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CENTRAL DIST. OF CALIF.
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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
June 2012 Grand Jury

UNITED STATES OF AMERICA,
Plaintiff,

v.

CHARLES ACHIKE AGBU,
aka "Charles A. Agbu,"
aka "Charles Agbu,"
aka "Charles,"
OBIAGELI BROOKE AGBU,
aka "Obiageli Brook Agbu,"
aka "Obiageli B. Agbu,"
aka "Obiagele B. Agbu,"
aka "Obiagele,"
aka "Brooke,"
aka "Ivon,"
DR. EMMANUEL ADEBAYO AYODELE,
DR. JUAN TOMAS VAN PUTTEN,
ALEJANDRO MACIEL,
aka "Enrique Maciel
Gonzales,"
aka "Alex,"
aka "Carlos," and
CANDALARIA CORRAL ESTRADA,
aka "Candi,"
aka "Candy,"
Defendants.

) CR No. 11-134(A)-GW

) F I R S T

) S U P E R S E D I N G

) I N D I C T M E N T

) [18 U.S.C. § 1349: Conspiracy
) to Commit Health Care Fraud;
) 18 U.S.C. § 1347: Health Care
) Fraud; 18 U.S.C. § 2(b):
) Causing an Act to be Done; 18
) U.S.C. § 1957: Unlawful
) Monetary Transactions; 18
) U.S.C. § 982: Criminal
) Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 1349, 2]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this First Superseding Indictment:

The Conspirators

1. Defendant CHARLES ACHIKE AGBU ("C. AGBU"), also known as ("aka") "Charles A. Agbu," aka "Charles Agbu," aka "Charles," owned and operated a durable medical equipment ("DME") supply company called Bonfee Inc., which did business as Bonfee Medical Supplies ("Bonfee"). Defendant C. AGBU submitted applications to Medicare to obtain and maintain a Medicare Program ("Medicare") provider number for Bonfee.

2. Bonfee's offices were located at 550 East Carson Plaza Drive, Suite 113, Carson, California, within the Central District of California.

3. Defendant OBIAGELI BROOKE AGBU ("O. AGBU"), aka "Obiageli Brook Agbu," aka "Obiageli B. Agbu," aka "Obiagele B. Agbu," aka "Obiagele," aka "Brooke," aka "Ivon," who is C. AGBU's daughter, owned and operated a DME supply company called Ibon, Inc. ("Ibon"). Defendant O. AGBU submitted applications to Medicare to obtain and maintain a Medicare provider number for Ibon.

4. Ibon's offices were located at 550 East Carson Plaza Drive, Suite 107, Carson, California, within the Central District of California.

5. Defendant DR. EMMANUEL ADEBAYO AYODELE ("AYODELE") operated Beth Medical Clinic ("Beth Medical"), a fraudulent medical clinic located at 11126 South Main Street, Los Angeles,

1 California, within the Central District of California. Like
2 defendant DR. JUAN TOMAS VAN PUTTEN ("VAN PUTTEN"), defendant
3 AYODELE wrote fraudulent prescriptions for DME and other items
4 and services which he, defendant C. AGBU, defendant O. AGBU, and
5 other DME supply companies used as a basis to bill Medicare.

6 6. Defendant VAN PUTTEN operated Greater South Bay Medical
7 Group ("Greater South Bay"), a medical clinic located at 930 East
8 Dominguez Street, Suite C, Carson, California, within the Central
9 District of California. Defendant VAN PUTTEN wrote fraudulent
10 prescriptions for DME and other items and services which he,
11 defendant C. AGBU, defendant O. AGBU, and other DME supply
12 companies used as a basis to bill Medicare.

13 7. Defendant ALEJANDRO MACIEL ("MACIEL"), aka "Alex," aka
14 "Carlos," aka "Enrique Maciel Gonzales," worked for Bonfee and
15 Ibon as, among other things, a "marketer" or "capper," illegally
16 soliciting Medicare beneficiaries for DME and other items and
17 services which the beneficiaries did not want or need. Defendant
18 MACIEL also worked for Bonfee and Ibon as a delivery driver, and
19 he delivered power wheelchairs and other DME to beneficiaries who
20 were ambulatory and had no legitimate need for the power
21 wheelchairs and DME.

22 8. Defendant CANDALARIA CORRAL ESTRADA ("ESTRADA"), aka
23 "Candy," aka "Candi," was married to defendant MACIEL. Defendant
24 ESTRADA also worked for Bonfee and Ibon as, among other things, a
25 marketer, illegally soliciting Medicare beneficiaries for DME and
26 other items and services which the beneficiaries did not want or
27 need. Like defendant MACIEL, defendant ESTRADA also worked for
28 Bonfee and Ibon as a delivery driver, and she delivered power

1 wheelchairs and other DME to beneficiaries who were ambulatory
2 and had no legitimate need for the power wheelchairs and DME.

3 9. A co-conspirator known to the Grand Jury ("CC1") was
4 associated with individuals who owned and operated fraudulent
5 medical clinics that generated false and fraudulent prescriptions
6 and other documents for power wheelchairs and other DME. CC1 and
7 others provided and sold the false and fraudulent prescriptions
8 and documents to the owners and operators of DME supply
9 companies, including Bonfee.

10 10. Between in or about July 2005 and in or about February
11 2011, Bonfee and Ibon collectively submitted to Medicare claims
12 totaling approximately \$11,094,918.59, and received approximately
13 \$5,788,725.40 in reimbursement payments from Medicare to which
14 they were not entitled.

15 The Medicare Program

16 11. Medicare was a federal health care benefit program,
17 affecting commerce, that provided benefits to individuals who
18 were over the age of 65 or disabled. Medicare was administered
19 by the Centers for Medicare and Medicaid Services ("CMS"), a
20 federal agency under the United States Department of Health and
21 Human Services ("HHS").

22 12. CMS contracted with private insurance companies to (a)
23 certify DME providers for participation in the Medicare program
24 and monitor their compliance with Medicare standards; (b) process
25 and pay claims; and (c) perform program safeguard functions, such
26 as identifying and reviewing suspect claims.

27 13. Individuals who qualified for Medicare benefits were
28 referred to as Medicare beneficiaries. Each Medicare beneficiary

1 was given a Health Identification Card containing a unique
2 identification number ("HICN").

3 14. DME companies, physicians, and other health care
4 providers which provided medical services that were reimbursed by
5 Medicare were referred to as Medicare "providers."

6 15. To obtain payment from Medicare, a DME company first
7 had to apply for and obtain a provider number. By signing the
8 provider application, the DME company agreed to abide by Medicare
9 rules and regulations, including the Anti-Kickback Statute (42
10 U.S.C. § 1320a-7b(b)), which, among other things, prohibits the
11 payment of kickbacks or bribes for the referral of Medicare
12 beneficiaries for any item or service for which payment may be
13 made by the Medicare program.

14 16. If Medicare approved a provider's application, Medicare
15 assigned the provider a Medicare provider number, enabling the
16 provider (such as a DME company or physician) to submit claims to
17 Medicare for services and supplies provided to Medicare
18 beneficiaries.

19 17. To obtain and maintain their Medicare provider number
20 billing privileges, DME suppliers and physicians had to meet
21 Medicare standards for participation. The Medicare contractor
22 responsible for evaluating and certifying DME and physician
23 providers' compliance with these standards was Palmetto GBA
24 ("Palmetto").

25 18. From in or about January 2003 through in or about
26 September 2006, CIGNA processed and paid Medicare claims in
27 Southern California. From in or about October 2006 onward,
28

1 Noridian Administrative Services ("Noridian") performed this
2 function.

3 ~~19. Most Medicare providers, including Bonfee and Ibon,~~
4 submitted their claims electronically pursuant to an agreement
5 with Medicare that they would submit claims that were accurate,
6 complete, and truthful.

7 20. Medicare paid DME providers and physicians only for DME
8 and services that were medically necessary to the treatment of a
9 beneficiary's illness or injury, were prescribed by a
10 beneficiary's physician, and were provided in accordance with
11 Medicare regulations and guidelines that governed whether a
12 particular item or service would be paid by Medicare.

13 21. To bill Medicare for DME or a service that they
14 provided to a beneficiary, a DME provider or physician was
15 required to submit a claim (Form 1500) to Noridian or CIGNA.
16 Medicare required claims to be truthful, complete, and not
17 misleading. In addition, when a claim was submitted, the DME
18 provider or physician was required to certify that the DME or
19 services covered by the claim were medically necessary.

20 22. Medicare required a claim for payment to set forth,
21 among other things, the beneficiary's name and HICN, the type of
22 DME provided to the beneficiary, the date the DME was provided,
23 and the name and unique physician identification number ("UPIN")
24 of the physician who prescribed or ordered the DME.

25 23. Medicare had a co-payment requirement for DME.
26 Medicare reimbursed providers 80% of the allowed amount of a DME
27 claim and the beneficiary was ordinarily obligated to pay the
28 remaining 20%.

1 B. THE OBJECT OF THE CONSPIRACY

2 24. Beginning in or about July 2005, and continuing through
3 on or about February 17, 2011, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendants C.
5 AGBU, O. AGBU, VAN PUTTEN, AYODELE, MACIEL, and ESTRADA, together
6 with CCI and others known and unknown to the Grand Jury,
7 knowingly combined, conspired, and agreed to commit health care
8 fraud, in violation of Title 18, United States Code, Section
9 1347.

10 C. THE MANNER AND MEANS OF THE CONSPIRACY

11 25. The object of the conspiracy was carried out, and to be
12 carried out, in substance, as follows:

13 a. Defendants MACIEL and ESTRADA obtained and
14 assisted fraudulent medical clinics, doctor's offices, and other
15 locations in obtaining the personal and Medicare information of
16 Medicare beneficiaries by offering them medically-unnecessary
17 power wheelchairs, hospital beds, orthotics, and other DME. To
18 convince the beneficiaries to part with their information,
19 defendants MACIEL and ESTRADA lied to some beneficiaries about
20 the legitimacy of obtaining power wheelchairs, DME, and other
21 services through them.

22 b. Defendants MACIEL and ESTRADA solicited Medicare
23 beneficiaries for medically-unnecessary power wheelchairs and
24 other DME in person and by telephone. Two of the telephone
25 numbers which defendants MACIEL and ESTRADA used to solicit the
26 beneficiaries were listed on a business card for defendants
27 MACIEL and ESTRADA that they handed to the beneficiaries. A
28 third telephone number that defendants MACIEL and ESTRADA used to

1 solicit beneficiaries was in a document maintained on Bonfee's
2 computer that contained a list of names and telephone numbers
3 under the heading "MARKETERS," with the name "Candy" on this list
4 next to this third telephone number.

5 c. Defendants C. AGBU, O. AGBU, VAN PUTTEN, and
6 AYODELE used the personal and Medicare information of the
7 beneficiaries solicited by defendants MACIEL and ESTRADA, and
8 other co-conspirators known and unknown to the Grand Jury, to
9 defraud Medicare.

10 d. In some cases, defendants MACIEL and ESTRADA, and
11 other co-conspirators known and unknown to the Grand Jury, took
12 or referred the beneficiaries to fraudulent medical clinics,
13 doctors' offices, and other locations where fraudulent
14 prescriptions and medical documents were generated using the
15 beneficiaries' personal information and HICNs. Two of the
16 locations where defendants MACIEL and ESTRADA, and other co-
17 conspirators known and unknown to the Grand Jury, took or
18 referred the beneficiaries were Greater South Bay, which
19 defendant VAN PUTTEN operated, and Beth Medical, which defendant
20 AYODELE operated.

21 e. Defendants MACIEL and ESTRADA, and other co-
22 conspirators known and unknown to the Grand Jury, took or
23 referred the beneficiaries to defendants VAN PUTTEN and AYODELE,
24 rather than to the beneficiaries' regular primary care
25 physicians, in order for defendants VAN PUTTEN and AYODELE to
26 prescribe medically-unnecessary power wheelchairs, DME, and other
27 services for the beneficiaries.

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1 f. Defendants C. AGBU, O. AGBU, MACIEL, ESTRADA, and
2 other co-conspirators known and unknown to the Grand Jury
3 acquired false and fraudulent prescriptions and medical documents
4 not only from defendants VAN PUTTEN and AYODELE, but from other
5 fraudulent medical clinics, doctors' offices, and other sources
6 for the purpose of using the prescriptions and documents to
7 submit and cause the submission of false and fraudulent claims to
8 Medicare on behalf of Bonfee and Ibon.

9 g. Defendant C. AGBU and other co-conspirators known
10 and unknown to the Grand Jury also bought false and fraudulent
11 prescriptions and other documents for power wheelchairs and other
12 DME from CCI and others for the purpose of using the false and
13 fraudulent documents to submit and cause the submission of false
14 and fraudulent claims to Medicare on behalf of Bonfee.

15 h. After acquiring the false and fraudulent documents
16 from CCI and other sources, defendants C. AGBU and O. AGBU
17 submitted and caused the submission of false and fraudulent
18 claims to Medicare for power wheelchairs, power wheelchair
19 accessories, orthotics, hospital beds, and other DME purportedly
20 provided by Bonfee and Ibon to Medicare beneficiaries.

21 i. Defendants C. AGBU and O. AGBU submitted and
22 caused the submission of claims to Medicare for power
23 wheelchairs, orthotics, hospital beds, and other DME that were
24 not provided to the beneficiaries or that the beneficiaries did
25 not want or medically need. In some cases, defendants C. AGBU
26 and O. AGBU claimed to Medicare that Bonfee and Ibon had provided
27 the beneficiaries with expensive power wheelchairs, orthotics, or
28 other DME when, in fact, as defendants C. AGBU and O. AGBU well

1 knew, Bonfee and Ibon had provided the beneficiaries with less
2 expensive DME.

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COUNTS TWO THROUGH TWENTY-ONE

[18 U.S.C. §§ 1347, 2(b)]

A. INTRODUCTORY ALLEGATIONS

26. The Grand Jury incorporates by reference and re-alleges paragraphs 1 through 23 of this First Superseding Indictment as though set forth in their entirety herein.

B. THE SCHEME TO DEFRAUD

27. Beginning in or about July 2005, and continuing through on or about February 17, 2011, in Los Angeles County, within the Central District of California, and elsewhere, defendants C. AGBU, O. AGBU, VAN PUTTEN, AYODELE, MACIEL, and ESTRADA, together with CCI and others known and unknown to the Grand Jury, knowingly, willfully, and with intent to defraud, executed, and attempted to execute, a scheme and artifice: (a) to defraud a health care benefit program, namely Medicare, as to material matters in connection with the delivery of and payment for health care benefits, items, and services; and (b) to obtain money from Medicare by means of material false and fraudulent pretenses and representations and the concealment of material facts in connection with the delivery of and payment for health care benefits, items, and services.

C. MEANS TO ACCOMPLISH THE SCHEME TO DEFRAUD

28. The fraudulent scheme operated, in substance, as described in paragraph 25 of this First Superseding Indictment, which is hereby incorporated by reference as if stated in its entirety herein.

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1 D. THE EXECUTION OF THE FRAUDULENT SCHEME

2 29. On or about the dates set forth below, within the
 3 Central District of California and elsewhere, the defendants
 4 identified below, together with others known and unknown to the
 5 Grand Jury, for the purpose of executing and attempting to
 6 execute the fraudulent scheme described above, knowingly and
 7 willfully caused to be submitted to Medicare the following false
 8 and fraudulent claims for payment:

9	10	11	12	13	14
CLAIM	DEFENDANTS	CLAIM NUMBER	APPROX DATE (BY DME)	APPROX AMOUNT	NATURE OF CLAIM
TWO	C. AGBU	106356842806000	12/22/06 (Bonfee)	\$6,722	Power wheelchair and accessories for Lin C.
THREE	C. AGBU	107226847325000	8/14/07 (Bonfee)	\$5,910	Power wheelchair and accessories for Nghia N.
FOUR	C. AGBU	107226847328000	8/14/07 (Bonfee)	\$5,910	Power wheelchair and accessories for Sang D.
FIVE	C. AGBU	108354831047000	12/19/08 (Bonfee)	\$6,500	Power wheelchair and accessories for Carmen M.
SIX	C. AGBU	109093837855000	4/03/09 (Bonfee)	\$6,393	Power wheelchair and accessories for Pedro A.
SEVEN	O. AGBU	109254844880000	9/11/09 (Ibon)	\$218	Hospital bed for Francisco J.

COUNT	DEFENDANTS	CLAIM NUMBER	APPROX DATE (BY DME)	APPROX AMOUNT	NATURE OF CLAIM
EIGHT	O. AGBU	109254844882000	9/11/09 (Ibon)	\$1,264	Orthotic equipment for Francisco J.
NINE	O. AGBU	110029800852000	1/29/10 (Ibon)	\$915	Orthotic equipment for Arnulfo H.
TEN	O. AGBU	110103805092000	4/13/10 (Ibon)	\$1,214	Orthotic equipment for Celia G.
ELEVEN	C. AGBU AYODELE MACIEL	108051845496000	2/20/08 (Bonfee)	\$6,720	Power wheelchair and accessories for Jesus R.
TWELVE	C. AGBU AYODELE MACIEL	108053847872000	2/22/08 (Bonfee)	\$6,720	Power wheelchair and accessories for Esperanza R.
THIRTEEN	O. AGBU AYODELE MACIEL ESTRADA	108255819538000	9/11/08 (Ibon)	\$7,304	Power wheelchair and accessories for Edelmira R.
FOURTEEN	C. AGBU AYODELE MACIEL ESTRADA	108319845097000	11/14/08 (Bonfee)	\$6,180	Power wheelchair and accessories for Miguel M.
FIFTEEN	O. AGBU AYODELE MACIEL ESTRADA	109008828340000	1/08/09 (Ibon)	\$7,229	Power wheelchair and accessories for Eva D.

