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 9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RAMON OLORUNWA ABBAS,
 aka "Ray Hushpuppi,"
 16 aka "Hush,"

17 Defendant.

No. 2:20-CR-00322-ODW

PLEA AGREEMENT FOR DEFENDANT
RAMON OLORUNWA ABBAS

18
 19 1. This constitutes the plea agreement between defendant RAMON
 20 OLORUNWA ABBAS, also known as ("aka") "Ray Hushpuppi," aka "Hush,"
 21 ("defendant"), and the United States Attorney's Office for the
 22 Central District of California ("the USAO") in the above-captioned
 23 case. This agreement is limited to the USAO and cannot bind any
 24 other federal, state, local, or foreign prosecuting, enforcement,
 25 administrative, or regulatory authorities.

26 DEFENDANT'S OBLIGATIONS

27 2. Defendant agrees to:

1 a. Give up the right to indictment by a grand jury and,
2 at the earliest opportunity requested by the USAO and provided by the
3 Court, appear and plead guilty to Count Two of the Information in
4 United States v. Ramon Olorunwa Abbas, Case No. 2:20-CR-00322-ODW,
5 which charges defendant with Conspiracy to Engage in Money
6 Laundering, in violation of 18 U.S.C. § 1956(h).

7 b. Not contest facts agreed to in this agreement.

8 c. Abide by all agreements regarding sentencing contained
9 in this agreement.

10 d. Agree that all court appearances, including his change
11 of plea hearing and sentencing hearing, may proceed by video-
12 teleconference ("VTC") or telephone, if VTC is not reasonably
13 available, so long as such appearances are authorized by Order of the
14 Chief Judge 20-043 or another order, rule, or statute. Defendant
15 understands that, under the United States Constitution, the United
16 States Code, and the Federal Rules of Criminal Procedure (including
17 Rules 11, 32, and 43), he may have the right to be physically present
18 at these hearings. Defendant understands that right and, after
19 consulting with counsel, voluntarily agrees to waive it and to
20 proceed remotely. Defense counsel also joins in this consent,
21 agreement, and waiver. Specifically, this agreement includes, but is
22 not limited to, the following:

23 i. Defendant consents under Section 15002(b) of the
24 CARES Act to proceed with his change of plea hearing by VTC or
25 telephone, if VTC is not reasonably available.

26 ii. Defendant consents under Section 15002(b) of the
27 CARES Act to proceed with his sentencing hearing by VTC or telephone,
28 if VTC is not reasonably available.

1 iii. Defendant consents under 18 U.S.C. § 3148 and
2 Section 15002(b) of the CARES Act to proceed with any hearing
3 regarding alleged violations of the conditions of pretrial release by
4 VTC or telephone, if VTC is not reasonably available.

5 e. Appear for all court appearances, surrender as ordered
6 for service of sentence, obey all conditions of any bond, and obey
7 any other ongoing court order in this matter.

8 f. Not commit any crime; however, offenses that would be
9 excluded for sentencing purposes under United States Sentencing
10 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not
11 within the scope of this agreement.

12 g. Be truthful at all times with the United States
13 Probation and Pretrial Services Office and the Court.

14 h. Pay the applicable special assessment at or before the
15 time of sentencing unless defendant has demonstrated a lack of
16 ability to pay such assessments.

17 ■ [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED] [REDACTED]
22 ■ [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 ■ [REDACTED]
26 [REDACTED]
27 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 THE USAO'S OBLIGATIONS

12 5. The USAO agrees to:

13 a. Not contest facts agreed to in this agreement.

14 b. Abide by all agreements regarding sentencing contained
15 in this agreement.

16 c. At the time of sentencing, move to dismiss the
17 remaining counts of the Information in United States v. Ramon
18 Olorunwa Abbas, Case No. 2:20-CR-00322-ODW, as against defendant.

19 Defendant agrees, however, that at the time of sentencing the Court
20 may consider any dismissed charges in determining the applicable
21 Sentencing Guidelines range, the propriety and extent of any
22 departure from that range, and the sentence to be imposed.

23 d. After defendant enters a plea of guilty to Count Two
24 of the Information in United States v. Ramon Olorunwa Abbas, Case No.
25 2:20-CR-00322-ODW, move to dismiss the Complaint in United States v.
26 Ramon Olorunwa Abbas, et al., Case No. 2:21-MJ-00760, as against
27 defendant. Defendant agrees, however, that at the time of sentencing
28 the Court may consider any dismissed charges in determining the

1 applicable Sentencing Guidelines range, the propriety and extent of
2 any departure from that range, and the sentence to be imposed.

3 e. At the time of sentencing, provided that defendant
4 demonstrates an acceptance of responsibility for the offense up to
5 and including the time of sentencing, recommend a two-level reduction
6 in the applicable Sentencing Guidelines offense level, pursuant to
7 U.S.S.G. § 3E1.1, and recommend and, if necessary, move for an
8 additional one-level reduction if available under that section.

9 f. Except for criminal tax violations (including
10 conspiracy to commit such violations chargeable under 18 U.S.C.
11 § 371), not further criminally prosecute defendant for violations of
12 18 U.S.C. §§ 1956(h) (Conspiracy to Engage in Money Laundering); 1349
13 (Conspiracy to Commit Wire Fraud, Mail Fraud, and Bank Fraud); 1343
14 (Wire Fraud); § 1344 (Bank Fraud); 1956 (Money Laundering); 1957
15 (Engaging in Monetary Transactions in Property Derived from Specified
16 Unlawful Activity); and 1028A (Aggravated Identity Theft) arising out
17 of: (i) defendant's conduct described in the agreed-to factual basis
18 set forth in paragraph 15 below; (ii) evidence obtained by FBI during
19 the search of defendant's cell phone, pursuant to a search warrant
20 obtained on or about August 12, 2020; and (c) evidence seized by FBI
21 during searches of defendant's online accounts, pursuant to search
22 warrants obtained on or about April 23, 2020. Defendant understands
23 that the USAO is free to criminally prosecute defendant for any other
24 unlawful past conduct or any unlawful conduct that occurs after the
25 date of this agreement. Defendant agrees that at the time of
26 sentencing the Court may consider the uncharged conduct in
27 determining the applicable Sentencing Guidelines range, the propriety
28 and extent of any departure from that range, and the sentence to be

1 imposed after consideration of the Sentencing Guidelines and all
2 other relevant factors under 18 U.S.C. § 3553(a).

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] e.

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

1 [REDACTED]
2 [REDACTED] [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED] [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]

10 NATURE OF THE OFFENSE

11 8. Defendant understands that for defendant to be guilty of
12 the crime charged in Count Two of the Information, that is,
13 Conspiracy to Engage in Money Laundering, in violation of 18 U.S.C.
14 § 1956(h), the following must be true:

15 a. There was an agreement between two or more persons:

16 i. to conduct a financial transaction involving
17 property that represented the proceeds of wire fraud (in violation of
18 Title 18, United States Code, Section 1343), where defendant knew
19 that the property represented the proceeds of some form of unlawful
20 activity, and defendant knew that the transaction was designed in
21 whole or in part to conceal or disguise the nature, location, source,
22 ownership, or control of the proceeds; or

23 ii. to transport, transmit, or transfer, or attempt
24 to transport, transmit, or transfer, from a place in the United
25 States to or through a place outside the United States, a monetary
26 instrument or funds, which defendant knew represented the proceeds of
27 some form of unlawful activity, and defendant knew that the
28 transaction was designed in whole or in part to conceal or disguise

1 the nature, location, source, ownership, or control of the proceeds
2 of wire fraud (in violation of Title 18, United States Code, Section
3 1343); or

4 iii. to knowingly engage or attempt to engage in a
5 monetary transaction in the United States in criminally derived
6 property that had a value greater than \$10,000 and was, in fact,
7 derived from wire fraud (in violation of Title 18, United States
8 Code, Section 1343); and

9 b. defendant became a member of the conspiracy knowing of
10 at least one of its objects and intending to help accomplish it.

11 PENALTIES AND RESTITUTION

12 9. Defendant understands that the statutory maximum sentence
13 that the Court can impose for a violation of Title 18, United States
14 Code, Section 1956(h), as charged in the Information, is: 20 years'
15 imprisonment; a 3-year period of supervised release; a fine of
16 \$500,000 or twice the gross gain or gross loss resulting from the
17 offense, whichever is greatest; and a mandatory special assessment of
18 \$100.

19 10. Defendant understands that defendant will be required to
20 pay full restitution to the victim(s) of the offense to which
21 defendant is pleading guilty. Defendant agrees that, in return for
22 the USAO's compliance with its obligations under this agreement, the
23 Court may order restitution to persons other than the victim(s) of
24 the offenses to which defendant is pleading guilty and in amounts
25 greater than those alleged in the count to which defendant is
26 pleading guilty. In particular, defendant agrees that the Court may
27 order restitution to any victim of any of the following for any
28 losses suffered by that victim as a result: (a) any relevant conduct,

1 as defined in U.S.S.G. § 1B1.3, in connection with the offense to
2 which defendant is pleading guilty; and (b) any counts dismissed and
3 charges not prosecuted pursuant to this agreement as well as all
4 relevant conduct, as defined in U.S.S.G. § 1B1.3, in connection with
5 those counts and charges. The parties currently believe that the
6 applicable amount of restitution is approximately \$1,732,841.34, but
7 recognize and agree that this amount could change based on facts that
8 come to the attention of the parties prior to sentencing.

9 11. Defendant agrees that any and all fines and/or restitution
10 ordered by the Court will be due immediately. The government is not
11 precluded from pursuing, in excess of any payment schedule set by the
12 Court, any and all available remedies by which to satisfy defendant's
13 payment of the full financial obligation, including referral to the
14 Treasury Offset Program.

15 12. Defendant understands that supervised release is a period
16 of time following imprisonment during which defendant will be subject
17 to various restrictions and requirements. Defendant understands that
18 if defendant violates one or more of the conditions of any supervised
19 release imposed, defendant may be returned to prison for all or part
20 of the term of supervised release authorized by statute for the
21 offense that resulted in the term of supervised release, which could
22 result in defendant serving a total term of imprisonment greater than
23 the statutory maximum stated above.

24 13. Defendant understands that, by pleading guilty, defendant
25 may be giving up valuable government benefits and valuable civic
26 rights, such as the right to vote, the right to possess a firearm,
27 the right to hold office, and the right to serve on a jury.
28 Defendant understands that he is pleading guilty to a felony and that

1 it is a federal crime for a convicted felon to possess a firearm or
2 ammunition. Defendant understands that the conviction in this case
3 may also subject defendant to various other collateral consequences,
4 including but not limited to revocation of probation, parole, or
5 supervised release in another case and suspension or revocation of a
6 professional license. Defendant understands that unanticipated
7 collateral consequences will not serve as grounds to withdraw
8 defendant's guilty plea.

9 14. Defendant and his counsel have discussed the fact that, and
10 defendant understands that, if defendant is not a United States
11 citizen, the conviction in this case makes it practically inevitable
12 and a virtual certainty that defendant will be removed or deported
13 from the United States. Defendant may also be denied United States
14 citizenship and admission to the United States in the future.
15 Defendant understands that while there may be arguments that
16 defendant can raise in immigration proceedings to avoid or delay
17 removal, removal is presumptively mandatory and a virtual certainty
18 in this case. Defendant further understands that removal and
19 immigration consequences are the subject of a separate proceeding and
20 that no one, including his attorney or the Court, can predict to an
21 absolute certainty the effect of his conviction on his immigration
22 status. Defendant nevertheless affirms that he wants to plead guilty
23 regardless of any immigration consequences that his plea may entail,
24 even if the consequence is automatic removal from the United States.

