

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
v. :
:
JOSE D. URIBE, :
:
Defendant. :
:
----- X

Case No. 1:23-cr-490 (SHS)

SENTENCING MEMORANDUM OF DEFENDANT JOSE D. URIBE

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Defendant Jose D. Uribe (“Jose”), by and through undersigned counsel, hereby submits this Sentencing Memorandum to assist the Court in sentencing Jose at his October 9, 2025 sentencing.

I. PRELIMINARY STATEMENT

Jose stands before this Court convicted of serious crimes and with a deep remorse for participating in that criminal conduct. Shortly after being indicted and changing counsel, Jose fully accepted responsibility and has done everything in his power to rectify the harm caused by his actions.

This criminal conduct, however, does not present an accurate portrait of the man Jose has been for the vast majority of his life: a loving father, son, brother; and a man of deep faith, whose boundless generosity, mentorship, and kindness has touched countless friends, clients and members of his community. We greatly appreciate this opportunity to provide the Court with a complete picture of who Jose is – his struggles, hard work, abundant good deeds and acts of kindness as well as his relentless efforts to provide high-value, irreplaceable, complete and honest information and testimony in this case while enduring the fear, anxiety, and harassment that he and his family faced as a result of his assistance to the government.

In the more than 80 letters of support submitted to this Court from those who know him best – family members, friends, and others – a consistent theme emerges: Jose is a man who, time and again, for decades, has placed the needs of others before his own. He has lent a helping hand to family members, clients, and friends in times of need. He has comforted and guided those in crisis. He has mentored younger colleagues and new immigrants on how to succeed in business. As one supporter succinctly summarized Jose’s plentiful good works: “If every person Jose has helped over the years were to write to the Court, *I believe you would be reading thousands of*

letters.” (Letter # 20 (emphasis added).) And he did all of these things without ever seeking any recognition for himself.

That is what makes his participation in the serious criminal conduct for which he was convicted all the more tragic. His criminal conduct was an aberration from a lifetime of selflessness and good deeds. Jose himself has struggled to understand how he allowed himself to be drawn into conduct that is directly at odds with the man he has otherwise strived to be.

Through this case, Jose has learned the hardest of lessons by accepting responsibility for his crimes and by doing one of the most difficult, scary and grueling things imaginable – cooperating and being the government’s star witness in a historic, ultra-high-profile trial of one of the most powerful politicians at that time in America – Senator Robert Menendez (“Menendez”) – who, as this Court noted, “stood at the apex of our political system.” Menendez Sentencing Tr. at 43:22-23. Jose provided this assistance in an era of rising political violence in America, and did so at great expense and at the risk of his and his family’s safety and well-being. And yet, Jose persevered in spite of his fears – and in the face of actual harassment – by spending hundreds of hours and preparing diligently for dozens of meetings with the government and for his trial testimony, all the while anticipating that he would face relentless cross-examination. Indeed, Menendez himself publicly challenged Jose’s credibility from the courthouse steps in Manhattan following Jose’s direct examination.

As this Court observed, and the prosecutors argued in their closings – and whom we expect will confirm in their anticipated Section 5K1.1 motion – Jose steadfastly maintained his composure and told the truth on both direct and cross-examination. He provided significant and accurate information to the government and critical testimony to two juries that contributed greatly to the

government's successful prosecution of Menendez, his wife, Nadine Menendez ("Nadine") and two co-defendants.

In light of Jose's platinum cooperation and lifetime of good deeds (along with many other Section 3553(a) factors discussed herein), we respectfully submit that – as the United States Probation Office ("Probation") has recommended in its Presentence Investigation Report ("PSR") – a sentence of time served and three years of supervised release is sufficient, but not greater than necessary, to fulfill all of the statutory goals of sentencing.

II. RELEVANT SENTENCING CONSIDERATIONS

In determining an appropriate sentence, the Court's fundamental task is to impose a sentence that is "sufficient, but not greater than necessary, to comply with the purposes" of federal sentencing. 18 U.S.C. § 3553(a). Specifically, a Court considers, among other factors: (i) the nature and circumstances of the offense and the history and characteristics of the defendant; (ii) the need for the sentence imposed to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; (iii) the need for the sentence imposed to afford adequate deterrence to criminal conduct; (iv) the need for the sentence imposed to protect the public from further crimes of the defendant; (v) the need to avoid sentencing disparities among defendants with similar records; and (vi) the need for the sentence imposed to provide the defendant with needed training, medical care, or correctional treatment in the most effective manner. *See* 18 U.S.C. § 3553(a). The Court should "conduct its own independent review of the [federal] sentencing factors, aided by the arguments of the prosecution and defense." *United States v. Cavera*, 550 F.3d 180, 189 (2d Cir. 2008) (*en banc*). Although the Court must consider all of the Section 3553(a) factors to some degree, "the weight to be afforded any [Section] 3553(a) factor is a matter firmly committed to the discretion of the sentencing judge." *United States v. Jennings*,

2018 WL 3546534, at *2 (2d Cir. July 24, 2018) (quoting *United States v. Verkhoglyad*, 516 F.3d 122, 131 (2d Cir. 2008)).

