

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-1 MAYCE EDWARD CHRISTOPHER
WEBBER III,

Defendant.

CRIMINAL NO. 02-80813
HONORABLE: NANCY G. EDMUNDS

OFFENSE: Criminal Contempt
18 U.S.C. § 401

STATUTORY INCARCERATION
PERIOD: To be determined
by the Court

STATUTORY FINE
AMOUNT: To be determined
by the Court

RULE 11 PLEA AGREEMENT

Pursuant to Rule 11 of the Federal Rules of Criminal Procedure, Defendant,
Defendant's attorney, and the United States Attorney's Office for the Eastern
District of Michigan agree as follows:

1. Guilty Plea.

A. Count of Conviction

Defendant will plead guilty to Count One of the Second Superseding Information, Criminal Contempt, in violation of 18 U.S.C. § 401. All other charges against Defendant in this case will be dismissed. Defendant acknowledges that the Court may consider these other charges and any other relevant conduct in determining the appropriate sentence.

B. Elements of the Offense

In order to sustain its burden of proof for the crime of criminal contempt, as charged in Count One, the Government must prove the following three (3) essential elements beyond a reasonable doubt:

1. Defendant was subpoenaed to appear before a Federal grand jury in the Eastern District of Michigan;
2. On August 2, 2000, Defendant appeared before a Federal grand jury sitting in the Eastern District of Michigan, and committed criminal contempt by obstructing the administration of justice, by testifying falsely before a Federal grand jury about a matter; and

3. In committing criminal contempt by obstructing the administration of justice, the Defendant did so knowingly and intentionally, by knowingly and intentionally testifying falsely before a Federal grand jury about a matter.

C. Factual Basis for Guilty Plea

The parties stipulate to the following as an accurate factual basis for

Defendant's guilty plea:

That on or about May 26, 1994, in the Eastern District of Michigan, Defendant, MAYCE EDWARD CHRISTOPHER WEBBER III, wrote a check drawn on his Merrill Lynch Cash Management account made payable to himself in the amount of Forty Thousand Dollars (\$40,000.00). This check was negotiated, and Forty Thousand Dollars (\$40,000.00) in U.S. currency was tendered to Defendant, MAYCE EDWARD CHRISTOPHER WEBBER III, by the First of America Bank located at 400 Renaissance Center, Detroit, Michigan. On or about that date, Defendant, MAYCE EDWARD CHRISTOPHER WEBBER III, drove to the residence of Eddie L. Martin at 17430 Fairway Drive, Detroit, Michigan, and delivered to Eddie L. Martin, Thirty Eight Thousand Two Hundred Dollars (\$38,200.00) in U.S. currency for past expenditures made on Defendant's behalf by Eddie L. Martin.

2. Sentence Agreement.

A. Imprisonment. Pursuant to Rule 11(c)(1)(C), the Government agrees that a fine in lieu of imprisonment is an appropriate disposition of the case.

B. Fine. Pursuant to Rule 11(c)(1)(C), the Government agrees that the amount of the fine is to be determined by the Court.

C. Supervised Release. Not applicable.

D. Special Assessment. Defendant must pay a special assessment in an amount to be determined by the Court.

E. Restitution. Not applicable.

3. Determining the Appropriate Sentence.

A. Factors Affecting the Sentence. The parties agree that the Court will resolve the issues concerning the nature of the offense and the appropriate fine. Both parties retain the right to present any evidence or other factual information to the Court. Both parties also reserve the right to object to the presentence investigative report and to appeal the Court's determination on unresolved sentencing issues. At the time of allocution on

the sentence date, neither the Government nor the Defendant will take a position.

4. Subsequent Challenges to Conviction or Breach of Agreement.

A. If at any time the Defendant tries to withdraw the guilty plea; attacks the validity of the conviction; or fails to comply with the terms of the agreement, the Government is released from its promises under this agreement and, in particular, may prosecute Defendant on any charge that it agreed to dismiss or not to bring.

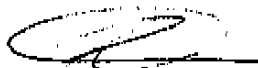
B. Defendant waives a double jeopardy defense as to any charges the Government brings or pursues under the previous paragraph. Defendant waives any speedy trial or statute of limitations defense for the period of time between the date Defendant signed this agreement and (a) the date an order permitting withdrawal of the plea, vacating the plea, or reversing the conviction becomes final, or (b) the date the United States Attorney's Office notifies Defendant in writing of Defendant's failure to comply with the agreement; whichever is later.

5. No Other Terms. This document is the entire agreement between Defendant and the United States Attorney's Office with respect to the charges noted above in this criminal case. It does not prevent any civil or administrative actions against Defendant or any property by the Government or any other party. There are no other parties to this agreement.

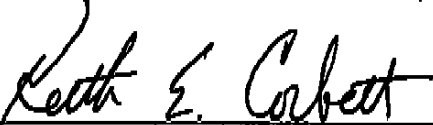
6. Acceptance of Agreement. This offer automatically expires unless it has been received (fully signed) in the Office of the United States Attorney by Noon on Friday, July 11, 2003. The United States Attorney's Office also reserves the right to modify or revoke the offer prior to Defendant's plea of guilty.

ALAN M. GERSHEL
First Assistant United States Attorney

Dated: July 14, 2003



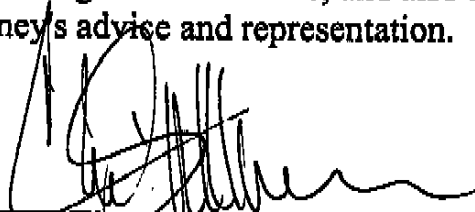
RICHARD G. CONVERTINO
Assistant United States Attorney



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By signing this document, the Defendant acknowledges that he has read this entire document, understands it and agrees to its terms; and also acknowledges that he is satisfied with his attorney's advice and representation.

Dated: July 14, 2003



MAYCE EDWARD CHRISTOPHER
WEBBER III, Defendant

Dated: July 14, 2003



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