

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

UNITED STATES OF AMERICA)
)
v.)
) Criminal No. 1:22-cr-00024-AW-GRJ
)
PATRICK PARKER WALSH)
)
Defendant.)

**DEFENDANT’S RESPONSE TO GOVERNMENT’S SECOND
SENTENCING MEMORANDUM**

Patrick Parker Walsh, through his counsel, submits this memorandum in response to the allegations in the Government's Second Sentencing Memorandum. Mr. Walsh submits this information to clarify the record in anticipation of sentencing tomorrow.

The Government claims that Mr. Walsh was hiding assets, including 8 airships owned by the defendant and his companies [D.E. at 11]. This information is wrong. Mr. Walsh never hid these assets from the government. He disclosed the airships to Probation in his Financial Disclosure Form (pg. 6. of 7) as follows:

The value of the AirSign Airship Group changes based on current contracts. We did have a buyer for the company at \$10M but then when the news articles came out about my crime that deal fell through. But we are working with lots of potential buyers for the individual airships and related airship assets.

Moreover, an Asset Purchase Agreement was emailed to AUSA Justin Keen on September 22, 2022, detailing **15 airships** as well as other business assets. This Agreement is attached and incorporated as *Exhibit 1*.

The Government also states that Mr. Walsh has not been actively working to sell his properties. This is inaccurate. Mr. Walsh has been actively pursuing the sale of various properties

and has been completely transparent with the government in his real estate dealings. On October 14, 2022, Mr. Walsh's legal counsel sent the government notice that he would be pursuing Path B pursuant to the Plea Agreement Rider, including documentation of all the listing agreements with the realtors for the following properties:

- Sweetheart Island Documents
- Commercial Property – US HWY 19, Dixie County, FL
- 12 NW 5th PL Documents
- 8657 NE 150th Ave Documents
- 0412300500 Documents
- 041230050A Documents
- 541 SE 1 Ave Documents

This satisfied both the spirit and the letter of the Plea Agreement Rider. This letter is attached and incorporated as ***Exhibit 2***. Mr. Walsh, through his legal counsel, has been in constant communication with the government regarding the sale of his various assets. An example of the significant level of communication is attached and incorporated as ***Exhibit 3***.

The government argues that Mr. Walsh has not been transparent, due largely to the existence of an international trust. Not so. The trust is a legitimate and irrevocable instrument. Mr. Walsh lacks the direct power to recover the trust property and holds no direct control over any trust assets. Upon termination, the trust property passes to Mr. Walsh's descendants, not to Mr. or Mrs. Walsh. It is a legitimate arrangement, not a sham. The Trustee is not required to make any payments to Mr. or Mrs. Walsh. Per its terms, if the Trustee distributes funds in a way that causes them to be vulnerable to any beneficiary's creditors, the Trustee could face liability. In addition, Mr. Walsh cannot force the Trustee to distribute any assets to any beneficiary or to any creditor. The trust contains a spendthrift provision protecting trust assets from any beneficiaries' creditors. There is nothing illegal, unusual, or improper about a person

using an offshore trust, such as this one and, to be clear – this trust was disclosed to the government multiple times.

Mr. Walsh disclosed to probation the existence of the trust and its current financial state. The information Mr. Walsh disclosed to probation is corroborated by the attached exhibit, an account statement dated September 30, 2022, demonstrating the value of the trust bank account. See *Exhibit 4*.

Mr. Walsh has disclosed all relevant information to both the government and the U.S. Probation Office.

Respectfully Submitted,

/s/ Nicole Hughes Waid

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CERTIFICATE OF SERVICE

I, David G. Lazarus, attorney for Patrick Parker Walsh, do hereby certify that I have, this day, filed the foregoing with the Clerk of Court via the CM/ECF system, which has caused a true and correct copy to be served on all counsel of record.

/s/ David G. Lazarus

David G. Lazarus, Esq.