25 FACTUAL BASIS

26 15. Defendant admits that defendant is, in fact, guilty of the
27 offense to which defendant is agreeing to plead guilty. Defendant
28 and the USAO agree to the statement of facts provided below and agree

1 that this statement of facts is sufficient to support a plea of
2 guilty to the charge described in this agreement and to establish the
3 Sentencing Guidelines factors set forth in paragraph 17 below but is
4 not meant to be a complete recitation of all facts relevant to the
5 underlying criminal conduct or all facts known to either party that
6 relate to that conduct.

7 Beginning no later than on or about January 18, 2019, through on
8 or about June 9, 2020, defendant knowingly combined, agreed, and
9 conspired with multiple other persons ("coconspirators") to conduct
10 financial transactions into, within, and outside the United States
11 involving property that represented the proceeds of wire fraud.
12 These coconspirators included the persons referred to in the
13 Information as UICC 1 and UICC 2, as well as other coconspirators not
14 referred to in the Information. The coconspirators targeted multiple
15 victims and laundered and/or attempted to launder funds fraudulently
16 obtained, and attempted to be fraudulently obtained, through bank
17 cyber-heists,¹ business email compromise ("BEC") frauds,² and other
18 fraud schemes. The intended victims of the conspiracy included the
19 victims identified in the Information as the Foreign Financial
20 Institution (which was a bank in Malta), the Victim Law Firm (located
21 in New York State), and two companies located in the United Kingdom.

24 ¹ A cyber-heist typically occurs where a hacker has gained
25 access to the computer(s) of a bank without authorization and sent
26 messages through the Society for Worldwide Interbank Financial
27 Telecommunication ("SWIFT") communication system from the victim
bank's computer system, authorizing and causing fraudulent wire
transfers to bank accounts used and controlled by coconspirators.

28 ² BEC schemes typically involve a hacker gaining unauthorized
access to a business email account, and attempting to trick a victim
into making an unauthorized wire transfer.

1 Defendant admits that he conspired with UICC 1 and others to
2 defraud these victims and conspired to launder funds obtained from
3 them in the manner described in the Information, and that it was
4 reasonably foreseeable to defendant that the schemes intended to
5 defraud these victims of the amounts listed below. Defendant also
6 admits the truth of the allegations in Overt Acts 1 to 17. Defendant
7 knew that the property obtained and attempted to be obtained
8 represented, and would represent, the proceeds of some form of
9 unlawful activity; that the transactions were, and would be, designed
10 in whole or in part to conceal or disguise the nature, location,
11 source, ownership, and control of the proceeds; and that the
12 transactions with these criminally derived proceeds, at times,
13 exceeded \$10,000. Defendant became a member of the conspiracy
14 knowing of its objects and intending to help accomplish them.
15 Multiple members of the conspiracy took steps in furtherance of it,
16 including defendant, as described in Overt Acts 1 to 17 and below.

17 Defendant would sometimes communicate with individuals
18 committing fraud ("fraudsters"), or middle-men for fraudsters, who
19 sought bank accounts into which they could fraudulently induce
20 victims to deposit or transfer funds. These individuals included
21 UICC 1 and others. Defendant knew that these fraudulent schemes
22 included bank cyber-heists, BEC schemes, and other fraud schemes.
23 The Foreign Financial Institution (a bank in Malta) was an intended
24 victim of a cyber-heist, while the other victims identified above
25 were victims of BEC schemes. For example, as to the BEC schemes
26 involving the victim companies in the United Kingdom, defendant and
27 UICC 1 discussed, on May 12, 2019, how the fraud schemes were
28 anticipated to result in fraudulent payments of approximately £6

1 million per week. The fraudsters perpetrating these schemes, along
2 with the middle-men, were largely located outside the United States.

3 Once a victim deposited funds into a bank account, defendant
4 would coordinate with other coconspirators to obtain or move the
5 funds, and then to further launder the funds. This sometimes
6 involved a coconspirator sending the funds to other bank accounts
7 used or controlled by coconspirators through international wires,
8 withdrawing funds through checks or as cash, or further laundering
9 funds. For instance, defendant conspired with UICC 1 to use the bank
10 account identified in the Information as the CIBC Account, which was
11 held in Ontario, Canada by UICC 2, to launder funds obtained from the
12 Victim Law Firm.

