IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

UNITED STATES OF AMERICA)
Plaintiff,)
)
v.)Criminal No. 22-0330-RDB
)
AYAZ QURESHI)
Defendant.)
_____)

Baltimore, Maryland
October 14, 2022
2:55 p.m.

THE ABOVE-ENTITLED MATTER CAME ON FOR GUILTY PLEA BEFORE THE HONORABLE RICHARD D. BENNETT

APPEARANCES

On Behalf of the Plaintiff:

PAUL RILEY, ESQUIRE

On Behalf of the Defendant:

THOMAS MARONICK, JR., ESQUIRE

Also Present:
DANIELLE SANGER, PROBATION AND PRETRIAL SERVICES

(Computer-aided transcription of stenotype notes)

Reported by:
Ronda J. Thomas, RMR, CRR
Federal Official Reporter
101 W. Lombard Street, 4th Floor
Baltimore, Maryland 21201

(2:55 p.m.)

THE COURT: Good afternoon, everyone. This is calling the case of United States v. Ayaz Qureshi, Criminal No. RDB-22-0330.

The Defendant is being charged by way of a one-count criminal information. We've had a little bit of a delay here in getting some of these materials together, but we have a waiver of indictment in this matter. We will be proceeding accordingly this afternoon apparently.

Let me know just note that the standing orders of this court have previously required that masks be worn in all public areas of the courthouse but that has been revised recently so that the wearing of masks is optional for all persons in general public areas of the courthouse. And with respect to the courtrooms, masks shall be worn at the discretion of the presiding judge.

I have been fully vaccinated and boosted and tested negative within the last month, and I am behind a wall of plexiglass so I am not wearing a mask. I will inquire of the vaccination status of counsel and of the Defendant before me. If you've been fully vaccinated, you can pull your mask down while speaking. You don't have to but you're permitted to do so.

So with that, if counsel would identify themselves for the record, please.

MR. RILEY: Yes, good afternoon, Your Honor. Assistant U.S. Attorney Paul Riley on behalf of the Government. I removed my mask, Your Honor, I'm vaccinated and boosted.

THE COURT: Yes, Mr. Riley. Nice to see you.

MR. RILEY: Good to see you.

THE COURT: I'm looking here, you're not listed on the sheet here. I apologize. I'm sorry. Who else is --

MS. SANGER: That's okay. Judge Bennett, I'm Danielle Sanger with the United States Probation Office.

THE COURT: Yes, I'm sorry, Ms. Sanger. Nice to see you. You're over here to the left as opposed to -- thank you very much.

MS. SANGER: I also have been fully vaccinated and boosted.

THE COURT: You are the pretrial services officer, not the probation officer assigned to this case?

MS. SANGER: I'm both, Judge.

THE COURT: You're both. All right. That's fine. I'll make that note, Ms. Sanger, as well.

On behalf of the Defendant.

MR. MARONICK: Yes. Good afternoon, Your Honor. Thomas Maronick, Jr. May it please the Court. Very nice to see you again.

THE COURT: Yes. Nice to see you.

MR. MARONICK: I also am vaccinated and boosted.

THE COURT: Maronick, am I pronouncing --

MR. MARONICK: Maronick, yes, Your Honor.

THE COURT: Maronick, nice to see you. I haven't seen you since pretrial.

MR. MARONICK: We don't have a jury trial this time, Your Honor.

THE COURT: Nice to see you here, nice to have you here. Are you privately retained?

MR. MARONICK: Yes, I am.

THE COURT: It's nice to have you, as always, Mr. Maronick, I do recall, and it has been awhile. And it's always nice to see you.

You have been fully vaccinated --

MR. MARONICK: And boosted.

THE COURT: And boosted.

Am I pronouncing your client's name correctly? Mr. Qureshi.

MR. MARONICK: That is correct, Your Honor.

THE COURT: Mr. Qureshi, have you been fully vaccinated, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Then you may pull your mask down while speaking. Again, you don't have to. And welcome to you, sir.

So with that, I would note that the first step here is is that we are proceeding by way of criminal information that was

filed back on September the 19th.

And the first step here is that, Mr. Qureshi -- hold on one second here.

Mr. Qureshi, the Government itself can ordinarily not just charge an individual with a crime without a determination of probable cause. Ordinarily, that determination of probable cause is made by way of an indictment with the grand jury, which consists of some 23 citizens drawn from the community, determining whether or not there's probable cause to believe an individual committed an offense, or it may be by way of a preliminary hearing under Rule 5 of the Federal Rules of Criminal Procedure by the court.

But here there is -- I have before me a waiver of indictment pursuant to which the waiver of indictment, Paper Number 3 that was filed on October the 13th --

MR. MARONICK: Court's indulgence, Your Honor. Mr. Qureshi needs to turn his phone off and I don't want it to be a distraction to Your Honor.

THE COURT: Yes, sure.

MR. MARONICK: You need to turn that off, sir, completely off.

I apologize, Your Honor.

THE COURT: That's okay. That's all right.

THE DEFENDANT: Sorry, sir.

MR. MARONICK: I think it's off now.

THE DEFENDANT: It's not off actually. I don't know.

MR. MARONICK: Hopefully --

THE COURT: Are we ready to proceed now?

MR. MARONICK: Ready.

THE COURT: The waiver of indictment form indicates that you understand that you've been accused of one or more offenses punishable by imprisonment for more than one year, and that you've been advised in open court of your rights and the nature of the proposed charges against you. And after receiving this advice, you waive your right to prosecution by indictment and consent to prosecution by information; is that correct?

Sir, you have to look at me. I'm asking you questions. If you don't understand that question, it concerns me, okay. It's a very simple question, sir. Very simple question.

You have a right to have a probable cause determination. I have a document here that says waiver of indictment. You have your signature on it. And I'm trying to confirm with you, you don't have to look to your lawyer to ask what the answer is going to be. If you have to look to your lawyer to ask what the answer is going to be, that's going to concern me, okay?

Do you understand?

THE DEFENDANT: Actually, it's a language barrier.

THE COURT: You have to pull your mask down while speaking, sir.

THE DEFENDANT: Your Honor, it's a language barrier, yes. And I understand slow.

THE COURT: Then I'm a quick talking person. I'll slow down. You understand I'm not going to accept your guilty plea here today if I don't think you understand what's happening.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You have to speak clearly for the court reporter who has to keep up with my quick pace as well as your answers, so I strongly suggest that you keep your mask down if you would, please, so she can understand you.

This is not complicated.

Normally criminal cases are presented to a grand jury. Do you understand that, sir?

THE DEFENDANT: Yes.

THE COURT: And the grand jury determines probable cause whether or not to believe that a person has committed an offense.

Do you understand that?

THE DEFENDANT: The grand jury, sir, Your Honor?

THE COURT: What is your client's ability with English, Mr. Maronick?

MR. MARONICK: Your Honor, if I may address that, he has met with me and Mr. Patrick Smith beforehand. He's

answered all of my questions. To my knowledge, he's answered all of Mr. Smith's. I've asked him and gone through line by line all of the paperwork that is referenced therein. He said he understood everything. He said he speaks English --

THE COURT: Is your client an American citizen?

MR. MARONICK: He is an American citizen, Your Honor. He's not originally from the country.

THE COURT: If he's an American citizen then he's been tested for English.

MR. MARONICK: That's correct.

THE COURT: Presumably, the immigration people in this country still require that you have to speak English to become an American citizen. He is a naturalized American citizen.

THE DEFENDANT: Yes, Your Honor. I can speak but, you know, my understanding is, like, some words I miss that. So I need to understand 100 percent. You know, I'm nervous and confused.

THE COURT: We'll see how far we get with this proceeding here today.

THE DEFENDANT: Yes, Your Honor.

MR. MARONICK: Yes, Your Honor.

THE COURT: We're still on the matter of the waiver of the indictment. It's a two-line document. And I just read the document to you. This says that you waived being charged by a grand jury and that you agree to proceed by way of a criminal

information that has been filed, okay?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand that, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And I think we better be careful with this. I'd like for the clerk to take down to the trial table this document for him to verify that it's his signature.

Looking at that waiver of indictment, is that your signature there, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: All right. Thank you.

Thank you, Ms. Davis.

All right. I'm making a finding that I believe -- he's a naturalized American citizen, which he could not be if he doesn't understand English. I'm satisfied that the representation has been that his lawyer has explained to him in English the charges. And I'm satisfied that he understands what I've just said to him. So I've signed this document and now there's been a waiver of indictment in the case.

Ms. Davis, if you'll file that, please.

There being a waiver of indictment, we're now proceeding with respect to the one-count criminal information. And it's clear to me that I'm going to have to read most of this to him. It's a one-count criminal information charging you with wire fraud conspiracy.

