

DEFENDANT ORGANIZATION:

CASE NUMBER:

DISTRICT:

STATEMENT OF REASONS

(Not for Public Disclosure)

I. COURT FINDINGS ON PRESENTENCE INVESTIGATION REPORT

- ☐ The court adopts the presentence investigation report without change.
- ☐ The court adopts the presentence investigation report with the following changes. *(Use Section VI if necessary)*

II. COURT DETERMINATION OF GUIDELINE RANGE

- ☐ The defendant organization is a criminal purpose organization pursuant to §8C1.1.
- ☐ The calculation of the guideline fine range is unnecessary because the fine guidelines do not apply to the offense. (§8C2.1).
- ☐ The calculation of the guideline fine range is unnecessary because the defendant organization cannot pay restitution or fine. (§§8C2.2(a) or (b))

Total Offense Level: _____

Base Fine: \$ _____

Total Culpability Score: _____

Fine Range: \$ _____ to \$ _____

- ☐ Disgorgement amount of \$ _____ is added to fine pursuant to §8C2.9.
- ☐ Fine waived or below the guideline range because of inability to pay pursuant to §8C3.3.
- ☐ Fine offset amount of \$ _____ is subtracted from fine pursuant to §8C3.4.

III. COURT DETERMINATIONS OF RESTITUTION

Total Amount of Restitution: \$ _____

- ☐ For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because the number of identifiable victims is so large as to make restitution impracticable under 18 U.S.C. § 3663A(c)(3)(A).
- ☐ For offenses for which restitution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because determining complex issues of fact and relating them to the cause or amount of the victim's losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim would be outweighed by the burden on the sentencing process under 18 U.S.C. § 3663A(c)(3)(B).
- ☐ For offenses for which restitution is authorized under 18 U.S.C. § 3663 and/or required by the sentencing guidelines, restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweighs the need to provide restitution to any victims under 18 U.S.C. § 3663(a)(1)(B)(ii).
- ☐ Restitution is not ordered for other reasons: _____
- ☐ Partial restitution is ordered, pursuant to 18 U.S.C. § 3553(c) for the following reason(s). _____

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IV. PLEA AGREEMENT DETERMINATION *(Check only one)*

- ☐ There is a non-binding plea agreement in this case *(Rule 11(c)(1)(A), Rule 11(c)(1)(B); oral or written)*
- ☐ There is a binding plea agreement accepted by the court in this case *(Rule 11(c)(1)(C); oral or written)*
- ☐ There is no plea agreement in this case *(conviction after trial; plea without agreement)*

V. GUIDELINE SENTENCING DETERMINATION *(Check all that apply)*

- ☐ There is no applicable guideline fine range
- ☐ The fine is within the guideline fine range
- ☐ The fine is below the guideline fine range in whole or in part because of the defendant's substantial assistance. *(§5K1.1)*
- ☐ The fine is below the guideline fine range. *(Specify reasons below)*
- ☐ The government sought a fine below the guideline fine range and the fine imposed was not below the government's recommendation.
- ☐ The government sought a fine below the guideline fine range and the fine imposed was below the government's recommendation.
- ☐ The government did not oppose a fine below the guideline fine range.
- ☐ The government opposed a fine below the guideline fine range.
- ☐ The fine is above the guideline fine range. *(Specify reasons below)*
- ☐ The government sought a fine above the guideline fine range.
- ☐ The government did not seek a fine above the guideline fine range.
- ☐ The government opposed a fine above the guideline fine range.

VI. ADDITIONAL BASIS FOR THE SENTENCE IN THIS CASE *(If applicable)*

Date of Imposition of Judgment

Signature of Judge

Name and Title of Judge

Date Signed
