

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED IN OPEN COURT  
DATE: 7/19/13  
TIME: 11:45 AM  
INITIALS: JPW

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 vs. )  
 )  
 SYLVIA DENISE CATHEY, )  
 )  
 Defendant. )

Criminal No. 11-20173-JPM

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**PLEA AGREEMENT**

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**The full and complete plea is as follows:**

The following constitutes the Plea Agreement reached between the United States, represented by EDWARD L. STANTON III, United States Attorney for the Western District of Tennessee, and CHRISTOPHER E. COTTEN, Assistant United States Attorney, and the defendant, SYLVIA DENISE CATHEY, represented by EDWIN A. PERRY, and MARY CATHERINE JERMANN-ROBINSON, Assistant Federal Defenders, defense counsel. The defendant agrees that she is pleading guilty as set forth herein because she is guilty of the charges in the counts to which she is pleading.

1. SYLVIA DENISE CATHEY agrees that she will enter a voluntary plea of guilty to Count 2 of the indictment, which charges her with mail fraud in violation of 18 U.S.C. 1341, and Count 9, which charges her with money laundering in violation of 18 U.S.C.

1956(a)(1)(A)(i).

2. The United States agrees to move to dismiss any remaining counts of the indictment against the defendant at sentencing.

3. The United States has given notice in the indictment of its intent to pursue criminal forfeiture as a part of the defendant's sentence. By entering into this plea agreement, the United States agrees to forego pursuing criminal forfeiture, including but not limited to, a personal money judgment against the defendant, as part of her sentence. The United States elects to pursue restitution as the sole means of making whole any victims in this case.

4. The United States agrees that it will recommend that the defendant be sentenced to a term of imprisonment of 63 months. The defendant understands that any recommendations made by the United States are not binding on the court and should the court not accept the recommendation or request, the defendant nevertheless has no right to withdraw the plea.

5. Given the facts in the possession of the United States at the time of the writing of this agreement, the United States does not oppose the defendant's receiving acceptance of responsibility credit pursuant to U.S.S.G. Section 3E1.1. The defendant understands that if the United States receives information between the signing of this agreement and the time of the sentencing that the defendant has previously engaged in, or if she engages in the future, in conduct inconsistent with the acceptance of responsibility, including, but not limited to, participation in any additional criminal conduct between now and the time of sentencing, this

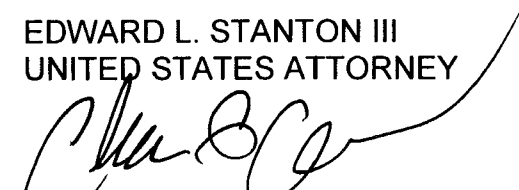
position could change. Further, the defendant understands that whether or not acceptance of responsibility credit pursuant to Section 3E1.1 is granted is a matter to be determined by the district court. Failure of the district court to grant acceptance of responsibility credit is not a basis for SYLVIA DENISE CATHEY to withdraw her guilty plea.

6. Defendant agrees that for the purpose of restitution, the Court may consider losses derived from the counts of conviction and losses caused from dismissed counts and uncharged conduct of the defendant.

7. SYLVIA DENISE CATHEY agrees that this plea agreement constitutes the entire agreement between herself and the United States and that no threats have been made to induce her to plead guilty. By signing this document, SYLVIA DENISE CATHEY acknowledges that she has read this agreement, has discussed it with her attorneys, and understands it.


FOR THE UNITED STATES:

EDWARD L. STANTON III  
UNITED STATES ATTORNEY

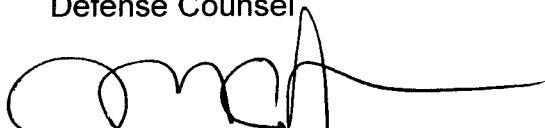
  
\_\_\_\_\_  
CHRISTOPHER E. COTTEN  
Assistant United States Attorney

7/19/13  
Date

FOR THE DEFENDANT:

  
\_\_\_\_\_  
EDWIN A. PERRY  
Assistant Federal Defender  
Defense Counsel

7/19/13  
Date

  
\_\_\_\_\_  
MARY CATHERINE JERMANN-ROBINSON  
Assistant Federal Defender  
Defense Counsel

7/19/13

  
\_\_\_\_\_  
SYLVIA DENISE CATHEY  
Defendant

7/19/13  
Date