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COUNT	DEPENDANTS	CLAIM NUMBER	APPROX DATE (BY DME)	APPROX AMOUNT	NATURE OF CLAIM
SIXTEEN	O. AGBU AYODELE MACIEL ESTRADA	109051839188000	2/20/09 (Ibon)	\$7,229	Power wheelchair and accessories for Anastacio M.
SEVENTEEN	C. AGBU AYODELE	109127800080000	5/07/09 (Bonfee)	\$6,393	Power wheelchair for Margarita Z.
EIGHTEEN	C. AGBU VAN PUTTEN MACIEL ESTRADA	109168810424000	6/17/09 (Bonfee)	\$6,393	Power wheelchair and accessories for Joaquin B.
NINETEEN	C. AGBU VAN PUTTEN MACIEL	109195805536000	7/14/09 (Bonfee)	\$6,393	Power wheelchair and accessories for Juana M.
TWENTY	C. AGBU VAN PUTTEN MACIEL	109217810068000	8/05/09 (Bonfee)	\$6,393	Power wheelchair and accessories for Irene S.
TWENTY-ONE	O. AGBU VAN PUTTEN	109254844884000	9/11/09 (Ibon)	\$6,714	Power wheelchair and accessories for Francisco J.

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COUNTS TWENTY-TWO THROUGH TWENTY-FIVE

[18 U.S.C. §§ 1957, 2]

30. The Grand Jury incorporates by reference and re-alleges paragraphs 1 through 23 and 25 of this First Superseding Indictment as though set forth in their entirety herein.

31. On or about the dates set fourth below, within the Central District of California and elsewhere, defendant C. AGBU, knowing that the funds involved represented the proceeds of some form of unlawful activity, conducted and attempted to conduct, and willfully caused others to conduct and attempt to conduct, the following monetary transactions in criminally derived property of a value greater than \$10,000, which property, in fact, was derived from specified unlawful activity, namely conspiracy to commit health care fraud and health care fraud, in violation of 18 U.S.C. §§ 1347 and 1349:

COUNT	DATE POSTED	MONETARY TRANSACTION
TWENTY-TWO	7/29/09	Transfer of \$17,593 from Bonfee's Wells Fargo Bank Account #XXXXXX8271 to defendant C. AGBU's Wells Fargo Bank Account #XXXXXX1448
TWENTY-THREE	8/5/09	Transfer of \$12,000 from Bonfee's Wells Fargo Bank Account #XXXXXX8271 to defendant C. AGBU's Wells Fargo Bank Account #XXXXXX1448
TWENTY-FOUR	8/7/09	Transfer of \$14,000 from defendant C. AGBU's Wells Fargo Bank Account #XXXXXX1448 to Bonfee's Wells Fargo Bank Account #XXXXXX8271
TWENTY-FIVE	8/17/09	Transfer of \$15,000 from Bonfee's Wells Fargo Bank Account #XXXXXX8271 to defendant C. AGBU's Wells Fargo Bank Account #XXXXXX1448

FORFEITURE ALLEGATION ONE

[18 U.S.C. § 982(a)(7)]

32. The Grand Jury hereby realleges and incorporates by reference counts one through twenty-one of this First Superseding Indictment as though fully set forth herein, for the purpose of alleging forfeiture, pursuant to the provisions of Title 18, United States Code, Section 982(a)(7).

33. Counts one through twenty-one of this First Superseding Indictment allege acts or activities constituting federal health care fraud offenses pursuant to Title 18, United States Code, Sections 1347 and 1349. Pursuant to Title 18, United States Code, Section 982(a)(7), upon conviction of a federal health care fraud offense, defendants C. AGBU, O. AGBU, VAN PUTTEN, AYODELE, MACIEL, and ESTRADA shall forfeit to the United States of America:

a. All right, title, and interest in any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such offense; and

b. A sum of money equal to the total amount of gross proceeds derived from such offense.

34. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), and Title 28, United States Code, Section 2461(c), a defendant so convicted shall forfeit substitute property, up to the value of the amount described in paragraph 33, if, by any act or omission of said defendant, the property described in paragraph 33, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to, or deposited with a

1 third party; has been placed beyond the jurisdiction of this
2 court; has been substantially diminished in value; or has been
3 commingled with other property that cannot be divided without
4 difficulty.

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FORFEITURE ALLEGATION TWO

[18 U.S.C. § 982(a)(1)]

35. The Grand Jury hereby realleges and incorporates by reference counts twenty-two through twenty-five of this First Superseding Indictment as though fully set forth herein, for the purpose of alleging forfeiture, pursuant to the provisions of Title 18, United States Code, Section 982(a)(1).

36. Counts twenty-two through twenty-five of this First Superseding Indictment allege acts or activities constituting offenses involving Transactional Money Laundering pursuant to Title 18, United States Code, Section 1957(a). Pursuant to Title 18, United States Code, Section 982(a)(1), each defendant who is convicted of such an offense shall forfeit to the United States any right, title, and interest in any property, real or personal, involved in such offense, or any property traceable to such property, including, but not limited to \$59,593.00.

37. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), each defendant so convicted shall forfeit substitute property, up to the value of the amount described in paragraph 36, if, by any act or omission of said defendant, the property described in paragraph 36, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred, sold to, or deposited with a third party; has been placed beyond the jurisdiction of this court; has been substantially diminished

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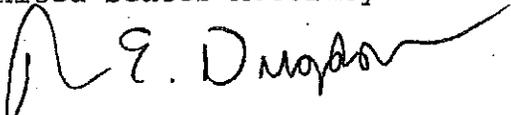
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1 in value; or has been commingled with other property that cannot
2 be divided without difficulty.

3 A TRUE BILL

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5 151
6 Foreperson

7
8 ANDRÉ BIROTTE JR.
United States Attorney

9 
10 ROBERT E. DUGDALE
11 Assistant United States Attorney
Chief, Criminal Division

12 RICHARD ROBINSON
13 Assistant United States Attorney
Chief, Major Frauds Section

14 CONSUELO WOODHEAD
15 Assistant United States Attorney
Deputy Chief, Major Frauds Section

16 SAM SHELDON
17 Deputy Chief, Fraud Section
United States Department of Justice

18 BENTON CURTIS
19 Deputy Chief, Fraud Section
United States Department of Justice

20 JONATHAN T. BAUM
21 Trial Attorney, Fraud Section
United States Department of Justice

1 ANDRÉ BIROTTE JR.
 United States Attorney
 2 ROBERT E. DUGDALE
 Assistant United States Attorney
 3 Chief, Criminal Division
 JONATHAN BAUM
 4 Trial Attorney, Fraud Section
 United States Department of Justice
 5 1100 United States Courthouse
 312 North Spring Street
 6 Los Angeles, California 90012
 Telephone: (202) 230-8655
 7 Facsimile: (213) 894-2387
 Email: jonathan.baum@usdoj.gov
 8

9 UNITED STATES DISTRICT COURT
 10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) CR No. 11-134(A)-GW
)
 12 Plaintiff,) PLEA AGREEMENT FOR DEFENDANT
) CHARLES AGBU
 13 v.)
)
 14 CHARLES AGBU et al,)
)
 15 Defendants.)
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 16)

17
 18 1. This constitutes the plea agreement between defendant
 19 Charles AGBU ("defendant") and the Fraud Section of the United
 20 States Department of Justice and the United States Attorney's
 21 Office for the Central District of California (collectively "the
 22 USAO") in the above-captioned case. This agreement is limited to
 23 the USAO and cannot bind any other federal, state, local, or
 24 foreign prosecuting, enforcement, administrative, or regulatory
 25 authorities.

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1 3. Defendant further agrees:

2 a) Truthfully to disclose to law enforcement officials,
3 at a date and time to be set by the USAO, the location of,
4 defendant's ownership interest in, and all other information
5 known to defendant about, all monies, properties, and/or assets
6 of any kind, derived from or acquired as a result of, or used to
7 facilitate the commission of, defendant's illegal activities, and
8 to forfeit all right, title, and interest in and to such items,
9 specifically including all right, title, and interest in and to
10 all United States currency, property and assets which defendant
11 admits constitute the proceeds of defendant's illegal activity in
12 violation of Title 18, United States Code, Sections 1349 and
13 1957.

14 b) Pursuant to Title 21, United States Code, Section
15 853(p), as incorporated by Title 18, United States Code, Section
16 982(b)(1) and Title 28, United States Code, Section 2461(c),
17 forfeit substitute property, up to the value of any property,
18 real or personal, that constitutes or is derived, directly or
19 indirectly, from gross proceeds traceable to the commission of
20 such offense, and/or a sum of money equal to the total amount of
21 gross proceeds derived from such offense, if, by any act or
22 omission of defendant, the substitute property, or any portion
23 thereof, cannot be located upon the exercise of due diligence;
24 has been transferred, sold to or deposited with a third party;
25 has been placed beyond the jurisdiction of this court; has been
26 substantially diminished in value; or has been commingled with

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1 other property that cannot be divided without difficulty.

2 c) To take whatever steps are necessary to pass to the
3 United States clear title to the assets described above,
4 including, without limitation, the execution of a consent decree
5 of forfeiture and the completing of any other legal documents
6 required for the transfer of title to the United States.

7 d) Not to contest any administrative forfeiture
8 proceedings or civil judicial proceedings commenced against these
9 properties. With respect to any criminal forfeiture ordered as a
10 result of this plea agreement, defendant waives the requirements
11 of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding
12 notice of the forfeiture in the charging instrument,
13 announcements of the forfeiture sentencing, and incorporation of
14 the forfeiture in the judgment. Defendant acknowledges that
15 forfeiture of the assets is part of the sentence that may be
16 imposed in this case and waives any failure by the Court to
17 advise defendant of this, pursuant to Federal Rule of Criminal
18 Procedure 11(b)(1)(J), at the time the Court accepts defendant's
19 guilty pleas.

20 e) Not to assist any other individual in any effort
21 falsely to contest the forfeiture of the assets described above.

22 f) Not to claim that reasonable cause to seize the
23 assets was lacking.

24 g) To prevent the transfer, sale, destruction, or loss
25 of any and all assets described above to the extent defendant has
26 the ability to do so.

27

1 h) To fill out and deliver to the USAO a completed
2 financial statement listing defendant's assets on a form provided
3 by the USAO.

4 i) That forfeiture of assets described above shall not
5 be counted toward satisfaction of any special assessment, fine,
6 restitution, costs, or other penalty the Court may impose.

7 THE USAO'S OBLIGATIONS

8 4. The USAO agrees to:

9 a) Not contest facts agreed to in this agreement.

10 b) Abide by all agreements regarding sentencing
11 contained in this agreement.

12 c) At the time of sentencing, move to dismiss the
13 remaining counts of the first superseding indictment and the
14 original indictment as against defendant. Defendant agrees,
15 however, that at the time of sentencing the Court may consider
16 any dismissed charges in determining the applicable Sentencing
17 Guidelines range, the propriety and extent of any departure from
18 that range, and the sentence to be imposed.

19 d) At the time of sentencing, provided that defendant
20 demonstrates an acceptance of responsibility for the offenses up
21 to and including the time of sentencing, recommend a two-level
22 reduction in the applicable Sentencing Guidelines offense level,
23 pursuant to U.S.S.G. § 3E1.1, and recommend and, if necessary,
24 move for an additional one-level reduction if available under
25 that section.

26 e) Not seek a sentence of imprisonment above the low
27

1 end of the applicable Sentencing Guidelines range, provided that
2 the offense level used by the Court to determine that range is 30
3 or higher. For purposes of this agreement, the low end of the
4 Sentencing Guidelines range is that defined by the Sentencing
5 Table in U.S.S.G. Chapter 5, Part A.

6 NATURE OF THE OFFENSES

7 5. Defendant understands that for defendant to be guilty of
8 the crime charged in count one of the first superseding
9 indictment, that is, conspiracy to commit health care, in
10 violation of Title 18, United States Code, Section 1349, the
11 following must be true:

12 a) From in or about July 2005, to in or about
13 February 2011, there was an agreement between defendant and one
14 or more people to commit health care fraud, in violation of Title
15 18, United States Code, Section 1347; and,

16 b) Defendant became a member of the conspiracy
17 knowing of its object, and intending to help accomplish it.

18 Defendant admits that defendant is, in fact, guilty of this
19 offense as described in count one of the first superseding
20 indictment.

21 6. Defendant understands that for defendant to be guilty
22 of the crime charged in count twenty-five of the first
23 superseding indictment, that is, money laundering, in violation
24 of Title 18, United States Code, Section 1957, the following must
25 be true:

26 a) Defendant knowingly engaged or attempted to engage
27

1 in a monetary transaction;

2 b) Defendant knew the transaction involved criminally
3 derived property;

4 c) The property had a value greater than \$10,000;

5 d) The property was, in fact, derived from health
6 care fraud; and

7 e) The transaction occurred in the United States.

8 PENALTIES AND RESTITUTION

9 7. Defendant understands that the statutory maximum
10 sentence that the Court can impose for a violation of Title 18,
11 United States Code, Section 1349, is ten years imprisonment; a
12 three-year period of supervised release; a fine of \$250,000 or
13 twice the gross gain or gross loss resulting from the offense,
14 whichever is greatest; and a mandatory special assessment of
15 \$100.

16 8. Defendant understands that the statutory maximum
17 sentence that the Court can impose for a violation of Title 18,
18 United States Code, Section 1957, is ten years imprisonment; a
19 three-year period of supervised release; a fine of \$250,000 or
20 twice the gross gain or gross loss resulting from the offense,
21 whichever is greatest; and a mandatory special assessment of
22 \$100.

23 9. Defendant understands, therefore, that the total maximum
24 sentence for all offenses to which defendant is pleading guilty
25 is: twenty years imprisonment; a three-year period of supervised
26 release; a fine of \$500,000 or twice the gross gain or gross loss

27

1 resulting from the offenses, whichever is greatest; and a
2 mandatory special assessment of \$200.

3 10. Defendant understands that defendant will be required
4 to pay full restitution to Medicare, the victim of the offense to
5 which defendant is pleading guilty. Defendant agrees that, in
6 return for the USAO's compliance with its obligations under this
7 agreement, the Court may order restitution to persons other than
8 the victim of the offense to which defendant is pleading guilty
9 and in amounts greater than those alleged in the count to which
10 defendant is pleading guilty. In particular, defendant agrees
11 that the Court may order restitution to any victim of any of the
12 following for any losses suffered by that victim as a result: (a)
13 any relevant conduct, as defined in U.S.S.G. § 1B1.3, in
14 connection with the offense to which defendant is pleading
15 guilty; and (b) any counts dismissed and charges not prosecuted
16 pursuant to this agreement as well as all relevant conduct, as
17 defined in U.S.S.G. § 1B1.3, in connection with those counts and
18 charges. The parties currently believe that the applicable
19 amount of restitution is approximately \$5,788,725, but recognize
20 and agree that this amount could change based on facts that come
21 to the attention of the parties prior to sentencing.

22 11. Defendant understands that supervised release is a
23 period of time following imprisonment during which defendant will
24 be subject to various restrictions and requirements. Defendant
25 understands that if defendant violates one or more of the
26 conditions of any supervised release imposed, defendant may be

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1 returned to prison for all or part of the term of supervised
2 release authorized by statute for the offense that resulted in
3 the term of supervised release, which could result in defendant
4 serving a total term of imprisonment greater than the statutory
5 maximum stated above.

6 12. Defendant understands that, by pleading guilty,
7 defendant may be giving up valuable government benefits and
8 valuable civic rights, such as the right to vote, the right to
9 possess a firearm, the right to hold office, and the right to
10 serve on a jury. Defendant understands that once the court
11 accepts defendant's guilty plea, it will be a federal felony for
12 defendant to possess a firearm or ammunition. Defendant
13 understands that the conviction in this case may also subject
14 defendant to various other collateral consequences, including but
15 not limited to revocation of probation, parole, or supervised
16 release in another case, mandatory exclusion from participation
17 as a provider in federal health care benefit programs for at
18 least five years, and suspension or revocation of a professional
19 license. Defendant understands that unanticipated collateral
20 consequences will not serve as grounds to withdraw defendant's
21 guilty plea.

22 13. Defendant understands that, if defendant is not a
23 United States citizen, the felony conviction in this case may
24 subject defendant to: removal, also known as deportation, which
25 may, under some circumstances, be mandatory; denial of
26 citizenship; and denial of admission to the United States in the

27

1 future. The court cannot, and defendant's attorney also may not
2 be able to, advise defendant fully regarding the immigration
3 consequences of the felony conviction in this case. Defendant
4 understands that unexpected immigration consequences will not
5 serve as grounds to withdraw defendant's guilty plea.

6 FACTUAL BASIS

7 14. Defendant admits that defendant is, in fact, guilty of
8 the offense to which defendant is agreeing to plead guilty.
9 Defendant and the USAO agree to the statement of facts contained
10 in Exhibit A, which is incorporated by reference and made part of
11 this plea agreement as though fully set forth herein, and agree
12 that this statement of facts is sufficient to support a plea of
13 guilty to the charge described in this agreement and to establish
14 the Sentencing Guidelines factors set forth in paragraph 16 below
15 but is not meant to be a complete recitation of all facts
16 relevant to the underlying criminal conduct or all facts known to
17 either party that relate to that conduct.

18 SENTENCING FACTORS

19 15. Defendant understands that in determining defendant's
20 sentence the Court is required to calculate the applicable
21 Sentencing Guidelines range and to consider that range, possible
22 departures under the Sentencing Guidelines, and the other
23 sentencing factors set forth in Title 18, United States Code,
24 Section 3553(a). Defendant understands that the Sentencing
25 Guidelines are advisory only, that defendant cannot have any
26 expectation of receiving a sentence within the calculated

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1 Sentencing Guidelines range, and that after considering the
2 Sentencing Guidelines and the other section 3553(a) factors, the
3 Court will be free to exercise its discretion to impose any
4 sentence it finds appropriate up to the maximum set by statute
5 for the crimes of conviction.

6 16. Defendant and the USAO agree to the following
7 applicable Sentencing Guidelines factors:

8	Base Offense Level	:	6	[U.S.S.G. § 2B1.1(a)(2)]
9	Money Laundering	:	1	[U.S.S.G. §§ 2S1.1(a)(1) & (b)(2)(A)]
10	Specific Offense Characteristics			
11	(Loss More Than (\$7 million)	:	+20	[U.S.S.G. § 2B1.1(b)(1)(K)]
12	Abuse of a Position	:	+2	[U.S.S.G. § 3B1.3]
13	of Trust			
14	Acceptance of Responsibility	:	-3	[U.S.S.G. §§ 3E1.1(a) and (b)]

15
16 Total Offense Level : 26

17 The USAO will agree to a two-level downward adjustment for
18 acceptance of responsibility (and, if applicable, move for an
19 additional one-level downward adjustment under U.S.S.G. §
20 3E1.1(b)) only if the conditions set forth in paragraph 4 are
21 met. Subject to paragraph 28 below and with the exception of the
22 role adjustment set forth in U.S.S.G. § 3B1.1(a), defendant and
23 the USAO agree not to seek, argue, or suggest in any way, either
24 orally or in writing, that any other specific offense
25 characteristics, adjustments, or departures relating to the
26 offense level be imposed. The only exception to this agreement
27 is that defendant and the USAO are free to argue for or against

1 the applicability of the role adjustment set forth in U.S.S.G. §
2 3B1.1(a). Defendant also agrees that if after signing this
3 agreement but prior to sentencing, defendant were to commit an
4 act, or the USAO were to discover a previously undiscovered act
5 committed by defendant prior to signing this agreement, which
6 act, in the judgment of the USAO, constituted obstruction of
7 justice within the meaning of U.S.S.G. § 3C1.1, the USAO would be
8 free to seek the enhancement set forth in that section.

9 17. Defendant understands that there is no agreement as to
10 defendant's criminal history or criminal history category.

11 18. Defendant and the USAO reserve the right to argue for a
12 sentence outside the sentencing range established by the
13 Sentencing Guidelines based on the factors set forth in 18 U.S.C.
14 § 3553(a)(1), (a)(2), (a)(3), (a)(6), and (a)(7).

15 WAIVER OF CONSTITUTIONAL RIGHTS

16 19. Defendant understands that by pleading guilty,
17 defendant gives up the following rights:

- 18 a) The right to persist in a plea of not guilty.
19 b) The right to a speedy and public trial by jury.
20 c) The right to be represented by counsel - and if
21 necessary have the court appoint counsel - at trial. Defendant
22 understands, however, that, defendant retains the right to be
23 represented by counsel - and if necessary have the court appoint
24 counsel - at every other stage of the proceeding.

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1 d) The right to be presumed innocent and to have the
2 burden of proof placed on the government to prove defendant
3 guilty beyond a reasonable doubt.

4 e) The right to confront and cross-examine witnesses
5 against defendant.

6 f) The right to testify and to present evidence in
7 opposition to the charges, including the right to compel the
8 attendance of witnesses to testify.

9 g) The right not to be compelled to testify, and, if
10 defendant chose not to testify or present evidence, to have that
11 choice not be used against defendant.

12 h) Any and all rights to pursue any affirmative
13 defenses, Fourth Amendment or Fifth Amendment claims, and other
14 pretrial motions that have been filed or could be filed.

15 WAIVER OF APPEAL OF CONVICTION

16 20. Defendant understands that, with the exception of an
17 appeal based on a claim that defendant's guilty pleas were
18 involuntary, by pleading guilty defendant is waiving and giving
19 up any right to appeal defendant's convictions on the offenses to
20 which defendant is pleading guilty.

21 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

22 21. Defendant agrees that, provided the Court imposes a
23 term of imprisonment within or below the range corresponding to
24 an offense level of 30 and the criminal history category
25 calculated by the Court, defendant gives up the right to appeal
26 all of the following: (a) the procedures and calculations used to
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1 determine and impose any portion of the sentence; (b) the term of
2 imprisonment imposed by the Court; (c) the fine imposed by the
3 court, provided it is within the statutory maximum; (d) the
4 amount and terms of any restitution order, provided it requires
5 payment of no more than \$5,788,725; (e) the term of probation or
6 supervised release imposed by the Court, provided it is within
7 the statutory maximum; and (f) any of the following conditions of
8 probation or supervised release imposed by the Court: the
9 conditions set forth in General Orders 318, 01-05, and/or 05-02
10 of this Court; the drug testing conditions mandated by Title 18,
11 United States Code, Sections 3563(a)(5) and 3583(d); and the
12 alcohol and drug use conditions authorized by Title 18, United
13 States Code, Section 3563(b)(7).

14 22. The USAO agrees that, provided (a) all portions of the
15 sentence are at or below the statutory maximum specified above,
16 (b) the Court calculates the offense level to be used for
17 selecting a sentencing range under the Sentencing Guidelines to
18 be 30 or above, the USAO gives up its right to appeal any portion
19 of the sentence, with the exception that the USAO reserves the
20 right to appeal the following: the amount of restitution ordered
21 if that amount is less than \$5,788,725.

22 RESULT OF WITHDRAWAL OF GUILTY PLEA

23 23. Defendant agrees that if, after entering guilty pleas
24 pursuant to this agreement, defendant seeks to withdraw and
25 succeeds in withdrawing defendant's guilty pleas on any basis
26 other than a claim and finding that entry into this plea
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1 agreement was involuntary, then (a) the USAO will be relieved of
2 all of its obligations under this agreement; and (b) should the
3 USAO choose to pursue any charge that was either dismissed or not
4 filed as a result of this agreement, then (i) any applicable
5 statute of limitations will be tolled between the date of
6 defendant's signing of this agreement and the filing commencing
7 any such action; and (ii) defendant waives and gives up all
8 defenses based on the statute of limitations, any claim of pre-
9 indictment delay, or any speedy trial claim with respect to any
10 such action, except to the extent that such defenses existed as
11 of the date of defendant's signing this agreement.

12 EFFECTIVE DATE OF AGREEMENT

13 24. This agreement is effective upon signature and
14 execution of all required certifications by defendant,
15 defendant's counsel, and a Department of Justice Trial Attorney.

16 BREACH OF AGREEMENT

17 25. Defendant agrees that if defendant, at any time after
18 the signature of this agreement and execution of all required
19 certifications by defendant, defendant's counsel, and a
20 Department of Justice Trial Attorney, knowingly violates or fails
21 to perform any of defendant's obligations under this agreement
22 ("a breach"), the USAO may declare this agreement breached. All
23 of defendant's obligations are material, a single breach of this
24 agreement is sufficient for the USAO to declare a breach, and
25 defendant shall not be deemed to have cured a breach without the
26 express agreement of the USAO in writing. If the USAO declares

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1 this agreement breached, and the Court finds such a breach to
2 have occurred, then: (a) if defendant has previously entered
3 guilty pleas pursuant to this agreement, defendant will not be
4 able to withdraw the guilty pleas, and (b) the USAO will be
5 relieved of all its obligations under this agreement.

6 26. Following the Court's finding of a knowing breach of
7 this agreement by defendant, should the USAO choose to pursue any
8 charge that was either dismissed or not filed as a result of this
9 agreement, then:

10 a) Defendant agrees that any applicable statute of
11 limitations is tolled between the date of defendant's signing of
12 this agreement and the filing commencing any such action.

13 b) Defendant waives and gives up all defenses based on
14 the statute of limitations, any claim of pre-indictment delay, or
15 any speedy trial claim with respect to any such action, except to
16 the extent that such defenses existed as of the date of
17 defendant's signing this agreement.

18 c) Defendant agrees that: (i) any statements made by
19 defendant, under oath, at the guilty plea hearing (if such a
20 hearing occurred prior to the breach); (ii) the agreed to factual
21 basis statement in this agreement; and (iii) any evidence derived
22 from such statements, shall be admissible against defendant in
23 any such action against defendant, and defendant waives and gives
24 up any claim under the United States Constitution, any statute,
25 Rule 410 of the Federal Rules of Evidence, Rule 11(f) of the
26 Federal Rules of Criminal Procedure, or any other federal rule,

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1 that the statements or any evidence derived from the statements
2 should be suppressed or are inadmissible.

3 COURT AND PROBATION OFFICE NOT PARTIES

4 27. Defendant understands that the Court and the United
5 States Probation Office are not parties to this agreement and
6 need not accept any of the USAO's sentencing recommendations or
7 the parties' agreements to facts or sentencing factors.

8 28. Defendant understands that both defendant and the USAO
9 are free to: (a) supplement the facts by supplying relevant
10 information to the United States Probation Office and the Court,
11 (b) correct any and all factual misstatements relating to the
12 Court's Sentencing Guidelines calculations and determination of
13 sentence, and (c) argue on appeal and collateral review that the
14 Court's Sentencing Guidelines calculations and the sentence it
15 chooses to impose are not error, although each party agrees to
16 maintain its view that the calculations in paragraph 16 are
17 consistent with the facts of this case. While this paragraph
18 permits both the USAO and defendant to submit full and complete
19 factual information to the United States Probation Office and the
20 Court, even if that factual information may be viewed as
21 inconsistent with the facts agreed to in this agreement, this
22 paragraph does not affect defendant's and the USAO's obligations
23 not to contest the facts agreed to in this agreement.

24 29. Defendant understands that even if the Court ignores
25 any sentencing recommendation, finds facts or reaches conclusions
26 different from those agreed to, and/or imposes any sentence up to
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1 the maximum established by statute, defendant cannot, for that
2 reason, withdraw defendant's guilty pleas, and defendant will
3 remain bound to fulfill all defendant's obligations under this
4 agreement. Defendant understands that no one -- not the
5 prosecutor, defendant's attorney, or the Court -- can make a
6 binding prediction or promise regarding the sentence defendant
7 will receive, except that it will be within the statutory
8 maximum.

9 NO ADDITIONAL AGREEMENTS

10 30. Defendant understands that, except as set forth herein,
11 there are no promises, understandings, or agreements between the
12 USAO and defendant or defendant's attorney, and that no
13 additional promise, understanding, or agreement may be entered
14 into unless in a writing signed by all parties or on the record
15 in court.

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PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

31. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

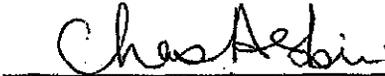
UNITED STATES ATTORNEY'S OFFICE
FOR THE CENTRAL DISTRICT OF CALIFORNIA

ANDRÉ BIROTTE JR.
United States Attorney



JONATHAN BAUM
Trial Attorney, Fraud Section
United States Department of Justice

12/3/12
Date



CHARLES AGBU
Defendant

12-03-2012
Date



MANSFIELD COLLINS
Attorney for Defendant
Charles Agbu

12-3-2012
Date



SEAN CHANDRA
Attorney for Defendant
Charles Agbu

12/3/2012
Date

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CERTIFICATION OF DEFENDANT

I have read this agreement in its entirety. I have had enough time to review and consider this agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this agreement, and I voluntarily agree to those terms. I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in Title 18, United States Code, Section 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. No promises, inducements, or representations of any kind have been made to me other than those contained in this agreement. No one has threatened or forced me in any way to enter into this agreement. I am satisfied with the representation of my attorney in this matter, and I am pleading guilty because I am guilty of the charges and wish to take advantage of the promises set forth in this agreement, and not for any other reason.

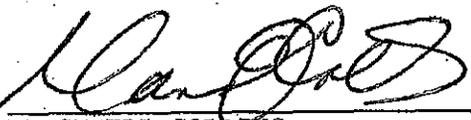
Charles Agbu
CHARLES AGBU
Defendant

12-03-2012
Date

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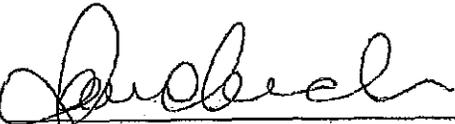
CERTIFICATION OF DEFENDANT'S ATTORNEYS

We are Charles Agbu's attorneys. We have carefully and thoroughly discussed every part of this agreement with our client. Further, we have fully advised our client of his rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in Title 18, United States Code, Section 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. To our knowledge; no promises, inducements, or representations of any kind have been made to our client other than those contained in this agreement; no one has threatened or forced our client in any way to enter into this agreement; our client's decision to enter into this agreement is an informed and voluntary one; and the factual basis set forth in this agreement is sufficient to support our client's entry of guilty pleas pursuant to this agreement.



MANSFIELD COLLINS
Attorney for Defendant
Charles Agbu

12-3-12
Date



SEAN CHANDRA
Attorney for Defendant
Charles Agbu

12-3-2012
Date

1 participated existed between approximately July 2005 and February
2 2011, and operated as follows:

3 a. Defendant paid individuals known as "marketers" or
4 "cappers" to approach people with Medicare benefits on the
5 street, and convince them to provide the marketers with their
6 Medicare information in exchange for free DME that the people did
7 not need. Often, the marketers told the people, who were known
8 as "Medicare beneficiaries," that they would receive highly-
9 specialized power wheelchairs ("PWCs") because PWCs were among
10 the most expensive items that he and his co-conspirators could
11 bill to Medicare and generated the most profit for them. At the
12 time that defendant paid the marketers, he knew that it was
13 illegal for him to pay marketers to solicit Medicare
14 beneficiaries in order for him to obtain their Medicare
15 information.

16 b. Defendant knew that under Medicare laws, rules,
17 and regulations, he and his co-conspirators could not submit a
18 claim to Medicare for a PWC or other DME unless a doctor
19 prescribed the PWC or medical equipment to a Medicare
20 beneficiary. Defendant also knew that Medicare required him and
21 his co-conspirators to maintain a prescription and supporting
22 medical documentation in their files for every PWC and item of
23 DME that they billed Medicare. To meet these Medicare
24 requirements, defendant paid the owners and operators of
25 fraudulent medical clinics to provide him with prescriptions and
26 supporting medical documentation for the PWCs and DME that he and
27 his co-conspirators billed to Medicare. Defendant knew that
28 these clinics used marketers to solicit Medicare beneficiaries,

ii Defendant's Initials

CA

1 and that the prescriptions and medical documents that the clinics
2 produced were fraudulent. Defendant also knew that it was
3 illegal for him to pay for prescriptions, but he did so anyway.
4 On average, defendant paid between \$400 and \$700 for each
5 prescription that he bought from these clinics.

6 c. Defendant also paid doctors to write and provide
7 him and his co-conspirators with prescriptions and medical
8 documents that they needed to submit PWC and DME claims to
9 Medicare. Defendant directed marketers to bring Medicare
10 beneficiaries to the doctors or knew the doctors used marketers
11 to solicit Medicare beneficiaries. Defendant paid the doctors or
12 members of their staff approximately \$100 to \$400 for every
13 prescription that the doctors wrote for and provided to him.
14 Defendant knew at the time that he paid the doctors to write and
15 provide him with these prescriptions that it was illegal for him
16 to do so, and that the prescriptions the doctors wrote were
17 fraudulent.

18 d. Defendant and his co-conspirators used the
19 Medicare information from the marketers, and the prescriptions
20 and medical documentation that defendant purchased from the
21 owners and operators of the fraudulent medical clinics and the
22 doctors to submit false claims to Medicare for PWCs and other
23 DME. Defendant and his co-conspirators submitted these claims
24 through Bonfee and Ibon, Inc. ("Ibon"), a fraudulent DME supply
25 company that was located in the same building as Bonfee and owned
26 by defendant's co-conspirator and daughter, Obiageli Agbu. With
27 one exception, defendant and his co-conspirators supported every
28 PWC claim that they submitted to Medicare on behalf of Bonfee and

iii Defendant's Initials CA

1 Ibon with fraudulent prescriptions and medical documents that
2 defendant purchased from either the owners and operators of the
3 fraudulent medical clinics or the doctors. At the time defendant
4 and his co-conspirators submitted these claims, defendant knew
5 that it was illegal for him to submit claims to Medicare that
6 were supported by purchased and fraudulent prescriptions.

7 e. Defendant knew that in most cases, the Medicare
8 beneficiaries whom he and his co-conspirators claimed that they
9 supplied with PWCs did not have a legitimate medical need for the
10 wheelchairs. Defendant knew at the time that he and his co-
11 conspirators submitted these claims that it was illegal to submit
12 a claim to Medicare for a PWC that a beneficiary did not need.

13 f. Additionally, defendant learned that in some
14 cases, a few of his co-conspirators did not provide the
15 beneficiaries with PWCs even though defendant and his co-
16 conspirators represented to Medicare that they had supplied the
17 beneficiaries with the wheelchairs. Defendant knew it was
18 illegal for a Medicare provider to submit a claim to Medicare for
19 a PWC that a beneficiary did not receive and later terminated the
20 co-conspirators who did not deliver the PWCs, but defendant did
21 not return the money that Medicare paid him and his co-
22 conspirators for the non-delivered PWCs.

23 g. As a result of this conspiracy, defendant and his
24 co-conspirators submitted and caused the submission of
25 approximately \$11,094,918 in fraudulent claims to, and received
26 approximately \$5,788,725 in ill-gotten reimbursement payments
27 from, Medicare.

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1 5. On or about August 17, 2009, defendant transferred
2 approximately \$15,000 in criminally-derived Medicare proceeds
3 from Wells Fargo bank account number XXXXXX8271, which belonged
4 to Bonfee, to Wells Fargo bank account number XXXXXX1448, which
5 belonged to defendant. At the time defendant transferred this
6 \$15,000, defendant knew that the money was the product of health
7 care fraud. This transfer occurred in the United States.

8 6. Defendant committed all of the above acts knowingly and
9 with the intent to defraud.

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v Defendant's Initials CA

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - CHANGE OF PLEA

Case No. CR 11-134(A)-GW Date December 17, 2012

Present: The Honorable GEORGE H. WU, UNITED STATES DISTRICT JUDGE

Interpreter NONE

<u>Javier Gonzalez</u>	<u>Anne Kielwasser</u>	<u>Fred Medick specially appearing for Jonathan Baum</u>
<i>Deputy Clerk</i>	<i>Court Reporter/Recorder, Tape No.</i>	<i>Assistant U.S. Attorney</i>

<u>U.S.A. v. Defendant(s):</u>	<u>Present</u>	<u>Cust.</u>	<u>Bond</u>	<u>Attorneys for Defendants:</u>	<u>Present</u>	<u>App.</u>	<u>Ret.</u>
1. Charles Achike Agbu	✓		✓	1. Manford Collins	✓		✓

Proceedings: CHANGE OF PLEA

- ✓ Defendant moves to Change plea to Counts One and 25 of the First Superseding Indictment.
- ✓ Defendant enters a new and different plea of Guilty to Counts One and 25 of the First Superseding Indictment.
- ✓ The Court questions the defendant regarding plea of Guilty and finds it knowledgeable and voluntary and orders the plea accepted and entered.
- ✓ The Court refers the defendant to the Probation Office for an investigation and report and continues the matter to **May 16, 2013 at 8:00 a.m.** for sentencing.
- ✓ Parties are to submit their sentencing positions by no later than May 9, 2013.
- ✓ The Court vacates the Court and/or Jury Trial date.

: 28
Initials of Deputy Clerk JG

**United States District Court
Central District of California**

UNITED STATES OF AMERICA vs.

Docket No. CR 11-134(A)-GW JS-3

Defendant 1. Charles Achike Agbu

Social Security No. █ █ █ █

akas: Charles A. Agbu aka Charles Agbu aka Charles

(Last 4 digits)

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government, the defendant appeared in person on this date.

MONTH	DAY	YEAR
10	17	2013

COUNSEL Mansfield Collins, Retained
(Name of Counsel)

PLEA **GUILTY**, and the court being satisfied that there is a factual basis for the plea. **NOLO** **NOT**
CONTENDERE **GUILTY**

FINDING There being a finding/verdict of **GUILTY**, defendant has been convicted as charged of the offense(s) of:
18 U.S.C. § 1349 CONSPIRACY TO COMMIT HEALTH CARE FRAUD and 18 U.S.C. § 1957 UNLAWFUL MONETARY TRANSACTIONS as charged in the First Superseding Indictment.

JUDGMENT AND PROB/ COMM ORDER The Court asked whether there was any reason why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of: **Eighty-seven (87) months.**

It is ordered that the defendant shall pay to the United States a special assessment of \$200, which is due immediately. Any unpaid balance shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program.

Defendant shall pay restitution in the total amount of \$5,788,725.40 to victims as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. The victim list, which shall be forwarded to the fiscal section of the clerk's office, shall remain confidential to protect the privacy interests of the victims.

Restitution shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program. If any amount of the restitution remains unpaid after release from custody, nominal monthly payments of at least \$100 shall be made during the period of supervised release. These payments shall begin 30 days after the commencement of supervision. Nominal restitution payments are ordered as the court finds that the defendant's economic circumstances do not allow for either immediate or future payment of the amount ordered.

For the restitution ordered in this judgment, Charles Achike Agbu shall be held jointly and severally liable with his co-participants, if convicted, to the extent and for the amount that each is determined liable for the same victim losses. Said co-participants are as follows:

Obiageli Brooke Agbu, Dr. Emmanuel Adebayo Ayodele, Dr. Juan Tomas Van Putten, Alejandro Maciel, and Candalaria Corral Estrada (all in Docket No. CR11-00134-GW)

The victim's recovery is limited to the amount of its loss and Charles Achike Agbu's liability for restitution ceases if and when the victim receives full restitution.

Pursuant to 18 U.S.C. § 3612(f)(3)(A), interest on the restitution ordered is waived because the defendant does not have the ability to pay interest. Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

USA vs. 1. Charles Achike Agbu

Docket No.: CR 11-134(A)-GW

The defendant shall comply with General Order No. 01-05.

All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution.

The court has found that the property identified in the preliminary order of forfeiture is subject to forfeiture. The preliminary order is incorporated by reference into this judgment and is final as to defendant.

The court has also entered a money judgment of forfeiture against Charles Achike Agbu, which is hereby incorporated by reference into this judgment and is final.

Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, Charles Achike Agbu, is hereby committed on Counts 1 and 25 of the First Superseding Indictment to the custody of the Bureau of Prisons for a term of 87 months, consisting of 87 months on each count, to be served concurrently.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of three years, consisting of three-year terms on each of Counts 1 and 25 of the First Superseding Indictment, all such terms to run concurrently under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the U. S. Probation Office, General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05;
2. During the period of community supervision the defendant shall pay the special assessment and restitution in accordance with this judgment's orders pertaining to such payment;
3. The defendant shall apply all monies received from income tax refunds, lottery winnings, inheritance, judgements and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation;
4. The defendant shall not be employed in any position that requires licensing or certification by any local, state or federal agency without the prior written approval of the Probation Officer;
5. The defendant shall not engage, as whole or partial owner, employee or otherwise, in any business involving federally funded health insurance or entitlement programs without the prior written approval of the Probation Officer. Further, the defendant shall provide the Probation Officer with access to any and all business records, client lists and other records pertaining to the operation of any business owned, in whole or in part, by the defendant, as directed by the Probation Officer; and
6. The defendant shall cooperate in the collection of a DNA sample from the defendant.

The drug testing condition mandated by statute is suspended based on the Court's determination that the defendant poses a low risk of future substance abuse.

It is further ordered that the defendant surrender himself to the institution designated by the Bureau of Prisons on or before 12 noon, on January 8, 2014. In the absence of such designation, the defendant shall report on or before the same date and time, to the United States Marshal located at the Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Bond is exonerated upon surrender.

The defendant will participate in a home detention program until his self-surrender date of January 8, 2014, which may include electronic monitoring, GPS, Alcohol Monitoring Unit or automated identification systems and shall observe all rules of such program, as directed by the Probation Officer. The defendant shall maintain a residential telephone line without devices and/or services that may interrupt operation of the monitoring equipment.

The Government's request to dismiss the remaining counts of the underlying Indictment and the First Superseding Indictment is

USA vs. 1. Charles Achike Agbu

Docket No.: CR 11-134(A)-GW

granted.

The Court advises defendant of his rights to an appeal. The Court recommends, but does not order, that defendant serve his term at a federal facility in Southern California.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

October 21, 2013

Date



GEORGE H. WU, U. S. District Judge

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Clerk, U.S. District Court

October 22, 2013

Filed Date

By /S/ Javier Gonzalez

Deputy Clerk

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE

While the defendant is on probation or supervised release pursuant to this judgment:

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. The defendant shall not commit another Federal, state or local crime; 2. the defendant shall not leave the judicial district without the written permission of the court or probation officer; 3. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month; 4. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer; 5. the defendant shall support his or her dependents and meet other family responsibilities; 6. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons; 7. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment; 8. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician; 9. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered; | <ol style="list-style-type: none"> 10. 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; 11. 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 by the probation officer; 12. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer; 13. 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; 14. 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 conform the defendant's compliance with such notification requirement; 15. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours; 16. and, <u>for felony cases only</u>: not possess a firearm, destructive device, or any other dangerous weapon. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

USA vs. **1. Charles Achike Agbu**

Docket No.: **CR 11-134(A)-GW**



The defendant will also comply with the following special conditions pursuant to General Order 01-05 (set forth below).

STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS

The defendant shall pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15th) day after the date of the judgment pursuant to 18 U.S.C. §3612(f)(1). Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed prior to April 24, 1996.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant shall pay the balance as directed by the United States Attorney's Office. 18 U.S.C. §3613.

The defendant shall notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. §3612(b)(1)(F).

The defendant shall notify the Court through the Probation Office, and notify the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. §3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution-pursuant to 18 U.S.C. §3664(k). See also 18 U.S.C. §3572(d)(3) and for probation 18 U.S.C. §3563(a)(7).

Payments shall be applied in the following order:

1. Special assessments pursuant to 18 U.S.C. §3013;
2. Restitution, in this sequence:
 - Private victims (individual and corporate),
 - Providers of compensation to private victims,
 - The United States as victim;
3. Fine;
4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
5. Other penalties and costs.

SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE

As directed by the Probation Officer, the defendant shall provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure; and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant shall not apply for any loan or open any line of credit without prior approval of the Probation Officer.

The defendant shall maintain one personal checking account. All of defendant's income, "monetary gains," or other pecuniary proceeds shall be deposited into this account, which shall be used for payment of all personal expenses. Records of all other bank accounts, including any business accounts, shall be disclosed to the Probation Officer upon request.

The defendant shall not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

RETURN

I have executed the within Judgment and Commitment as follows:

Defendant delivered on _____ to _____

Defendant noted on appeal on _____

Defendant released on _____

Mandate issued on _____

Defendant's appeal determined on _____

Defendant delivered on _____ to _____

USA vs. 1. Charles Achike Agbu

Docket No.: CR 11-134(A)-GW

at _____
the institution designated by the Bureau of Prisons, with a certified copy of the within Judgment and Commitment.

United States Marshal

By _____
Deputy Marshal

Date

CERTIFICATE

I hereby attest and certify this date that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

Clerk, U.S. District Court

By _____
Deputy Clerk

Filed Date

FOR U.S. PROBATION OFFICE USE ONLY

Upon a finding of violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) _____
Defendant

Date

U. S. Probation Officer/Designated Witness

Date

CLOSED,PASPRT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:11-cr-00134-GW-1**

Case title: USA v. Agbu et al

Date Filed: 02/15/2011

Date Terminated: 10/22/2013

Assigned to: Judge George H. Wu

Appeals court case numbers: 13-50527 Appellate, 15-56931 9th Circuit

Defendant (1)

Charles Achike Agbu

TERMINATED: 10/22/2013

also known as

Charles A Agbu

TERMINATED: 10/22/2013

also known as

Charles Agbu

TERMINATED: 10/22/2013

also known as

Charles

TERMINATED: 10/22/2013

represented by **David J Zugman**

Burcham and Zugman, APC

964 Fifth Avenue, Suite 300

San Diego, CA 92101

619-699-5931

Fax: 619-699-5932

Email: zugman@sbcglobal.net

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Gail Ivens

Law Office of Gail Ivens

P.O. Box 664

King City, CA 93930

213-247-5282

Email: g.iven.attorney@gmail.com

TERMINATED: 02/12/2014

Designation: CJA Appointment

James H Locklin

Federal Public Defenders Office

321 East 2nd Street

Los Angeles, CA 90012-4206

213-894-2929

Fax: 213-894-0081

Email:

zzCAC_FPD_Document_Receiving@fd.org

TERMINATED: 04/11/2014

Designation: Public Defender or

*Community Defender Appointment***Mansfield Collins**

Offices of Mansfield Collins
 3055 Wilshire Boulevard Suite 600-B
 Los Angeles, CA 90010
 213-384-0982
 Fax: 866-333-2045
 Email: lawmanmcmc@aol.com
TERMINATED: 02/12/2014
Designation: Retained

Richard D Goldman

Federal Public Defenders Office
 321 East 2nd Street
 Los Angeles, CA 90012-4202
 213-894-2854
 Fax: 213-894-0081
 Email: richard_goldman@fd.org
TERMINATED: 03/21/2011

Sean S Chandra

Sean Chandra Law Offices
 3055 Wilshire Boulevard Suite 600
 Los Angeles, CA 90010
 213-291-7733
 Fax: 213-291-8649
 Email: sean.chandra@gmail.com
TERMINATED: 02/12/2014
Designation: Retained

Pending Counts

18:1349 CONSPIRACY TO
 COMMIT HEALTH CARE FRAUD
 (1s)

18:1957 UNLAWFUL MONETARY
 TRANSACTIONS
 (25s)

Highest Offense Level (Opening)**Disposition**

The Government's request to dismiss the remaining counts of the underlying Indictment and the First Superseding Indictment is granted.

Defendant, Charles Achike Agbu, is hereby committed on Counts 1 and 25 of the First Superseding Indictment to the custody of the Bureau of Prisons for a term of Eighty-Seven (87) months, consisting of 87 months on each count, to be served concurrently. Supervised release for a term of Three (3) years. Pay a special assessment of \$200. Restitution in the total amount of \$5,788,725.40. All fines are waived.

Felony

Terminated Counts

18:1349 CONSPIRACY TO
COMMIT HEALTH CARE FRAUD
(1)

18:1347, 2(b) HEALTH CARE
FRAUD AND CAUSING AN ACT
TO BE DONE
(2-6)

18:1347, 2(b) HEALTH CARE
FRAUD AND CAUSING AN ACT
TO BE DONE
(2s-6s)

18:982(a)(7), 21:853, 28:2461(c)
CRIMINAL FORFEITURE
(11)

18:1347, 2(b) HEALTH CARE
FRAUD AND CAUSING AN ACT
TO BE DONE
(11s-12s)

18:1347, 2(b) HEALTH CARE
FRAUD AND CAUSING AN ACT
TO BE DONE
(14s)

18:1347, 2(b) HEALTH CARE
FRAUD AND CAUSING AN ACT
TO BE DONE
(17s-20s)

18:1957 UNLAWFUL MONETARY
TRANSACTIONS
(22s-24s)

Highest Offense Level
(Terminated)

Felony

Disposition

Defendant, Charles Achike Agbu, is hereby committed on Counts 1 and 25 of the First Superseding Indictment to the custody of the Bureau of Prisons for a term of Eighty-Seven (87) months, consisting of 87 months on each count, to be served concurrently. Supervised release for a term of Three (3) years. Pay a special assessment of \$200. Restitution in the total amount of \$5,788,725.40. All fines are waived.

The Government's request to dismiss the remaining counts of the underlying Indictment and the First Superseding Indictment is granted.

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Complaints

None

Disposition**Plaintiff**

USA

represented by **Blanca Quintero**

AUSA - Office of US Attorney
Southern District of California
880 Front Street Room 6293
San Diego, CA 92101
619-546-7118
Fax: 619-546-0510
Email: blanca.quintero2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Brittney Michelle Harris
AUSA - Office of US Attorney
General Crimes Section
312 North Spring Street Suite 1200
Los Angeles, CA 90012
213-894-0488
Fax: 213-894-0141
Email: brittney.harris@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Brooke Harper
US Department of Justice
Criminal Division - Fraud Section
4811 Airport Plaza Drive 5th floor
Long Beach, CA 90815
202-262-0025
Fax: 562-982-1799
Email: brooke.harper@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Claire Yan
US Department of Justice
Criminal Division
4811 Airport Plaza Drive Suite 500
Long Beach, CA 90815
202-834-1429

Fax: 562-982-1799
Email: claire.yan@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Jonathan T Baum
AUSA - Office of the US Attorney
Fraud Section - Criminal Division
312 North Spring Street 12th Floor
Los Angeles, CA 90012
213-894-6495
Fax: 213-894-2387
Email: jonathan.baum@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

William Kanellis
US Department of Justice
Criminal Division - Fraud Section
1400 New York Avenue NW
Washington, DC 20005
202-305-9329
Fax: 213-894-2387
Email: William.Kanellis@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Alexander F Porter
AUSA - Office of US Attorney
Criminal Division - Major Frauds
312 North Spring Street 11th Floor
Los Angeles, CA 90012
213-894-0813
Fax: 213-894-6269
Email: alexander.porter2@usdoj.gov
TERMINATED: 09/21/2017
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Ritesh K Srivastava
US Department of Justice
Trial Attorney Criminal Division -
Fraud Section
4811 Airport Plaza Drive Suite 500
Long Beach, CA 90815
562-982-1746

Fax: 562-982-1799

Email: Ritesh.srivastava@usdoj.gov

TERMINATED: 05/28/2017

Designation: Assistant US Attorney

Date Filed	#	Docket Text
02/15/2011	<u>1</u>	INDICTMENT Filed as to Charles Achike Agbu (1) count(s) 1, 2-6, 11, Obiageli Brooke Agbu (2) count(s) 1, 7-10, 11. Offense occurred in LA. (sj) (Entered: 02/17/2011)
02/15/2011	<u>2</u>	EX PARTE APPLICATION FOR ORDER SEALING INDICTMENT AND CORRESPONDING ANCILLARY DOCUMENTS; Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu(sj) (Entered: 02/17/2011)
02/15/2011	<u>3</u>	ORDER by Magistrate Judge Carla Woehrle: granting <u>2</u> Ex Parte Application to Seal Case as to Charles Achike Agbu (1), Obiageli Brooke Agbu (2) (sj) (Entered: 02/17/2011)
02/15/2011	<u>4</u>	NOTICE of Related Case(s) filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu Related Case(s): 08-1084 (sj) (Entered: 02/17/2011)
02/15/2011	<u>5</u>	CASE SUMMARY filed by AUSA John Baum as to Defendant Charles Achike Agbu; defendants Year of Birth: 1954 (sj) (Entered: 02/17/2011)
02/15/2011	<u>7</u>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Charles Achike Agbu (sj) (Entered: 02/17/2011)
02/15/2011	<u>9</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. Re: Magistrate Judge Jacqueline Chooljian and Magistrate Judge Patrick J Walsh(sj) (Entered: 02/17/2011)
02/17/2011	<u>10</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Charles Achike Agbu; defendants Year of Birth: 1954; date of arrest: 2/17/2011 (mhe) (Entered: 02/23/2011)
02/17/2011	<u>11</u>	MINUTES OF ARREST ON INDICTMENT HEARING held before Magistrate Judge Carla Woehrle as to Defendant Charles Achike Agbu. Defendant states true name as charged. Attorney: Richard D Goldman for Charles Achike Agbu, Deputy Federal Public Defender, present. Court orders bail set as: Charles Achike Agbu (1) \$50,000 APPEARANCE BOND, SEE ATTACHED BOND FOR TERMS AND CONDITIONS. Defendant remanded to the custody of the USM. Arraignment held. See separate PIA minutes Court Smart: CS 2/17/11. (mhe) (Entered: 02/23/2011)
02/17/2011	<u>12</u>	STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Charles Achike Agbu (mhe) (Entered: 02/23/2011)
02/17/2011	<u>13</u>	ORDER FOR CONTRIBUTION TOWARD ATTORNEYS FEES by Magistrate Judge Carla Woehrle as to Charles Achike Agbu. Funds in the amount of \$200, shall be paid by the defendant to the Clerks Office as follows:

		the amount to be contributed towards attorney fees may be adjusted upwards or eliminated. (mhe) (Entered: 02/23/2011)
02/17/2011	<u>17</u>	MINUTES OF POST-INDICTMENT ARRAIGNMENT: held before Magistrate Judge Carla Woehrle as to Defendant Charles Achike Agbu (1) Count 1,2-6,11. Defendant arraigned, states true name: As charged. Defendant entered not guilty plea to all counts as charged. Attorney: Richard D. Goldman, Deputy Federal Public Defender present. Case assigned to Judge George H. Wu. Jury Trial set for 3/29/2011 08:00 AM before Judge George H Wu. Status Conference set for 2/24/2011 08:00 AM before Judge George H Wu. Court Smart: CS02/17/2011. (tba) (Entered: 02/23/2011)
02/17/2011	<u>19</u>	FINANCIAL AFFIDAVIT filed as to Defendant Charles Achike Agbu. (Not for Public View Pursuant to the E-Government Act of 2002) (mhe) (Main Document 19 replaced on 11/13/2015) (mba). Modified on 11/13/2015 (mba). (Entered: 02/23/2011)
02/17/2011	<u>29</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. Nigeria passport No: A01806046 was received on 2/17/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/17/2011	<u>30</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. USA passport No: 427854935 was received on 2/17/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/17/2011	<u>31</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. Nigeria passport No: A01812542 was received on 2/17/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/17/2011	<u>32</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. USA passport No: 428426973 was received on 2/17/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/17/2011	<u>38</u>	AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$ 50,000 by surety: Ify Patricia Agbu for Bond and Conditions (CR-1) <u>28</u> . Filed by Defendant Charles Achike Agbu (Not for Public View Pursuant to the E-Government Act of 2002)(mhe) (Main Document 38 replaced on 11/13/2015) (mba). Modified on 11/13/2015 (mba). (Entered: 03/01/2011)
02/17/2011	<u>274</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. USA passport No: 425484622 was received on 2/17/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 08/07/2013)
02/18/2011	<u>33</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. USA passport No: 427854936 was received on 2/18/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/18/2011	<u>34</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. Nigeria passport No: A01806036 was received on 2/18/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/18/2011	<u>35</u>	

		PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Charles Achike Agbu. USA passport No: 429282593 was received on 2/18/11. Re: Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
02/24/2011	<u>28</u>	BOND AND CONDITIONS OF RELEASE filed as to Defendant Charles Achike Agbu conditions of release: \$50,000 APPEARANCE BOND, SEE ATTACHED BOND FOR TERMS AND CONDITIONS approved by Magistrate Judge Carla Woehrle. (mhe) (Entered: 02/28/2011)
02/24/2011	<u>36</u>	MEMORANDUM FOR RELEASE ORDER AUTHORIZATION filed by PSA Officer as to Defendant Charles Achike Agbu. Submitted in compliance with conditions as set forth in Bond and Conditions (CR-1) <u>28</u> . (mhe) (Entered: 03/01/2011)
03/15/2011	<u>39</u>	MINUTES OF IN CHAMBERS ORDER by Judge George H Wu: The Court hereby sets a Status Conference in the above-referenced matter for March 21, 2011 at 8:00 a.m. as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (jag) (Entered: 03/15/2011)
03/18/2011	<u>40</u>	REQUEST FOR APPROVAL OF SUBSTITUTION OF attorney Sean Chandra in place of attorney Richard D. Goldman Filed by Defendant Charles Achike Agbu Request set for hearing on 3/21/2011 at 08:00 AM before Judge George H Wu. (Attachments: # <u>1</u> Proposed Order)(Chandra, Sean) (Entered: 03/18/2011)
03/21/2011	<u>43</u>	MINUTES OF Status Conference held before Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. Attorney Sean Chandra is substituted as counsel for Defendant Charles Achike Agbu, in place and instead of Richard D. Goldman, DFPD. Attorney Tracy Green's Motion to Withdraw as Attorney for Defendant Obiageli Brooke Agbu, filed on March 20, 2011, is set for March 31, 2011 at 8:00 a.m. The Status Conference is continued to March 31, 2011 at 8:00 a.m. The Jury Trial presently set for March 29, 2011 is vacated and taken off-calendar. Court Reporter: Wil Wilcox. (rs) (Entered: 03/28/2011)
03/22/2011	<u>42</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 (Related Case) filed. Transfer of case declined by Judge Consuelo B. Marshall, for the reasons set forth on this order. Related Case No. CR 08-01084 CBM (rn) (Entered: 03/22/2011)
03/28/2011	<u>44</u>	ORDER ON REQUEST FOR APPROVAL OF SUBSTITUTION OF ATTORNEY by Judge George H Wu: granting <u>40</u> Request for Approval of Substitution of Attorney as to Charles Achike Agbu (1) to substitute Sean Chandra Retained Counsel as attorney of record in place and stead of Richard D. Goldman, DFPD (pj) (Entered: 03/29/2011)
03/31/2011	<u>45</u>	MINUTES ATTORNEY TRACY GREEN'S MOTION TO WITHDRAW AS ATTORNEY FOR DEFENDANT OBIAGELI BROOKE AGBU (filed 03/20/11); STATUS CONFERENCE Motion Hearing held before Judge George H Wu Tracy Green withdrawn from case. as to Obiageli Brooke Agbu Attorney Tracy Green's Motion to Withdraw as Attorney for Defendant Obiageli Brooke Agbu is granted 41 . Chijioke O. Ikonte is substituted as

		counsel for Defendant Obiageli Brooke Agbu, in place and instead of Tracy Green. Substitution of attorneys will be filed forthwith. The Jury Trial presently set for April 28, 2011, is continued July 28, 2011 at 8:00 a.m. Defendants Charles Achike Agbu and Obiageli Brooke Agbu and their counsel orally waive their speedy trial rights on the record. Parties will file a stipulation and proposed order as to new trial date and findings regardingexcludable time periods pursuant to the Speedy Trial Act forthwith. Added attorney Chijioke O Ikonte for Obiageli Brooke Agbu. Attorney Tracy Green terminated in case as to Obiageli Brooke Agbu. Court Reporter: Wil Wilcox. (pj) (Entered: 04/01/2011)
04/08/2011	<u>48</u>	APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION Filed by Defendant Charles Achike Agbu (Chandra, Sean) (Entered: 04/08/2011)
04/14/2011	<u>49</u>	NOTICE of Manual Filing of EX PARTE APPLICATION FOR AN ORDER ALLOWING AN EXTENSION OF TIME filed by Plaintiff USA as to Defendant Charles Achike Agbu (Baum, Jonathan) (Entered: 04/14/2011)
04/18/2011	<u>50</u>	MINUTES OF IN CHAMBERS ORDER by Judge George H Wu: Defendant Charles Achike Agbu, is hereby ordered to appear on May 2, 2011 at 8:00 a.m., and show cause why the defendant should remain on bond as previously set. as to Defendant Charles Achike Agbu. (jag) (Entered: 04/18/2011)
04/18/2011	<u>51</u>	ORDER ON PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE by Judge George H. Wu as to Defendant Charles Achike Agbu. (gk) (Entered: 04/18/2011)
04/18/2011	<u>52</u>	SEALED DOCUMENT- Government's Exparte Application for Order Sealing Document; Declaration of Jonathan Baum. (mat) (Entered: 04/20/2011)
04/18/2011	<u>53</u>	SEALED DOCUMENT- Exparte Application for an Order Allowing an Extension of Time within which to Search Computers; Declaration of Veronious T. Nelms. (mat) (Entered: 04/20/2011)
04/18/2011	<u>54</u>	ORDER by Judge George H Wu: granting <u>52</u> Exparte Application to Seal Document as to Charles Achike Agbu (1), Obiageli Brooke Agbu (2) (cbr) (Entered: 04/22/2011)
04/18/2011	<u>55</u>	ORDER by Judge George H Wu: GRANTING the United States' Application for an Order Allowing an Extension of Time Within Which to Search Computers <u>53</u> as to Charles Achike Agbu (1), Obiageli Brooke Agbu (2) (cbr) (Entered: 04/22/2011)
04/28/2011	<u>56</u>	STIPULATION to Continue OSC/Bond Hearing from May 2, 2011 to May 16, 2011 filed by Defendant Charles Achike Agbu (Attachments: # <u>1</u> Proposed Order)(Chandra, Sean) (Entered: 04/28/2011)
04/29/2011	<u>57</u>	OPPOSITION to APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION <u>48</u> filed by Plaintiff USA as to Defendant CHARLES AGBU. (Attachments: # <u>1</u> Declaration)(Baum, Jonathan) (Entered: 04/29/2011)
04/29/2011	<u>58</u>	

		DECLARATION of VERONIQUE NELMS filed by Plaintiff USA as to Defendant Charles Achike Agbu RE: Opposition to Motion (CR) <u>57</u> (Baum, Jonathan) (Entered: 04/29/2011)
04/29/2011	<u>59</u>	ORDER CONTINUING BOND HEARING by Judge George H Wu as to Defendant Charles Achike Agbu, this Court ORDERS: This Court's April 18, 2011 minute order, requiring Defendant Charles Achike Agbu to appear on May 2, 2011 and show cause why he should remain on bond as previously set, is hereby VACATED. Instead, Defendant Charles Achike Agbu is ORDERED to appear on May 16, 2011 at 8:30 a.m., and show cause why he should remain on bond as previously set. <u>56</u> (es) (Entered: 05/02/2011)
05/10/2011	<u>60</u>	REPLY in support APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION <u>48</u> filed by Defendant Charles Achike Agbu. (Attachments: # <u>1</u> Declaration of Rev. Charles Agbu, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N) (Chandra, Sean) (Entered: 05/10/2011)
05/10/2011	<u>61</u>	(Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N) (Chandra, Sean) (Entered: 05/10/2011)
05/13/2011	<u>62</u>	STIPULATION to Continue Order to Show Cause Hearing from May 16, 2011 to May 26, 2011 filed by Plaintiff USA as to Defendant Charles Achike Agbu (Attachments: # <u>1</u> Proposed Order to Continue Order to Show Cause Hearing) (Baum, Jonathan) (Entered: 05/13/2011)
05/17/2011	<u>63</u>	ORDER CONTINUING SHOW CAUSE HEARING by Judge George H Wu. Defendant Charles Achike Agbu is ORDERED to appear on May 26, 2011 at 8:00 a.m., and show cause why he should remain on bond as previously set. (pj) (Entered: 05/17/2011)
05/18/2011	<u>64</u>	MINUTES OF IN CHAMBERS ORDER by Judge George H Wu: The Court, on its own motion, continues the time to appear at the Order to Show Cause hearing, presently set for May 26, 2011, from 8:00 to 11:00 a.m. as to Defendant Charles Achike Agbu. (jag) (Entered: 05/18/2011)
05/23/2011	<u>65</u>	EX PARTE APPLICATION to Unseal Case Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order)(Baum, Jonathan) (Entered: 05/23/2011)
05/26/2011	<u>67</u>	MINUTES OF ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD REMAIN ON BOND Hearing held before Judge George H Wu as to Defendant Charles Achike Agbu, United States Pretrial Services Officer Brenda Mercado is also present. Court hears oral argument. Defendant Agbu will remain on bond. The order to show cause is continued to June 16, 2011 at 11:30 a.m. Court Reporter: Pat Cueno. (pj) (Entered: 06/01/2011)
05/27/2011	<u>66</u>	ORDER by Judge George H Wu: granting <u>65</u> Ex Parte Application for Order for the search warrants and supporting affidavit in the titled case, be ordered

		unsealed as to Charles Achike Agbu (1), Obiageli Brooke Agbu (2) (pj) (Entered: 05/31/2011)
06/09/2011	<u>68</u>	REPLY in support/response APPLICATION FOR REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE/DETENTION <u>48</u> filed by Defendant Charles Achike Agbu. (Attachments: # <u>1</u> Declaration Charles Agbu, # <u>2</u> Declaration Sean Chandra, # <u>3</u> Declaration Marvinna Stephens, # <u>4</u> Declaration Anita Merrick, # <u>5</u> Declaration Omega Johnson Crawford, # <u>6</u> Declaration Beresford Edwards) (Chandra, Sean) (Entered: 06/09/2011)
06/13/2011	<u>69</u>	NOTICE of Association of Counsel associating attorney Mansfield Collins on behalf of Defendant Charles Achike Agbu. Filed by Defendant Charles Achike Agbu (Collins, Mansfield) (Entered: 06/13/2011)
06/16/2011	<u>70</u>	MINUTES OF ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD REMAIN ON BOND ASPRESENTLY SET held before Judge George H Wu as to Defendant Charles Achike Agbu. Defendant will remain on bond under the same terms and conditions. Court Reporter: Wil Wilcox. (rs) (Entered: 06/20/2011)
07/25/2011	<u>71</u>	STIPULATION to Continue TRIAL DATE from 7/28/2011 to 2/28/2012 filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order)(Baum, Jonathan) (Entered: 07/25/2011)
07/28/2011	<u>72</u>	ORDER TO CONTINUE Trial by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. Trial set for 2/28/2012 08:00 AM before Judge George H Wu. Status Conference set for 2/13/2012 08:30 AM before Judge George H Wu. (pj) (Entered: 07/29/2011)
08/08/2011	<u>73</u>	Emergency APPLICATION to Modify Conditions of Release Filed by Defendant Charles Achike Agbu Application set for hearing on 8/9/2011 at 11:00 AM before Judge George H Wu. (Collins, Mansfield) (Entered: 08/08/2011)
08/09/2011	<u>74</u>	ORDER by Judge George H Wu: Regarding <u>73</u> Application Review/Reconsideration of Order Setting Conditions of Release/Detention as to Charles Achike Agbu. FOR GOOD CAUSE SHOWN: 1. Rev. Agbu can read, review and in circumstances requiring home review and transportation to and from his attorneys office and the place of hearings possess the records of his former med-cal/medicare beneficiary records for the sole and limited purpose of preparation in connection with two separate administrative hearings before the ALJ on 8-11, 8-12 and 8-22, 8-23, 2011. 2. This order shall expire at the conclusion of the last scheduled ALJ hearing. IT IS SO ORDERED. (es) (Entered: 08/11/2011)
11/09/2011	<u>75</u>	ARREST WARRANT RETURNED Executed on 2/7/2011 as to Defendant Charles Achike Agbu. (jp) (Entered: 11/18/2011)
02/09/2012	<u>76</u>	STIPULATION to Continue Trial Date and Excludable Time from 02/28/2012 to 10/29/2012 filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order To Continue Trial Date)(Baum, Jonathan) (Entered: 02/09/2012)

02/13/2012	<u>77</u>	ORDER CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODSPURSUANT TO SPEEDY TRIAL ACT by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. Jury Trial set for 10/29/2012 at 8:00 AM; The Status Conference set for 10/15/2012 at 8:30 AM. (rs) (Entered: 02/13/2012)
04/10/2012	<u>78</u>	STIPULATION for Modification of Conditions of Release filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order)(Ikonte, Chijioke) (Entered: 04/10/2012)
04/13/2012	<u>79</u>	ORDER RE: APPLICATION ANDSTIPULATION TO MODIFY CONDITIONS OF RELEASE by Judge George H Wu as to Defendant The terms of defendant OBIAGELI BROOKE AGBUs pretrial release be modified to permit her to travel to Dallas, Texas April 18, 2012 and to returnto her residence within the Central District of California by April 23, 2012. (pj) (Entered: 04/16/2012)
05/04/2012	<u>80</u>	NOTICE OF MOTION AND MOTION for Bill of Particulars Filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu Motion set for hearing on 6/21/2012 at 08:30 AM before Judge George H Wu. (Chandra, Sean) (Entered: 05/04/2012)
06/14/2012	<u>81</u>	OPPOSITION to MOTION for Bill of Particulars <u>80</u> filed by Plaintiff USA as to Defendant CHARLES AGBU. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Baum, Jonathan) (Entered: 06/14/2012)
06/14/2012	<u>82</u>	JOINDER in MOTION for Bill of Particulars <u>80</u> filed by Charles Achike Agbu filed by Defendant Obiageli Agbu. (Ikonte, Chijioke) (Entered: 06/14/2012)
06/20/2012	<u>83</u>	APPLICATION to Continue Motion for a Bill of Particulars from 06/21/2012 to 07/12/2012. RE: MOTION for Bill of Particulars <u>80</u> . Filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu Application set for hearing on 7/12/2012 at 08:30 AM before Judge George H Wu. (Attachments: # <u>1</u> Proposed Order)(Ikonte, Chijioke) (Entered: 06/20/2012)
06/26/2012	<u>84</u>	ORDER by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, HAVING CONSIDERED the Stipulation and good cause appearing, the court orders that: The hearing on defendants' motion for a bill of particulars [Docket No. 80] is continued to July 12, 2012 at 8:30 a.m. in Courtroom 10 of this Court located at 300 North Spring Street, Los Angeles, CA 90012 <u>80</u> (es) (Entered: 06/27/2012)
07/08/2012	<u>85</u>	REPLY in support of MOTION for Bill of Particulars <u>80</u> filed by Defendant Charles Achike Agbu. (Chandra, Sean) (Entered: 07/08/2012)
07/22/2012	<u>86</u>	STIPULATION to Continue Hearing re Bill of Particulars from July 12, 2012 to July 26, 2012 filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 07/22/2012)

