

Petition for Commutation of Sentence

Please read the accompanying instructions carefully before completing the application. Type or print the answers in ink. Each question must be answered fully, truthfully and accurately. If the space for any answer is insufficient, you may complete the answer on a separate sheet of paper and attach it to the petition. You may attach any additional documentation that you believe is relevant to your petition. The submission of any material, false information is punishable by up to five years' imprisonment and a fine of not more than \$250,000. 18 U.S.C. §§ 1001 and 3571.

Relief sought: (*check one*)

- Reduction of Prison Sentence Only Reduction of Prison Sentence and Remission
 Remission of Fine and/or Restitution Only Other _____

To The President of the United States:

The undersigned petitioner, a Federal prisoner, prays for commutation of sentence and in support thereof states as follows:

1. Full name: Bradley
First Charles
 Middle Birkenfeld
 Last

Reg. No. 26901-038 Social Security No. [REDACTED]

Confined in the Federal Institution at Schuylkill, Pennsylvania

Date and place of birth: February 26, 1965; Brookline, Massachusetts

Are you a United States citizen?

yes no

If you are not a U.S. citizen, indicate your country of citizenship

Have you ever applied for commutation of sentence before?

yes no

If yes, state the date(s) on which you applied, and the date(s) when you were notified of the final decision on your petition(s).

Offense(s) For Which Commutation Is Sought

2. I was convicted on a plea of Guilty (*guilty, not guilty, nolo contendere*) in the United States District Court

for the Southern **District of** Florida **of the crime of:**

Offense(s) For Which Commutation Is Sought

Conspiracy to defraud the United States, Title 18:371

(State specific offense(s); provide citation of statute(s) violated, if known)

I was sentenced on August 21, 2009 to imprisonment for 40 months, to pay

a fine of \$ 30,000, restitution of \$ _____, and to

supervised release or special parole for 3 years, and/or to probation for
I was 43 years of age when the offense was committed.

3. I began service of the sentence of imprisonment on Jan. 8, 2010, and I am projected to

be released from confinement on Nov. 29, 2012.

Are you eligible for parole?

yes no

If yes, indicate the date when you became eligible for release, and state whether your application for parole was granted or denied

Have you paid in full any fine or restitution imposed on you?

yes no

If the fine or restitution has not been paid in full, state the remaining balance.

4. Did you appeal your conviction or sentence to the United States Court of Appeals?

yes no

Is your appeal concluded?

yes no

If yes, indicate whether your conviction or sentence was affirmed or reversed, the date of the decision, and the citation(s) to any published court opinions. Provide copies of any unpublished court decisions concerning such appeals, if they are available to you.

Did you seek review by the Supreme Court?

yes no

Is your appeal concluded?

yes no

If yes, indicate whether your petition was granted or denied and the date of the decision.

Offense(s) For Which Commutation Is Sought

Have you filed a challenge to your conviction or sentence under 28 U.S.C. § 2255 (habeas corpus)?

yes no

Is your challenge concluded?

yes no

If yes, indicate whether your motion was granted or denied, the date of the decision, and the citation(s) to any published court opinions, if known. Provide copies of any unpublished court decisions concerning such motions, if they are available to you. If you have filed more than one post-conviction motion, provide the requested information for each such motion.

5. Provide a complete and detailed account of the offense for which you seek commutation, including the full extent of your involvement. If you need more space, you may complete your answer on a separate sheet of paper and attach it to the petition.

See attached statement for Question 5.

Other Criminal Record

6. Aside from the offense for which commutation is sought, have you ever been arrested or taken into custody by any law enforcement authority, or convicted in any court, either as a juvenile or an adult, for any other incident? yes no

For each such incident, provide: the date, the nature of charge, the law enforcement authority involved, and the final disposition of the incident. You must list every violation, including traffic violations that resulted arrest or in an criminal charge, such as driving under the influence.

Arrests:

When he was 17-18 Mr. Birkenfeld had two incidents with law enforcement. Although he is no

longer in possession of the court documentation concerning these incidents to the best of his recollection they were misdemeanors for which he was given a suspended sentence and the case was later dismissed. See Attachment.

