepare Appeal Notice

Remarks: