

1 E. MARTIN ESTRADA  
 United States Attorney  
 2 CAMERON L. SCHROEDER  
 Assistant United States Attorney  
 3 Chief, National Security Division  
 ANNAMARTINE SALICK (Cal. Bar No. 309254)  
 4 CHRISTINE RO (Cal. Bar No. 285401)  
 SARAH GERDES (Cal. Bar No. 306015)  
 5 KATHRYNNE SEIDEN (Cal. Bar No. 310902)  
 Assistant United States Attorneys  
 6 Terrorism and Export Crimes Section  
 1500 United States Courthouse  
 7 312 North Spring Street  
 Los Angeles, California 90012  
 8 Telephone: (213) 894-2400  
 Facsimile: (213) 894-0141  
 9 E-mail: annamartine.salick2@usdoj.gov  
 christine.ro@usdoj.gov  
 10 sarah.gerdes@usdoj.gov  
 kathrynne.seiden@usdoj.gov

11 Attorneys for Plaintiff  
 12 UNITED STATES OF AMERICA

13 UNITED STATES DISTRICT COURT

14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 WENHENG ZHAO,  
 aka "Thomas Zhao,"

19 Defendant.  
 20

No. CR 23-372-RGK

PLEA AGREEMENT FOR DEFENDANT  
WENHENG ZHAO

21 1. This constitutes the plea agreement between WENHENG ZHAO  
 22 ("defendant") and the United States Attorney's Office for the Central  
 23 District of California ("the USAO") in the above-captioned case.  
 24 This agreement is limited to the USAO and cannot bind any other  
 25 federal, state, local, or foreign prosecuting, enforcement,  
 26 administrative, or regulatory authorities.

27 DEFENDANT'S OBLIGATIONS

28 2. Defendant agrees to:

1           a. At the earliest opportunity requested by the USAO and  
2 provided by the Court, appear and plead guilty to counts one and two  
3 of the indictment in United States v. Wenheng Zhao, CR No. 2:23-cr-  
4 00372-RGK, which charges defendant with Conspiracy, in violation of  
5 18 U.S.C. § 371, and Receiving a Bribe by a Public Official, in  
6 violation of 18 U.S.C. § 201(b)(2)(C).

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

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

17          f. Be truthful at all times with the United States  
18 Probation and Pretrial Services Office and the Court.

19          g. Pay the applicable special assessments at or before  
20 the time of sentencing unless defendant has demonstrated a lack of  
21 ability to pay such assessments.

22          h. Agree to and not oppose the imposition of the  
23 following conditions of probation or supervised release:

24           i. The defendant shall submit defendant's person and  
25 any property under defendant's control, including any residence,  
26 vehicle, papers, computer and other electronic communication or data  
27 storage devices and media, and effects, to suspicion-less search and  
28 seizure at any time of the day or night by any law enforcement or

1 probation officer, with or without a warrant, and with or without  
2 cause; and if stopped or questioned by a law enforcement officer for  
3 any reason, defendant shall notify that officer that defendant is on  
4 federal supervised release and subject to search.

5 3. Defendant further agrees:

6 a. To the entry as part of defendant's guilty plea of a  
7 personal money judgment of forfeiture against defendant in the amount  
8 of \$14,866.76 which sum defendant admits was derived from proceeds  
9 traceable to the violations described in the factual basis of the  
10 plea agreement. Defendant understands that the money judgment of  
11 forfeiture is part of defendant's sentence, and is separate from any  
12 fines or restitution that may be imposed by the Court.

13 b. To the application of \$14,866.76 in U.S. Currency  
14 seized from defendant on August 2, 2023, towards the satisfaction of  
15 the money judgment of forfeiture.

16 c. To deliver to the undersigned Assistant United States  
17 Attorney, within fourteen (14) calendar days of defendant's execution  
18 of this plea agreement, a notarized release in the form of Exhibit A,  
19 attached hereto, executed by Jianyu Ren, of her rights to contest the  
20 application of \$14,866.76 in U.S. Currency seized from defendant on  
21 August 2, 2023, towards the satisfaction of the money judgment of  
22 forfeiture.

23 d. With respect to any criminal forfeiture ordered as a  
24 result of this plea agreement, defendant waives (1) the requirements  
25 of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding  
26 notice of the forfeiture in the charging instrument, announcements of  
27 the forfeiture sentencing, and incorporation of the forfeiture in the  
28 judgment; (2) all constitutional and statutory challenges to the

1 forfeiture (including by direct appeal, habeas corpus or any other  
2 means); and (3) all constitutional, legal and equitable defenses to  
3 the money judgment of forfeiture in any proceeding on any grounds  
4 including, without limitation, that the money judgment of forfeiture  
5 constitutes an excessive fine or punishment. Defendant acknowledges  
6 that entry of the money judgment of forfeiture is part of the  
7 sentence that may be imposed in this case and waives any failure by  
8 the Court to advise defendant of this, pursuant to Federal Rule of  
9 Criminal Procedure 11(b)(1)(J), at the time the Court accepts  
10 defendant's guilty plea.

11 THE USAO'S OBLIGATIONS

12 4. 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, provided that defendant  
17 demonstrates an acceptance of responsibility for the offenses up to  
18 and including the time of sentencing, recommend a two-level reduction  
19 in the applicable Sentencing Guidelines offense level, pursuant to  
20 U.S.S.G. § 3E1.1, and recommend and, if necessary, move for an  
21 additional one-level reduction if available under that section.

22 NATURE OF THE OFFENSES

23 5. Defendant understands that for defendant to be guilty of  
24 the crime charged in count one, that is, Conspiracy, in violation of  
25 Title 18, United States Code, Section 371, the following must be  
26 true: (1) there was an agreement between two or more persons to  
27 commit at least one crime as charged in the indictment, to wit:  
28 Receiving a Bribe by a Public Official; (2) defendant became a member

1 of the conspiracy knowing at least one of its objects and intending  
2 to help accomplish it; and (3) one of the members of the conspiracy  
3 performed one overt act on or after five years before the indictment  
4 for the purpose of carrying out the conspiracy.

5 6. Defendant understands that for defendant to be guilty of  
6 the crime charged in count two, that is, Receiving a Bribe by a  
7 Public Official, in violation of Title 18, United States Code,  
8 Section 201(b)(2)(C), the following must be true: (1) defendant was a  
9 public official; (2) defendant received, accepted, and agreed to  
10 receive and accept something of value, namely Chinese Yuan Currency,  
11 in return for being induced to do or not to do an act in violation of  
12 defendant's official duty; and (3) defendant acted corruptly, that  
13 is, intending to be influenced to do or to omit to do an act in  
14 violation of the defendant's official duty. A public official acts  
15 "corruptly" when he or she accepts or receives, or agrees to accept  
16 or receive, a thing of value, in return for being influenced with the  
17 intent that, in exchange for the thing of value, some act would be  
18 influenced.

19 PENALTIES

20 7. Defendant understands that the statutory maximum sentence  
21 that the Court can impose for a violation of Title 18, United States  
22 Code, Section 371, is: five years imprisonment; a three-year period  
23 of supervised release; a fine of \$250,000 or twice the gross gain or  
24 gross loss resulting from the offense, whichever is greatest; and a  
25 mandatory special assessment of \$100.

26 8. Defendant understands that the statutory maximum sentence  
27 that the Court can impose for a violation of Title 18, United States  
28 Code, Section 201(b)(2)(C) is: 15 years imprisonment; a three-year

1 period of supervised release; a fine of \$250,000 or twice the gross  
2 gain or gross loss resulting from the offense, or three times the  
3 monetary equivalent of the thing of value, whichever is greatest; and  
4 a mandatory special assessment of \$100.

5 9. Defendant understands, therefore, that the total maximum  
6 sentence for all offenses to which defendant is pleading guilty is:  
7 20 years imprisonment; a three-year period of supervised release; a  
8 fine of \$250,000 or twice the gross gain or gross loss resulting from  
9 the offenses, whichever is greatest; and a mandatory special  
10 assessment of \$200.

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

20 11. Defendant understands that, by pleading guilty, defendant  
21 may be giving up valuable government benefits and valuable civic  
22 rights, such as the right to vote, the right to possess a firearm,  
23 the right to hold office, and the right to serve on a jury.  
24 Defendant understands that he is pleading guilty to a felony and that  
25 it is a federal crime for a convicted felon to possess a firearm or  
26 ammunition. Defendant understands that the convictions in this case  
27 may also subject defendant to various other collateral consequences,  
28 including but not limited to revocation of probation, parole, or

1 supervised release in another case and suspension or revocation of a  
2 professional license. Defendant understands that unanticipated  
3 collateral consequences will not serve as grounds to withdraw  
4 defendant's guilty pleas.

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

21 FACTUAL BASIS

22 13. Defendant admits that defendant is, in fact, guilty of the  
23 offenses to which defendant is agreeing to plead guilty. Defendant  
24 and the USAO agree to the statement of facts provided below and agree  
25 that this statement of facts is sufficient to support pleas of guilty  
26 to the charges described in this agreement and to establish the  
27 Sentencing Guidelines factors set forth in paragraph 14 below but is  
28 not meant to be a complete recitation of all facts relevant to the

1 underlying criminal conduct or all facts known to either party that  
2 relate to that conduct.

3         Beginning in about August 2021 and continuing to at least May  
4 2023, in Ventura and Los Angeles Counties, within the Central  
5 District of California, and elsewhere, defendant--an enlisted Petty  
6 Officer Second Class in the United States Navy and public official  
7 pursuant to 18 U.S.C. § 201(a)(1)--conspired with an intelligence  
8 officer ("Conspirator A") working on behalf of the People's Republic  
9 of China ("PRC"), to engage in a corrupt scheme whereby defendant  
10 collected and transmitted to Conspirator A sensitive U.S. military  
11 information in exchange for money and defendant did, in fact, engage  
12 in that scheme.

13         In connection with his military service, defendant swore an oath  
14 to faithfully discharge his duties as a Petty Officer in the United  
15 States Navy. As part of his official duties, among other  
16 responsibilities, defendant was: (1) required to protect controlled  
17 unclassified information ("CUI") and information related to the  
18 United States Navy's operational security ("OPSEC"); (2) not allowed  
19 to disseminate to unauthorized individuals CUI and information  
20 related to the United States Navy's OPSEC; and (3) required to report  
21 suspicious incidents, including attempts by non-Navy personnel to  
22 elicit sensitive operational information. Defendant also maintained  
23 a U.S. security clearance and was eligible to access material up to  
24 and including the SECRET level.

25         CUI is a distinct category of information that, while not  
26 classified, is subject to safeguarding procedures and dissemination  
27 controls. Executive Order 13556 "establishes an open and uniform  
28 program for managing information that requires safeguarding or



1 dissemination controls" for CUI. All U.S. Government agencies are  
2 required to develop and implement protective measures, conduct  
3 regular training, and establish sanctions and reporting requirements  
4 for the misuse or disclosure of CUI. 32 C.F.R. § 2002. The  
5 Department of Defense ("DoD") implemented Executive Order 13556 via  
6 DoD Instruction 5200.48, which mandates the requirements for marking,  
7 handling, and disseminating CUI; implements reporting and training  
8 requirements for DoD components; and addresses the misuse of CUI.

9       Conspirator A instructed defendant to collect and transmit to  
10 Conspirator A sensitive, non-public information related to the  
11 activities of the United States Navy, including sensitive operational  
12 information. Conspirator A offered and provided to defendant, and  
13 defendant accepted and received from Conspirator A, money, in return  
14 for violating his official duties as a Petty Officer.

15       Specifically, between approximately November 1, 2021 and  
16 approximately March 28, 2023, defendant received at least 14 separate  
17 bribes from Conspirator A, totaling at least approximately  
18 \$14,866.76. Conspirator A transferred each payment to defendant  
19 after defendant provided information to Conspirator A and/or  
20 transmitted sensitive, non-public information to Conspirator A--  
21 information defendant accessed as a result of his special position  
22 within the United States Navy.

23       In return for money and other items of value, defendant: (1)  
24 surreptitiously gathered CUI and other sensitive material related to  
25 the United States Navy's OPSEC, including training and critical  
26 infrastructure information; (2) transmitted and attempted to transmit  
27 to Conspirator A OPSEC information and CUI documents in violation of  
28 his duties as a Petty Officer; and (3) entered restricted military

1 and naval installations and took photographs and videos of United  
2 States Navy non-public and sensitive information and activities.  
3 Defendant was not authorized to disclose the sensitive U.S. military  
4 information to Conspirator A.

5       Among the items defendant collected and transmitted to  
6 Conspirator A were: (1) a photograph of a "Large Scale Exercise 2021  
7 Pacific NCF CONOPS" diagram that was marked "CUI"; (2) twelve  
8 photographs of computer screens that displayed operational orders of  
9 military training exercises; and (3) five photographs of diagrams and  
10 blueprints outlining the electrical system in the "GATOR Storage"  
11 that housed the Ground/Air Task Oriented Radar systems located at a  
12 U.S. military base in Okinawa, Japan. Each document was marked  
13 "UNCLASSIFIED//FOUO," indicating that it was For Official Use Only;  
14 and (4) on or about October 17, 2022, defendant ZHAO sent 16 files to  
15 Conspirator A, which consisted of PowerPoint, Word, and PDF files  
16 that contained United States Navy sensitive, CUI marked, and/or OPSEC  
17 information.

18       Such conduct violated defendant's duties and responsibilities as  
19 a Petty Officer, including the duty to protect sensitive, CUI marked,  
20 and OPSEC United States Navy documents and information.

21       Defendant and Conspirator A also used multiple internet-based  
22 encrypted methods to communicate and conceal their activities. At  
23 Conspirator A's direction, defendant used covert means of  
24 transmitting information to Conspirator A and destroyed evidence of  
25 his communications and transmission of sensitive non-public  
26 information related to the activities of the United States Navy.

27  
28

SENTENCING FACTORS

1  
2 14. Defendant understands that in determining defendant's  
3 sentence the Court is required to calculate the applicable Sentencing  
4 Guidelines range and to consider that range, possible departures  
5 under the Sentencing Guidelines, and the other sentencing factors set  
6 forth in 18 U.S.C. § 3553(a). Defendant understands that the  
7 Sentencing Guidelines are advisory only, that defendant cannot have  
8 any expectation of receiving a sentence within the calculated  
9 Sentencing Guidelines range, and that after considering the  
10 Sentencing Guidelines and the other § 3553(a) factors, the Court will  
11 be free to exercise its discretion to impose any sentence it finds  
12 appropriate up to the maximum set by statute for the crimes of  
13 conviction.

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

16 Base Offense Level: 14 U.S.S.G. § 2C1.1(a)(1)

17 Defendant and the USAO reserve the right to argue that additional  
18 specific offense characteristics, adjustments, and departures under  
19 the Sentencing Guidelines are appropriate.

20 16. Defendant understands that there is no agreement as to  
21 defendant's criminal history or criminal history category.

22 17. Defendant and the USAO reserve the right to argue for a  
23 sentence outside the sentencing range established by the Sentencing  
24 Guidelines based on the factors set forth in 18 U.S.C. § 3553(a)(1),  
25 (a)(2), (a)(3), (a)(6), and (a)(7).

WAIVER OF CONSTITUTIONAL RIGHTS

26  
27 18. Defendant understands that by pleading guilty, defendant  
28 gives up the following rights:

1 a. The right to persist in a plea of not guilty.

2 b. The right to a speedy and public trial by jury.

3 c. The right to be represented by counsel - and if  
4 necessary have the Court appoint counsel - at trial. Defendant  
5 understands, however, that, defendant retains the right to be  
6 represented by counsel - and if necessary have the Court appoint  
7 counsel - at every other stage of the proceeding.

8 d. The right to be presumed innocent and to have the  
9 burden of proof placed on the government to prove defendant guilty  
10 beyond a reasonable doubt.

11 e. The right to confront and cross-examine witnesses  
12 against defendant.

13 f. The right to testify and to present evidence in  
14 opposition to the charges, including the right to compel the  
15 attendance of witnesses to testify.

16 g. The right not to be compelled to testify, and, if  
17 defendant chose not to testify or present evidence, to have that  
18 choice not be used against defendant.

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

22 WAIVER OF RETURN OF DIGITAL MEDIA

23 19. Understanding that the government has in its possession  
24 digital devices and/or digital media seized from defendant, defendant  
25 waives any right to the return of digital data contained on those  
26 digital devices and/or digital media and agrees that if any of these  
27 digital devices and/or digital media are returned to defendant, the  
28

1 government may delete all digital data from those digital devices  
2 and/or digital media before they are returned to defendant.

3 WAIVER OF APPEAL OF CONVICTION

4 20. Defendant understands that, with the exception of an appeal  
5 based on a claim that defendant's guilty pleas were involuntary, by  
6 pleading guilty defendant is waiving and giving up any right to  
7 appeal defendant's convictions on the offenses to which defendant is  
8 pleading guilty. Defendant understands that this waiver includes,  
9 but is not limited to, arguments that the statutes to which defendant  
10 is pleading guilty are unconstitutional, and any and all claims that  
11 the statement of facts provided herein is insufficient to support  
12 defendant's pleas of guilty.

13 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

14 21. Defendant agrees that, provided the Court imposes a total  
15 term of imprisonment on all counts of conviction of no more than 63  
16 months imprisonment, defendant gives up the right to appeal all of  
17 the following: (a) the procedures and calculations used to determine  
18 and impose any portion of the sentence; (b) the term of imprisonment  
19 imposed by the Court; (c) the fine imposed by the Court, provided it  
20 is within the statutory maximum; (d) to the extent permitted by law,  
21 the constitutionality or legality of defendant's sentence, provided  
22 it is within the statutory maximum; (e) the amount and terms of any  
23 restitution order, provided it requires payment of no more than  
24 \$14,866.76; (f) the term of probation or supervised release imposed  
25 by the Court, provided it is within the statutory maximum; and  
26 (g) any of the following conditions of probation or supervised  
27 release imposed by the Court: the conditions set forth in Second  
28 Amended General Order 20-04 of this Court; the drug testing

1 conditions mandated by 18 U.S.C. §§ 3563(a)(5) and 3583(d);  
2 suspicion-less search and seizure as detailed in paragraph 2 above;  
3 and (f) and the waiver of return of digital media.

4 22. The USAO agrees that, provided (a) all portions of the  
5 sentence are at or below the statutory maximum specified above and  
6 (b) the Court imposes a term of imprisonment of no less than 51  
7 months imprisonment, the USAO gives up its right to appeal any  
8 portion of the sentence, with the exception that the USAO reserves  
9 the right to appeal the following: the amount of restitution ordered  
10 if that amount is less than \$14,866.76.

11 RESULT OF WITHDRAWAL OF GUILTY PLEA

12 23. Defendant agrees that if, after entering guilty pleas  
13 pursuant to this agreement, defendant seeks to withdraw and succeeds  
14 in withdrawing defendant's guilty pleas on any basis other than a  
15 claim and finding that entry into this plea agreement was  
16 involuntary, then the USAO will be relieved of all of its obligations  
17 under this agreement.

18 EFFECTIVE DATE OF AGREEMENT

19 24. This agreement is effective upon signature and execution of  
20 all required certifications by defendant, defendant's counsel, and an  
21 Assistant United States Attorney.

22 BREACH OF AGREEMENT

23 25. Defendant agrees that if defendant, at any time after the  
24 signature of this agreement and execution of all required  
25 certifications by defendant, defendant's counsel, and an Assistant  
26 United States Attorney, knowingly violates or fails to perform any of  
27 defendant's obligations under this agreement ("a breach"), the USAO  
28 may declare this agreement breached. All of defendant's obligations

1 are material, a single breach of this agreement is sufficient for the  
2 USAO to declare a breach, and defendant shall not be deemed to have  
3 cured a breach without the express agreement of the USAO in writing.  
4 If the USAO declares this agreement breached, and the Court finds  
5 such a breach to have occurred, then: (a) if defendant has previously  
6 entered guilty pleas pursuant to this agreement, defendant will not  
7 be able to withdraw the guilty pleas, and (b) the USAO will be  
8 relieved of all its obligations under this agreement.