07/24/2012	<u>87</u>	ORDER by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu,; The hearing on defendants motion for a bill of particulars <u>80</u> is continued to July 26, 2012 at 8:30 a.m. in Courtroom 10 of this Court located at 300 North Spring Street, Los Angeles, CA 90012 (jag) (Entered: 07/25/2012)
07/26/2012	<u>88</u>	MINUTES OF DEFENDANT CHARLES ACHIKE AGBU'S MOTION FOR BILL OF PARTICULARS (filed 05/04/12) DEFENDANT OBIAGELI AGBU'S JOINDER TO DEFENDANT CHARLES AGBU'S MOTION (filed 06/14/12) <u>80</u> (1), (2); Motion Hearing held before Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. Court hears oral argument. For reasons stated on the record, Defendant Charles Agbus motion and ObiageliAgbus Joinder, are DENIED WITHOUT PREJUDICE. Court Reporter: Pat Cuneo. (pj) (Entered: 07/27/2012)
08/02/2012	<u>89</u>	Second STIPULATION for Modification of Conditions of Release filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order)(Ikonte, Chijioko) (Entered: 08/02/2012)
09/10/2012	<u>91</u>	STIPULATION to Continue Trial from October 29, 2012 to February 26, 2013 filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 09/10/2012)
09/12/2012	<u>92</u>	ORDER RE: CONTINUANCE OF TRIAL by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. The trial is continued to 2/26/2013 at 8:30 AM before Judge George H Wu. (es) (Entered: 09/13/2012)
09/25/2012	<u>93</u>	FIRST SUPERSEDING INDICTMENT Filed as to Charles Achike Agbu (1) count(s) 1s, 2s-6s, 11s-12s, 14s, 17s-20s, Obiageli Brooke Agbu (2) count(s) 1s, 7s-10s, 13s, 15s-16s, 21s, Emmanuel Adebayo Ayodele (3) count(s) 1, 11-16, Juan Tomas Van Putten (4) count(s) 1, 18-21, Alejandro Maciel (5) count (s) 1, 11-16, 18-20, Candalaria Corral Estrada (6) count(s) 1, 13-16, 18. (mat) (Entered: 10/04/2012)
09/25/2012	<u>94</u>	CASE SUMMARY filed by AUSA Jonathan Baum as to Defendant Charles Achike Agbu; defendant Year of Birth: 1954 (mat) (Entered: 10/04/2012)
09/25/2012	<u>100</u>	GOVERNMENT'S EXPARTE APPLICATION for Order Sealing Indictment and Related Documents; Declaration of Jonathan Baums Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. The Government's hereby appllies exparte for an order that the first superseding indictment and any related documents in the above -titled case be kept under seal until one of the defendants is taken into custody on the charges contained in the first superseding Indictment. (mat) (Entered: 10/04/2012)
09/25/2012	<u>101</u>	ORDER by Judge George H Wu: granting <u>100</u> Exparte Application to Seal of Indictment and Related Documents. (mat) (Entered: 10/04/2012)

09/25/2012	<u>102</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Re: Magistrate Judge Carla Woehrle and Judge Jacqueline Chooljian. (mat) (Entered: 10/04/2012)
09/25/2012	<u>103</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. Re: Judge Michael W Fitzgerald. (mat) (Entered: 10/04/2012)
10/12/2012	124	TEXT ONLY ENTRY - IN CHAMBERS by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. The Status Conference scheduled for October 15, 2012 is advanced from 8:30 AM to 8:00 AM. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(kti) TEXT ONLY ENTRY (Entered: 10/12/2012)
10/12/2012	125	TEXT ONLY ENTRY - IN CHAMBERS by Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu. On the Court's own motion, the Status Conference set for October 15, 2012 is continued to October 18, 2012 8:00 AM. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(kti) TEXT ONLY ENTRY (Entered: 10/12/2012)
10/18/2012	<u>126</u>	MINUTES OF Status Conference held before Judge George H Wu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Alejandro Maciel, Candalaria Corral Estrada. As to Defendants 1, 2, and 3: A Pretrial Conference is set for February 14, 2013 at 8:00 a.m. Jury Trial is continued to February 26, 2013 at 8:30 a.m. Each individual defendant and their counsel orally waive their speedy trial rights on the record. A stipulation and proposed order re findings regarding excludable time periods pursuant to Speedy Trial Act will be filed forthwith. As to Defendants 5 and 6: The Status Conference is continued to October 25, 2012 at 8:00 a.m. Counsel shall meet and confer re bond conditions. The parties are advised that the Status Conference will be vacated and no appearance will be required provided that a Stipulation to Continue the Trial Date (with excludable time), with a proposed order, is filed by noon on October 24, 2012 : Court Reporter: Wil Wilcox. (pj) (Entered: 10/25/2012)
11/14/2012	<u>139</u>	SEALED DOCUMENT- UNITED STATES' NOTICE OF MOTION AND MOTION for a Judicial Inquiry into Conflicts of Interest in the Joint Representation of Defendants Alejandro Maciel and Candelaria Estrada and to Disqualify Defense Counsel; Declarations of Steven J. Nathenson and Jonathan T. Baum. (mat) (Entered: 11/15/2012)
11/14/2012	<u>140</u>	SEALED DOCUMENT- United States' Under Seal Filing; Declaration of Jonathan Baum. (mat) (Entered: 11/15/2012)
11/26/2012	149	Notice of Electronic Filing re Statement of Constitutional Rights 143 , Opposition to Motion (CR) 148 , Bond and Conditions (CR-1) 144 , Change of Plea Hearing (plea accepted), Change of Plea Hearing (plea accepted) 147 , Arrest on Indictment - Initial Appearance,, 142 , Arraignment - Post Indictment, 146 , Declaration re Passport (CR-37), Declaration re Passport (CR-37) 145 e-mailed to albert.garcia@sce.com bounced due to 5.1.0 -

		Unknown address error 550-#5.1.0 Address rejected albert.garcia@sce.com'. Primary e-mail address corrected. Notice of Electronic Filing resent addressed to agarcia6@semprautilities.com with a request that he update his CM profile. Pursuant to the General Order and Local Rules it is the attorneys obligation to maintain all personal contact information including e-mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(tyw) TEXT ONLY ENTRY (Entered: 12/04/2012)
12/05/2012	<u>152</u>	PLEA AGREEMENT filed by Plaintiff USA as to Defendant Charles Achike Agbu (Baum, Jonathan) (Entered: 12/05/2012)
12/07/2012	153	TEXT ONLY ENTRY (IN CHAMBERS): by Judge George H Wu; Pursuant to the request of counsel, a Change of Plea hearing as to Defendant Charles Achike Agbu is set for 12/17/2012 10:30 AM before Judge George H Wu. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(jag) TEXT ONLY ENTRY (Entered: 12/07/2012)
12/17/2012	<u>156</u>	MINUTES OF Change of Plea Hearing held before Judge George H Wu as to Defendant Charles Achike Agbu. Defendant sworn. Court questions defendant regarding the plea. The Defendant Charles Achike Agbu (1) pleads GUILTY to Count 1s, 25s of the First Superseding Indictment. The plea is accepted. The Court ORDERS the preparation of a Presentence Report. Sentencing set for 5/16/2013. Parties are to submit their sentencing positions by no later than May 9, 2013. The Court vacates the Court and/or Jury Trial date. Court Reporter: Anne Kielwasser. (es) (Entered: 12/19/2012)
01/31/2013	<u>166</u>	STIPULATION for Modification of Conditions of Release filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 01/31/2013)
02/04/2013	<u>168</u>	ORDER RE REMOVAL OF ANKLE MONITORING DEVICE by Judge George H. Wu as to Defendant Charles Achike Agbu. The Court orders that: The ankle monitoring device shall be removed by officers of the United States Probation Office. All other terms and conditions of pre-trial release to remain in effect. <u>166</u> (es) (Entered: 02/05/2013)
02/21/2013	<u>174</u>	STIPULATION for Modification of Conditions of Release filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 02/21/2013)
02/21/2013	<u>175</u>	STIPULATION to Continue Trial Date from 2/26/13 to 6/11/13 filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Baum, Jonathan) (Entered: 02/21/2013)
02/25/2013	<u>176</u>	ORDER RE: REMOVAL OF HOME DETENTION ORDER by Judge George H. Wu as to Defendant Charles Achike Agbu. HAVING CONSIDERED the

		Stipulation and good cause appearing, the court orders that: The Home Detention order shall be terminated effective the date of this order. All other terms and conditions of pre-trial release shall remain in effect. <u>174</u> (es) (Entered: 02/27/2013)
02/25/2013	<u>177</u>	ORDER CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODS PURSUANT TO SPEEDY TRIAL ACT by Judge George H. Wu as to Defendant Charles Achike Agbu, et al., FOR GOOD CAUSE SHOWN: The trial date in this case is continued from February 26, 2013, at 8:00 a.m., to June 11, 2013, at 8:30 a.m. The pretrial conference in this case is set for May 30, 2013, at 8:00 a.m. The time period of October 4, 2012, to June 11, 2013, inclusive, is deemed an excludable period. (es) (Entered: 02/28/2013)
03/13/2013	<u>178</u>	Third STIPULATION for Modification of Conditions of Release filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Ikonte, Chijioke) (Entered: 03/13/2013)
03/13/2013	<u>179</u>	STIPULATION to Continue Sentencing Date from May 16, 2013, at 10:00 a.m. to August 15, 2013, at 10:00 a.m. filed by Plaintiff USA as to Defendant Charles Achike Agbu (Attachments: # <u>1</u> Proposed Order)(Baum, Jonathan) (Entered: 03/13/2013)
03/14/2013	<u>183</u>	ORDER by Judge George H. Wu as to Defendant Charles Achike Agbu. For good cause shown, IT IS HEREBY ORDERED THAT: The parties' stipulation to continue the sentencing of defendant Charles Agbu is GRANTED. Defendant Charles Agbu's sentencing is continued from May 16, 2013 at 10:00 a.m. to August 15, 2013 at 10:00 a.m. (es) (Entered: 03/15/2013)
04/18/2013	<u>186</u>	STIPULATION for Modification of Conditions of Release filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 04/18/2013)
04/22/2013	<u>187</u>	ORDER RE PERMISSION TO TRAVEL by Judge George H. Wu as to Defendant Charles Achike Agbu. HAVING CONSIDERED the Stipulation and good cause appearing, the court orders that: 1. Mr. Agbu is permitted to travel as follows: Departing Los Angeles to DC on Wednesday, May 8th. Departing DC for New York on Sunday, May 12th. Departing New York for Los Angeles on Tuesday, May 14th. 2. Mr. Agbu does not to report to any PSA in Washington or New York because of the short duration of the trips. All other terms and conditions of pre-trial release to remain in effect. <u>186</u> (es) (Entered: 04/22/2013)
05/01/2013	<u>188</u>	Fourth STIPULATION for Modification of Conditions of Release filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Ikonte, Chijioke) (Entered: 05/01/2013)

05/01/2013	<u>189</u>	NOTICE of Change of Attorney Information for attorney Alexander F Porter counsel for plaintiff United States of America. Adding Alexander F. Porter as attorney as counsel of record for United States of America for the reason indicated in the G-06 Notice. Filed by plaintiff United States of America (Porter, Alexander) (Entered: 05/01/2013)
05/09/2013	<u>191</u>	NOTICE OF MOTION AND MOTION in Limine to Admit Witness Testimony Under FRE 404(b) or as Inextricably Intertwined Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Motion set for hearing on 5/30/2013 at 08:00 AM before Judge George H. Wu.(Baum, Jonathan) (Entered: 05/09/2013)
05/09/2013	<u>192</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Defendants From Using Law Enforcement Summaries to Cross Examine Witnesses Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Motion set for hearing on 5/30/2013 at 08:00 AM before Judge George H. Wu.(Baum, Jonathan) (Entered: 05/09/2013)
05/09/2013	<u>193</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Defense Arguments Seeking to Nullify a Guilty Verdict Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Motion set for hearing on 5/30/2013 at 08:00 AM before Judge George H. Wu. (Baum, Jonathan) (Entered: 05/09/2013)
05/09/2013	<u>194</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Defendants From Introducing Their Exculpatory Hearsay Statements Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Motion set for hearing on 5/30/2013 at 08:00 AM before Judge George H. Wu.(Baum, Jonathan) (Entered: 05/09/2013)
05/28/2013	<u>197</u>	NOTICE OF MOTION AND MOTION in Limine to Admit Telephone and Bank Records Filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Motion set for hearing on 5/30/2013 at 08:00 AM before Judge George H. Wu.(Porter, Alexander) (Entered: 05/28/2013)
05/29/2013	<u>198</u>	PROPOSED JURY INSTRUCTIONS (Joint Proposed set) filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 05/29/2013)
05/29/2013	<u>199</u>	PROPOSED JURY INSTRUCTIONS (Government's Proposed set) filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 05/29/2013)

05/29/2013	<u>200</u>	NOTICE OF APPEARANCE OR REASSIGNMENT of AUSA William Kanellis on behalf of Plaintiff USA. Filed by Plaintiff USA. (Kanellis, William) (Entered: 05/29/2013)
06/04/2013	<u>204</u>	OPPOSITION to MOTION in Limine to Preclude Defendants From Using Law Enforcement Summaries to Cross Examine Witnesses <u>192</u> filed by Defendant Obiageli Agbu. (Ikonte, Chijioke) (Entered: 06/04/2013)
06/04/2013	<u>205</u>	OPPOSITION to MOTION in Limine to Admit Witness Testimony Under FRE 404(b) or as Inextricably Intertwined <u>191</u> filed by Defendant Obiageli Agbu. (Ikonte, Chijioke) (Entered: 06/04/2013)
06/04/2013	<u>206</u>	OPPOSITION to MOTION in Limine to Preclude Defense Arguments Seeking to Nullify a Guilty Verdict <u>193</u> filed by Defendant Obiageli Agbu. (Ikonte, Chijioke) (Entered: 06/04/2013)
06/04/2013	<u>207</u>	OPPOSITION to MOTION in Limine to Preclude Defendants From Introducing Their Exculpatory Hearsay Statements <u>194</u> filed by Defendant Obiageli Agbu. (Ikonte, Chijioke) (Entered: 06/04/2013)
06/04/2013	<u>208</u>	REPLY in support of a motion MOTION in Limine to Admit Telephone and Bank Records <u>197</u> filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, and Candalaria Corral Estrada. (Baum, Jonathan) (Entered: 06/04/2013)
06/04/2013	<u>209</u>	REPLY in support of a motion MOTION in Limine to Preclude Defendants From Using Law Enforcement Summaries to Cross Examine Witnesses <u>192</u> filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, and Candalaria Corral Estrada. (Baum, Jonathan) (Entered: 06/04/2013)
06/04/2013	<u>210</u>	REPLY in support of MOTION in Limine to Preclude Defense Arguments Seeking to Nullify a Guilty Verdict <u>193</u> (Porter, Alexander) (Entered: 06/04/2013)
06/04/2013	<u>211</u>	REPLY in support of MOTION in Limine to Preclude Defendants From Introducing Their Exculpatory Hearsay Statements <u>194</u> (Porter, Alexander) (Entered: 06/04/2013)
06/05/2013	<u>212</u>	PROPOSED JURY VERDICT filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 06/05/2013)
06/07/2013	216	NOTICE OF FILING TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings 12/13/12 at 8:30 a.m. re Transcript 215 THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Kielwasser, Anne) TEXT ONLY ENTRY (Entered: 06/07/2013)
06/26/2013	<u>219</u>	

		EX PARTE APPLICATION to Continue Trial from 07/09/2013 to 09/09/2013. Filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Ikonte, Chijioke) (Entered: 06/26/2013)
06/26/2013	<u>222</u>	OPPOSITION to EX PARTE APPLICATION to Continue Trial from 07/09/2013 to 09/09/2013. <u>219</u> (Attachments: # <u>1</u> Declaration of Jonathan Baum)(Porter, Alexander) (Entered: 06/26/2013)
06/27/2013	<u>223</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Blanca Quintero counsel for Plaintiff USA. Adding Blanca Quintero as attorney as counsel of record for United States of America for the reason indicated in the G-123 Notice. Filed by Plaintiff United States of America. (Quintero, Blanca) (Entered: 06/27/2013)
06/30/2013	<u>227</u>	PROPOSED VOIR DIRE QUESTIONS filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 06/30/2013)
06/30/2013	<u>228</u>	GOVERNMENT'S PROPOSED STATEMENT OF THE CASE filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Baum, Jonathan) (Entered: 06/30/2013)
07/01/2013	<u>229</u>	EXHIBIT LIST filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Exhibit List) (Baum, Jonathan) (Entered: 07/01/2013)
07/01/2013	<u>230</u>	WITNESS LIST filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Baum, Jonathan) (Entered: 07/01/2013)
07/01/2013	<u>231</u>	NOTICE of Manual Filing of Notice of Lodging filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Baum, Jonathan) (Entered: 07/01/2013)
07/01/2013	<u>232</u>	NOTICE OF LODGING filed Compact Discs by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> CD)(pj) (Entered: 07/02/2013)
07/05/2013	<u>238</u>	SUPPLEMENT to MOTION in Limine to Admit Telephone and Bank Records <u>197</u> (Porter, Alexander) (Entered: 07/05/2013)
07/07/2013	<u>240</u>	JOINT STATEMENT OF THE CASE filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 07/07/2013)