Convictions:

None. See above.

Reasons for Seeking Clemency

7. State your reasons for seeking commutation of sentence. If you need more space, you may complete your answer on a separate sheet of paper and attach it to the petition.

See attached statement for Question 7.

Certification and Personal Oath

I hereby certify that all answers to the above questions and all statement contained herein are true and correct to the best of my knowledge, information, and belief. I understand that any intentional misstatements of material facts contained in this application form may cause adverse action on my petition for executive clemency and may subject me to criminal prosecution.

Respectfully submitted this 15 day of April, 2010.

Bradley C. Bilyfeld
Signature of Petitioner

Question 5. Provide a complete and detailed account of the offense for which you seek commutation, including the full extent of your involvement. If you need more space, you may complete your answer on a separate sheet of paper and attach it to the petition.

Mr. Birkenfeld was born in the United States and graduated from Norwich University (Military College of Vermont) in 1988. Subsequently, he moved to Switzerland where he completed a Masters business degree at the American Graduate School of Business. Credit Suisse hired Mr. Birkenfeld in 1996 and then Barclays Bank recruited Mr. Birkenfeld in 1998. After his experience in international banking at Barclays, the Swiss bank UBS recruited Mr. Birkenfeld as a director in the private banking division, a middle management position, beginning in 2001. Mr. Birkenfeld was one of twenty-five international bankers in this division, based in Geneva, Switzerland. He then became aware of the widespread conspiracy perpetrated by UBS and U.S. account holders to violate United States tax and securities laws. In summary, the United States government recovered \$780 million in non-refundable fines and back taxes due to Mr. Birkenfeld's whistleblowing on this illegal scheme. The United States was also able to discover the identities and account information of certain United States citizens who held undeclared accounts at UBS as a result of Mr. Birkenfeld's historic disclosures. *See Attachment 1*, which contains letters from John C. McDougal, Robert Khuzami, Senator Carl Levin, and advocacy organizations.

The story leading up to Mr. Birkenfeld's imprisonment began when he first discovered an internal UBS legal memorandum in 2005. This memorandum explained UBS' legal obligations under the Qualified Intermediary Agreement ("Q.I. Agreement"). The Q.I. agreement was an arrangement between UBS and the United States government signed in January 2001. This provision required that UBS identify and document any client who held marketable U.S. securities or received U.S. source income into their foreign accounts. UBS also had to withhold twenty-eight percent of U.S. source payments as well as refuse services to any account holder who refused to allow UBS to identify them to the U.S. government. Mr. Birkenfeld immediately noted that the UBS memorandum was inconsistent with actual business practices at the organization. *See Attachment 2*, which contains internal whistleblowing documents.

After discovering the memorandum, Mr. Birkenfeld immediately initiated an extensive internal review process with his superiors. Initially, he personally brought this issue to the attention of his supervisor, Christian Bovay. He then sent numerous emails and interoffice memoranda, over several months, to the head of the legal department and to the head of compliance all of which were ignored. In sum, Mr. Birkenfeld voluntarily used all the internal procedures available to him under UBS' three whistleblower corporate policies as a director at UBS. *See Attachment 2*.

After Mr. Birkenfeld tried to do the right thing by bringing these violations to the attention of upper level management, legal and compliance departments at UBS, he obtained outside legal counsel in Switzerland at his own expense to determine his rights and duties as a U.S. citizen. Mr. Birkenfeld then resigned from his position in October

2005 and retained legal counsel in Washington D.C., transported countless internal documents, made multiple secret trips from Switzerland and filed a whistleblower complaint with the IRS. Mr. Birkenfeld undertook all of these actions before the United States Congress initiated any reward program for tax whistleblowers. He voluntarily decided to file a U.S. claim in order to ensure that these issues were documented and fixed.

In early 2007, Mr. Birkenfeld approached the U.S. Department of Justice (“DOJ”) to disclose the magnitude of this tax fraud perpetrated by U.S. taxpayers and UBS. Commencing in June of 2007 and throughout 2007 and 2008 Mr. Birkenfeld met with numerous representatives of the United States Government and provided the detailed information necessary for the United States to enter the deferred prosecution agreement with UBS. *See attachment 3.* Among the numerous meetings Mr. Birkenfeld had with representatives of the DOJ and representatives of the IRS on June 12, 19 and 21, 2007; May 8 and 9, 2008; and June 9 and 10, 2008. Mr. Birkenfeld requested, on numerous occasions, that he be granted immunity and/or a subpoena. The DOJ, however, did not recognize Mr. Birkenfeld as a whistleblower under the IRS whistleblower program. Early emails between the DOJ and Mr. Birkenfeld’s original attorneys, attached hereto, indicate the prosecutors’ reluctance to work with Mr. Birkenfeld. *See Attachment 4,* containing early emails with the DOJ. On June 11, 2007, the DOJ recognized Mr. Birkenfeld’s desire to work with the IRS whistleblower program through email but specifically noted that the DOJ is “not a part of the IRS whistleblower program.”

Mr. Birkenfeld also met with Internal Revenue Service (“IRS”) officials on October 12, 2007 to discuss multiple internal documents in his possession (which he provided) that would allow the U.S. government to discover the names of thousands of additional U.S. taxpayers holding undisclosed accounts abroad. Furthermore, Mr. Birkenfeld met with SEC attorneys on November 14, 2007 to discuss potential U.S. securities law violations in which he also provided multiple internal documents. He indicated in these various meetings that he was reluctant to provide specific details on client information until subpoenaed by the United States government because to do so otherwise, would violate Swiss law where he resided.

In addition to his expertise, Mr. Birkenfeld offered to and did provide thousands of key documents, which directly led to exposing the widespread conspiracy. Information voluntarily provided by Mr. Birkenfeld included but was not limited to: UBS private banking offices involved, key UBS Swiss bankers with U.S. clients and their contact information, the total number of U.S. accounts maintained in Switzerland (19,000), the total revenue on U.S. accounts generated by UBS Switzerland (\$200 million per year), U.S. cities and hotels that UBS Swiss bankers utilized in meeting with U.S. clients, and UBS’ strategy of utilizing encrypted laptops with investment products and client portfolios to bring information into the United States and much more privileged information.

Mr. Birkenfeld further described the nature of his position when he gave deposition testimony to the investigators of the U.S. Senate Permanent Subcommittee on

Investigations on October 11, 2007, November 13, 2007 and July 9, 2008. Under Swiss law, he was unable to provide specific information on clients unless subpoenaed by the United States, the same reason UBS' Mark Branson gave to the Senate on July 17, 2008. Although the DOJ did not meet his request, Mr. Birkenfeld was eager to provide this information and describe his involvement with one of his clients in particular, U.S. citizen Igor Olenicoff, when the U.S. Senate subpoenaed him. As a result of his involvement with UBS and knowledge about its illegal schemes, the United States issued thousands of John Doe summons to UBS to compel UBS to release the names of its clients holding undeclared accounts with unreported U.S. source income.

Mr. Birkenfeld provided unprecedented assistance in uncovering one of the biggest tax fraud schemes in history. *See* Attachments 1 and 5, letter to Attorney General dated October 14, 2009. Nevertheless, the DOJ utilized the information he provided about his dealings with Mr. Olenicoff and prosecuted Mr. Birkenfeld for his role at UBS. At the advice of his attorneys, Mr. Birkenfeld plead guilty to conspiracy to defraud the United States in violation of Title 18, United States Code, Section 371.

At Mr. Birkenfeld's August 2009 sentencing hearing, DOJ attorneys claimed that he was prosecuted because he withheld information on one of UBS' biggest clients, Igor Olenicoff, when he came forward to the DOJ. The hearing transcript, on pages 32–33, show that the DOJ chief prosecutor for this matter, Mr. Kevin Downing, noted, "Mr. Olenicoff would be in jail had Mr. Birkenfeld come in, in 2007 and disclosed that information." Mr. Downing also insinuated that Mr. Birkenfeld withheld information on Mr. Olenicoff because he wanted to "continu[e] aiding and assisting Mr. Olenicoff committing tax evasion." *See* Sentencing Transcript, Tr. 32, lines 12–16, attached as an exhibit to Attachment 6.