9 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

10 OFFICE NOT PARTIES

11 26. Defendant understands that the Court and the United States  
12 Probation and Pretrial Services Office are not parties to this  
13 agreement and need not accept any of the USAO's sentencing  
14 recommendations or the parties' agreements to facts or sentencing  
15 factors.

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

1 as inconsistent with the facts agreed to in this agreement, this  
2 paragraph does not affect defendant's and the USAO's obligations not  
3 to contest the facts agreed to in this agreement.

4 28. Defendant understands that even if the Court ignores any  
5 sentencing recommendation, finds facts or reaches conclusions  
6 different from those agreed to, and/or imposes any sentence up to the  
7 maximum established by statute, defendant cannot, for that reason,  
8 withdraw defendant's guilty pleas, and defendant will remain bound to  
9 fulfill all defendant's obligations under this agreement. Defendant  
10 understands that no one -- not the prosecutor, defendant's attorney,  
11 or the Court -- can make a binding prediction or promise regarding  
12 the sentence defendant will receive, except that it will be within  
13 the statutory maximum.

14 NO ADDITIONAL AGREEMENTS

15 29. Defendant understands that, except as set forth herein and  
16 in the attached Exhibit and Addendum filed simulations with this  
17 agreement, there are no promises, understandings, or agreements  
18 between the USAO and defendant or defendant's attorney, and that no  
19 additional promise, understanding, or agreement may be entered into  
20 unless in a writing signed by all parties or on the record in court.



PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

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

AGREED AND ACCEPTED

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

E. MARTIN ESTRADA  
United States Attorney

*Annamartine Salick*

10/6/2023

ANNAMARTINE SALICK  
CHRISTINE RO  
SARAH GERDES  
KATHRYNNE SEIDEN  
Assistant United States Attorneys

Date

*Wenheng Zhao*

10/4/23

WENHENG ZHAO  
Defendant

Date

*Tarek Shawky*

10/4/23

TAREK SHAWKY  
Attorney for Defendant  
WENHENG ZHAO

Date

CERTIFICATION OF DEFENDANT

1

2 I have read this agreement in its entirety. I have had enough

3 time to review and consider this agreement, and I have carefully and

4 thoroughly discussed every part of it with my attorney. I understand

5 the terms of this agreement, and I voluntarily agree to those terms.

6 I have discussed the evidence with my attorney, and my attorney has

7 advised me of my rights, of possible pretrial motions that might be

8 filed, of possible defenses that might be asserted either prior to or

9 at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a),

10 of relevant Sentencing Guidelines provisions, and of the consequences

11 of entering into this agreement. No promises, inducements, or

12 representations of any kind have been made to me other than those

13 contained in this agreement. No one has threatened or forced me in


14 any way to enter into this agreement. I am satisfied with the

15 representation of my attorney in this matter, and I am pleading

16 guilty because I am guilty of the charges and wish to take advantage

17 of the promises set forth in this agreement, and not for any other

18 reason.

19 

---

20 WENHENG ZHAO  
Defendant

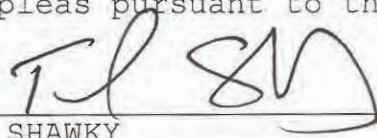
10/4/23

---

Date

CERTIFICATION OF DEFENDANT'S ATTORNEY

1  
2 I am WENHENG ZHAO's attorney. I have carefully and thoroughly  
3 discussed every part of this agreement with my client. Further, I  
4 have fully advised my client of his rights, of possible pretrial  
5 motions that might be filed, of possible defenses that might be  
6 asserted either prior to or at trial, of the sentencing factors set  
7 forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines  
8 provisions, and of the consequences of entering into this agreement.  
9 To my knowledge: no promises, inducements, or representations of any  
10 kind have been made to my client other than those contained in this  
11 agreement; no one has threatened or forced my client in any way to  
12 enter into this agreement; my client's decision to enter into this  
13 agreement is an informed and voluntary one; and the factual basis set  
14 forth in this agreement is sufficient to support my client's entry of  
15 guilty pleas pursuant to this agreement.



16  
17 TAREK SHAWKY  
Attorney for Defendant  
18 WENHENG ZHAO

10/4/23

Date