07/08/2013	<u>241</u>	TRIAL STIPULATION filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 07/08/2013)
07/11/2013	<u>245</u>	MEMORANDUM OF LAW filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 07/11/2013)
07/16/2013	<u>248</u>	PROPOSED JURY VERDICT filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Porter, Alexander) (Entered: 07/16/2013)
07/22/2013	<u>255</u>	STIPULATION to Continue Sentencing Hearing from August 15, 2013 to August 27, 2013 filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 07/22/2013)
07/29/2013	<u>267</u>	ORDER re STIPULATION to Continue Sentencing Hearing <u>255</u> by Judge George H. Wu as to Defendant Charles Achike Agbu. HAVING CONSIDERED the Stipulation and good cause appearing, the court orders that: The hearing on defendants request to continue his sentencing is continued to August 29, 2013, at 8:00 a.m. in Courtroom 10 of this Court located at 312 North Spring Street, Los Angeles, CA 90012 (kti) (Entered: 07/29/2013)
08/23/2013	<u>280</u>	STIPULATION to Continue Sentencing Date from August 29, 2013, at 8:00 a.m. to September 30, 2013, at 8:00 a.m. filed by Plaintiff USA as to Defendant Charles Achike Agbu (Attachments: # <u>1</u> Proposed Order)(Baum, Jonathan) (Entered: 08/23/2013)
08/27/2013	<u>281</u>	ORDER by Judge George H. Wu as to Defendant Charles Achike Agbu. IT IS HEREBY ORDERED THAT: The sentencing hearing is continued to 9/30/2013 at 8:00 AM as to defendant Charles Agbu. **See attached Order.** (es) (Entered: 08/27/2013)
09/06/2013	<u>285</u>	TRANSCRIPT ORDER as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. Court Reporter.Order for: Criminal Non Appeal Criminal Justice Act. Transcript portion requested: Opening Statement by Plaintiff on 7/9/13-7/19/13. Opening Statement by Defendant on 7/9/13-7/19/13. Testimony of: 7/10/13-7/19/13. Category: Ordinary. (Attachments: # <u>1</u> Affidavit)(Stambler, Errol) (Entered: 09/06/2013)
09/11/2013	<u>289</u>	First STIPULATION to Continue Sentencing Hearing from September 26, 2013 to December 12, 2013 filed by Defendant Van Putten filed by Plaintiff Juan Tomas Van Putten as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada(Garcia, Albert) (Entered: 09/11/2013)

09/22/2013	<u>293</u>	EX PARTE APPLICATION to Continue Sentencing from September 30, 2013 to TBD by Judge. Filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 09/22/2013)
09/23/2013	<u>294</u>	OPPOSITION to EX PARTE APPLICATION to Continue Sentencing from September 30, 2013 to TBD by Judge. <u>293</u> (Attachments: # <u>1</u> Declaration of Jonathan Baum)(Baum, Jonathan) (Entered: 09/23/2013)
09/23/2013	<u>296</u>	NOTICE of Manual Filing of Defendant's Sentencing Memorandum, with Exhibits filed by Defendant Charles Achike Agbu (Collins, Mansfield) (Entered: 09/23/2013)
09/23/2013	<u>297</u>	SENTENCING MEMORANDUM filed by Plaintiff USA as to Defendant Charles Achike Agbu (Attachments: # <u>1</u> Declaration Veronique Nelms, # <u>2</u> Declaration Laura Wilbur)(Baum, Jonathan) (Entered: 09/23/2013)
09/23/2013	<u>298</u>	SENTENCING MEMORANDUM filed by Plaintiff Emmanuel Adebayo Ayodele as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Faal, Edirissa) (Entered: 09/23/2013)
09/24/2013	<u>299</u>	EXHIBIT filed by Plaintiff Emmanuel Adebayo Ayodele as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada RE: Sentencing Memorandum <u>298</u> in support of Defendant Emmanuel A. Ayodele's Sentencing Memorandum and Objections to the Pre-Sentence Investigation Report. (Faal, Edirissa) (Entered: 09/24/2013)
09/24/2013	<u>301</u>	SEALED DOCUMENT- DEFENDANT'S EXPARTE APPLICATION for Order Sealing Document. (mat) (Entered: 09/25/2013)
09/24/2013	<u>302</u>	DENIED by Judge George H. Wu: denying <u>293</u> Ex Parte Application to Continue as to Charles Achike Agbu (1) (pj) (Entered: 09/25/2013)
09/24/2013	<u>303</u>	SEALED DOCUMENT- DEFENDANT'S SENTENCING MEMORANDUM, WITH EXHIBITS. (Attachments: Part 2, Part 3)(mat) (Entered: 09/26/2013)
09/24/2013	<u>304</u>	ORDER SEALING DOCUMENT <u>301</u> by Judge George H. Wu. (es) (Entered: 09/26/2013)
09/30/2013	<u>310</u>	SEALED DOCUMENT- MINUTES OF Status Conference Re Sentencing. (mat) (Entered: 10/01/2013)
10/01/2013	<u>311</u>	EXHIBIT filed by Plaintiff Emmanuel Adebayo Ayodele as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada RE: Exhibit, <u>299</u> , Memorandum by U S Attorney re Judge Assignment <u>103</u> in support of Additional Exhibits in Support of Sentencing Memorandum. (Faal, Edirissa) (Entered: 10/01/2013)
10/11/2013	<u>320</u>	

		NOTICE of Manual Filing of Defendant's Supplemental Sentencing Memorandum filed by Defendant Charles Achike Agbu (Collins, Mansfield) (Entered: 10/11/2013)
10/15/2013	<u>325</u>	NOTICE of Manual Filing of United States' Reply to Defendant Charles Agbu's Supplemental Sentencing Memorandum filed by Plaintiff USA as to Defendant Charles Achike Agbu (Baum, Jonathan) (Entered: 10/15/2013)
10/16/2013	<u>326</u>	NOTICE of Manual Filing of UNDER SEAL DOCUMENTS filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Baum, Jonathan) (Entered: 10/16/2013)
10/16/2013	<u>361</u>	SEALED DOCUMENT-DEFENDANT'S EX PARTE APPLICATION FOR ORDER SEALING DOCUMENT(pj) (Entered: 10/30/2013)
10/16/2013	<u>362</u>	SEALED DOCUMENT- DEFENDANT'S SUPPLEMENTAL SENTENCING MEMORANDUM (pj) (Entered: 10/30/2013)
10/16/2013	<u>363</u>	ORDER SEALING DOCUMENT by Judge George H. Wu: <u>361</u> as to Charles Achike Agbu (1) (pj) (Entered: 10/30/2013)
10/17/2013	<u>354</u>	MINUTES OF SENTENCING Hearing held before Judge George H. Wu as to Defendant Charles Achike Agbu. Defendant Charles Achike Agbu (1),is hereby committed on Counts 1 and 25 of the First Superseding Indictment to the custody of the Bureau of Prisons for a term of Eighty-Seven (87) months, consisting of 87 months on each count, to be served concurrently. Supervised release for a term of Three (3) years. Pay a special assessment of \$200. Restitution in the total amount of \$5,788,725.40. All fines are waived. The Government's request to dismiss the remaining counts of the underlying Indictment and the First Superseding Indictment is granted. Defendant advised of right of appeal. Defendant to surrender not later than 1/8/2014. Bond exonerated upon surrender. Court Reporter: Katie Thibodeaux. (es) (Entered: 10/24/2013)
10/21/2013	<u>331</u>	TRANSCRIPT filed as to Defendant Obiageli Brooke Agbu, for proceedings held on 7/9/2013 AM PM Sessions. Court Reporter/Electronic Court Recorder: Deborah K. Gackle, phone number (213) 620-1149. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 11/11/2013. Redacted Transcript Deadline set for 11/21/2013. Release of Transcript Restriction set for 1/19/2014.(Gackle, Deborah) (Entered: 10/21/2013)
10/22/2013	<u>345</u>	TRANSCRIPT Vol.6 P.M. Session (pages 1365-1508) filed as to Defendant Obiageli Brooke Agbu for proceedings held on 7/17/2013 PM Session. Court Reporter/Electronic Court Recorder: Deborah K. Gackle, phone number (213) 620-1149. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction

		Request due 11/12/2013. Redacted Transcript Deadline set for 11/22/2013. Release of Transcript Restriction set for 1/20/2014.(Gackle, Deborah) (Entered: 10/22/2013)
10/22/2013	<u>350</u>	SEALED DOCUMENT-UNITED STATES EXPARTE Ex Parte APPLICATION for an order sealing the United States' Sentencing Position on Charles Agbu; Declaration of Jonathan Baum(pj) (Entered: 10/23/2013)
10/22/2013	<u>351</u>	SEALED DOCUMENT- EXPARTE APPLICATION for an order sealing the United States Reply to Charles Agbu's supplemental sentencing memorandum; Declaration of Jonathan Baum (pj) (Entered: 10/23/2013)
10/22/2013	<u>352</u>	SEALED DOCUMENT-ORDER SEALING THE UNITED STATES' EX PARTE APPLICATION FOR AN ORDER SEALING ITS REPLY TO DEFENDANT CHARLES AGBU'S SUPPLEMENTAL SENTENCING MEMORANDUM by Judge George H. Wu: <u>351</u>) (pj) (Entered: 10/24/2013)
10/22/2013	<u>353</u>	SEALED DOCUMENT-ORDER SEALING THE UNITED STATES' EX PARTE APPLICAITON FOR AN ORDER SEALING ITS SENTENCING POSITION ON DEFENDANT CHARLES AGBU by Judge George H. Wu: <u>350</u> (pj) (Entered: 10/24/2013)
10/22/2013	<u>355</u>	JUDGMENT AND COMMITMENT by Judge George H. Wu as to Defendant Charles Achike Agbu (1), it is the judgment of the Court that Defendant, Charles Achike Agbu, is hereby committed on Counts 1 and 25 of the First Superseding Indictment to the custody of the Bureau of Prisons for a term of Eighty-Seven (87) months, consisting of 87 months on each count, to be served concurrently. Supervised release for a term of Three (3) years, to be served concurrently. All fines are waived. Pay a special assessment of \$200. Restitution in the total amount of \$5,788,725.40. For the restitution ordered in this judgment, Charles Achike Agbu shall be held jointly and severally liable with his co-participants, if convicted, to the extent and for the amount that each is determined liable for the same victim losses. The Government's request to dismiss the remaining counts of the underlying Indictment and the First Superseding Indictment is granted. Defendant is ordered to self-surrender on or before January 8, 2014. Bond is exonerated upon surrender. The Court advises defendant of his rights to an appeal. (See attached Judgment.) (es) (Entered: 10/24/2013)
10/22/2013	<u>356</u>	SEALED DOCUMENT- UNITED STATES' REPLY TO DEFENDANT Charles Agbu's Supplemental Sentencing Memorandum. (mat) (Entered: 10/25/2013)
10/29/2013	<u>358</u>	STIPULATION for Modification of Conditions of Release filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 10/29/2013)
10/29/2013	<u>359</u>	OPPOSITION to MOTION for Bond Pending Appeal 349 (Baum, Jonathan) (Entered: 10/29/2013)
10/29/2013	<u>360</u>	

		NOTICE OF APPEAL to Appellate Court filed by Defendant Charles Achike Agbu re Judgment and Commitment, <u>355</u> Filing fee: \$ 455 PAID; receipt number LA082062. cc: Charles Achike Agbu. (Attachments: # <u>1</u> Receipt for Appeal Fees) (car) (Entered: 10/30/2013)
10/30/2013	<u>365</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 13-50527 as to Defendant Charles Achike Agbu, Appellate regarding Notice of Appeal to USCA - Final Judgment <u>360</u> . (mat) (Entered: 11/04/2013)
11/05/2013	<u>369</u>	ORDER CONDITIONS FOR REMOVAL OF ANKLE MONITORING DEVICE by Judge George H. Wu as to Defendant Charles Achike Agbu (1) ankle monitoring device can be removed during surgeries, provided that the doctor provides sufficient evidence to the United States that it is necessary for both the operation and the health and safety of defendant that the ankle bracelet be removed for the surgery. Further, that immediately after any surgeries, the ankle monitoring device will be re-installed. (pj) (Entered: 11/05/2013)
11/16/2013	<u>374</u>	TRANSCRIPT ORDER re: Court of Appeal case number 13-50527, as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. Court Reporter. Order for: Criminal Appeal. Transcript portion requested: Sentencing on 9/26/2013, 10/17/2013. Criminal case appeal. 60 day deadline automatically set (Collins, Mansfield) (Entered: 11/16/2013)
11/20/2013	<u>375</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Transcript Designation and Ordering Form (G-120), <u>374</u> as to Defendant Charles Achike Agbu. The following error(s) was found: No hearing or existing date on the docket for 9/26/13. You MUST electronically refile the above referenced Request for Transcript in this case to correct this deficiency. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (ml) TEXT ONLY ENTRY (Entered: 11/20/2013)
11/20/2013	<u>376</u>	TRANSCRIPT ORDER re: Court of Appeal case number 13-50527, as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. Court Reporter. Order for: Criminal Appeal. Transcript portion requested: Sentencing on 10-17-2013. Criminal case appeal. 60 day deadline automatically set (Collins, Mansfield) (Entered: 11/20/2013)
11/20/2013	<u>377</u>	TRANSCRIPT ORDER re: Court of Appeal case number 13-50527, as to Defendant Charles Achike Agbu. Court Reporter. Order for: Criminal Appeal. Transcript portion requested: Sentencing on 9-30-13, 10-17-13. Criminal case appeal. 60 day deadline automatically set (Collins, Mansfield) (Entered: 11/20/2013)
11/26/2013	<u>379</u>	EX PARTE APPLICATION to Withdraw as Attorney by Mansfield Collins, Sean Chandra. Filed by Defendant Charles Achike Agbu (Attachments: # <u>1</u> Proposed Order) (Collins, Mansfield) (Entered: 11/26/2013)
12/02/2013	<u>380</u>	AFFIDAVIT of Charles Agbu filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo

		Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Collins, Mansfield) (Entered: 12/02/2013)
12/03/2013	<u>382</u>	EX PARTE APPLICATION to Continue Motion due date from December 17, 2013 to January 27, 2014. Filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Stambler, Errol) (Entered: 12/03/2013)
12/09/2013	<u>386</u>	STIPULATION to Continue Surrender Date from January 8, 2014 to February 12, 2014 filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 12/09/2013)
12/09/2013	<u>387</u>	filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 12/09/2013)
12/12/2013	<u>388</u>	ORDER by Judge George H. Wu as to Defendant Charles Achike Agbu, re Miscellaneous Document, <u>387</u> . HAVING CONSIDERED the Defendants request and his attorneys of record and good cause appearing, the court orders that: The office of the court reporter is granted authorization to the sealed sentencing transcripts of September 30, 2013 and October 17, 2013. (pj) (Entered: 12/13/2013)
12/12/2013	<u>389</u>	ORDER by Judge George H. Wu as to Defendant Charles Achike Agbu, re Stipulation to Continue, <u>386</u> . The surrender date of Defendant is continued to February 12, 2014. No furthercontinuances will be granted. (pj) (Entered: 12/13/2013)
01/16/2014	<u>391</u>	NOTICE OF MOTION AND MOTION for Acquittal by <i>Defendant Obiageli Agbu</i> , MOTION for New Trial by <i>Defendant Obiageli Agbu</i> Filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada Motion set for hearing on 2/24/2014 at 08:00 AM before Judge George H. Wu. (Attachments: # <u>1</u> Exhibit Declaration) (Stambler, Errol) (Entered: 01/16/2014)
02/04/2014	<u>395</u>	STIPULATION to Continue Surrender Date from February 12, 2014 to February 19, 2014 filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Collins, Mansfield) (Entered: 02/04/2014)
02/06/2014	<u>396</u>	OPPOSITION to MOTION for Acquittal by <i>Defendant Obiageli Agbu</i> MOTION for New Trial by <i>Defendant Obiageli Agbu</i> <u>391</u> filed by Plaintiff USA as to Defendant Obiageli Agbu. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13)(Porter, Alexander) (Entered: 02/06/2014)

02/06/2014	<u>397</u>	ORDER of USCA filed as to Defendant Charles Achike Agbu re Notice of Appeal to USCA <u>360</u> CCA #13-50527. Appellant's submission of a completed Form CJA 23 along with a request for appointment of pro bono counsel are construed as a motion to proceed in forma pauperis and for appointment of counsel. So construed, the motions are granted. The Clerk shall electronically serve this order on the appointing authority for the Central District of California, who will locate appointed counsel. See the order for the rest of the details. The Clerk shall amend the docket to reflect this status. Order received in this district on 2/6/2014. (dmap) (Entered: 02/07/2014)
02/10/2014	<u>398</u>	ORDER by Judge George H. Wu as to Defendant Charles Achike Agbu, re Stipulation to Continue, <u>395</u> ., HAVING CONSIDERED the Stipulation of the parties and their attorneys of record and good cause appearing, the court orders that: The surrender date of Defendant is continued to February 19, 2014. No further continuances will be granted. (pj) (Entered: 02/10/2014)
02/12/2014	<u>399</u>	NOTICE OF APPEARANCE OR REASSIGNMENT of Deputy Public Defender James H Locklin on behalf of Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. Filed by Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. (Attorney James H Locklin added to party Charles Achike Agbu(pty:dft))(Locklin, James) (Entered: 02/12/2014)
02/12/2014	<u>400</u>	NOTICE of Manual Filing of Under seal Psy. Report and application and order to seal filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Stambler, Errol) (Entered: 02/12/2014)
02/13/2014	<u>401</u>	REPLY Reply to opposition by Government MOTION for Acquittal by Defendant Obiageli Agbu MOTION for New Trial by Defendant Obiageli Agbu <u>391</u> filed by Defendant Obiageli Agbu. (Stambler, Errol) (Entered: 02/13/2014)
02/14/2014	<u>402</u>	EX PARTE APPLICATION to Modify Conditions of Release Filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order)(Locklin, James) (Entered: 02/14/2014)
02/18/2014	<u>403</u>	ORDER ALLOWING OUT OF DISTRICT TRAVEL FOR SELF-SURRENDER by Judge George H. Wu: GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED that defendant Charles Achike Agbu is permitted to travel outside the Central District of California for the purpose of self-surrendering at FCI La Tuna (Texas) on February 19, 2014. <u>402</u> (1) (pj) (Entered: 02/18/2014)
02/26/2014	<u>407</u>	TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings held on June 27, 2013 at