13 In addition to admitting defendant's involvement in schemes
14 intending to defraud the victims listed above, defendant admits the
15 following facts regarding his involvement in a scheme to defraud a
16 victim company in Qatar that was building an international school
17 (the "Qatari Victim Company") and the owner of that company (the
18 "Victim Businessperson"). Defendant agrees that his acts in
19 furtherance of this scheme are relevant conduct, as defined in
20 U.S.S.G. § 1B1.3.

21 In or around December 2019, defendant began conspiring with a
22 coconspirator ("Coconspirator A") to defraud the Victim
23 Businessperson, who was seeking a lender to invest \$15,000,000 in a
24 project to build an international school. Coconspirator A had
25 already defrauded the Victim Businessperson of funds at the time that
26 defendant joined the scheme. Beginning on or around December 11,
27 2019, defendant began to communicate with the Victim Businessperson,
28 fraudulently using the name "Malik." As "Malik," defendant falsely

1 told the Victim Businessperson that he would assist the Victim
2 Businessperson in opening a bank account in the United States where
3 the \$15,000,000 loan could initially be deposited. In truth,
4 defendant and Coconspirator A did not intend to assist the Victim
5 Businessperson in securing a loan; they were defrauding the Victim
6 Businessperson.

7 In order to further the fraud scheme, defendant arranged for a
8 coconspirator ("Coconspirator B") to open a bank account at Wells
9 Fargo Bank in Canoga Park, California in the name of the Qatari
10 Victim Company, which also included filing a fictitious business name
11 statement with the Los Angeles County Registrar/Recorder's Office in
12 order to register the fictitious business entity. After
13 Coconspirator B arranged to file the fictitious business name
14 statement and open the Wells Fargo bank account ending in 5320 (the
15 "Wells Fargo Account"), defendant directed a coconspirator in Nigeria
16 ("Coconspirator C") to create a false and fraudulent "power of
17 attorney" document bearing the name of the Qatari Victim Company.
18 Defendant then sent information relating to the Wells Fargo Account,
19 as well as the "power of attorney" document, to the Victim
20 Businessperson on or about December 19 and 20, 2019, in order to
21 further the fraud scheme.

22 Between approximately December 19, 2019 and December 24, 2019,
23 Coconspirator A and defendant each corresponded with the Victim
24 Businessperson to fraudulently induce the Victim Businessperson to
25 pay approximately \$330,000 to fund the opening of a purported
26 "investor's account" in order to facilitate the transfer of the
27 \$15,000,000 loan they promised the Victim Businessperson. Defendant,
28 specifically, directed the Victim Businessperson to make wire

1 transfers of \$230,000 to a Wells Fargo bank account of a luxury
2 watch-seller and \$100,000 to a Capital One bank account of a
3 coconspirator ("Coconspirator D"). The Victim Businessperson made
4 those wire transfers to these bank accounts, both of which were in
5 the United States, on or about December 26, 2019.

6 Defendant used the funds from those wire transfers for his
7 personal benefit, and none of the funds were used as defendant and
8 Coconspirator A promised the Victim Businessperson. Defendant used
9 the wire transfer of \$230,000 to purchase a luxury Richard Mille
10 RM11-03 watch. Defendant arranged for the watch-seller to have the
11 watch available in the New York metropolitan area, where
12 Coconspirator D picked it up. Coconspirator D -- coordinating with
13 another coconspirator ("Coconspirator E") -- arranged to have the
14 watch delivered to a different coconspirator ("Coconspirator F").
15 Defendant then directed Coconspirator F to transport the watch on a
16 flight from John F. Kennedy International Airport in New York to the
17 United Arab Emirates, where Coconspirator F delivered the watch to
18 defendant on or about January 4, 2020.

19 As to the \$100,000 wire transfer to Coconspirator D, defendant
20 directed Coconspirator D to withdraw the funds and convert a portion
21 of them -- minus \$8,000 for Coconspirator D, which was her cut -- to
22 Nigerian Naira, which she would then send to coconspirators who would
23 deliver the funds to defendant using transfers between Nigerian bank
24 accounts. Defendant also arranged to have Coconspirator D send
25 cashier's checks of \$40,000 and \$10,000 to persons specified by a
26 coconspirator ("Coconspirator G") who would use the funds to obtain
27 St. Christopher (St. Kitts) and Nevis citizenship and a passport for
28 defendant. Defendant received the passport in February 2020.

1 Between approximately January 8, 2020 and February 4, 2020
2 defendant and Coconspirator A each corresponded with the Victim
3 Businessperson, attempting to fraudulently induce the Victim
4 Businessperson to pay \$575,000 in purported "taxes" to release the
5 \$15,000,000 loan that the Victim Businessperson was expecting.

6 Between approximately February 5, 2020 and February 7, 2020 the
7 Victim Businessperson wire transferred approximately \$299,983.58 to
8 bank accounts specified by Coconspirator A in Kenya.

9 On or about March 2, 2020, defendant fraudulently induced the
10 Victim Businessperson to send additional wire transfers to U.S. bank
11 accounts of \$100,000 to Coconspirator D and \$80,000 to a different
12 coconspirator ("Coconspirator H"). The funds from these payments
13 were subsequently laundered through a variety of means, with the
14 assistance of Coconspirators D, E, G, and H.

15 Defendant admits to the following approximate actual or intended
16 loss amounts, foreseeable to him, in connection with the victims
17 identified in the Information and this Plea Agreement:

- 18 • Foreign Financial Institution: approximately \$14,700,000.00
19 (€13,000,000);
- 20 • Victim Companies in the U.K.: approximately \$7,740,000.00
21 (£6,000,000);
- 22 • Victim Law Firm: \$922,857.76; and
- 23 • Victim Businessperson and Qatari Victim Company:
24 \$809,983.58.

25 Defendant admits that all of the money laundering described
26 above was sophisticated, extensive, and involved multiple persons.

SENTENCING FACTORS

16. Defendant understands that in determining defendant's sentence the Court is required to calculate the applicable Sentencing Guidelines range and to consider that range, possible departures under the Sentencing Guidelines, and the other sentencing factors set forth in 18 U.S.C. § 3553(a). Defendant understands that the Sentencing Guidelines are advisory only, that defendant cannot have any expectation of receiving a sentence within the calculated Sentencing Guidelines range, and that after considering the Sentencing Guidelines and the other § 3553(a) factors, the Court will be free to exercise its discretion to impose any sentence it finds appropriate up to the maximum set by statute for the crime of conviction.

17. Defendant and the USAO agree to the following applicable Sentencing Guidelines factors:

Underlying Offense Level:	7	[U.S.S.G. §§ 2S1.1(a)(1), 2B1.1(a)(1)]
Fraud scheme outside the U.S./sophisticated means	+2	[U.S.S.G. § 2B1.1(b)(10)(B) & (C)]
Conviction under 18 U.S.C. § 1956	+2	[U.S.S.G. § 2S1.1(b)(2)(B)]
Sophisticated laundering	+2	[U.S.S.G. § 2S1.1(b)(3)]

The parties further agree that a loss amount between \$9,500,000 and \$25,000,000, corresponding to a +20 offense level increase under U.S.S.G. § 2B1.1(b)(1)(K), is a reasonable and appropriate estimate of defendant's intended loss, and adequately accounts for the seriousness of the offense.

1 Defendant and the USAO reserve the right to argue that
2 additional specific offense characteristics, adjustments, and
3 departures under the Sentencing Guidelines are appropriate.

4 Defendant specifically reserves the right to argue for a
5 reduction in his sentence due to the conditions of his confinement in
6 the Central District of California during the COVID-19 pandemic.

7 18. Defendant understands that there is no agreement as to
8 defendant's criminal history or criminal history category.

9 19. Defendant and the USAO reserve the right to argue for a
10 sentence outside the sentencing range established by the Sentencing
11 Guidelines based on the factors set forth in 18 U.S.C. § 3553(a)(1),
12 (a)(2), (a)(3), (a)(6), and (a)(7).