It's charging you with a crime, do you understand, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand that you are in criminal court here in the federal court? Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And it charges the following: That the United States Attorney for the District of Maryland charges that at all times material to this information that the Defendant Ayaz Qureshi was a resident of Severna Park, Maryland, and that on or about February 27, 2013, Mr. Qureshi incorporated a business with the state of Maryland called Yazee Incorporated, and Mr. Qureshi was the president of Yazee Incorporated. And Yazee Incorporated maintained an account at Wells Fargo Bank, a financial institution insured by the Federal Deposit Insurance Corporation, and doing business throughout the United States, with an account number ending in 9954. And Mr. Qureshi and his wife, S.N., were sole signatories on the account.

Is his wife in court with him here today, Mr. Maronick?

MR. MARONICK: I do not see her, Your Honor.

THE COURT: I beg your pardon?

MR. MARONICK: I do not believe she is.

Then, Bank 1 was a federally-insured financial institution headquartered in Fort Lee, New Jersey.

Bank number one was an approved United States Small

Business Administration lender and participated as a lender in the Paycheck Protection Program known as the PPP program.

Conspirator A.S., who is not named here in the information, was a resident of Baltimore, Maryland, who ran a purported financial services business. Payroll Processor 1 is a payroll processing and technology company headquartered in Oklahoma City, Oklahoma, doing business throughout the United States.

Then these next portions relate to the Small Business Administration.

Do you understand what I've said thus far, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And have you ever read this entire criminal information?

THE DEFENDANT: (No audible response.)

THE COURT: Has this criminal information ever been read to you?

THE DEFENDANT: No.

THE COURT: No, it has not. Okay.

MR. MARONICK: Your Honor, I believe, if I may interject, prior to working with me the criminal information, as I understand it, was indeed provided to him by prior counsel. He went through it is my understanding.

THE COURT: Okay. Well, we're going to have to do it step by step here now. This document was filed on September

the 19th.

The Paycheck Protection Program is then summarized here. And, "The Small Business Administration is an executive branch agency of the United States Government that provides support to entrepreneurs and small businesses. The mission of the Small Business Administration is to maintain and strengthen the nation's economy by supporting the establishment and viability of small businesses and by assisting in the economic recovery of communities after disasters."

"The Coronovirus Aid Relief and Economic Security Act, known as the CARES Act, was a federal law enacted in and around March 2020, designed to provide emergency financial assistance to Americans suffering from the economic effects caused by the COVID-19 pandemic."

"Two sources of relief provided by the CARES Act were the authorization of forgivable loans to small businesses for job retention and certain other expenses through a program referred to as the Paycheck Protection Program, and the expansion of the Disaster Loan Program to include pandemic-related economic injury through COVID-19 economic injury disaster loans."

Do you understand what I've just read to you there, sir?

THE DEFENDANT: Yes, Your Honor.

Can I say something --

MR. MARONICK: Say it to me, first. Court's indulgence.

(Counsel conferring.)

THE COURT: Is there something you didn't understand about that just then, sir?

THE DEFENDANT: Yes.

THE COURT: You're accused of committing fraud in connection with the PPP program in the face of COVID-19.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Is there anything I just read to you that you don't understand?

THE DEFENDANT: No, I understand all you read.

THE COURT: I'm going to read Paragraph 9 to you.

"To obtain a PPP loan, a qualifying business had to submit a PPP loan application signed by an authorized representative of the business."

That would obviously be you, sir, it's a company you own of which you're the president. Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: "The PPP loan application required the business, through its authorized representative, to acknowledge the program rules and make affirmative certifications to be eligible for the PPP loan. For example, in the PPP loan application, that's Small Business Administration Form 2483, the business, through its authorized representative, had to state its average monthly payroll expenses and number of

employees. In addition, as part of the PPP loan application process, businesses had to provide documentation showing their payroll expenses. These figures were used to calculate the amount of money the small business was eligible to receive under the Payment Protection Plan."

Do you understand that, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: There's a difference between employing one person and employing 50, for example, Mr. Qureshi. Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Now, the next paragraph, Paragraph 10 reads as follows: "Once a qualifying business completed a PPP application, a participating lender or agent, on behalf of the participating lender, processed the application. If a PPP loan application was approved, the participating lender funded the PPP loan using its own monies, which the SBA guaranteed. In the course of processing the PPP loan, the lender transmitted data from the loan application to the SBA, the Small Business Administration, including information about the borrower, the total amount of the loan, and the identifying number of employees. Proceeds from a PPP loan were legally required to be used only for certain permissible business expenses."

I'm going to repeat this again, sir.

"Proceeds from a PPP loan were legally required to be used

only for certain permissible business expenses."

Is there anything I've just read that you don't understand?

THE DEFENDANT: I understand, Your Honor.

THE COURT: "Including payroll cost, mortgage interest, rent, and utilities under the applicable PPP rules and guidance. The interest and principal on the PPP loan was eligible for forgiveness if the business spent the loan proceeds on permissible items within a designated period of time and used a certain portion of the loan toward payroll expenses."

"It is further charged that on or about March 14, 2021, that A.S., another individual named here, submitted or assisted with the submission of a PPP loan application to Bank 1 for Yazee, Inc., with the knowledge and consent of Qureshi," that's you, Mr. Qureshi.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: "And prior to submission of that application, Qureshi provided A.S. with certain documents to be included with the PPP loan application, including photographs of his Maryland driver's license, a voided check from the 9954 account, and a bank statement dated February 29, 2020, for the 9954 account."

"The PPP loan application for Yazee, Inc. reported that

Yazee had 16 employees and an average monthly payroll of $100,289."

"On or about March 21, 2021, the PPP loan application was manually or electronically signed with Qureshi's name as the owner of Yazee, Inc."

"In addition, the PPP loan application contained the initials of Qureshi to certify each of the following representation:

First, that Yazee was in operation on February 15, 2020, and had employees for whom it paid salaries and payroll taxes or paid independent contractors as reported on forms 1099.

Second, the funds were to be used to retain workers and maintain payroll or make mortgage payments, lease payments, and utility payments.

And third, the information provided in the application and the information provided in all supporting documents and forms is true and accurate in all material respects."

Mr. Qureshi, just so you understand, there's information that had to be provided, the information had to be truthful. Do you understand? If the information was not truthful, it amounts to a violation of law.

Do you understand that?

Do you want to stop and talk to your lawyer a minute?

THE DEFENDANT: Yes.

MR. MARONICK: Court's indulgence, please.

(Counsel conferring with client.)

MR. MARONICK: Your Honor, if I can just fill in, he was referencing to me the actions of the person who A.S. is named in the information, and I informed him it's a separate matter, separate prosecution. And the acts of A.S. are not -- while related, are not part of this specific information against him.

THE COURT: I'm just concerned if he understands what the charges are here?

MR. MARONICK: I believe he does, Your Honor, but obviously that's up to this Honorable Court --

THE COURT: I mean, we can't just keep stopping every paragraph because he has a question about it. I don't know how we're going to get to a statement of facts with respect to an admission of guilt when he doesn't understand the document.

MR. MARONICK: Mr. Qureshi, do you understand?

THE DEFENDANT: Yes.

THE COURT: I really think, Mr. Maronick, I don't know how much further we're going to go with this. I mean, we're still trying to have him understand -- I am not comfortable the man understands what the charges are. I've been stopped now, I think, at least twice, if not three times, for him to stop and ask questions of you with respect to what the charges are.

It's not complicated.

Sir, this document charges you with lying on documents and

improperly receiving money under the PPP program with respect to the response under the CARES Act to the COVID-19 pandemic.

Is that not a fair summary, Mr. Riley, what the case is about?

MR. RILEY: It's generally fair, Your Honor.

THE COURT: Mr. Maronick, is that not a fair summary?

MR. MARONICK: Absolutely, Your Honor.

THE COURT: And if he doesn't understand that then I don't know how we can continue to go along.

THE DEFENDANT: Yes, Your Honor.

THE COURT: Well then I don't understand why we're stopping after every paragraph. We're continuing to stop through this, Mr. Qureshi. You have a right to have a trial. You have a -- there's a presumption of innocence. I'm not presuming anything.

I'm trying to proceed with what has been represented to me to be an acknowledgement of wrongdoing and a guilty plea. And if I'm not comfortable that you understand it, I'm not going to accept the guilty plea and we're going to terminate these proceedings.

Do you understand that, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And I will have to make a determination. I'm not trying to lean on you. I can't continue in this fashion with these kinds of stopping and starting. I'm really

increasingly uncomfortable with this.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

MR. MARONICK: Your Honor, one more thing. I have informed Mr. Qureshi that at the sentencing phase, which is not today, he understands, I believe, that case, he'll have a chance to present the mitigation and talk more specifically about what he wants the Court to hear. And then he'll have a chance if he wants to make a statement on elocution to do so at that time. He's asked me about doing so today. I've informed him this is not the phase to do it.

If there is some stopping or hesitation on him, it's not, I don't think, any lack of acknowledgment. It's just he wants a chance to make a statement of elocution. I informed him very clearly that will happen at the sentencing phase.

Do you understand all that, sir?

THE DEFENDANT: Yes, sir.

THE COURT: Mr. Maronick, how long have you been representing him?