		8:24 a.m. Court Reporter: PAT CUNEO, CSR 1600, OFFICIAL REPORTER, website www.patcuneo.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/19/2014. Redacted Transcript Deadline set for 3/29/2014. Release of Transcript Restriction set for 5/27/2014.(Cuneo, Patricia) (Entered: 02/26/2014)
02/26/2014	408	NOTICE OF FILING TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings June 27, 2013 at 8:24 a.m. re Transcript <u>407</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Cuneo, Patricia) TEXT ONLY ENTRY (Entered: 02/26/2014)
03/17/2014	<u>414</u>	ORDER of USCA filed as to Defendant Charles Achike Agbu, CCA #13-50527. The The motion of appellant's appointed counsel, James H. Locklin, Deputy Federal Public Defender, to withdraw as counsel of record and to appoint new counsel is granted. Counsel will be appointed by separate order. The Clerk shall electronically serve this order on the appointing authority for the Central District of California, who will locate appointed counsel. The brief schedules have been set. Order received in this district on 3/17/14. [See document for details] (mat) (Entered: 03/19/2014)
03/24/2014	<u>415</u>	NOTICE of Manual Filing of Position Paper and Application and Order to file under seal filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Stambler, Errol) (Entered: 03/24/2014)
03/25/2014	<u>416</u>	SENTENCING MEMORANDUM filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7)(Porter, Alexander) (Entered: 03/25/2014)
03/28/2014	<u>418</u>	DECLARATION of Steven Nathenson filed by Plaintiff USA as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada RE: Sentencing Memorandum, <u>416</u> (Porter, Alexander) (Entered: 03/28/2014)
04/11/2014	<u>428</u>	Notice of Appearance or Withdrawal of Counsel: for attorney James H Locklin counsel for Defendant Charles Achike Agbu. James H. Locklin is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Defendant Charles Achike Agbu. (Locklin, James) (Entered: 04/11/2014)
04/15/2014	<u>429</u>	TRANSCRIPT ORDER re: Court of Appeal case number 13-50527, as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral

		Estrada. Court Reporter. Order for: Criminal Appeal Criminal Justice Act. Transcript portion requested: Sentencing on 10/17/2013. Testimony of: Charles Agbu, 7/17/13, 7/18/2013. Pre-Trial Proceeding: Guilty Plea, 12/17/2013. Criminal case appeal. 60 day deadline automatically set (Attachments: # <u>1</u> Exhibit CJA-24, # <u>2</u> Exhibit Proof of Service)(Zugman, David) (Entered: 04/15/2014)
04/16/2014	<u>431</u>	APPLICATION for Order for Access to Sealed Transcripts Filed by Plaintiff Charles Achike Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada (Attachments: # <u>1</u> Proposed Order re Sealed Transcripts)(Zugman, David) (Entered: 04/16/2014)
04/16/2014	<u>432</u>	TRANSCRIPT ORDER re: Court of Appeal case number 13-50527, re: Transcript Designation and Ordering Form (G-120),, <u>429</u> , as to Defendant Charles Achike Agbu. Court Reporter. Order for: Criminal Appeal Criminal Justice Act. Transcript portion requested: Sentencing on 9/30/2013, 10/17/2013. Testimony of: Charles Agbu, 7/17/13, 7/18/2013. Pre-Trial Proceeding: Guilty Plea, 12/17/2013. Criminal case appeal. 60 day deadline automatically set (Attachments: # <u>1</u> Exhibit CJA-24, # <u>2</u> Exhibit Proof of Service)(Zugman, David) (Entered: 04/16/2014)
04/17/2014	<u>434</u>	NOTICE OF MOTION AND MOTION to Unseal All Sealed Documents & Transcripts Filed by Plaintiff USA as to Defendant Charles Achike Agbu Motion set for hearing on 5/8/2014 at 08:30 AM before Judge George H. Wu. (Attachments: # <u>1</u> Proposed Order)(Baum, Jonathan) (Entered: 04/17/2014)
04/18/2014	<u>435</u>	ORDER by Judge George H. Wu: re <u>431</u> Application for Order for may be disclosed as to Charles Achike Agbu (1). It is hereby ordered that the items on the docket previously sealed may be disclosed to Counsel for Mr. Agbu. Counsel for Mr. Agbu shall keep the transcripts confidential, not disclose to them to anyone outside the case, and return them upon the cases conclusion or provide them to successor counsel. If the transcripts are submitted as a record on appeal, Counsel shall seek the appropriate order to seal. (lom) (Entered: 04/21/2014)
04/21/2014	<u>436</u>	ORDER by Judge George H. Wu, GRANTING <u>434</u> Motion to Unseal Document as to Charles Achike Agbu (1). IT IS HEREBY ORDERED THAT: The Court grants appellate counsel for the United States access to all sealed documents and transcripts in this case, including all sealed documents and transcripts that relate to the conviction and sentencing of defendant Charles Agbu. The documents will remain under seal to the public, but the Court orders the Clerk of the Court to unseal all sealed documents and transcripts to appellate counsel for the United States in order for appellate counsel to prepare for and respond to the appeal filed by defendant Charles Agbu. (es) (Entered: 04/22/2014)
06/04/2014	<u>452</u>	TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings held on 12/17/12 @ 10:30 a.m. Court Reporter/Electronic Court Recorder: Anne Kielwasser, phone number AKtranscripts.com. Transcript may be viewed at the court public

		terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 6/25/2014. Redacted Transcript Deadline set for 7/5/2014. Release of Transcript Restriction set for 9/2/2014.(Kielwasser, Anne) (Entered: 06/04/2014)
06/04/2014	<u>453</u>	NOTICE OF FILING TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings 12/17/12 at 10:30 a.m. re Transcript <u>452</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Kielwasser, Anne) TEXT ONLY ENTRY (Entered: 06/04/2014)
07/22/2014	<u>463</u>	ORDER of USCA filed as to Defendant Charles Achike Agbu re Notice of Appeal to USCA <u>360</u> CCA #13-50527. Appellant's motion for voluntary dismissal of this appeal is granted. This appeal is dismissed. See Fed. R. App. P. 42(b); 9th Cir. R. 27-9.1. This order served on the district court shall act as and for the mandate of this court. Order received in this district on 7/22/2014. (dmap) (Entered: 07/24/2014)
07/25/2014	<u>464</u>	TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brook Agbu for proceedings held on 11/4/2013 8:20 a.m.. Court Reporter/Electronic Court Recorder: Deborah K. Gackle, phone number (213) 620-1140. Transcript may be vi date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 8/15/2014. Redacted Transcript Deadline set for 8/25/2014. Release of Transcript Restriction set for 10/23/2014.(Gackle, Deborah) (Entered: 07/25/2014)
07/25/2014	<u>465</u>	NOTICE OF FILING TRANSCRIPT filed as to Defendant Obiageli Brooke Agbu for proceedings 11/4/2013 8:20 A.M. re Transcript <u>464</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Gackle, Deborah) TEXT ONLY ENTRY (Entered: 07/25/2014)
08/04/2014	<u>466</u>	TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings held on 9/05/2013 8AM. Court Reporter/Electronic Court Recorder: SHERI S KLEEGER, phone number 213-894-6604. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 8/25/2014. Redacted Transcript Deadline set for 9/4/2014. Release of Transcript Restriction set for 11/2/2014.(Kleeger, Sheri) (Entered: 08/04/2014)
08/05/2014	<u>470</u>	TRANSCRIPT filed as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada for proceedings held on July 26, 2012 at 8:40 a.m. Court Reporter: PAT CUNEO, CSR 1600, OFFICIAL REPORTER, website www.patcuneo.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for

		Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 8/26/2014. Redacted Transcript Deadline set for 9/5/2014. Release of Transcript Restriction set for 11/3/2014.(Cuneo, Patricia) (Entered: 08/05/2014)
08/21/2014	<u>490</u>	MOTION to Vacate, Set Aside, Correct Sentence pursuant to 28:2255 (Civil Case 2:14-cv-06585-GW.) Filed by Plaintiff Charles Achike Agbu. (et) (Entered: 08/22/2014)
08/21/2014	<u>491</u>	APPLICATION for Appointed Counsel Filed by Defendant Charles Achike Agbu (et) (Entered: 08/22/2014)
08/21/2014	<u>492</u>	NOTICE OF ASSIGNMENT to District Judge George H. Wu for motion filed under 28 U.S.C. 2255. (et) (Entered: 08/22/2014)
08/22/2014	<u>493</u>	IN CHAMBERS re BRIEFING SCHEDULE - Defendant/Petitioner's Motion to Vacate, Set Aside or Correct Sentence, pursuant to Title 28 USC 2255 by Judge George H. Wu as to Defendant Charles Achike Agbu: The Court, having received Defendant/Petitioner's Motion to Vacate, Set Aside or Correct Sentence, pursuant to Title 28 USC 2255, hereby ORDERS the government to respond to said motion not later than September 22, 2014. The Court further ORDERS petitioner's reply shall be filed and served not later than October 22, 2014. Said Motion will be deemed submitted upon the filing of the reply. (es) (Entered: 08/25/2014)
08/25/2014	<u>494</u>	MINUTES (IN CHAMBERS): ORDER by Judge George H. Wu: The Court has received Defendant Achike Agbu's Application for Appointment Counsel <u>491</u> . Defendants' application is DENIED. There is no right to appointment of counsel in a 2255 petition. (bp) (Entered: 08/25/2014)
08/26/2014	<u>495</u>	First EX PARTE APPLICATION for Order for authorization to obtain sealed documents relating to Obiageli Agbu Filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. (Attachments: # <u>1</u> Proposed Order) (Fusilier, Gretchen) (Entered: 08/26/2014)
08/27/2014	<u>496</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Ritesh Kumar Srivastava counsel for Plaintiff USA. Adding Ritesh Srivastava as attorney as counsel of record for United States of America for the reason indicated in the G-123 Notice. Filed by Plaintiff United States of America. (Attachments: # <u>1</u> Certificate of Service)(Attorney Ritesh Kumar Srivastava added to party USA (pty:pla))(Srivastava, Ritesh) (Entered: 08/27/2014)
09/02/2014	<u>497</u>	First EX PARTE APPLICATION for Extension of Time to File Return to 18 USC 2255 Motion. Filed by Plaintiff USA as to Defendant Charles Achike Agbu. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Certificate of Service) (Srivastava, Ritesh) (Entered: 09/02/2014)
09/03/2014	<u>498</u>	ORDER by Judge George H. Wu: <u>497</u> IT IS HEREBY ORDERED that the date by which the government must file a return to Petitioners 18 U.S.C. Section 2255 motion is continued to October 22, 2014. Petitioner's reply shall

		be filed and served no later than November 22, 2014. as to Charles Achike Agbu (1) (pj) (Entered: 09/04/2014)
09/05/2014	<u>501</u>	NOTICE OF CLERICAL ERROR, as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada: Due to clerical error Re: Transcript (CR),, 474 (baq) (Entered: 09/05/2014)
10/16/2014	<u>507</u>	NOTICE of Manual Filing of GOVERNMENT'S EX PARTE APPLICATION FOR ORDER; DECLARATION; [PROPOSED] ORDER; GOVERNMENT OPPOSITION TO DEFENDANT'S 2255 MOTION; MEMORANDUM OF POINTS AND AUTHORITIES filed by Plaintiff USA as to Defendant Charles Achike Agbu (Srivastava, Ritesh) (Entered: 10/16/2014)
10/20/2014	<u>508</u>	SEALED DOCUMENT-GOVERNMENT'S EX PARTE APPLICATION FOR ORDER SEALING DOCUMENTS; DECLARATION OF RITESH SRIVASTAVA (pj) (Entered: 10/22/2014)
10/20/2014	<u>509</u>	SEALED DOCUMENT-ORDER SEALING DOCUMENTS by Judge George H. Wu: <u>508</u> (pj) (Entered: 10/22/2014)
10/20/2014	<u>510</u>	SEALED DOCUMENT-GOVERNMENTS OPPOSITION TO DEFENDANT-PETITIONERS 2255 MOTION; MEMORANDUM OF POINTS AND AUTHORITIES(pj) (Additional attachment(s) added on 10/22/2014: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (pj). (Entered: 10/22/2014)
11/26/2014	<u>516</u>	SEALED DOCUMENT- DEFENDANT'S OPPOSITION to Government's Opposition to 2255 Motion; Memorandum of Points and Authorities. (mat) (Entered: 12/16/2014)
03/11/2015	<u>521</u>	EX PARTE APPLICATION for Order for For Appellate Counsel Access To Review And Copy The Reporter's Transcript Filed Under Seal Filed by Plaintiff Emmanuel Adebayo Ayodele as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. (Attachments: # <u>1</u> Proposed Order) (Bucur, Karyn) (Entered: 03/11/2015)
03/30/2015	<u>523</u>	TRANSCRIPT ORDER re: Court of Appeal case number 13-50492, as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. Court Reporter.Order for: Criminal Appeal Criminal Justice Act. Transcript portion requested: Other: 9/30/13 (status conference). Criminal case appeal. 60 day deadline automatically set (Attachments: # <u>1</u> CJA 24 for Kathie Thibodeaux, # <u>2</u> Order re sealed transcript)(Bucur, Karyn) (Entered: 03/30/2015)
10/20/2015	<u>527</u>	REQUEST for STATUS UPDATE ON 2255 PETITION Filed by Defendant Charles Achike Agbu. (pj) (Entered: 10/21/2015)
11/12/2015	<u>528</u>	MINUTES (IN CHAMBERS)DECISION DENYING: (1) PETITIONERS 28 U.S.C. SECTION MOTION TO VACATE/SET ASIDE/CORRECT

		SENTENCE AND (2) CERTIFICATE OF APPEALABILITY by Judge George H. Wu as to Charles Achike Agbu (1). (pj) (Entered: 11/12/2015)
12/10/2015	<u>529</u>	NOTICE OF APPEAL to Appellate Court filed by Plaintiff USA as to Defendant Charles Achike Agbu re Order on Motion to Vacate/Set Aside/Correct (2255) <u>528</u> . Filed on: 11/12/15; Entered on: 11/12/15; Certificate of Appealability ruled, see document 528. (mat) (Entered: 12/16/2015)
12/17/2015	<u>530</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 15-56931 as to Defendant Charles Achike Agbu, 9th Circuit regarding Notice of Appeal to USCA - Final Judgment, <u>529</u> . (mat) (Entered: 12/17/2015)
02/04/2016	<u>532</u>	EX PARTE APPLICATION for Order for to relieve appellate counsel on remand and appoint counsel in the district court Filed by Plaintiff Obiageli Brooke Agbu as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. (Attachments: # <u>1</u> Proposed Order granting ex parte application) (Fusilier, Gretchen) (Entered: 02/04/2016)
08/25/2016	<u>549</u>	ORDER of USCA filed as to Defendant Charles Achike Agbu re Notice of Appeal to USCA - Final Judgment, <u>529</u> , CCA #15-56931. The motion to extend time to file a request for a certificate of appealability is granted. The requests for a certificate of appealability are denied because appellant has not made a substantial showing of the denial of a constitutional right. (mat) (Entered: 08/26/2016)
05/26/2017	<u>551</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Brooke Harper counsel for Plaintiff USA. Adding Brooke Harper as counsel of record for United States of America for the reason indicated in the G-123 Notice. Filed by Plaintiff United States of America. (Harper, Brooke) (Entered: 05/26/2017)
05/28/2017	<u>552</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Ritesh K Srivastava counsel for Plaintiff USA. Ritesh Srivastava is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Plaintiff USA. (Srivastava, Ritesh) (Entered: 05/28/2017)
09/19/2017	<u>559</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Brittney Michelle Harris counsel for Plaintiff USA. Adding Brittney M. Harris as counsel of record for United States of America for the reason indicated in the G-123 Notice. Filed by Plaintiff United States of America. (Attorney Brittney Michelle Harris added to party USA(pty:pla))(Harris, Brittney) (Entered: 09/19/2017)
09/20/2017	<u>560</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Claire Yan counsel for Plaintiff USA. Adding Claire Yan as counsel of record for USA for the reason indicated in the G-123 Notice. Filed by plaintiff Claire Yan. (Attorney Claire Yan added to party USA(pty:pla))(Yan, Claire) (Entered: 09/20/2017)
09/21/2017	<u>561</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Alexander F Porter counsel for Plaintiff USA. Alexander F. Porter is no longer counsel of

		record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by plaintiff United States of America. (Porter, Alexander) (Entered: 09/21/2017)
12/08/2017	<u>563</u>	First EX PARTE APPLICATION to allow the Defendant to Travel to Nigeria, West Africa. Filed by Plaintiff Emmanuel Adebayo Ayodele as to Defendant Charles Achike Agbu, Obiageli Brooke Agbu, Emmanuel Adebayo Ayodele, Juan Tomas Van Putten, Alejandro Maciel, Candalaria Corral Estrada. (Attachments: # <u>1</u> Proposed Order) (Faal, Edirissa) (Entered: 12/08/2017)

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