With all due respect, we believe that the prosecutor did not address critical factors at this sentencing hearing that justify commutation of Mr. Birkenfeld's sentence. Mr. Birkenfeld specifically requested on several occasions that the DOJ subpoena him so that he would be able to provide this information in compliance with Swiss law, where he resided. Furthermore, Mr. Birkenfeld provided the Senate, SEC and IRS with initial details about the fact that Mr. Olenicoff was a client prior to his indictment and sentencing. *See* Attachment 6. The DOJ, as a result, had the opportunity to utilize all of the Mr. Birkenfeld's knowledge in 2007. In fact, Mr. Birkenfeld asked the U.S. Senate to subpoena him so that he would be able to testify in more detail regarding his relationship with Mr. Olenicoff among other things. During his testimony, he revealed all of the information in his possession regarding Mr. Olenicoff before Olenicoff was indicted by the DOJ. *See* Attachment 6. These disclosures occurred before Mr. Olenicoff was sentenced. Currently, Mr. Birkenfeld has served three months out of a forty-month sentence.

Question 7. State your reasons for seeking commutation of sentence. If you need more space, you may complete your answer on a separate sheet of paper and attach it to the petition.

Mr. Birkenfeld provided unprecedented insider information on one of the largest tax evasion scandals in history. *See* Attachments 1 and 5. He alone caused multiple branches of the U.S. Government to initiate investigations into the international tax scandal. As a direct result of his whistleblowing, UBS has agreed to turn over names of roughly 4,500 out of 19,000 undeclared account holders and has paid \$780 million in fines to date. Moreover, faced with the possibility of being revealed to the Internal Revenue Service, over 14,000 individual U.S. taxpayers came forward to disclose secret accounts held illegally offshore for many years. *See* Attachment 7, which is a New York Times article addressing these facts. Mr. Kevin Downing, chief DOJ prosecutor on this case, admitted that if it were not for Mr. Birkenfeld, the United States government would not have retrieved millions of dollars in undeclared assets. *See* Attachments 1 and 5. Yet, we respectfully disagree about the method of investigation and prosecution utilized by the Department of Justice (“DOJ”).

The DOJ justified its prosecution of Mr. Birkenfeld by contending that he withheld information about his relationship with Mr. Igor Olenicoff, a U.S. taxpayer. We believe that this justification for Mr. Birkenfeld’s prison sentence had mitigating circumstances that were not immediately apparent to the DOJ at the time. *See* Attachment 6.

Mr. Birkenfeld requested before, during and after his three meetings with the DOJ (June 2007) that he be subpoenaed so that he would be able to fully disclose every minute detail of client information in his possession. He had a grave concern regarding the need for this compulsory process due to his obligations under Swiss law, where he resided. When Mr. Birkenfeld resigned from UBS, the Managing Director provided him with a letter detailing his duty under Swiss law to maintain the confidentiality of client information. He was notified that any “unauthorized disclosure,” “exploitation,” or other “use” of client information could subject Mr. Birkenfeld to criminal or civil prosecution. *Attached* as an exhibit to Attachment 6, UBS to Birkenfeld, October 14, 2005.

Negotiations came to standstill in August 2007 between the DOJ and Mr. Birkenfeld due to the DOJ’s refusal to recognize Mr. Birkenfeld as a whistleblower and provide him with a subpoena and/or an immunity agreement. Although the DOJ did not utilize the information at Mr. Birkenfeld’s disposal, he persisted in righting a wrong that he saw in UBS Swiss banking practices and approached other U.S. government agencies. Indeed, when the U.S. Senate Subcommittee investigators responded to his pleas for assistance, counsel to Mr. Birkenfeld noted that “I know he will jump on this opportunity to meet with you as soon as he can arrange to come to the US.” *Attached* as an exhibit to Attachment 6, September 21, 2007 email to McDougal (4:02 p.m.).

