

Mary Anne Williams

From: Tessman, Andrew (USADC) <Andrew.Tessman@usdoj.gov>
Sent: Thursday, December 05, 2024 4:56 PM
To: Mary Anne Williams; gtitus_spilmanlaw.com
Subject: RE: USA v. Gary Lomax 2:24-cr-00114

CAUTION - EXTERNAL:

Good afternoon,

The loss due to Workforce West Virginia is comprised of both state and federal funds. The portion of federal funds consist of the weekly \$600 payments issued as part of the Federal Pandemic Unemployment Compensation (FPUC) program created by the CARES Act. Workforce West Virginia will return the federal portion to the FPUC program, which is administered by the Department of Labor (US-DOL). The portion of state funds consist of the \$276 payments that were issued from the standard state unemployment compensation fund. In the case of Gary Lomax, the totals are as follows:

Federal portion: \$6,000 (\$600 x 10 weeks)
State portion: \$2,760 (\$276 x 10 weeks)
Total UC Loss: \$8,760

Thus, under 18 USC § 3664(i), the initial restitution received from the defendant should be forwarded to Workforce West Virginia to satisfy the state portion of the loss. Once the state portion is satisfied, the restitution payments should be split between the Small Business Administration and Workforce West Virginia (federal portion) until the full restitution amount is satisfied.

Apologies for the delay in responding.

Thanks,

Andrew J. Tessman
Assistant United States Attorney

