

FILED
OCT 01 2007
CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN MICHIGAN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 2:06-cr-20662

-vs-

HON. BERNARD A FRIEDMAN

D-1: PATRICK J. HARRINGTON,

Defendant.

RULE 11 PLEA AGREEMENT

Pursuant to Rule 11 of the Federal Rules of Criminal Procedure, defendant and the government agree as follows:

1. GUILTY PLEAS

A. Counts of Conviction

Defendant will waive indictment and enter a plea of guilty to a two-count superseding information which charges:

-Count 1: conspiracy to defraud the United States and to commit offenses against the United States in violation of Title 18, United States Code, Section 371, and for which the penalty is up to five years imprisonment, a fine of up to \$250,000, three years supervised release, restitution, and a \$100 special assessment; and

-Count 2: making false declarations before the grand jury in violation of Title 18, United States Code, Section 1623, and for which the penalty is up to five years imprisonment, a fine of up to \$250,000, three years supervised release, and a \$100 special assessment.

B. Elements of the Offenses

The elements of Count 1 are: 1) two or more persons conspired, or agreed, to defraud the United States and commit the crimes alleged in the information; 2) the defendant knowingly and voluntarily joined the conspiracy; and 3) a member of the conspiracy did some act for the purpose of advancing or helping the conspiracy.

The elements of Count 2 are: 1) the defendant testified while under oath in front of a grand jury; 2) the defendant's testimony was false in one or more of the ways charged in the information; 3) the defendant knew the testimony was false at the time he gave it; and 4) the testimony was material.

C. Factual Basis for Guilty Plea

The following facts are a sufficient and accurate basis for defendant's guilty pleas:

The defendant stipulates that all of the factual allegations set forth in Counts 1 and 2 of the information are accurate and true.

2. SENTENCING GUIDELINES

The Court will find sentencing factors by a preponderance of the evidence.

3. SENTENCE

The Court will impose a sentence pursuant to Title 18, United States Code, Section 3553, and in doing so must consider the sentencing guideline range. The original indictment will be dismissed at the time of sentencing.

4. PARTIES TO PLEA AGREEMENT

Unless otherwise indicated, this agreement does not bind any government agency except the United States Attorney's Office for the Eastern District of Michigan.

5. SCOPE OF PLEA AGREEMENT

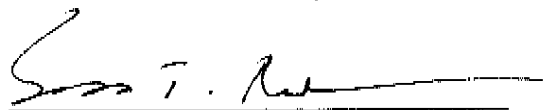
This agreement is the complete agreement between the parties. It supersedes all other promises, representations, understandings, and agreements between the parties concerning the subject matter of this plea agreement that are made at any time before the guilty plea is entered in court. Thus, no oral or written promises made by the government to defendant or to the attorney for defendant at any time before defendant pleads guilty are binding except to the extent they have been explicitly incorporated into this agreement.

This agreement does not prevent any civil or administrative actions against defendant, or any forfeiture claim against any property, by the United States or any other party.



ERIC STRAUS (P 38266)
Assistant United States Attorney
Chief, National Security Unit

STEPHEN J. MURPHY
United States Attorney



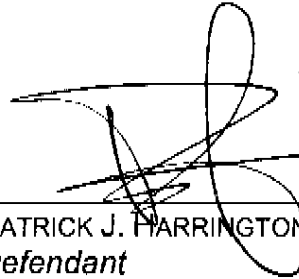
STEPHEN T. ROBINSON (P 28030)
Assistant United States Attorney

Date: 9/28/07

By signing below, defendant acknowledges that he has read (or been read) this entire document, understands it, and agrees to its terms. He also acknowledges that he is satisfied with his attorney's advice and representation. Defendant agrees that he has had a full and complete opportunity to confer with his lawyer, and has had all of his questions answered by his lawyer.



DAVID F. DUMOUCHEL (P 25658)
Attorney for Defendant



PATRICK J. HARRINGTON
Defendant

Date: