(Rev. 09/11) Judgment in a Criminal Case Sheet 1

UNITED STATES DISTRICT COURT

Northern District of Illinois UNITED STATES OF AMERICA JUDGMENT IN A CRIMINAL CASE v. H. Ty Warner Case Number: 13 CR 731 USM Number: 46276-424 Gregory J. Scandaglia Defendant's Attorney THE DEFENDANT: pleaded guilty to count(s) (1) One of the information pleaded nolo contendere to count(s) which was accepted by the court. \square was found guilty on count(s) after a plea of not guilty. The defendant is adjudicated guilty of these offenses: Title & Section **Nature of Offense** Offense Ended Count 26 U.S.C. § 720 I Tax Evasion 11/5/2007 The defendant is sentenced as provided in pages 2 through of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. ☐ The defendant has been found not guilty on count(s) \square Count(s) \Box is are dismissed on the motion of the United States. It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances. 1/14/2014 Date of Imposition of Judgment Signature of Judge CHARLES P. KOCORAS, U.S. DISTRICT JUDGE Name and Title of Judge 1/14/2014 35:4 Mg 41 MAL 4105 PHIT3NOOU ROT 025 25 18

Case: 1:13-cr-00731 Document #: 30 Filed: 01/14/14 Page 2 of 5 PageID #:372 (Rev. 09/11) Judgment in a Criminal Case

AO 245B (Rev. 09/11) Judgment Sheet 4—Probation

Judgment—Page 2 of 5

DEFENDANT: H. Ty Warner CASE NUMBER: 13 CR 731

PROBATION

The defendant is hereby sentenced to probation for a term of:

TWO (2) YEARS on Count (1) One of the Information

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.

| The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of |
|--|
| future substance abuse. (Check, if applicable.) |

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)

The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 09/11) Sugment in a Criminal Case Document #: 30 Filed: 01/14/14 Page 3 of 5 PageID #:373 Sheet 4C — Probation

DEFENDANT: H. Ty Warner CASE NUMBER: 13 CR 731

Judgment—Page 3 of 5

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall complete a total of 500 hours of community service at the following locations: Leo, Tilden, and Richards High Schools.

The defendant shall pay a total of \$500 costs of prosecution.

The defendant has no restrictions on international travels.

(Rev. 09/Fr) Sugment in 3 - Cri-00731 Document #: 30 Filed: 01/14/14 Page 4 of 5 PageID #:374

AO 245B Sheet 5 — Criminal Monetary Penalties

Judgment — Page

DEFENDANT: H. Ty Warner CASE NUMBER: 13 CR 731

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

| Ю | ΓALS S | Assessment | <u>1t</u> | | \$ | <u>Fine</u> 100,000.0 | 00 | | Restitu \$ | <u>ıtion</u> | | |
|------------|--|---|--|--------------------------|--|-------------------------------|--------------------------|---------------------------|---------------------------------|--|---------------------------|---------------------------------|
| | The determinater such det | | ution is defe | rred until | | . An <i>Amen</i> | ded Judg | ment in a | Criminal | Case (AO 2 | <i>45C)</i> will l | be entered |
| | The defendan | nt must make | restitution (in | ncluding co | mmunity 1 | restitution) t | the follo | owing paye | ees in the am | ount listed | d below. | |
| | If the defenda the priority of before the Un | ant makes a parder or percentited States is | artial paymen ntage paymen paid. | nt, each payent column b | ee shall re elow. Ho | eceive an app owever, purs | proximate quant to 18 | ly proporti 8 U.S.C. § | oned payme 3664(i), all | nt, unless nonfederal | specified o victims m | therwise in oust be paid |
| <u>Van</u> | ne of Payee | | | | | Total Lo | <u>ss*</u> | Restitut | ion Ordere | <u>d Priorit</u> | y or Perce | entage |
| | | | | | | | 190 care | | | | | |
| 3.0 | | | | | | | rd Other | | | ************************************** | | |
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| гот | ΓALS | | \$ | | 0.00 | \$ | | 0.0 | 00_ | | | |
| | Restitution a | mount ordere | d pursuant to | o plea agree | ment \$ | | | | | | | |
| | fifteenth day | nt must pay in after the date for delinquence | of the judgr | nent, pursua | ant to 18 U | J.S.C. § 361 | 2(f). All | less the res | stitution or fi ment options | ine is paid s on Sheet | in full before 6 may be s | ore the subject |
| | The court de | termined that | the defendar | nt does not l | have the a | bility to pay | interest a | and it is ord | dered that: | | | |
| | ☐ the inter | est requireme | nt is waived | for the [| fine | ☐ restitu | ition. | | | | | |
| | ☐ the inter | est requireme | nt for the | fine | ☐ rest | titution is m | odified as | follows: | | | | |

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

(Rev. 09/17/33g; 1:13-cr-00731 Document #: 30 Filed: 01/14/14 Page 5 of 5 PageID #:375 Sheet 6 — Schedule of Payments

AO 245B

5 Judgment — Page of

DEFENDANT: H. Ty Warner CASE NUMBER: 13 CR 731

SCHEDULE OF PAYMENTS

| Hav | ing a | assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows: | | | | | | | |
|----------|--------------|---|--|--|--|--|--|--|--|
| A | \checkmark | Lump sum payment of \$ 100,600.00 due immediately, balance due | | | | | | | |
| | | not later than 3/14/2014 , or ☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or | | | | | | | |
| В | | Payment to begin immediately (may be combined with \square C, \square D, or \square F below); or | | | | | | | |
| C | | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or | | | | | | | |
| D | | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or | | | | | | | |
| E | | Payment during the term of supervised release will commence within(e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or | | | | | | | |
| F | | Special instructions regarding the payment of criminal monetary penalties: | | | | | | | |
| | | e court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financia bility Program, are made to the clerk of the court. Indant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. | | | | | | | |
| | Join | at and Several | | | | | | | |
| | Defe and | endant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, corresponding payee, if appropriate. | | | | | | | |
| √ | The | defendant shall pay the cost of prosecution. | | | | | | | |
| | The | ne defendant shall pay the following court cost(s): | | | | | | | |
| | The | defendant shall forfeit the defendant's interest in the following property to the United States: | | | | | | | |

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.