

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN KEITH VANDEBRAKE,

Defendant.

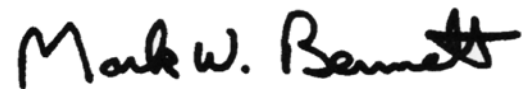
No. CR10-4025-MWB

**ORDER REGARDING
DEFENDANT'S RULE 11(c)(1)(C)
PLEA AGREEMENT**

On April 26, 2010, an Information was filed against defendant Steven Keith Vandebrake, charging defendant Vandebrake with violations of the Sherman Act, 15 U.S.C. § 1. On May 4, 2010, defendant Vandebrake appeared before Chief United States Magistrate Judge Paul A. Zoss and entered a plea of guilty to Counts 1, 2 and 3 of the Information, under a binding plea agreement, pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). In the plea agreement, the parties stipulated to a sentence of 19 months imprisonment and a fine of \$100,000. The court has reviewed the plea agreement and is unwilling to be bound to the plea agreement's limitations on the court's discretion regarding the length of sentence and the amount of the fine. Federal Rule of Criminal Procedure 11(c)(5) requires the court to reject such a plea agreement in open court and on the record. Accordingly, the court will, after contacting the parties to determine a convenient time, set by separate order a hearing to permit the court to comply with the requirements of Federal Rule of Criminal Procedure 11(c)(5).

IT IS SO ORDERED.

DATED this 20th day of May, 2010.

Handwritten signature of Mark W. Bennett in black ink.

MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA