

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 22-20290-Cr-Bloom(s)

UNITED STATES OF AMERICA

vs.

ERIC DEAN SHEPPARD,

Defendant.

**NOTICE OF FILING
OF SUPPLEMENTAL EXHIBITS
REGARDING RESTITUTION FOR VICTIMS**

The undersigned Assistant U.S. Attorney respectfully files this Notice of Filing of Supplemental Exhibits Regarding Restitution for Victims. This Court scheduled a hearing regarding restitution and forfeiture for August 23, 2024.

The United States is seeking restitution on behalf of the Small Business Administration (SBA) and Mr. Neal Cupersmith. On July 22, 2024, through counsel, the United States requested that the defendant pay the amounts still owed to the SBA and Mr. Cupersmith in advance of the hearing. To date, the defendant has not paid.

With respect to the SBA, the United States previously provided the U.S. Probation Office and defense counsel with the three Certificates of Indebtedness related to the three Paycheck Protection Program (PPP) loans for which the SBA remains with pecuniary harm as a result of the defendant's wire fraud scheme. One is the PPP loan for which the defendant fraudulently obtained forgiveness, and for which the SBA paid the private lender. The amount owed to the

SBA for this loan is \$155,362.40. *See* Ex. 1. The other two are PPP loans which the defendant paid off shortly before his original sentencing date of April 5, 2024. With respect to these two loans, the SBA suffered the loss of processing fees which were paid to the private lenders as a result of the defendant's wire fraud scheme. The amounts owed to the SBA are \$7,419.85 (Ex. 2) and \$7,429.55 (Ex. 3). The total restitution owed to the SBA is \$170,211.80.

With respect to Mr. Cupersmith, the United States previously filed a memorandum supported by two exhibits. DE 258, 258-1, and 258-2. The United States also included a request for restitution for Mr. Cupersmith in its Response to the Defendant's Objections to the PSI. *See* DE 241 at 41-42.

DE 258-1 included redacted attorney's fees invoices related to Mr. Cupersmith's response to subpoenas and participation in the government's investigation and prosecution of this case. Exhibit 4 to this filing includes a letter summarizing the attorneys' work for each monthly invoice. The United States has removed attorney travel time and court attendance time from the total. The adjusted request for restitution for attorney's fees is \$113,382.

Exhibit 5 is a revised version of DE 258-2, the itemization of time spent by Mr. Cupersmith and others at his firm while assisting the government in the investigation and prosecution of this case. The revision consists of including names that were previously initials. The restitution requested for Mr. Cupersmith's lost income and expenses related to the government's investigation and prosecution of this case remains the same, \$93,350. The total restitution requested on behalf of Mr. Cupersmith is \$206,732.

The total restitution requested by the United States on behalf of the victims is \$376,943.80.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 21, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via Notices of Electronic Filing generated by CM/ECF.

s/Ana Maria Martinez
Ana Maria Martinez
Assistant United States Attorney