13 WAIVER OF CONSTITUTIONAL RIGHTS

14 20. Defendant understands that by pleading guilty, defendant
15 gives up the following rights:

- 16 a. The right to persist in a plea of not guilty.
17 b. The right to a speedy and public trial by jury.
18 c. The right to be represented by counsel -- and if
19 necessary have the Court appoint counsel -- at trial. Defendant
20 understands, however, that, defendant retains the right to be
21 represented by counsel -- and if necessary have the Court appoint
22 counsel -- at every other stage of the proceeding.
23 d. The right to be presumed innocent and to have the
24 burden of proof placed on the government to prove defendant guilty
25 beyond a reasonable doubt.
26 e. The right to confront and cross-examine witnesses
27 against defendant.

28

1 f. The right to testify and to present evidence in
2 opposition to the charges, including the right to compel the
3 attendance of witnesses to testify.

4 g. The right not to be compelled to testify, and, if
5 defendant chose not to testify or present evidence, to have that
6 choice not be used against defendant.

7 h. Any and all rights to pursue any affirmative defenses,
8 Fourth Amendment or Fifth Amendment claims, and other pretrial
9 motions that have been filed or could be filed.

10 WAIVER OF APPEAL OF CONVICTION AND COLLATERAL ATTACK

11 21. Defendant understands that, with the exception of an appeal
12 based on a claim that defendant's guilty plea was involuntary, by
13 pleading guilty defendant is waiving and giving up any right to
14 appeal defendant's conviction on the offense to which defendant is
15 pleading guilty.

16 22. Defendant also gives up any right to bring a post-
17 conviction collateral attack on the conviction or sentence, except a
18 post-conviction collateral attack based on a claim of ineffective
19 assistance of counsel, a claim of newly discovered evidence, or an
20 explicitly retroactive change in the applicable Sentencing
21 Guidelines, sentencing statutes, or statutes of conviction.

22 23. Defendant understands that these waivers include, but are
23 not limited to, arguments that the statute to which defendant is
24 pleading guilty is unconstitutional, and any and all claims that the
25 statement of facts provided herein is insufficient to support
26 defendant's plea of guilty.

27
28

LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

24. Defendant agrees that, provided the Court imposes a total term of imprisonment on the count of conviction within the statutory maximum, defendant gives up the right to appeal all of the following: (a) the procedures and calculations used to determine and impose any portion of the sentence; (b) the term of imprisonment imposed by the Court; (c) the fine imposed by the Court, provided it is within the statutory maximum; (d) to the extent permitted by law, the constitutionality or legality of defendant's sentence, provided it is within the statutory maximum; (e) the amount and terms of any restitution order; (f) the term of probation or supervised release imposed by the Court, provided it is within the statutory maximum; and (g) any of the following conditions of probation or supervised release imposed by the Court: the conditions set forth in General Order 20-04 of this Court; the drug testing conditions mandated by 18 U.S.C. §§ 3563(a) (5) and 3583(d); and the alcohol and drug use conditions authorized by 18 U.S.C. § 3563(b) (7).

25. The USAO agrees that, provided all portions of the sentence are at or below the statutory maximum specified above, the USAO gives up its right to appeal any portion of the sentence, with the exception that the USAO reserves the right to appeal the amount of restitution ordered if that amount is less than \$1,732,841.34.

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1 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

2 OFFICE NOT PARTIES

3 33. Defendant understands that the Court and the United States
4 Probation and Pretrial Services Office are not parties to this
5 agreement and need not accept any of the USAO's sentencing
6 recommendations or the parties' agreements to facts or sentencing
7 factors.