The advisory Federal Sentencing Guidelines (the “Guidelines”) are the starting point for the calculation of a sufficient sentence. After due consideration, this Court is free to reject the recommended Guidelines range, after conducting an individual assessment of the defendant based upon the Section 3553(a) factors. See *Kimbrough v. United States*, 552 U.S. 85, 113 (2007) (Scalia, J., concurring); *Gall v. United States*, 552 U.S. 38, 49-50 (2007).¹ The Court is “not allow[ed] . . . to presume that a sentence within the applicable Guidelines range is reasonable.” *Nelson v. United States*, 555 U.S. 350, 352 (2009) (“The Guidelines are not only *not mandatory* on sentencing courts; they are also not to be *presumed* reasonable.” (emphasis in original) (citations omitted)); see also *Gall*, 552 U.S. at 49-50 (courts should start with the Guidelines but “may not presume that the Guidelines range is reasonable”). And, where, as here, it is anticipated that the government will be making a motion pursuant to Guidelines Section 5K1.1, “the court may depart from the guidelines.” U.S.S.G. § 5K1.1.

The appropriate reduction [to the Guidelines] shall be determined by the court for reasons stated that may include, but are not limited to, consideration of the following:

- (1) the court’s evaluation of the significance and usefulness of the defendant’s assistance, taking into consideration the government’s evaluation of the assistance rendered;
- (2) the truthfulness, completeness, and reliability of any information or testimony provided by the defendant;
- (3) the nature and extent of the defendant’s assistance;
- (4) any injury suffered, or any danger or risk of injury to the defendant or his family resulting from his assistance; [and]
- (5) the timeliness of the defendant’s assistance.

¹ Calculation of the advisory guidelines sentence is only the first step in the sentencing process, and a court must consider whether the Section 3553(a) factors support the sentence. See *Gall*, 552 U.S. at 49-50 (courts should consider all of the Section 3553(a) factors following Guidelines calculation).

U.S.S.G. § 5K1.1(a). A court should give “[s]ubstantial weight” to the government’s evaluation of the extent and value of a cooperator’s assistance. *See id.*, Application Note 3.

III. JOSE’S EXTREMELY SUBSTANTIAL ASSISTANCE STRONGLY SUPPORTS A NON-CUSTODIAL SENTENCE

The Section 5K1.1 factors strongly support a non-custodial sentence for Jose. As discussed below, and as this Court observed first-hand, Jose’s testimony – as the government’s star witness at trial – was crucial for the government to present “an inside look at one part of the bribery scheme”, *see* Menendez Tr. 67:15-23,² and a coherent narrative from a live witness about (i) how the New Jersey Attorney General bribery scheme (the “bribery scheme”) was formed; (ii) how Jose was paid money as part of a deal for Menendez to stop and kill the New Jersey Attorney General investigations; and (iii) the conversations he had with Wael Hana (“Hana”), Menendez, Nadine, and others during pivotal meetings, phone calls, and dinners.

A. Jose Provided “Absolutely Devastating” Proof Of A Corrupt *Quid Pro Quo* And Menendez’s Culpability For The New Jersey Attorney General Scheme

This Court presided over Jose’s plea and his testimony at the trials of Menendez and his co-defendants and of Nadine. As a result, the Court is well situated to make its own determinations about the significance and usefulness of Jose’s testimony. To assist the Court, however, we have enumerated herein some of the consequential information that Jose provided to the government – information that it could not have obtained from any other source. Much of Jose’s information was independently corroborated by other evidence in the case – including evidence about which

² Testimony from Menendez’s trial is referenced herein to the designated page of the transcript as (“Menendez Tr. ____”). Testimony from Nadine’s trial is referenced herein to the designated page of the transcript as (“Nadine Tr. ____”). Factual information regarding Jose that was included in his PSR are cited as (“PSR ¶ __”), and in various family, friend and business associate letters included as Exhibits A, B & C, are referenced herein as the designated number for each cited letter as (“Letter # __). Exhibit A includes Letters 1 through 20; Exhibit B includes Letters 21 through 50; and Exhibit C includes Letters 51 through 82.

Jose was not – and could not – have been aware of. In addition, Jose helped contextualize and explain dozens of text messages, many of which, standing alone, would have had little or no meaning for a jury.

1. The Court’s Evaluation Of The Significance And Usefulness Of Jose’s Assistance

Jose provided the government with the substance of conversations and events that occurred during critical meetings, dinners and telephone calls, which the government could not have obtained from any other source. These include, but are not limited to:

- **A hallway discussion between Jose and Hana in early 2018** – about which Jose testified that Hana told Jose that for \$200,000 or \$250,000 Hana had a way to make everything (relating to the New Jersey Attorney General investigations) “go away,” mentioning Nadine and Menendez. Menendez Tr. 2961:16-2963:22.
- **A meeting at the Glenpointe Marriott in early 2018 between Jose, Hana, Elvis Parra (“Parra”) and Bienvenido Hernandez (“Hernandez”)** – about which Jose testified that they agreed to pay between \$200,000 and \$250,000 to obtain a good resolution for Parra, who already had been indicted, and to ensure that the New Jersey Attorney General investigations would be closed and did not reach Jose’s “daughter”, Ana Peguero (“Ana”). *See id.* 2967:4-2969:13.
- **Parra’s and Hernandez’s payment of \$125,000 in cash to Hana** – about which Jose testified that Hana confirmed to Jose that he had received. *See id.* 3075:20-3077:13.
- **A 22-minute telephone call between Jose and Nadine on March 12, 2019** – during which Jose testified that he and Nadine agreed that in return for Jose getting her a car, she would get her then-boyfriend Menendez to stop and kill all of the New Jersey Attorney General investigations. *See id.* 2999:25-3003:17.
- **A meeting at the Villa Amalfi restaurant on March 26, 2019, between Jose and Nadine** – about which Jose testified that they discussed their agreement that Jose would get Nadine a Mercedes Benz car and Nadine – through Menendez – would make the New Jersey Attorney General investigations that could lead to his family go away. Jose also testified that they discussed “part one” – the investigation into Parra and E&K Trucking (“E&K”) (one of Parra’s trucking companies) but that Nadine did not know about what they called “part two” – the ongoing investigation into Prestige Trucking Express (“Prestige”) (the successor company to E&K) and Hernandez that could lead to Phoenix Risk Management (“Phoenix”) (Jose’s former insurance company) and Ana. *See id.* 3015:7-19; 3017:14-3020:5 (“[I]f your problem is a car, my problem is saving my family and we went into the agreement of helping each other.”).

- **A meeting in the parking lot of the Villa Amalfi restaurant on April 4, 2019** – about which Jose testified that he gave Nadine \$15,000 in cash (in one-hundred-dollar bills) for the downpayment on a new Mercedes Benz. *See id.* 3021:21-3025:23.
- **A meeting at the Il Villaggio restaurant between Jose, Nadine and Menendez on August 7, 2019** – about which Jose testified that he expressed his concerns about the New Jersey Attorney General investigations to Menendez for the first time and explained which parties were involved. At this meeting, Jose asked Menendez to protect his daughter and get “peace” for his family. *See id.* 3099:10-3105.
- **A meeting in the parking lot of Ventana restaurant sometime in the fall or winter of 2019, between Jose, Hana, Parra and Hernandez** – about which Jose testified that Hernandez and Parra brought a brick of \$25,000 in cash in a bag to their dinner, as the balance on the deal. On their drive home, Jose testified that he told Hana he should keep the money because he was paying for Nadine’s Mercedes Benz, and Hana agreed. *See id.* 3078-3080:4.
- **A meeting at Nadine’s house between Jose, Nadine and Menendez late in the evening of September 5, 2019** – about which Jose testified that he met directly with Menendez in Nadine’s backyard, relayed his concerns to Menendez about the New Jersey Attorney General investigations potentially reaching his daughter and Phoenix, and wrote down the names of all the parties relating to the New Jersey Attorney General investigations on a piece of a paper. Jose also testified about a critical event that he had observed during his meeting with Menendez: that to obtain the paper, Menendez rang a “little bell” and called out “mon amour” to summon Nadine from the house. Jose also testified that Menendez told him that Menendez would be meeting with New Jersey officials the next day at his Newark office. *See id.* 3123:3-3134:11.
- **A meeting in the lobby of Menendez’s apartment building between Jose and Menendez on September 6, 2019** – about which Jose testified that Menendez told him that Menendez was still looking into whether Ana/Phoenix were being investigated, but that it did not seem like there was anything there. *See id.* 3134:23-3138:12.
- **A telephone call on October 29, 2019, from Menendez (at his office in Washington, D.C.) to Jose** – about which Jose testified that Menendez told Jose that he was calling to give Jose his “peace” – *i.e.*, to relay that the New Jersey Attorney General investigations were stopped. *See id.* 3143:25-3145:5.
- **A dinner at the River Palm restaurant a few days after the October 29, 2019, telephone call from Menendez to Jose** – about which Jose testified that the purpose was to celebrate Menendez and Nadine getting engaged, and that Jose paid for the dinner to thank the people that had helped give him his “peace.” *See id.* 3148:7-3149:14.
- **A dinner at Segovia’s restaurant during the pandemic with Nadine, Menendez and Nadine’s daughter at which Menendez told Jose, in Spanish, “I saved your ass twice.**

Not once but twice” – about which Jose testified that Menendez also said he didn’t have to do much other than relay that the prosecution was against hard-working Latinos. *See id.* 3150:6-3153:25.

- **A meeting with Nadine at Glenpointe Marriott in the summer of 2022** – during which Jose testified that Nadine asked Jose what he would say if he were asked by the FBI about the payments on the Mercedes Benz, and Jose told Nadine that he would say a friend was in a bad financial situation and would pay him back when she had the money – *i.e.*, a lie that the car payments were a loan. *See id.* 3161:6-3165:25.

Jose also provided the context for and meaning of literally dozens of critical text messages between and among himself, Hana, Nadine and others, including but not limited to:

- **“The deal is to kill and stop all investigation”** – an April 4, 2018, text message which Jose testified that he had sent to Hana after meeting with Hana, Parra and Hernandez at the Glenpointe Marriott to reconfirm their agreement to pay Hana to obtain the assistance from Nadine and Menendez to kill and stop the New Jersey Attorney General investigations that could have led to his Ana and Phoenix. *See id.* 2973:15-2974:6; 3003:11-17.
- **“The whole thing is going. Bad. I have no face to talk to my family”** – an October 12, 2018, text message which Jose testified that he had sent to Hana to express that he had told his family he would take care of things and protect them and now that Detective Lopez had resurfaced, he didn’t have a way to tell them she’s back and what he had promised them wasn’t true. *See id.* 2982:20-2984:25.
- **“...she is going crazy because what’s going on with e&k”** – an October 12, 2018, text message which Jose testified that Hana had sent to him because Detective Lopez was bothered that the prosecution against E&K hadn’t proceeded and that “she” referred to Detective Lopez. *See id.* 2985:22-2986:5.
- **“Make sure that your friend knows about this. . . .”** – an October 13, 2018, text message that Jose testified he had sent to Hana because he wanted to make sure that Menendez knew that Detective Lopez was looking to interview Ana – which was part of the bribery scheme to have stopped – and that “your friend” referred to Menendez. *See id.* 2986:8-20.
- **“I am real. I stand by my word”** – a March 12, 2019, text message which Jose testified that he had sent to Nadine immediately following their 22-minute telephone conversation to reassure her that he would make good on his promise to get her a car so long as she delivered on her promises to get Menendez’s assistance to stop the New Jersey Attorney General investigations – after Nadine had complained to Jose during the call that many other men in her life – like Hana – had not delivered on their promises to her. *See id.* 3004:16-20.
- **“I received a call with good news. Let’s keep the faith”** – a March 13, 2019, Whatsapp message that Jose testified he had sent to Hernandez over Whatsapp because Hernandez

told him it was a “safer way” to discuss the deal and that Jose was referring to his call with Nadine the night before in which he was able to get the deal back on track to stop and kill the New Jersey Attorney General investigations. *Id.* 3005:7-3006:1.

- **“I received another call. They’re saying everything is fine. Done.”** – a second March 13, 2019, Whatsapp message which Jose testified he had sent to Hernandez to inform Hernandez that Jose had received another phone call from Nadine who confirmed that she was willing to help and complete the deal. *See id.* 3006:9-15.
- **“You are a miracle worker who makes dreams come true I will always remember that”** – an April 3, 2019, text message which Jose testified that Nadine had sent thanking him for getting her the promised Mercedes Benz car. *See id.* 3032:24-3033:6.
- **“Please say thank you to our friend. I owe you one”** – an April 7, 2019, text message which Jose testified that he had sent to Nadine to thank her for trying to arrange a meeting between her “friend” – Menendez – and Jose. *See id.* 3037:8-24.
- **“You are on my mind. It will be done. I need the info please whenever you can.”** – a May 5, 2019, text message which Jose testified that Nadine had sent to tell him that she was taking steps to hold up her end of the deal by asking for information about the parties involved in the New Jersey Attorney General investigations that she would pass on to Menendez. *See id.* 3054:6-16.
- **“That’s why it’s important for me to meet for 15 minutes Monday evening I have to resolve part two of a problem”** – a June 22, 2019, text message that Jose testified Nadine was referring to resolving “part two” of the deal – to make sure that the New Jersey Attorney General authorities stopped any investigation into Ana and Phoenix. *See id.* 3068:9-15.
- **“We spoke about it Friday night and early this morning and he said it would’ve been so so easy if we had wrapped both together”** – an August 5, 2019, text message that Jose testified Nadine had sent to him describing a conversation between herself and Menendez in which Menendez had told her it would have been so easy to have resolved part one and part two of the bribery scheme together. *See id.* 3092:15-3093:9.
- **“Brother pray for me. On my way to big meeting with the Amigo. ... I think it is a good meeting no final but positive”** – a September 6, 2019, text message that Jose testified that he had sent to his friend Jorge Martinez to let Jorge know that Jose was on his way to a meeting with Menendez to find out about the status of the New Jersey Attorney General investigations and that afterwards that Menendez had given him positive feedback but not a final resolution. *See id.* 3138:23-3141:18.
- **“I always text you on Monday in case you have an update. I just need peace.”** – an October 28, 2019, text message that Jose testified he had sent to Nadine because he usually checked in with Nadine on Mondays, and he just wanted all of it to be over. *See id.* 3145:11-3146:11.

- **“I just got a call and I am a very happy person. GOD bless you and him forever.”** – an October 29, 2019 text message that Jose testified that he had sent to Nadine about the phone call he received from Menendez that day and that “[t]his investigation is over. I got a confirmation that it’s over. My family’s safe. I got peace. I was happy.” *Id.* 3146:12-3147:4.

Additionally, Jose provided the government with important physical evidence and testimony about a copy of a check that Nadine had sent to Jose referencing that it was for a loan repayment as part of her attempt to obstruct the grand jury’s investigation into the New Jersey Attorney General’s bribery scheme. Based primarily on this information, the government subsequently brought a superseding indictment charging Nadine and Menendez with obstruction of justice. (PSR Appendix A, at 62.)