MR. MARONICK: I got involved in this case from Mr. Smith over the summer. I don't have the exact date in front of me.

THE COURT: Because this criminal information was filed on September the 19th. And the waiver of indictment -- when was that signed, Ms. Davis? The waiver of indictment that

we just presented here as a document in evidence.

THE CLERK: It was signed October 11th.

THE COURT: October 11th. Three days ago. So, obviously, there's been some preparation of this Defendant before coming into court.

MR. MARONICK: Yes. He met with Mr. Smith beforehand to discuss a plea. He met with me in my office where we went line by line through the statement of facts, which Your Honor has been reading --

THE COURT: I'm not reading the statement of facts. I'm just reading the charging documents. I'm not even at the statement of facts.

MR. MARONICK: I understand. But all of the information contained therein that I was referencing, Your Honor.

THE COURT: We'll continue. We're going to do our best here to continue. I'll have to make a determination how much further we're going to continue with this.

MR. MARONICK: Yes, Your Honor.

THE COURT: "The PPP loan application for Yazee Incorporated, which is listed as being your business, Mr. Qureshi, included a falsified Internal Revenue Service Form 940, which is an employer's annual federal unemployment tax return for 2019 to substantiate the amount of wages paid to purported employees of Yazee, Inc. for the 2019 tax year.

It is charged that the falsified 2019 Form 940 indicated total payments to all employees of $1,203,471.52.

Then it is charged in paragraph 18 that, in fact, during the 2019 tax year, Yazee, Inc. paid no wages to any employee.

Moreover, the IRS has searched its records for Yazee, Inc. and it has no records of any filed tax records for any part of 2019 or 2020 for the business."

Do you understand that charge, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Then further, in Paragraph 20, "As to the PPP loan funding and kickback payments to an individual initialed A.S., based -- it's charged that based on the fraudulent and false representations and submissions made on behalf of Qureshi as the owner of Yazee, Inc., on or about March 22, 2021, the PPP loan funded and approximately $250,723 was distributed by Bank 1 to the 9954 account."

"For his work on the PPP loan application for Yazee, A.S. expected to receive a kickback payment of approximately 30 percent of the funded loan amount when the funded loan amount" -- parens after that -- "is $75,000."

That would be approximately 30 percent of the $250,723 that was distributed by the bank to you, Mr. Qureshi. That's not stated in the criminal information. The record will

reflect I'm reading this verbatim, but I'm trying to make sure I'm satisfied the man understands what the charge is. That's why I'm trying to explain it as we go along.

"For his work on the PPP loan application for Yazee" -- I've already indicated there was an expected kickback to an individual named A.S. -- "after the PPP loan funded, Qureshi provided A.S. the following checks signed by Qureshi, which were drawn on the 9954 account, and which reflected payment to A.S. for his work on the PPP loan application for Yazee, Inc."

Then there are a series of checks. And these are checks drawn on the Yazee, Inc. account: "Check number 1019, check number 2022, check number 2023, check number 2024, check number 2025, check number 2026, check number 2027, check number 2028," all in different amounts.

Mr. Maronick, if we're going to have any chance of doing this this afternoon, I'm not going to take time to read each amount of each check. If he's not capable of understanding that, we have a fundamental problem.

MR. MARONICK: Do you understand all this, Mr. Qureshi? You accepted the amounts of the checks?

THE DEFENDANT: Yes, yes.

THE COURT: It's been represented to me that this criminal information has been reviewed with you and the Defendant has indicated to the contrary here in court today.

"At the time that Qureshi provided A.S. checks referenced

in Paragraph 22 above, Qureshi left the payee name on each check blank. Thereafter, A.S., and others known and unknown to the United States Attorney, wrote a payee name on each of the checks and each check was ultimately deposited and each was drawn on the 9954 account."

Then it is alleged that "on or about June 22, 2021, Qureshi signed an agreement with Payroll Processor 1, pursuant to which Payroll Processor 1 agreed to provide payroll processing services for Yazee, Inc., and its purported employees. The agreement authorized Payroll Processor 1 to make withdrawals from the 9954 account for the purpose of making payments to purported employees of Yazee, Inc. Each of these individuals had been identified by Qureshi as employees of Yazee, Inc., but, in fact, were not employees" -- in fact were not employed by the business.

"Beginning on or about July 2, 2021, and continuing through or about December 15, 2021, Payroll Processor 1 made purported payroll payments from the 9954 account via ACH debits to Qureshi, his wife, and other associates that purported to be employees of Yazee Incorporated. In total, $144,647.21 in purported payroll payments were made to Qureshi, his wife, and others associates from the 9954 accounts, all of which consisted of funds traceable to the PPP loan obtained by Qureshi and Yazee, his purported business."

"Beginning in or around March 2021, and continuing through

in or around December 2021, in the District of Maryland and elsewhere, the Defendant Ayaz Qureshi, knowingly and willfully conspired and agreed with A.S., and others known and unknown to the United States Attorney, to commit any offense under Chapter 63 of Title 18 United States Code; namely, to knowingly and willfully execute and attempt to execute a scheme and artifice to defraud a financial institution, namely Bank 1 and to obtain and attempt to obtain money and property of Bank 1 by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing, and attempting to execute, the scheme to defraud, did knowingly and willfully transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, which was the scheme to defraud in violation of 18 United States Code § 1343."

"It was the object of the conspiracy and scheme to defraud for Qureshi to personally enrich himself by fraudulently obtaining a PPP loan in the amount of more than $250,000 for his own personal use and benefit and for the personal benefit and use of his associates in offering and paying kickbacks in return for the submission of fraudulent PPP loan application."

"It was part of the conspiracy and scheme to defraud that the Defendant Qureshi, A.S., and others known and unknown to the United States Attorney, conspired to submit false materials, including a false PPP loan application, and a false

2019 IRS Form 940 as to Bank 1 to obtain a PPP loan for Yazee Incorporated."

"It was further part of the conspiracy and scheme to defraud that A.S., and others known and unknown to the United States Attorney, fabricated a false IRS Form 940 to be submitted with the PPP loan application for Yazee, Inc. The purpose of the false IRS Form 940 was to circumvent Bank 1's requirement that prospective borrowers submit documentation to support the payroll figures that served as a basis for the PPP loan application. The false IRS Form 940, which had never been filed with the IRS" -- do you understand that charge, sir?

THE DEFENDANT: Yes.

THE COURT: Is there any confusion about that?

THE DEFENDANT: No, sir.

THE COURT: You are alleged to have used a false IRS document to fraudulently obtain money. Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: -- "the false IRS Form 940, which had never been filed with the IRS, was submitted in support of the PPP loan application for Yazee, Inc."

"It was further part of the conspiracy and scheme to defraud that the fabricated IRS Form 940 reflected that Yazee paid $1,203,471.52 in wages to all employees in 2019. In fact, in 2019 and 2020, Yazee, Inc. did not file any 2009 Form 940 with the IRS, pay unemployment tax to the IRS, or withhold

federal income tax for any employee."

"It was further part of the conspiracy and scheme to defraud that based on the fraudulent and false representations and submissions made on behalf of Qureshi as the owner of Yazee, Inc., on or about March 22, 2021, the PPP loan funded and approximately $250,723 was distributed by Bank 1 to the 9954 account belonging to Yazee, Inc."

"It was a further part of the conspiracy and scheme to defraud that Qureshi paid A.S. a 75,000-dollar kickback reflecting approximately 30 percent of the PPP loan amount received by Yazee in exchange for A.S.'s role in submitting the PPP loan application for the purported business."

Do you understand that charge, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You are accused of writing a 75,000-dollar check with these fraudulently-obtained funds to another individual. Is there any confusion about that charge?

THE DEFENDANT: No, Your Honor.

THE COURT: I beg your pardon?

THE DEFENDANT: No, Your Honor.

THE COURT: "It was a further part of the conspiracy and scheme to defraud that Qureshi paid A.S. this kickback by providing him a total of eight checks" -- which were referenced above previously but I haven't listed the amount of each of those checks -- "each of which was signed by Qureshi and had a

dollar amount filled in but left the payee blank."

"It was further part of the conspiracy and scheme to defraud that A.S., and others known and unknown to the United States Attorney, wrote a payee name on each of the checks, each check was deposited into accounts controlled by A.S., and each was ultimately drawn on the 9954 account."

Hold on one second.

"It was further part of the conspiracy and scheme to defraud after receiving the PPP loan for Yazee, Inc., Qureshi, with the assistance of A.S., established payroll processing services through Payroll Processor 1 for the purpose of making payments to purported employees of Yazee, Inc., including Qureshi, his wife, and other associates. The purpose of establishing payroll services for Yazee, Inc., after receipt of the PPP loan, was to facilitate the creation of documentation that could be used to substantiate a request for the PPP loan to be forgiven, which it was."

"It was further part of the conspiracy and scheme to defraud that Qureshi made no payments to Bank 1 in connection with the PPP loan for Yazee, Inc."

"It was a further part of the conspiracy and scheme to defraud that Qureshi, A.S., and others known and unknown to the United States Attorney, utilized interstate wires to submit and assist in the submission and communicate with each other about the submission of a PPP loan application to Bank 1 and to

establish payroll processing services from Payroll Processor 1 from Yazee, Inc."

Then there are forfeiture allegations. And the forfeiture allegations have to do with your forfeiting certain substitute assets in return for the remuneration for the funds taken. It's pursuant to a specific rule that is listed. It's listed that you shall forfeit to the United States any property constituting or derived from proceeds obtained directly or indirectly as a result of the scheme to defraud.

And as to those substitute assets, Mr. Qureshi, if any of the property above, as a result of any act by you, cannot be located, or has been transferred or sold to a third-party, or has been placed beyond the jurisdiction of the court, or has been substantially diminished in value, or has been commingled with other property, the United States shall be entitled to forfeiture of substitute property.

What that means is is to the extent that there cannot be a total recovery of the money that you allegedly, fraudulently received from the program that the Government can attach other is assets.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand the charges placed against you, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: That is the criminal information. The record will reflect that I have literally read that verbatim, almost 10 pages.

Is that correct from your point of view, Mr. Maronick?

MR. MARONICK: Yes, it is, Your Honor.

THE COURT: Now, the next thing we have is a Form 5F, which is required by law with respect to an initial appearance in court, with respect to the fact that presumably the law says that we must remind the Government of its obligations under *Brady v. Maryland* with respect to information that would be exculpatory to the Defendant and the Due Process Protections Act requires that we ensure that that has taken place.

And, Mr. Riley, I gather the Government is prepared to make a representation that any material that would constitute *Brady v. Maryland* material has been given to defense counsel?

MR. RILEY: Yes, Your Honor.

THE COURT: Is that both prior defense counsel and the current defense counsel?

MR. RILEY: Preindictment discovery was provided to prior defense counsel. Happy to provide it to this counsel again. I don't know if this counsel has gotten those materials --

THE COURT: Mr. Maronick, are you satisfied that that kind of material has been provided to you or your predecessor?

MR. MARONICK: I am satisfied. Yes, Your Honor.

THE COURT: All right. Madam Clerk, this will be filed as well.

Now, with respect to the initial appearance here in this case. The case is being listed as a rearraignment. It's not a rearraignment, it's an arraignment, because the Defendant has not even had an initial appearance yet on this matter. Correct?

MR. RILEY: That's my office's, my mistake. I take responsibility --

THE COURT: We'll have to take this as well. That's quite all right. We're going to go step by step. If I determine we can't continue we'll just stop. It's late in the day and we haven't even began to take the plea yet.

Under Rule 5 of the Federal Rules of Criminal Procedure, Mr. Qureshi, you're entitled to an initial appearance that normally is held before a magistrate judge. And with respect to the initial appearance, it's a time for you to make sure that you understand the nature of the charges, which is obviously necessary because it's clear to me that you didn't when you walked in here today.

I've read the entire charge to you verbatim. You've indicated to me that you understand it; is that correct, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You have not been put under oath yet. You're going to be put under oath in a minute. But I'm

satisfied that you understand it.

You have a right to employ counsel or request the assignment of counsel.

Mr. Maronick, you are privately retained, correct?

MR. MARONICK: That's correct.

THE COURT: So you have an attorney of your choice.

You have a right to preliminary hearing to which I previously advised you.

You have a right to the matter of pretrial release. We don't have any release documents that have been worked up in this case either yet that I've seen. But that's why we have Ms. Sanger here. So we'll eventually get to that in terms of conditions of release. There's no form that I received from pretrial services with respect to this.

You're not required to make any statement. If you have made a statement, you need say no more. You have rights under what is a known as *Miranda v. Arizona* as to self-incrimination. You can cease making any comments you want at any point in time. It is necessary for you to understand that, sir, because under Rule 11 of the Federal Rules of Criminal Procedure, we have a very lengthy process that is obviously going to be more lengthy today to make sure you understand the nature of the charges against you.

If I'm not satisfied that you understand it, I will not accept a guilty plea. Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: All right. And understanding that, we've held the initial appearance. It would serve no purpose to have any entry as to the initial appearance because we're now here at the arraignment already.

Is there anything further from the point of view of the initial appearance the Government wishes for me to cover?

MR. RILEY: No, Your Honor.

THE COURT: Mr. Maronick, anything further?

MR. MARONICK: Nothing further.

THE COURT: Now, proceeding with respect to the arraignment.

Having read the criminal information, having proceeded under Rule 5 with respect to the initial appearance, we're now ready to proceed with respect to the taking of the guilty plea in this matter. It's a one-count criminal information charging you with wire fraud conspiracy in violation of 18 United States Code § 1349 and 1343.

MR. RILEY: There is someone in the courtroom. I'm not sure who that is.

THE COURT: I can't see anybody in the courtroom. Who is the person in the courtroom?

MS. SANGER: I'm an intern for Judge Rubin.

THE COURT: I'm sorry, when it comes to the future, the clerk should know that. So the clerk should know who is in

the courtroom. I'm sorry. That's fine. It's okay. That's the least of our problems here this afternoon.

Let's see if we can try to get through this. Just about every loose end that could be dangling -- we're laughing now.

(Laughter.)

THE COURT: -- there's not a thing that has gone normal in this matter. We've been going at this for almost an hour so we'll do the best we can do.

MR. RILEY: Thank you, Your Honor.

THE COURT: Mr. Qureshi, I'm not angry with you. If the trains don't run on time it's my fault. If I don't have a document, it's because I didn't demand to get a document. If the defendant hasn't been properly prepared, it's because I didn't cross the T and dot the I to see that it was done. So it's my fault. All responsibility bears with me up here. If anything is screwed up, it's because of me.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: So I apologize to you. That's just the way it is. I apologize to you in terms of how this has been handled so far.

THE DEFENDANT: Yes, Your Honor.

(It is the policy of this court that every guilty plea and sentencing proceeding include a bench conference concerning whether the defendant is or is not cooperating.)

THE COURT: So, with that, we're going to try to do our best to proceed with a guilty plea here.

Now, you're going to be placed under oath, sir. And I'm going to make sure that you understand that you're under oath. It means that if you lie to me and state an untruthful statement, apart from this document you're charged with, you can face perjury or false statements to me.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You're standing in front of me for the very reason that you're accused of lying. So make sure you understand when you take the oath what it means.

Do you understand that, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And to Judge Rubin's intern, I'll just say that this is hardly the norm for a guilty plea here. I hope you understand that in terms of -- I appreciate your being here to observe.

So with that, Ms. Davis, if we will administer the oath to the Defendant.

THE CLERK: Please raise your right hand, Mr. Qureshi.

(Defendant sworn.)

THE CLERK: Please state your name for the record.

THE DEFENDANT: My name is Ayaz Qureshi.

THE CLERK: Thank you. What is your age?

THE DEFENDANT: I was born in 1969. June 11. So that's 53.

THE CLERK: Thank you. Have you read the information or has the substance of the charge been explained to you?

MR. MARONICK: What His Honor just read.

THE DEFENDANT: Can you repeat that?

THE CLERK: Have you read the information or has the substance of the charge been explained to you?

THE DEFENDANT: Yes.

THE CLERK: Do you understand the charge?

THE DEFENDANT: Yes.

THE CLERK: Mr. Maronick, are you satisfied that the Defendant understands the charge against him?

MR. MARONICK: Yes.

THE CLERK: Mr. Qureshi, you have been charged in Count 1 of the information, what is your plea?

THE DEFENDANT: Guilty.

THE CLERK: Your plea is guilty as to Count 1 of the information; is that correct?

THE DEFENDANT: Yes, ma'am.

THE CLERK: Thank you.

THE COURT: Thank you, Ms. Davis.

As I've already said to you, Mr. Qureshi, you understand that you're now under oath.

THE DEFENDANT: Yes. Yes, Your Honor.

THE COURT: And do you understand if you answer any of my questions falsely, those answers could later be used against you in another prosecution for perjury or making false statements?

THE DEFENDANT: Yes, Your Honor.

THE COURT: How far did you get in school, sir?

THE DEFENDANT: I actually -- I've been homeschooling and I don't like to go to school so . . .

THE COURT: What is your native country of birth?

THE DEFENDANT: Pakistan.

THE COURT: Pakistan. And when did you come to the United States?

THE DEFENDANT: 2000, sir.

THE COURT: 2000.

THE DEFENDANT: Yes, Your Honor.

THE COURT: Did you speak any English when you arrived from Pakistan in 2000?

THE DEFENDANT: Yeah, we just --

THE COURT: English is a common language in Pakistan, is it not?

THE DEFENDANT: Yes. And also watching the TV.

THE COURT: When did you obtain naturalized American citizenship?

THE DEFENDANT: Back in -- my best memory 2005 or '06, '04, probably. I don't remember exactly.

THE COURT: Can you read and write the English language?

THE DEFENDANT: Yes, sir. Yes, Your Honor.

THE COURT: Have you been treated recently for any mental illness or addiction to narcotic drugs of any kind?

THE DEFENDANT: I have a little depression.

THE COURT: All right. Are you currently under the influence of any drugs or medication?

THE DEFENDANT: No.

THE COURT: With respect to depression, have you taken medication for depression?

THE DEFENDANT: The doctor, she write it down for me, but I'm not using that one because I'm feeling okay.

THE COURT: I understand. But when is the last time you took medication for depression?

THE DEFENDANT: Three or four nights ago when I normally went to sleep. Only that time.

THE COURT: When was it, sir?

THE DEFENDANT: Three or four days ago when I feel I cannot sleep so, you know.

THE COURT: Is the fact -- have you taken any medication in the last 48 hours?

THE DEFENDANT: No, no.

THE COURT: Mr. Maronick, are you satisfied that your client is competent to proceed with this guilty plea.

MR. MARONICK: Yes, Your Honor.

THE COURT: More importantly, are you satisfied that he sufficiently understands English to proceed with this guilty plea?

MR. MARONICK: Yes, Your Honor.

THE COURT: The one-count criminal information, you have received a copy of it. I recognize that it had not been read to you, but you have received a copy of it, correct?

THE DEFENDANT: Yes, Your Honor.

THE COURT: That's what I read from earlier in these proceedings.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Have you fully discussed these charges with your attorney, Mr. Maronick?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Have you discussed the whole situation with him, including the evidence in the case?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Potential witnesses and the possibility of a trial and even an appeal if you were convicted by a jury in this case. Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Are you fully satisfied with Mr. Maronick and his representation and the advice which he's given you?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Is there anything which you've asked him to do which he has not done?

THE DEFENDANT: He is doing well, sir.

THE COURT: I beg your pardon?

THE DEFENDANT: He's doing well.

THE COURT: Is there anything that you've asked him to do which he has not done?

THE DEFENDANT: No, he's --

THE COURT: I guess let me ask, has he done everything that you asked him to do?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Okay. The Court has been advised that there's a plea agreement in this case which has been set forth in a letter of September 14, 2022. And the original of that letter has been marked as Government Exhibit 1. And, Mr. Maronick, if you'll retrieve the original of the letter from the clerk's desk.

MR. MARONICK: May I approach?

THE COURT: Yes.

MR. MARONICK: For the record, I've retrieved the original, Your Honor.

THE COURT: Okay. I would note that we absolutely cannot -- cannot read this entire letter to him. And so I'm going to go over the portions of the letter carefully with you,

Mr. Qureshi, but I cannot read this entire letter to you.

THE DEFENDANT: Okay. Yes, Your Honor.

THE COURT: All right. But -- and with respect to any sealed supplements thereto.

If you'll first look, is that your signature there on Page 9, Mr. Qureshi?

THE DEFENDANT: Yes, Your Honor.

THE COURT: There's not -- it's not indicated on the copy that I have when you signed it. Is it on the original, Mr. Maronick, as to when he signed it?

MR. MARONICK: Yes, Your Honor. That would be the 16th of September.

THE COURT: 16th of the September.

MR. MARONICK: Yes.

THE COURT: And there is an attachment thereto, attachment A, and they are the statement of facts as to which there's a stipulation that provides the factual predicate for this Court's acceptance of the guilty plea.

Is that your signature there on Page 11?

MR. MARONICK: I'm turning to that page, Your Honor.

Is that your signature?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And then with respect to a sealed supplement, is that your signature on Page 5, Mr. Qureshi?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Did you have occasion -- that's already been marked as Government's Exhibit 1 for purposes of these proceedings.

Did you have an opportunity to read and discuss this plea agreement with either Mr. Smith or Mr. Maronick, your current attorney, before you signed it in those places?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And did you understand what was in the plea agreement when you signed it there?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And, Mr. Maronick, are you satisfied that when he signed the plea agreement letter on September 16th, and also I believe it has your signature there on those portions as well, are you satisfied that he understood what he was signing when he signed it on September 16th?

MR. MARONICK: Yes, Your Honor.

THE COURT: And this is the same agreement in which you, in fact, signed; is that right, Mr. Qureshi?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Are you satisfied, Mr. Maronick, that this plea agreement letter with the sealed supplement attached thereto sets forth the complete agreement between your client and the Government?

MR. MARONICK: Yes, I am.

THE COURT: And, Mr. Qureshi, are you satisfied that

this plea agreement letter sets forth the complete agreement between you and the Government?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Okay. That'll be introduced as Government's Exhibit 1 and be placed under seal. And if you'll return the original to the clerk's desk.

Thank you, Mr. Maronick.

MR. MARONICK: Thank you, Your Honor.

THE COURT: I believe you have a copy of the plea agreement there. Mr. Maronick has a copy of the plea agreement.

In Paragraph 20 of the plea agreement it states that the Court is not a party to the agreement. I haven't signed it anywhere.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: What that means is that the terms of the plea agreement here, the entire document that we just entered into evidence, are merely recommendations to me. They're not binding upon me.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand that I can reject those recommendations without permitting you to withdraw your plea of guilty?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand that I could impose a sentence which is more severe than you anticipate or it might be more lenient and not as harsh as the Government desires.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Has anyone in any way tried to threaten you or force you to plead guilty in this case?

THE DEFENDANT: No, Your Honor.

THE COURT: Are you pleading guilty on your own freely because you are, in fact, guilty?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand the offense to which you're pleading guilty, specifically wire fraud conspiracy in violation of 18 United States Code § 1349 and 1343 is a felony offense?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And if I accept your plea of guilty, and you're adjudged guilty of that offense, that adjudication will deprive you of certain valuable civil rights.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You lose the right to vote. You lose the right to have a firearm. You lose the right to have ammunition.

I've already explained to you that -- you've already indicated to me that you're an American citizen, so you will not face deportation because of this charge, because you are apparently a naturalized American citizen, but you might be unable to keep certain licenses or permits or jobs because of your felony conviction here.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Just so you understand what I'm saying, for example, there are public benefits such as Section 8 housing vouchers that are issued out by the federal government. A felony conviction makes you ineligible for receiving that kind of federal public housing benefit.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: If you've been convicted of another crime in the past and you were on parole or probation for another offense, you could face the possibility of violation of parole or probation because of your conviction here.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: If you were to be convicted of another crime in the future, and you were in another courtroom in front of another judge, you could receive a harsher sentence because of your conviction here.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You also face a possibility of forfeiture of certain property and Paragraphs 11 through 15 of the plea agreement specifically note the potentiality of forfeiture of certain assets, including $250,723 in U.S. currency.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And Paragraph 19, while we're at it on that topic, Paragraph 19 notes that you face the matter of restitution, a restitution order that could be entered with respect to money to be paid in restitution of the money that you fraudulently received.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: What you allegedly fraudulently received at this point because I have not accepted the guilty plea yet.

As was noted in Paragraph 3 of the plea agreement, do you understand that the maximum sentence provided by statute for this offense is 30 years imprisonment, a term of supervised release of five years, and a maximum fine of $1 million. They are the maximum penalties. That's not to suggest they will be the penalties, but they are the maximum penalties that apply to this offense.

Do you understand that, Mr. Qureshi?

THE DEFENDANT: Yes, Your Honor.

THE COURT: I beg your pardon?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And you must pay a 100-dollar special assessment at the time of sentencing when you return here for sentencing.

Do you understand that, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Hold on one second, please.

Now, you mentioned supervised release, Mr. Qureshi. Supervised release involves your compliance with certain conditions set by the Court and monitored by the probation office after any period of incarceration.

Do you understand that if you were to get a prison sentence and then be released on supervised release, if you were to violate conditions of supervised release you could be sent back to federal prison.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Are you satisfied then, Mr. Maronick, that Mr. Qureshi understands all the possible consequences of his plea of guilty?

MR. MARONICK: Yes, I am, Your Honor.

THE COURT: And are you satisfied, Mr. Qureshi, that you understand all the possible consequences of your plea of

guilty?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Let me explain to you, generally, how sentencing works in federal court. And there are two key opinions of the United States Supreme Court that I'll just try to summarize in terms of the meaning of those. The sentencing guidelines that apply here are mentioned in Paragraph 5 of the plea agreement letter, which is in front of you, a copy of which is in front of you, and, specifically, pursuant to Section 5 of the plea agreement the advisory guidelines apply. And the advisory guidelines were found constitutional by the Supreme Court of the United States in the case of *United States v. Booker* in January of 2005; but they were found to be constitutional with the deletion of any mandatory provisions, which means that the guidelines are advisory and are no longer mandatory. And federal judges, while not bound to apply the guidelines, must still consult them and take them into account when imposing a sentence, subject to review by courts of appeals for unreasonableness.

Do you understand that?

THE DEFENDANT: Yes.

THE COURT: It means these guidelines have been held to be constitutional, but other factors are to be considered as well.

Do you understand that, Mr. Qureshi?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And in another opinion of the United States Supreme Court in *Gall v. United States*, three years after the *Booker* case, the Supreme Court specifically held that federal judges should not presume that the guideline range is reasonable, but it is a starting point in a multistep process.

So when you come back here for sentencing -- Ms. Sanger, we're going to hear from her in a minute with respect to conditions of releases that are recommended. Presuming you're released here today, she will be preparing a presentence investigation report, and each side will see it. And the presentence investigation report will have various facts that I consider. So I won't just presume that the guideline range is reasonable, but I'll consider all of those matters as well when you return here for sentencing, which had originally been scheduled -- I understand it had been originally scheduled for January, but now it's been changed to Thursday, February 2nd of next year.

Do you understand the general process of federal sentencing guidelines that have to be reviewed in terms of an appropriate sentence in this case?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And Paragraph 6 is a guideline calculation. And it basically comes out to in terms of the amount of money involved and then giving you credit for your

acceptance and responsibility. And there's an anticipated total offense level of 16.

And I can tell you, Mr. Qureshi, that that offense level would expose you to time in prison under the guidelines, a total offense level of 16 would expose you to time in federal prison.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And has that been made clear to you by your attorneys?

THE DEFENDANT: Yes.

THE COURT: We're now up to Paragraph 7 of the plea agreement letter and that states that there is no agreement as to your criminal history and that could be important, Mr. Qureshi, because if you have some unknown criminal history that will affect your range of imprisonment and it will affect my judgment on what kind of prison sentence, if any, you should receive.

Do you understand that?

THE DEFENDANT: Yes.

THE COURT: Paragraph 8 of the plea agreement notes that there are no other guideline issues which are in dispute, which means there's no dispute about how the guidelines are being calculated.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And then Paragraph 9 notes that both you and the Government can request a reasonable sentence. It usually is the case that what the Government feels is reasonable is not what the defense attorney thinks is reasonable.

Do you understand that?

THE DEFENDANT: Yes.

THE COURT: I will hear what both sides have to stay along with if there are sentencing memoranda when I determine what the appropriate penalty should be when you ultimately return here for sentencing.

Do you understand that, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: I'll not be able to determine the advisory guideline range in this case until after a presentence investigation report has been prepared by Ms. Sanger and after both you and the Government have an opportunity to review it and to note any objections to it. She'll prepare a presentence investigation report. You'll be meeting with her either later today or some other time.

Ms. Sanger, I suspect, unless you were going to do this today, you might want to plan another day because it's going to be awhile before we're finished. And I don't think it's going to go quickly.

MS. SANGER: Yes, Your Honor.

THE COURT: I think you'll have to plan another day.

(Interruption.)

MR. MARONICK: Court's indulgence.

THE COURT: And she'll prepare a presentence investigation report. She'll give a copy to Mr. Riley, she'll give a copy to Mr. Maronick, he'll go over it with you. Either side will note objections to it. Then she either will or will not make any corrections, then it comes to me. I'm the last one of all of you to see that.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And so do you understand that any sentence imposed could be different from what the estimate Mr. Maronick might have given you.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: He cannot predict what I'm going to do, Mr. Qureshi, do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand that after the guideline range has been determined, because the guidelines are advisory, I have the authority to depart from the guidelines and impose a sentence that's either more severe or less severe than called for by the guidelines.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: With respect to parole, there is no parole in the federal system as there is in the state system. If you receive a two-year prison sentence, it's two years. You can get good time credit, but you don't just serve one-third of your time and then you're released, as might be the case in the state system.

There is no parole in the federal system, do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: With respect to the rights of appeal, it's very important you understand this. Paragraph 10 of the plea agreement letter notes that both you and the Government waive appeal of any lawful sentence. That means if I stay within the parameters of the statute, the Government cannot appeal a sentence if the Government thinks I've been too lenient and have not been harsh enough. But you cannot appeal a sentence if you think I was not fair to you, that I gave you too long a sentence. You waive appeal, both sides are waiving appeal of the sentence here.

Do you understand that?

THE DEFENDANT: Yes.

THE COURT: Paragraph 10C notes waiver of any rights under what is known as the Freedom of Information Act. That is

a law that was passed by the U.S. Congress that provides that American citizens can seek information from certain Government agencies. You've had access to discovery in this case through your attorney, but now that you're pleading guilty, you have no further right to seek information from the Department of Justice with respect to the investigation in this case.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Now, Mr. Qureshi, we're going to go to Paragraph 4 of the plea agreement letter. It has to do with your waiver of rights. Specifically, I want to go over waiver of a jury trial here.

Do you understand how a jury trial works in the United States?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Okay. People from the community are picked to sit in a jury.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: There would be a jury trial and the trial would be in front of a jury. Has anybody explained to you what a jury trial is about?

THE DEFENDANT: Yeah.

THE COURT: Have your lawyers explained to you what a jury trial is about?

THE DEFENDANT: Yes.

THE COURT: Do you understand what a jury trial is about?

THE DEFENDANT: Yes, Your Honor.

THE COURT: All right. You pick people from the community, and they sit and ultimately make a decision on guilt or innocence.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And you have a right to continue to plead not guilty to any of these charges, and you have a right to continue to request a trial by jury for which 12 people would be selected as jurors.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And do you understand you would have a right to participate with your lawyers in the selection of a jury in this case?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You're going to have to keep your voice up, please, sir.

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand at a trial you would be presumed to be innocent and the Government would have to prove your guilt beyond a reasonable doubt?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand there would have to be a unanimous verdict of all 12 jurors before you could be convicted in this case?

THE DEFENDANT: Yes, Your Honor.

THE COURT: If there were 11 jurors that found you were guilty and one that found you were not guilty we would have to have in other trial. You would not be found guilty or convicted.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You have the right to the assistance of your counsel for defense and the right to see and hear all witnesses and to cross-examine all witnesses.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you understand on your own part you would have a right to decline to testify under the Fifth Amendment to our Constitution, unless you voluntarily elected to testify in your own defense.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: If you did testify, you could be subject to impeachment on cross-examination, and could be questioned by Government counsel.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: However, if you decided to go to trial and not testify, do you understand that those facts could not be used against you?

THE DEFENDANT: Yes, Your Honor.

THE COURT: I would tell the jury they should not be considered in any way. I would tell the jury the burden is always upon the Government to prove guilt beyond a reasonable doubt. That burden never shifts to a criminal defendant to prove his innocence.

Do you understand your rights in that regard?

THE DEFENDANT: Yes.

THE COURT: Do you understand that you would have the right to compel the attendance of witnesses to testify in your defense?

THE DEFENDANT: Yes, Your Honor.

THE COURT: What that means is that if any witnesses whom you wanted to call, you could give their names to Mr. Maronick, and he would give those names to the Clerk of the Court, the Clerk of the Court would issue subpoenas, and those subpoenas would be returned to him, and he would be responsible for seeing that those subpoenas were served on witnesses. And just as the Government can require people to come into the courtroom so can you.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And if there was a trial in this case and if a jury found you guilty, you could appeal both the verdict of guilty as well as the sentence.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And do you further understand that by entering this plea of guilty, you will have waived your right to all the rights I just described for you and have given up all those other rights as well.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Now, as to the elements of wire fraud conspiracy, they are contained very explicitly in Paragraph 2 of the plea agreement letter, and as to this I'm going to go over it with you very carefully.

With respect to the criminal information that I read verbatim to you earlier in these proceedings about an hour ago, it notes that on or about March 14, 2021, certain matters were submitted to the Government for the PPP program in the face of the pandemic under the CARES Act. And the elements of the offense of wire fraud conspiracy are set forth in Paragraph 2. And, specifically, at or about the time charged in the indictment that two or more persons in some way or manner

agreed to accomplish a common and unlawful plan to commit the crime of wire fraud as charged in the criminal information; and that you knew of the unlawful purpose and willfully joined it; and that you knowingly devised a scheme to defraud and obtain money by false pretenses in terms of misrepresentations as to employees, misrepresentations as to Government documents. And the fourth element is that you acted with intent to defraud.

Do you understand the basic elements of the charge here, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: And you understand that by advancing further into carrying out this scheme it was transmitted by means of wire, radio, or television communication in interstate commerce, or caused the transmission of a writing or sign of some sort in a wire communication.

Do you understand those basic elements?

THE DEFENDANT: Yes.

THE COURT: It means that documents were sent by wire transfers and that those documents were fraudulent and there were lies on those forms and that you received money as a result of those lies on those forms.

THE DEFENDANT: Yes.

THE COURT: Do you understand that basic -- those basic elements?

THE DEFENDANT: Yes.

THE COURT: With that, you may be seated for a moment and I'll call upon Assistant United States Attorney Paul Riley to summarize and make a representation considering the facts the Government would be prepared to prove at trial so as to establish an independent factual basis for this Court's acceptance of a guilty plea.

And I would note that attachment A to the plea agreement letter provides an independent factual basis for this Court's acceptance of a guilty plea. And I think it's very important, Mr. Riley, that you read the entirety of attachment A, and as quickly as I speak I know sometimes you can speak quickly as well, in fairness to Ms. Thomas, we'll have to go through and read this.

