

**Attachment A**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 24-80103-CR-CANNON**

**UNITED STATES OF AMERICA**

**v.**

**DUSTIN SEAN McCABE,**

**Defendant.**

\_\_\_\_\_ /

**TRIAL STIPULATIONS**

COMES NOW, THE UNITED STATES OF AMERICA, by and through the undersigned Assistant United States Attorney, and the Defendant, DUSTIN SEAN McCABE, personally and through his attorney, and stipulate and agree to the following facts, which the jury must accept as having been proved beyond a reasonable doubt:

1. The Defendant, DUSTIN SEAN McCABE, was the owner and captain of the M/V SOUTHERN COMFORT on March 28 and 29, 2020.

2. The disbursement of Paycheck Protection Program loan number 5224667409 from Celtic Bank, identified in the Indictment as “Bank Processor 1,” in the approximate amount of \$18,750, by Automated Clearing House (“ACH”) transfer to Knoxville TVA Employees Credit Union, identified in the Indictment as Credit Union 1, as well as the attending loan forgiveness application, were wire communications transmitted in interstate commerce. Among other things, Celtic Bank is headquartered in Utah, and Knoxville TVA Employees Credit Union is headquartered in Tennessee.

3. The disbursement of Paycheck Protection Program loan number 4387648301 from Cross River Bank, identified in the Indictment as “Bank Processor 2,” in the approximate amount

of \$20,385, by ACH transfer to Knoxville TVA Employees Credit Union, identified in the Indictment as Credit Union 1, as well as the attending loan forgiveness application, were wire communications transmitted in interstate commerce. Among other things, Cross River Bank is headquartered in New Jersey, and Knoxville TVA Employees Credit Union is headquartered in Tennessee.

HAYDEN P. O'BYRNE  
UNITED STATES ATTORNEY

Date: \_\_\_\_\_

By:

\_\_\_\_\_  
ZACHARY A. KELLER  
ASSISTANT UNITED STATES ATTORNEY

Date: \_\_\_\_\_

By:

\_\_\_\_\_  
TERRENCE O'SULLIVAN  
ATTORNEY FOR DEFENDANT

Date: \_\_\_\_\_

By:

\_\_\_\_\_  
DUSTIN SEAN McCABE  
DEFENDANT