The mitigating circumstances in favor of Mr. Birkenfeld’s commutation of his prison sentence lie in his repeated attempts, at his own expense, with great professional cost and risk to his life, to reach out to the United States government to provide *all* the information

at his disposal. His testimony to the staff of the U.S. Senate Permanent Subcommittee on Investigations occurred prior to any plea agreement between the DOJ and Mr. Olenicoff. After Mr. Birkenfeld was served with the U.S. Senate subpoena, that he requested, he voluntarily identified Mr. Olenicoff as one of his clients during these depositions. Mr. Birkenfeld did not wish to aid and abet Mr. Olenicoff's tax evasion as evidenced by his willingness to classify Mr. Olenicoff as one of the undeclared account holders. We believe these mitigating facts were not presented during Mr. Birkenfeld's sentencing, and, as a result, Mr. Birkenfeld was sentenced to more prison time than any other individual involved with UBS.

In addition to the aforementioned mitigating circumstances, Mr. Birkenfeld provided an unprecedented and immeasurable benefit to the public. On January 4, 2010, the publication Tax Analysts declared, "what's undeniable, though, is that the consequences of [Birkenfeld's] actions have affected millions of taxpayers, the global financial sector, and tax administrations around the world. For all of these reasons, Bradley Birkenfeld is Tax Notes' Person of the Year for 2009." *See Attachment 8*, dated January 4, 2010. Furthermore, the New York Daily News declared that we "should erect a statue on Wall Street for this former banker for Swiss giant UBS who blew the whistle on the biggest tax-evasion scheme in U.S. history." *See Attachment 9*, author Juan Gonzalez, dated January 6, 2010.

Currently, despite the fact that he is in prison, Mr. Birkenfeld is directing his attorneys to continue to cooperate with the DOJ, IRS and SEC to provide extensive information on UBS' illegal banking practices. *See Attachment 10*. By cooperating with Mr. Birkenfeld, the United States government stands to recover additional billions of dollars held in undeclared accounts by UBS (and other banks) that have yet to be disclosed. The DOJ Tax Division would have been in a position to prosecute thousands of more individuals for tax fraud if prosecutors had initially welcomed the inside information Mr. Birkenfeld voluntarily offered in his possession. Instead, the DOJ prosecuted Mr. Birkenfeld because he was the only individual that came forward with information.

Although the United States has a deferred prosecution agreement with UBS, it does not mandate the disclosure of every single account holder. Furthermore, Swiss courts have issued rulings which indicate that UBS' disclosure of individual U.S. clients may be at risk. Thus, it is imperative that the U.S. government utilize Mr. Birkenfeld's knowledge in order to discover the U.S. taxpayers who continue to contravene U.S. tax and securities laws. *See Attachment 10*, letter to the Attorney General about investigatory tactics.

Mr. Birkenfeld has already served more prison time than every individual involved in the UBS conspiracy. Mr. Birkenfeld was also given a prison sentence 8 times longer than every other individual sentenced to prison in the UBS conspiracy. For instance, Mr. Igor Olenicoff only received probation and fines after pleading guilty to tax fraud after he failed to disclose hundreds of millions of dollars in secret accounts for over a decade (long before he ever met Mr. Birkenfeld). Mr. Juergen Homann, who failed to report \$6.1 million in assets held at UBS, was sentenced to merely 300 hours of community service over a five-year period. Mr. Roberto Cittadini was sentenced to supervised

release for one year and home confinement for 180 days after failing to disclose \$17,985 in assets. *See Attachment 11.*

Additionally, Mr. Jeffrey P. Chernick received three months imprisonment, supervised release for one year and six months home detention. Pleading guilty to willfully filing a false tax return, Mr. Michael Rubenstein was only sentenced to three years probation. Mr. Robert Moran, who willfully filed a false tax return, received only two months in prison. Finally, John McCarthy who hid over a million dollars received 6 months probation. Martin Liechti, the UBS head of the Americas offshore business (a position much higher than that of Mr. Birkenfeld) was detained in the U.S. as a material witness and then was allowed to return to Switzerland without being charged of any crime. Mr. Liechti, while being held as a material witness, invoked his Fifth Amendment right to remain silent in order to not incriminate himself resulting in his refusal to speak in front of the U.S. Senate Permanent Subcommittee on Investigations where he had been subpoenaed to appear.