2. The Government’s Evaluation Of The Significance And Usefulness Of Jose’s Assistance

As this Court is aware, the advisory notes to Section 5K1.1 provide that “substantial weight” should be given to the government’s own assessment of the extent and value of a defendant’s assistance. We anticipate that in connection with its Section 5K1.1 motion, the government will advise the Court that Jose’s assistance has been highly significant and extremely useful. In that regard, however, Your Honor need look no further than the government’s real-time assessment of the value and significance of Jose’s testimony during its summations in the trials of Menendez and Nadine.

Focusing on Menendez’s trial, during its summation, the government observed that Jose’s testimony was **“devastating evidence of Menendez’s culpability for the scheme,”** Menendez Tr. 6465:19-23 (emphasis added), **that was “overwhelmingly corroborated” by “all the evidence in the case, text messages, phone records, financial records,”** *id.* 6463:14-18 (emphasis added); *see also* Nadine Tr. 2891:9-2892:1. In particular, on the issue of whether there was a corrupt *quid pro quo* for promises of official action in connection with the New Jersey

Attorney General’s investigation, the government described Jose’s testimony as: “[A]bsolutely devastating . . . it matches up with all of the other evidence about that part of the scheme. It is devastating proof of a corrupt *quid pro quo*.” Menendez Tr. 6474:22-6475:2 (emphasis added).

The government also highlighted in its closing arguments the significance of Jose’s testimony concerning what Menendez told Jose in Spanish – “I saved your ass twice. Not once, but twice” – while they were at dinner at Segovia’s restaurant with Nadine and Nadine’s daughter and during which Nadine and her daughter had gone to the bathroom, characterizing it as “devastating evidence of Menendez’s culpability for the scheme.” Menendez Tr. 6465:19-23; *see also* Nadine Tr. 2893:7-9. The government described six reasons why Jose’s testimony about this incident was so significant and useful:

- First, the government explained that it was evidence that “Menendez is claiming to have done something. He is bragging about taking an official act.” Menendez Tr. 6465:24-6466:1; *see also* Nadine Tr. 2893:13-15.
- Second, the government emphasized that “what Menendez is claiming to have done was to kill and stop [an] investigation . . .” Menendez Tr. 6466:2-9. The government elaborated that Menendez didn’t say – as he was claiming in his defense – that he had just “addressed discriminatory prosecutions twice” or that was a “report of a discrimination fighter about addressing injustice.” *Id.* Rather, the government argued that it was “the boast of a corrupt politician about wielding power for the private benefit of the person paying him bribes.” *Id.*; *see also* Nadine Tr. 2894:4-6.
- Third, the government underscored that this evidence demonstrates that Menendez knew what he was doing was wrong. Menendez Tr. 6466:10. As the government explained to

the jury, Menendez “does not need to send his wife and daughter-in-law to the bathroom to talk about fighting discrimination. He’s sending them away so his daughter-in-law does not hear him bragging about him having taken corrupt official action.” *Id.* 6466:10-14.

- Fourth, the government explained that this testimony demonstrated that, contrary to his counsel’s argument regarding Menendez’s purported ignorance of the bribery scheme, “Menendez was in charge” and “knows what’s happening.” *Id.* 6466:15-17. Jose’s testimony – along with his testimony on the “little bell” – undermined a key defense of Menendez – *i.e.*, that he had been duped by Nadine and had not knowingly participated in a bribery scheme. Menendez Tr. 6464:4-18. The government argued that Menendez was not “being led around and manipulated by Nadine” and “[h]e’s not a puppet having his strings pulled by someone that he summons with a bell.” *Id.* 6464:11-15. Indeed, the government described defense counsel as “desperate” to get Jose to back off what he had witnessed about the bell – further emphasizing the government’s view (and apparently that of defense counsel) of the significance and usefulness of Jose’s testimony. *Id.* 6464:15-17.
- Fifth, the government emphasized that Menendez’s statement to Jose that “I saved your ass twice. Not once, but twice” showed that:

Menendez knows about part one, and about part two. He knows there is a single deal with two parts. That means when Nadine tells [Jose] that Menendez said it would have been so, so easy if we had wrapped both together, Nadine is telling [Jose] the truth, that [Menendez] really did say that.

Id. 6467:3-9; *see also* Nadine Tr. 2894:7-15.

- Sixth, the government stressed to the jury that by making the claim to Jose that he had saved his ass, Menendez was lying to him because in truth, the New Jersey officials had told Menendez to “pound sand,” but Menendez was “lying to Uribe to keep him happy” –

“Menendez is claiming to have performed official acts because he knows Uribe is paying for Nadine’s car.” Menendez Tr. 6467:12-21; *see also* Nadine Tr. 2894:16-23.