Now, Mr. Qureshi, to make sure I'm comfortable, I want you to remain standing. I want your counsel to give you a copy of the document being read from.

THE DEFENDANT: Yes, Your Honor.

THE COURT: Mr. Maronick, hand him the document, the plea agreement. Please turn it to attachment A.

MR. MARONICK: Yes, Your Honor.

THE COURT: Do you have reading glasses there, Mr. Qureshi?

MR. MARONICK: He does, Your Honor.

THE COURT: All right. Take your time and getting your reading glass.

All right. Your reading glasses are on. You see the portion there that says attachment A, Stipulation Of Facts?

THE DEFENDANT: Yes.

THE COURT: The Government lawyer, the prosecutor, is going to read from that document, okay?

THE DEFENDANT: Yes.

THE COURT: I presume that that document was read to you by your lawyers, but in the abundance of caution, it is going to be read here in open court, and you are to listen very carefully, Mr. Qureshi.

And you have represented to me that you not only speak English you read English; is that correct?

THE DEFENDANT: Yes, Your Honor.

THE COURT: So there should not be any confusion. He's going to read from this document, and you're going to read every word along with him, not out loud, but read it along with him.

Do you understand that?

THE DEFENDANT: Yes.

THE COURT: All right. Mr. Riley, you may proceed.

MR. RILEY: Yes, Your Honor.

"Defendant Ayaz Qureshi, born June 1969, is a resident of Severna Park, Maryland. Beginning in March 2021 and continuing through December 2021 in the District of Maryland, the Defendant and his coconspirator, A.S., conspired together and

engaged in a scheme to defraud a financial institution, Bank 1, to obtain a fraudulent loan for Yazee, Inc., Qureshi's purported business under the Paycheck Protection Program, PPP, part of the Coronavirus Aid, Relief, and Economic Security, or CARES Act, enacted in or around March 2020. Ultimately, Qureshi fraudulently obtained $250,723 as part of this scheme. His offense is described in more detail below."

"On March 14, 2021, A.S., with the assistance of Qureshi, submitted a fraudulent PPP loan application to Bank 1 for Yazee, Inc., a purported business for which Qureshi was the president. Yazee, Inc. had no employees at the time and was not operating in any legitimate capacity."

"The PPP loan application contained multiple material misrepresentations, including that Yazee, Inc. had 16 employees and that an average monthly payroll of $100,289. In support of the loan application, a fabricated IRS Form 940, Employer's Annual Federal Employment Tax Return, was submitted which falsely indicated that Yazee, Inc.'s total payments to all employees in 2019 was $1,203,471.52. The IRS Form 940 was not legitimate and the information within it was false. Yazee, Inc. did not pay any wages to or withhold federal income tax from any employees during the 2019 tax year."

"Additionally, Qureshi gave A.S. documents to be submitted with the PPP loan application, including photographs of his driver's license and a voided check and a bank statement from

Wells Fargo bank account in the name of Yazee, Inc. and controlled by Qureshi."

"Based on the false representations and fraudulent submissions made on behalf of Qureshi as the owner of Yazee, Inc., on March 22, 2021, the PPP loan funded and approximately $250,723 was distributed by Bank 1 to the Wells Fargo account referenced above."

"Qureshi agreed to pay A.S. a kickback for his work in submitting the false application and obtaining the fraudulent loan. After the PPP loan was funded, the loan funds were received by Qureshi. He provided A.S. with eight checks totaling $75,000 or approximately 30 percent of the PPP loan. On each of those checks, Qureshi wrote the amount, but left the payee name blank. A.S. and others ultimately wrote a payee name on each of those checks, deposited the checks, and $75,000 directly traceable to fraudulent PPP loan funds was ultimately drawn on the Wells Fargo account in the name of Yazee, Inc. and controlled by Qureshi."

"Proceeds from a PPP loan are required to be used only for certain permissible business expenses, including payroll costs, mortgage interest, rent, and utilities. Qureshi and A.S. were aware that under the applicable PPP rules, interest and principal on a legitimate PPP loan were eligible for forgiveness, if the business spent the loan proceeds on permissible items within a designated period of time and used a

certain portion of the loan toward payroll expenses."

"Accordingly, in an attempt to make it appear that the PPP loan funds were being used for legitimate purposes, on June 22, 2021, Qureshi, at the suggestion of A.S., signed an agreement with Payroll Processor 1 to provide payroll services to purported employees of Yazee, Inc. Pursuant to the agreement, and at the direction of Qureshi, Payroll Processor 1 withdrew funds from the Wells Fargo account referenced above and made payments using the PPP funds to purported employees of Yazee, Inc., including Qureshi, his wife, and his other associates."

"In total, $144,647.21 in sham payroll payments were made using funds traceable to the PPP loan obtained by Qureshi and his purported business. None of the purported employees were, in fact, legitimately employed by Yazee, Inc. In connection with the scheme, Qureshi engaged in email correspondence with Payroll Processor 1 concerning purported employees to be added and removed from the payroll and spoke with employees of Payroll Processor 1 on the phone as well."

"Qureshi made no payments to Bank 1 in connection with the PPP loan obtained for Yazee, Inc., and the loan was ultimately forgiven."

"Qureshi and A.S. executed the fraud scheme discussed herein, in part, through the use of mobile phones, the internet, multiple email accounts, and bank deposits and transfers, all of which used interstate wires, and Qureshi was

in Maryland when he transmitted wires to execute his scheme."

THE COURT: Thank you very much, Mr. Riley.

Are there any additions or modifications to that statement of facts, Mr. Maronick?

MR. MARONICK: There are none, Your Honor.

THE COURT: Mr. Qureshi, is that an accurate summary of the facts in this case?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Did you, in fact, commit the crime as summarized by Mr. Riley on behalf of the Government?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Do you still wish to plead guilty, sir?

THE DEFENDANT: Yes, Your Honor.

THE COURT: Specifically then, Mr. Qureshi, how do you plead to the one-count criminal information filed against you, guilty or not guilty?

THE DEFENDANT: Guilty.

THE COURT: Mr. Maronick, is there any reason you know of why this Court should not accept this guilty plea?

MR. MARONICK: There is not, Your Honor.

THE COURT: It is the finding of this Court in the case of United States v. Ayaz Qureshi that the Defendant is fully competent and capable of entering an informed plea. I also find he's fully competent and capable of understanding English, and also find specifically he can understand English

and understand reading English. The Court further finds that the Defendant is aware of the nature of the charges and the relevant consequences of his plea of guilty and great pain has been taken to make sure he understands he's accused of fraud. He's accused of fraud in connection with the PPP program and CARES Act in the face of the pandemic. That's not very confusing.

I'm satisfied the Defendant has no confusion about what he's pleading guilty to. And he's acknowledged his guilt of that fraud here today.

And, furthermore, the Court finds that his plea of guilty on advice of competent counsel with whose services he is satisfied is a knowing and voluntary plea supported by independent bases and facts sustaining each of the essential elements of the offense charged. The plea is to be accepted and the Defendant is now adjudged guilty of the offense as set forth in the one-count criminal information, guilty of wire fraud conspiracy in violation of 18 United States Code § 1349 and 1343.

Mr. Qureshi, a written presentence investigation report is going to be prepared by Ms. Danielle Sanger, who is here in court here today. And you'll be asked to provide information for that report to assist her, and your attorney will be with you at all times when you meet with her. And I will strongly recommend that this will not be done by Zoom and this will not

be done over the telephone.

Ms. Sanger, understand on that?

MS. SANGER: Yes.

THE COURT: That will be an in-person interview of this Defendant.

MS. SANGER: Yes, Your Honor.

THE COURT: All right. After she prepares the report, I'll permit both you and your attorney to read the presentence investigation report and to file any objections to it before the sentencing hearing. And you and your attorney will be afforded the opportunity to speak on your behalf at the sentencing hearing. So I will refer you to Ms. Sanger for the preparation of a presentence investigation and report.

Your date of sentencing is going to be scheduled for Thursday, February 2, 2023.

And I believe the Clerk of the Court has a draft of a regular sentencing order here. Thank you very much, Ms. Davis.

This sentencing order -- Ms. Sanger's initial report will be prepared by November the 23rd. On or before December the 7th, if either side has any objections you will notify Ms. Sanger. She either will or will not make changes to that report.

And then ultimately, by December the 19th, she'll file it with the Court.

If counsel desire to call any witnesses at this hearing,

you should notify the opposing side, either side should notify the opposing side or Court by January the 19th with respect to those witnesses.

Sentencing memoranda are not required but, if submitted, should be by that day. And, quite frankly, in light of the difficulties we had here today -- I usually waive that, but in this one I'm not. Any sentencing memorandum must be submitted by the Government or by the Defendant, by that date, by January the 19th.

And, Mr. Maronick, you can make a specific note of that.

And also, any sentencing memorandum that is submitted, I want it signed by Mr. Qureshi as well, Mr. Maronick, and a representation that he's read it and he understands what is being submitted on his behalf.

