

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

V.

Case Number: 05-157M

SAMUEL R. BERGER

THOMAS REILLY  
DANIEL PETALAS  
Department of Justice

FILED

SEP 13 2005

LANNY A. BREUER  
DAVID FAGAN  
Counsel for Defense

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count (1) on 4/1/05.

Was found guilty by the Court on 4/1/05 on Count (1), after a plea of not guilty.

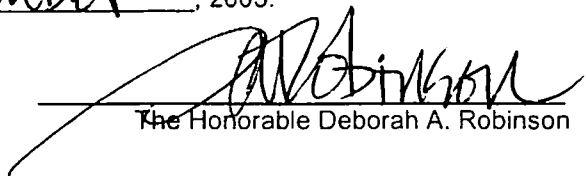
Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count(s)</u>
18 U.S.C. 1924	Unauthorized Removal and Retention of Classified Material	9/2/03 - 10/2/03	1

As pronounced on 9/8/05, the defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall 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.

Signed this the 13<sup>th</sup> day of September, 2005.

  
The Honorable Deborah A. Robinson

Defendant's Soc. Sec. No.: XXX-XX-9468  
Defendant's Date of Birth: XX-XX-45  
Defendant's USM No.:  
Defendant's Residence and Mailing Address:

✓

PROBATION

The Defendant is hereby placed on probation for a term of 2 years as to count 1.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

- 1. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervision that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervision.

STANDARD CONDITIONS OF PROBATION

- 1. You will not leave the judicial district without permission of the Court or probation officer.
- 2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 5. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6. You will notify the probation officer at least ten days prior to any change of residence or employment.
- 7. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, distribute or administer any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 8. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 9. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 10. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 11. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 12. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
- 13. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

- 1. **FINE OBLIGATION** - The Defendant shall pay \$50,000.00 and Supervision Cost of \$6,905.52 by the close of business on 9/9/05.
  - 2. Defendant shall perform 100 hours of community service as directed by the United States Probation Office.
  - 3. Defendant shall have no access to any classified material for a period of (3) years.
- \* Court waived mandatory substance testing requirement.
- \* Defendant advised of Appeal rights.

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine; (4) cost of prosecution; (5) interest; (6) penalties.

**ASSESSMENT**

\$25.00

**RESTITUTION**

\$0.00

**FINE**

\$56,905.52

**ASSESSMENT**

It is ordered that the defendant shall pay to the United States a special assessment of \$25.00 for Count 1 due by the close of business on 9/9/05.

**FINE**

The defendant shall pay a fine in the total amount of \$56,905.52 to be paid by the close of business on 9/9/05.

If the fine and/or restitution is not paid, the Court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614. Pursuant to 18 U.S.C. §§ 3572(d)(3) and 3664(k), the defendant shall notify the Court and the Attorney General of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution. As set out in 18 U.S.C. § 3664(n), if the defendant receives substantial resources from any source, including inheritance, settlement, or other judgment, during the period of incarceration, the defendant shall apply the value of such resources to any restitution or fine still owed.

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 Constitution Ave., N.W., Rm. 1825, Washington, D.C. 20001, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.