8 34. Defendant understands that both defendant and the USAO are
9 free to: (a) supplement the facts by supplying relevant information
10 to the United States Probation and Pretrial Services Office and the
11 Court, (b) correct any and all factual misstatements relating to the
12 Court's Sentencing Guidelines calculations and determination of
13 sentence, and (c) argue on appeal and collateral review that the
14 Court's Sentencing Guidelines calculations and the sentence it
15 chooses to impose are not error, although each party agrees to
16 maintain its view that the calculations in paragraph 17 are
17 consistent with the facts of this case. While this paragraph permits
18 both the USAO and defendant to submit full and complete factual
19 information to the United States Probation and Pretrial Services
20 Office and the Court, even if that factual information may be viewed
21 as inconsistent with the facts agreed to in this agreement, this
22 paragraph does not affect defendant's and the USAO's obligations not
23 to contest the facts agreed to in this agreement.

24 35. Defendant understands that even if the Court ignores any
25 sentencing recommendation, finds facts or reaches conclusions
26 different from those agreed to, and/or imposes any sentence up to the
27 maximum established by statute, defendant cannot, for that reason,
28 withdraw defendant's guilty plea, and defendant will remain bound to

1 fulfill all defendant's obligations under this agreement. Defendant
2 understands that no one -- not the prosecutor, defendant's attorney,
3 or the Court -- can make a binding prediction or promise regarding
4 the sentence defendant will receive, except that it will be within
5 the statutory maximum.

6 NO ADDITIONAL AGREEMENTS

7 36. Defendant understands that, except as set forth herein,
8 there are no promises, understandings, or agreements between the USAO
9 and defendant or defendant's attorney, and that no additional
10 promise, understanding, or agreement may be entered into unless in a
11 writing signed by all parties or on the record in court.

12 PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

13 37. The parties agree that this agreement will be considered
14 part of the record of defendant's guilty plea hearing as if the
15 entire agreement had been read into the record of the proceeding.

16 AGREED AND ACCEPTED

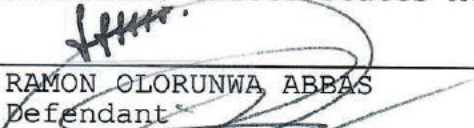
17 UNITED STATES ATTORNEY'S OFFICE
18 FOR THE CENTRAL DISTRICT OF
19 CALIFORNIA

19 TRACY L. WILKISON
20 Acting United States Attorney

21 

22 ANIL J. ANTONY
23 Assistant United States Attorney

April 7, 2021
Date

24 
25 RAMON OLORUNWA ABBAS
26 Defendant


4/7/21
Date

26 LOUIS J. SHAPIRO
27 Attorney for Ramon Olorunwa Abbas

4/7/21
Date

CERTIFICATION OF DEFENDANT

I understand, read, and comprehend English, and I have read this agreement in its entirety. I have had enough time to review and consider this agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this agreement, and I voluntarily agree to those terms. I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. No promises, inducements, or representations of any kind have been made to me other than those contained in this agreement. No one has threatened or forced me in any way to enter into this agreement. I am satisfied with the representation of my attorney in this matter, and I am pleading guilty because I am guilty of the charge and wish to take advantage of the promises set forth in this agreement, and not for any other reason.



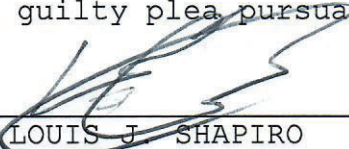
RAMON OLORUNWA ABBAS
Defendant

Date 4/7/21

CERTIFICATION OF DEFENDANT'S ATTORNEY

I am RAMON OLORUNWA ABBAS' attorney. I have carefully and thoroughly discussed every part of this agreement with my client. Further, I have fully advised my client of his rights, of possible pretrial motions that might be filed, of possible defenses that might

1 be asserted either prior to or at trial, of the sentencing factors
2 set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines
3 provisions, and of the consequences of entering into this agreement.
4 To my knowledge: no promises, inducements, or representations of any
5 kind have been made to my client other than those contained in this
6 agreement; no one has threatened or forced my client in any way to
7 enter into this agreement; my client's decision to enter into this
8 agreement is an informed and voluntary one; and the factual basis set
9 forth in this agreement is sufficient to support my client's entry of
10 a guilty plea pursuant to this agreement.

11 
12 _____
13 LOUIS J. SHAPIRO
14 Attorney for Ramon Olorunwa Abbas

11 4/7/21
12 _____
13 Date