And I'll sign this sentencing order here today to that effect and the sentencing will be Tuesday, February 2nd at 11:00 a.m.

All right. Now we have to get the matter of conditions of release. The regular sentencing order has been signed.

We now have to address conditions of release here. I have not seen these yet at all. I have no idea what has been discussed with the Defendant or what's been agreed upon so we'll just go step by step on this.

MR. MARONICK: May we sit for this, Your Honor, or --

THE COURT: No, I want him to remain standing so I'm

satisfied he understands what's being said.

MR. MARONICK: Yes, Your Honor. Of course.

THE COURT: Pursuant to 18 United States Code § 1341 through 1348 and Federal Rule 46 of the Federal Rules of Criminal Procedure, I have to determine if there are conditions that can satisfy the Court that the Defendant doesn't run the risk of flight or threat to the community.

Counsel, it can be helpful to me -- Mr. Maronick, did you sit with him when he was interviewed by Ms. Sanger?

MR. MARONICK: It was done telephonically, Your Honor --

THE COURT: Well, if it was done telephonically then I've got to go over the whole thing with him. Okay. Let's go step by step.

This is an order setting conditions of release, Mr. Qureshi.

First step is does the Government have any reason to believe that this Defendant represents a risk of flight or threat to the community?

MR. RILEY: No, Your Honor. I will say the conditions proposed by pretrial services, all of the conditions are accepting to the Government.

THE COURT: All right. Okay. Well thank you.

MR. RILEY: The surrendering of the passport eliminates any flight risk.

THE COURT: You're not going to be ordered to be held by any law enforcement authorities today, Mr. Qureshi. But I have to make sure you understand it because if you violate any of it you can have an arrest warrant issued for you.

MR. MARONICK: Your Honor, if I may join, the defense, we also would ask to follow the recommendations by pretrial. I have read through those. It does not --

THE COURT: I have to make sure he understands it.

MR. MARONICK: I understand, Your Honor.

THE COURT: I have to go through this with him.

MR. MARONICK: I understand.

THE COURT: This document means that you promise to appear in court as required and surrender to serve any sentence imposed.

Do you understand that --

THE DEFENDANT: Yes, Your Honor.

THE COURT: -- Mr. Qureshi?

THE DEFENDANT: -- yes, Your Honor.

THE COURT: If you violate that, that would be a separate violation, totally apart from the charge here.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: You must not change any address. Essentially, you must not change any address without the approval of pretrial services and provide pretrial services

appropriate notice. You must report on a regular basis to the supervising officer. You must surrender any passport to the Clerk's Office by close of business.

Has he surrendered his passport yet?

MR. MARONICK: He has not.

THE COURT: Does he have a passport?

MR. MARONICK: He does have it at his residence.

THE COURT: That has to be submitted by noon on Monday. By noon on Monday it has to be surrendered to the court.

THE DEFENDANT: Yes.

MR. MARONICK: If Your Honor would like my assistance with that --

THE COURT: I don't care, but I want it -- somebody in hand is going to hand it to the Clerk's Office by noon on Monday.

MR. MARONICK: Yes, Your Honor.

THE COURT: And you're not to obtain any new passport.

You are to avoid all contact indirectly or otherwise with any persons who may become a victim or potential witness in this investigation.

You are to undergo any medical or psychiatric examination as required by pretrial services.

You are not to open up any bank accounts or lines of credit while on pretrial services supervision, and you are to

refrain from possessing any personal identifying information other than your own, and comply with all local and federal health directives as they relate to the COVID-19.

Do you understand that?

THE DEFENDANT: Yes, Your Honor.

THE COURT: As I've indicated, violating any of these conditions may result in the immediate issuance of a warrant for your arrest.

Mr. Maronick, if you'll approach the bench and we'll have him go over this and sign it.

Yes, Ms. Sanger?

MS. SANGER: Your Honor, the only additional request that we would have for condition for release would be to add if Your Honor and the Court determines him to be a third-party risk that we would request that he notify any potential or current employer of this case.

We know that his current business is part of the alleged instant offense --

THE COURT: Yes.

MS. SANGER: -- that's why we would add that condition if Your Honor agrees.

THE COURT: Where is the box where that's to be checked?

MS. SANGER: Your Honor, it's one that you would have to write in.

THE COURT: All right.

MR. MARONICK: We have no objection, Your Honor.

THE COURT: How do you want this worded, Ms. Sanger?

MS. SANGER: Your Honor, specifically would be to notify current or potential employers of the pendency of the alleged instant offense and allow pretrial services to verify the notification. I believe it's in my report, Your Honor.

THE COURT: That's the very last page at the bottom of the line here?

MS. SANGER: Yes, Your Honor.

THE COURT: Again, word that slowly for me. This is a rather unique -- at now an hour-and-a-half-long guilty plea, which is without question the longest guilty plea I've had in 20 years on the bench. I know without question this has taken longer than ever. Just seal off the afternoon. And I'm going to ask you to speak more slowly and people are usually asking me to speak more slowly. Since I'm going to have to take dictation from you, could you read carefully what you just said to me.

MS. SANGER: Your Honor, would you like me to approach, I have it written also. It might make it easier.

THE COURT: No, I'd like for you to read it out for me, and I'll writ it in my own handwriting.

MS. SANGER: Yes, Your Honor.

THE COURT: It could have been written down here but

it was not and because it's not written down them I'm going to have to do it in my hand myself. Go right ahead.

MS. SANGER: Okay. Notify current or potential employers --

THE COURT: Hold on one second.

Go ahead.

MS. SANGER: -- of the pendency of the instant offense.

THE COURT: Of the pendency of the instant offense.

MS. SANGER: And allow pretrial services to verify notification.

THE COURT: And allow pretrial services to verify the notification.

MS. SANGER: Thank you, Your Honor, for adding that. I apologize. It was an oversight on my part.

THE COURT: That's quite all right, Ms. Sanger. Don't worry about it. It's been one of those afternoons.

Mr. Maronick, if you'll approach the bench and have your client sign this. And I'm not going to have him just sign it, I want him to read through it, okay. I want you to take time to have him read through it, and I want him then after he's read through it to sign. I don't want him just to take it and sign it.

MR. MARONICK: Yes, Your Honor.

THE COURT: So we're not going to have any suggestion

that he doesn't understand something.

MR. MARONICK: Yes, Your Honor.

(Counsel conferring with client.)

MR. MARONICK: Your Honor, I've read through the entire agreement with him. He indicates to me he understands. He's prepared to sign with the Court's permission.

THE COURT: Thank you, Mr. Maronick.

MR. MARONICK: Your Honor, the document has been properly signed.

THE COURT: Thank you very much. Bring it up here to the bench and I'll sign it and we'll get it filed.

Thank you, Ms. Davis. I'll sign this. And this'll be filed. I have signed it. And so it's -- there you go.

Is there anything further from the point of view of the Government on this matter, Mr. Riley?

MR. RILEY: No, Your Honor. Thank you.

THE COURT: Anything else, Mr. Maronick, from your point of view?

MR. MARONICK: No, Your Honor.

THE COURT: All right. That concludes it.

And, Ms. Thomas, I'm very sorry for the delay here this afternoon. And this Court now stands adjourned for the day.

THE CLERK: All rise. This Honorable Court stands adjourned.

(Hearing concluded at 4:32 p.m.)

CERTIFICATE OF OFFICIAL REPORTER

I, Ronda J. Thomas, Registered Merit Reporter, Certified Realtime Reporter, in and for the United States District Court for the District of Maryland, do hereby certify, pursuant to 28 U.S.C. § 753, that the foregoing is a true and correct transcript of the stenographically-reported proceedings held in the above-entitled matter and the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

Dated this 26th day of June 2023.

Ronda J. Thomas

Ronda J. Thomas, RMR, CRR
Federal Official Reporter

MR. MARONICK: [69] 3/21 3/25 4/2 4/5 4/9 4/14 4/18 5/16 5/20 5/25 6/2 6/4 7/24 8/6 8/10 8/21 10/20 10/22 11/20 12/24 16/25 17/2 17/10 17/16 18/7 19/4 19/20 20/6 20/13 20/19 22/19 29/5 29/25 31/5 32/10 35/5 35/14 38/1 38/5 39/19 39/21 40/11 40/14 40/20 41/16 41/24 42/8 46/23 51/4 59/20 59/23 64/5 64/20 67/24 68/2 68/10 69/5 69/9 69/11 70/5 70/7 70/12 70/17 72/2 73/24 74/2 74/4 74/8 74/19
MR. RILEY: [13] 3/1 3/5 18/5 29/16 29/19 30/8 32/8 32/19 33/9 60/21 68/20 68/24 74/16
MS. SANGER: [18] 3/8 3/13 3/17 32/23 51/1 66/3 66/6 71/12 71/20 71/24 72/4 72/10 72/20 72/24 73/3 73/7 73/10 73/14
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THE COURT: [245]
THE DEFENDANT: [165]

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