Mr. Birkenfeld was already put on pseudo-house arrest for 19 months while posting bail (he had an electronic ankle bracelet, was confined to Massachusetts, and had a strict evening curfew.) He has paid a fine of \$30,000 and has served in prison since January 8, 2010. Given the leniency afforded to the exact individuals who willfully violated U.S. tax and securities laws, we believe it is essential that Mr. Birkenfeld not be punished any more than he already has to this point.

The imprisonment of Mr. Birkenfeld sets a dangerous precedent. *See Attachment 1,* letter from public interest groups and Attachment 12 Putting Mr. Birkenfeld in prison sends a message to each whistleblower that he or she can expect similar treatment after coming forward with crucial information about illegal activities of an international financial organization and thousands of U.S. taxpayers. As a result, numerous national public interest organizations have reviewed Mr. Birkenfeld's case and completely support his petition for commutation. *See Attachment 12,* a letter to President Obama requesting commutation. National public policy should *encourage* whistleblowers to come forward with the expectation that the U.S. government will protect them. The alternative will have an undoubtedly chilling affect on financial whistleblowing.

Although Mr. Birkenfeld may not be the perfect whistleblower, he made every effort to come to the United States on numerous occasions, at his own expense and risk to his life, to meet with the DOJ, IRS, SEC and U.S. Senate prior to his indictment by the DOJ. He also came forth with hundreds of internal documents recording the illegal actions of UBS and U.S. taxpayers and testified about his involvement with Mr. Olenicoff before Olenicoff was indicted and was sentenced. As the Justice Department rightfully stated in formal court filings: "***Birkenfeld has provided substantial assistance in the investigation and prosecution of others who have committed offenses. This substantial assistance has been timely, significant, useful, truthful, complete and reliable.***" Attachment 13, Motion for Sentence Reduction filed by the U.S. Department of Justice, U.S. District Court for the Southern District of Florida (No. 08-60099)(docketed August 18, 2009), page 4.

Two policies behind criminal tax laws were at odds during the course of negotiations between Mr. Birkenfeld and the various U.S. government agencies. First, the DOJ sought to enforce the criminal laws against tax fraud. The aim of these criminal laws was to punish individuals who perpetrated tax fraud, and conversely, they aim to deter future wrongdoers from committing tax fraud.

Second, the United States Congress enacted mandatory rewards for tax whistleblowers in December 2006. Under this regime, the IRS promulgated rules encouraging whistleblowing whereby tax whistleblowers may file IRS Form 211 to seek a reward based on assets recovered by the U.S. government as a result of their disclosures. The policy behind this Congressional enactment was to utilize a whistleblowing regime modeled on the False Claims Act instead of using criminal statutes to convict potential whistleblowers of tax fraud. Congress implemented this exact approach to provide an incentive for tax whistleblowers to come forward.

Both the criminal statutes and whistleblowing provisions serve public policy by increasing tax law compliance. Yet, these rules collided in this circumstance because the new whistleblowing policy was brand new and tested on Mr. Birkenfeld. These conflicting goals will continue to collide until action is taken to make enforcement consistent with both punishing tax fraud and supporting whistleblowers. As in the False Claims Act, the IRS recognized that it is in the national interest to work with whistleblowers, who may not always have clean hands, in order to right a much bigger wrong. Other international bankers would also be direct participants in tax fraud with invaluable information; yet, Mr. Birkenfeld's treatment instills a fear of entrapment and liability that undermines the whole purpose behind the Congressional tax whistleblowing provisions.

Mr. Birkenfeld's disparate sentencing in comparison to individuals who willfully violated U.S. tax law illustrates the inconsistency of the current system. His sentencing has a severe negative impact because the only individual who was instrumental in bringing down the entire fraudulent offshore banking scheme is in jail. Very few Americans can say that they were directly responsible for the recovery of billions of dollars by the United States government. Very few can also say that they are one of the biggest tax fraud whistleblowers in United States history. In fact, Assistant U.S. Attorney Kevin Downing conceded at Mr. Birkenfeld's sentencing hearing that "without Mr. Birkenfeld ... I doubt ... this massive fraud scheme would have been discovered." See sentencing hearing transcript, attached as an exhibit to Attachment 6. By commuting the sentence of Mr. Birkenfeld, the United States government will send the right message. It shows the public that the government encourages whistleblowers to expose prohibited corporate practices and will aggressively pursue those individuals that illegally withhold billions of dollars in taxable assets.

In addition, numerous respectable public interest organizations both in the United States and internationally have recognized the importance of whistleblowing and the need for the United States government to either reconsider Mr. Birkenfeld's sentencing or grant a

pardon or commutation. *See* Attachments 1, 5 and 12. These groups have reviewed the facts of Mr. Birkenfeld's case and he is attaching hereto the letters of support and information gathered from these public interest organizations.

Mr. Birkenfeld's commutation will encourage other whistleblowers to come forward without fear of prosecution. His continued imprisonment will harm future compliance with tax laws, especially as they relate to illegal offshore accounts.

SCHTZ 540*23 * SENTENCE MONITORING * 02-18-2010
PAGE 001 * COMPUTATION DATA * 12:18:53
AS OF 02-18-2010

REGNO...: 26901-038 NAME: BIRKENFELD, BRADLEY

FBI NO.....: 636015WC0 DATE OF BIRTH: 02-26-1965
ARS1.....: SCH/A-DES
UNIT.....: CAMP QUARTERS....: E05-924U
DETAINERS....: NO NOTIFICATIONS: NO

HOME DETENTION ELIGIBILITY DATE: 08-01-2012

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.
THE INMATE IS PROJECTED FOR RELEASE: 11-29-2012 VIA GCT REL

-----CURRENT JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: FLORIDA, SOUTHERN DISTRICT
DOCKET NUMBER.....: 8:08-60099-CR-ZLOCH
JUDGE.....: ZLOCH
DATE SENTENCED/PROBATION IMPOSED: 08-21-2009
DATE COMMITTED.....: 01-08-2010
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED.:	\$100.00	\$00.00	\$30,000.00	\$00.00
RESTITUTION...:	PROPERTY: NO	SERVICES: NO	AMOUNT: \$00.00	

-----CURRENT OBLIGATION NO: 010 -----
OFFENSE CODE....: 153
OFF/CHG: 18:371 CONSP. TO DEFRAUD THE U.S. (CT1)

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE
SENTENCE IMPOSED/TIME TO SERVE.: 40 MONTHS
TERM OF SUPERVISION.....: 3 YEARS
DATE OF OFFENSE.....: 05-10-2008

G0002 MORE PAGES TO FOLLOW . . .

SCHTZ 540*23 *
PAGE 002 OF 002 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 02-18-2010

* 02-18-2010
* 12:18:53

REGNO..: 26901-038 NAME: BIRKENFELD, BRADLEY

-----CURRENT COMPUTATION NO: 010 -----
COMPUTATION 010 WAS LAST UPDATED ON 01-11-2010 AT DSC AUTOMATICALLY
THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010

DATE COMPUTATION BEGAN.....: 01-08-2010
TOTAL TERM IN EFFECT.....: 40 MONTHS
TOTAL TERM IN EFFECT CONVERTED...: 3 YEARS 4 MONTHS
EARLIEST DATE OF OFFENSE.....: 05-10-2008

JAIL CREDIT.....: FROM DATE THRU DATE
05-06-2008 05-07-2008
05-13-2008 05-13-2008

TOTAL PRIOR CREDIT TIME.....: 3
TOTAL INOPERATIVE TIME.....: 0
TOTAL GCT EARNED AND PROJECTED..: 156
TOTAL GCT EARNED.....: 0
STATUTORY RELEASE DATE PROJECTED: 11-29-2012
EXPIRATION FULL TERM DATE.....: 05-04-2013

PROJECTED SATISFACTION DATE.....: 11-29-2012
PROJECTED SATISFACTION METHOD...: GCT REL

REMARKS.....: V/S DST 01-08-2010

G0000 TRANSACTION SUCCESSFULLY COMPLETED