The government went on to explain that this conduct was exactly the same thing that Menendez had done in an October 29, 2019, telephone call to Jose during which Jose testified that Menendez told him that the New Jersey Attorney General investigation was over and that Menendez was giving Jose his “peace.” Menendez Tr. 6467:22-6468:12. The government highlighted that this was proof that Menendez and Nadine were acting together to carry out their fraudulent scheme: “[w]hen Nadine reads Uribe’s message that [he’s] not going away, he’s going to keep following up until he gets peace [t]hat is what prompts Menendez to call Uribe back” and tell him the lie that it’s all done to keep him happy. *Id.* The government further explained the significance of why Menendez would lie to keep Jose happy: “So that Uribe keeps paying for the car. [Menendez] calls because Menendez knows Uribe is paying for the car.” *Id.* 6468:13-18.

The government also relied on Jose’s testimony to rebut a false argument made by one of Menendez’s lawyers in closing arguments that there were no witnesses at trial who testified that they had bribed Menendez: “[Menendez’s lawyer] said . . . there is not one witness who told you they bribed Senator Menendez. Now, that’s just not true. . . That’s Jose Uribe’s testimony. He pled guilty to bribing Senator Menendez.” *Id.* 6906:13-17.

Based on the government’s contemporaneous evaluation of Jose’s testimony at the two trials, it is hard to imagine how his assistance could have been any more significant or useful to the government. We expect that the government will advise the Court accordingly in its anticipated Section 5K1.1 letter.

B. Jose Provided Truthful, Complete And Reliable Information And Testimony That Was “Overwhelmingly Corroborated” By Other Evidence

Similarly, in assessing the truthfulness, completeness and reliability of the information and testimony Jose provided, in addition to its own assessment of Jose’s credibility, the Court can and should credit the government’s assessment of Jose’s credibility based on the arguments it made to the juries in both trials. The government concluded that Jose’s testimony was truthful and reliable based on a number of factors.

- First, it pointed out that Jose’s demeanor was “straightforward about what he did and about what he didn’t do, and he was the same person on cross-examination as he was on direct examination.” Menendez Tr. 6463:10-13.
- Second, it underscored that Jose’s testimony was “overwhelmingly corroborated” by other evidence in the case, including text messages, phone records, and financial statements. *Id.* 6463:14-18.
- Third, the government identified several pieces of key testimony that were corroborated by evidence that Jose could not have known existed such as telephone and bank records. For example, Jose testified that he had paid Nadine \$15,000 in cash for the downpayment of the Mercedes Benz car in \$100 bills, and Nadine’s bank records confirmed that she had made corresponding deposits of \$100 bills. *Id.* 6463:19-6464:3. Similarly, Nadine’s telephone records confirmed a text message from Nadine to Daibes – a month before Jose met with Menendez in Nadine’s backyard and observed him ringing a “little bell” to summon her – about purchasing a bell. *Id.* 6464:8-11. And, Nadine’s telephone records also confirmed a text message that Menendez sent to Nadine at Segovia restaurant instructing her and her daughter to go to the bathroom (so he could brag to Jose about saving his ass twice). *Id.* 6465:8-18.

In sum, the government made clear in its closing arguments that it found Jose’s testimony to be both “overwhelmingly corroborated” and “consistent,” and detailed numerous examples of why Jose’s testimony was truthful. *Id.* 6463:10-6475:2.

C. Jose’s Cooperation Was Extraordinary And Was The Product Of Relentless Preparation And An Unwavering Commitment To Telling The Truth

High-value cooperation of the kind provided by Jose does not happen by accident or without a tremendous commitment by the cooperator to live up to his or her obligations under a cooperation agreement. And, that is exactly what Jose did in this case. Within less than three months of his indictment and arrest, Jose began preparing extensively with his counsel. On December 7, 2023, he made his first proffer of information to the government. He met with prosecutors for nearly 30 hours of proffer sessions between December 7, 2023, and February 22, 2024, which culminated in his change of plea on March 1, 2024.³

Jose took his commitment to tell the truth and provide accurate information very seriously. He met with his attorneys on more than 30 occasions for over 100 hours to review evidence that could be useful to the government and to ensure that the information he provided was accurate. Thereafter, Jose met with prosecutors and agents for nearly 100 hours to provide assistance and prepare for the trials of Menendez and Nadine. Jose also met with his attorneys more than 40 times (spending more than 100 hours with them) to prepare for his testimony at both trials.

Based on the foregoing, it is fair to say that the nature of Jose’s assistance was extraordinary, extensive and thorough, and the extent of his assistance was dedicated, sustained and substantial. In total, Jose spent more than 300 hours with his attorneys and the government

³ Additionally, through his counsel, Jose successfully moved to quash three inappropriate Rule 17(c) subpoenas, all of which were quashed in their entirety, responded to issues raised by the Southern District of New York United States Attorney’s Office’s taint team, and had one of his lawyers obtain a requisite security clearance for the case.

team and testified over the course of six trial days enduring multiple days of unyielding and relentless cross-examination by lawyers intent on making him appear to be a liar. As a result of Jose's tremendous commitment, determination and preparation, he provided the government with extremely high-value and credible information and testimony.

D. Jose Was Afraid Of Retaliation And Harassment Resulting From His Cooperation Against One Of The Most Powerful Politicians In The United States And His Family Was Subjected To Actual Harassment

Another important factor in determining the credit that a cooperator should receive under Section 5K1.1 is whether the cooperator suffered any danger or risk of injury to himself or his family resulting from his assistance. U.S.S.G. § 5K1.1(a)(4). *See United States v. Gangi*, 881 F. Supp. 820, 828 (E.D.N.Y. 1995) (concluding “the effects that generally concern a court the most are those outside threats posing a ‘danger or risk of injury to the defendant or his family resulting from his assistance.’”) (citing U.S.S.G. § 5K1.1(a)(4)). From the outset, Jose feared cooperating against Menendez, who was then Chair of the Foreign Relations Committee – a powerful position in the United States Senate – and who, according to this Court, “stood at the apex of our political system.” Menendez Sentencing Tr. at 43:22-23. Jose informed the government of his concerns given Menendez's influence, national profile and support he maintained in New Jersey, including as the former mayor of Union City, New Jersey, where Jose and his family have lived for a majority of their time in the United States, and given the current environment of rising political violence in our country. These valid concerns presented a substantial hurdle in his decision to cooperate in this case.

And, the Court may recall, Jose's concerns were not unfounded. Jose testified about an incident in which a strange man showed up at his office unannounced one afternoon – without knocking or asking for permission to enter Jose's office – and came right up to his desk to deliver a message that there was a friend outside who wanted to speak with Jose. Menendez Tr. 3162:11-

15. Jose had never met this man before. In this case, he was only delivering a message – it turned out that Nadine wanted to speak to Jose about what they would say to investigators about why Jose was making payments on the car, *i.e.*, to cook up a story that the bribe payments were a loan. However, in that harrowing moment, Jose realized that if – instead of wanting to avoid prosecution by making up a false story – someone had wanted to silence him through violence, he was vulnerable.

Unfortunately, a member of his family – his wife, Martha Goico (“Martha”) – actually was intimidated and harassed as a result of Jose’s decision to assist the government. In or around April 2024, two men apparently followed Martha to a bank while Jose was meeting with the United States Attorney’s Office as part of his cooperation. They approached her car from both sides and showed her a badge, but never identified themselves as either law enforcement or private investigators. While standing on both sides of her car, they proceeded to ask her inappropriate questions that, in our view, were not intended to further anyone’s legitimate defense but rather were designed to – and had the effect of – harassing and intimidating her, Jose, and his family. Indeed, the incident was so unusual and so severe that a bank employee observing what was happening from inside of the bank came outside to check on the situation, at which point the men immediately left the parking lot. Martha understandably was upset and scared, and asked Jose what they would do next. We reported this incident to the United States Attorney’s Office at the time it occurred, and they addressed it to our client’s satisfaction.

Despite his fears and his family being harassed and intimidated, Jose remained committed to his cooperation. He relentlessly prepared for and provided the government with the most accurate and valuable information and testimony that he possibly could.

E. Jose’s Cooperation Was Timely

Within three months of being indicted and arrested, and promptly after changing counsel, Jose began to cooperate with the government. He has since provided timely and responsive assistance to the government.

F. Probation’s Consideration Of Jose’s Cooperation

In its PSR, Probation took into account the government’s anticipated Section 5K1.1 letter to reach its recommendation of a non-custodial sentence. In pertinent part, it summarized the government’s view of Jose’s cooperation as follows:

During the course of numerous proffer sessions, the defendant spoke openly about his involvement in the criminal conduct and expressed remorse. He did not minimize or embellish and accepted responsibility for these actions. Based in “significant part” upon the information provided by Uribe, the Government filed a Superseding Indictment charging the Senator and his wife with Counts 17 and 18. Additionally, and most importantly, the defendant was a key witness at the trial of Senator Menendez, Hana, and Daibes as well as the trial of Nadine Menendez. “Uribe testified over the course of a combined six days, and endured substantial cross-examination.” The Government made several assessments of the defendant’s cooperation. The cooperation was deemed “highly significant and extremely useful,” and “fully truthful and forthcoming.” The Government conceded that although the defendant initially authorized his former counsel to lie to the Government about the vehicle payments, this occurred prior to him being charged and deciding to cooperate. The Government also found that “Uribe’s cooperation also resulted in significant harm to his profession and reputation. Moreover, both of the trials at which Uribe testified were closely and widely covered by news media, magnifying the reputational impact of Uribe’s testimony significantly, particularly given that Uribe had to leave the insurance industry altogether and begin a new career.” . . .

(PSR Appendix A, at 62.) As a result of Jose’s cooperation, and specifically his testimony during the trials, Probation concluded – after weighing all of the Section 3553(a) factors – that a non-custodial sentence is appropriate:

. . . the defendant’s substantial assistance to authorities is considered. Based on his cooperation, specifically his testimony during the trials, a sentence of imprisonment would be greater than necessary to meet the sentencing objectives as set forth in 18 U.S.C. § 3553(a). We believe a sentence of time served would be sufficient, but not greater than necessary, to comply with the factors to be considered in imposing a sentence outlined in 18 U.S.C. § 3553(a).

(Id.)

* * *

In sum, we respectfully submit that Jose’s extraordinary and extremely substantial assistance in this historic prosecution of a very powerful sitting United States Senator – which received intensive media coverage – cannot be overstated and strongly supports a departure from the recommended Guidelines range to a non-custodial sentence pursuant to Section 5K1.1.

IV. JOSE’S PERSONAL HISTORY AND CHARACTERISTICS INCLUDING A LIFETIME OF GOOD DEEDS AND HELPING OTHERS STRONGLY SUPPORT A NON-CUSTODIAL SENTENCE

Under Section 3553(a), a court should consider “the history and characteristics of the defendant” in determining an appropriate sentence. 18 U.S.C. § 3553(a)(1). Jose’s personal history is a story of how an immigrant’s upbringing, hard work, determination, kindness, and generosity demonstrate the measure of the man. As the more than 80 letters of support from people who know Jose best from all walks of his life are submitted as Exhibits A, B and C⁴ to this Sentencing Memorandum reflect, the conduct that brings Jose before this Court for sentencing and for which he accepts full responsibility, does not reflect the real Jose. Rather, the real Jose is so much more. Having grown up in an impoverished country, a precocious young Jose and his family came to the United States determined to make better lives through diligence and hard work. Never forgetting where he came from, and in an effort to help raise up his community – just as he had

⁴ Due to the volume of letters provided in support of Jose to date, they are broken into three Exhibits. The publicly filed versions of the letters redact personal identifying information – other than the letter writers’ names, and where applicable, businesses – as well as sensitive medical information described by some letter writers.

been raised up when he first came to America – Jose selflessly mentored younger colleagues in the trucking community from all different backgrounds. As a man of faith, Jose reached out to his friends, colleagues and even strangers, to lend assistance and comfort in their times of need. The heartfelt explanation of one letter writer, Carmen Alvarez, (“Ms. Alvarez”), perfectly sums up the high esteem in which Jose is held by his community: “If every person Jose has helped over the years were to write to the Court, *I believe you would be reading thousands of letters.*” (Letter # 20 (emphasis added).) Here, Jose’s history and characteristics, especially his remarkable record of exceptional and selfless service to others, further strongly support a variance to a non-custodial sentence.

A. Early Family History And Immigration To The United States.

The life of Jose is, at its core, the story of an immigrant who arrived in this country with nothing but determination and who built a future through persistence, faith, and hard work all the while helping others to succeed in business or support them with assistance and kindness in their times of need.

Jose was born in Santo Domingo, Dominican Republic on March 19, 1967 to Jose Antonio Uribe, a municipal clerk, and Aura Maria Garabito Uribe, a part-time laundress. (PSR ¶ 163.) He grew up in an urban, impoverished environment, where his “perfect” parents raised five children. (PSR ¶¶ 165-66.) Jose, the second oldest child, shared a single small bedroom with his four other siblings, including: his three brothers, Jose Antonio Uribe (“Antonio”), Domingo Uribe (“Domingo”), and Francisco Uribe (“Frank”), and his sister, Raisa Uribe (“Raisa”). (PSR ¶ 164; Letter # 2.) The Santo Domingo neighborhoods the Uribe family called home were poor – close knit and safe, but tough by American standards. (PSR ¶ 165.)

Jose’s family was often in debt. Electricity was scarce. His household, like the rest of his community, lacked running water and the family transported water from a municipal fountain ten

blocks to their small apartment. (PSR ¶ 165.) Jose and his siblings had inconsistent modes of transportation to school. (Letter # 2.) Jose’s barefoot family did not attend Antonio’s high school graduation as they lacked shoes for the ceremony and expended their limited resources on a suit for Antonio. (PSR ¶ 167.) Families in the neighborhood supported one another; though resources, including food, were scarce and neighbors would share what they had with those who had even less. (PSR ¶ 165; Letters ## 2, 4 & 7.) As detailed below, Jose’s childhood experience of “neighbor helping neighbor” instilled his life-long philosophy of “paying it forward” to those in of support in his community.

Jose was industrious and persevered as a child. His mother took in laundry from bachelor businessmen from the more affluent parts of Santo Domingo to bring in extra income for the family. Young Jose worked side-by-side with his mother assisting her by fetching water, scrubbing and hanging clothes. (Letter # 7.) He sold lottery tickets on the street corner, “proudly handing all the proceeds to his mother to support the family’s basic needs.” (Letter # 4.) He excelled in school in Santo Domingo, exhibited strong leadership skills, and was repeatedly elected as class president. (Letters ## 1, 6 & 8.)

Jose made such a strong impression on one of his earliest teachers – Licda Deysi Rosario Violet, who still resides in the Dominican Republic, and has not seen him in nearly 40 years – insisted on submitting a letter to support her former student at Liceo Estados Unidos de América, writing:

I personally endorsed his enrollment, as his academic record—marked by excellent grades—together with his evident values, aspirations, and personal qualities, demonstrated to me the promise of a highly competent student. . . . I observed in [Jose] the qualities of leadership, responsibility, honesty, altruism, and entrepreneurial initiative. His natural charisma led to his repeated selection as class president. Because of his superior academic performance and his personal attributes, [Jose] was the recipient of the highest honors conferred by the institution . . . I took great satisfaction in contributing to his formation as an exemplary citizen,

one who combined the virtues instilled in him by a family of modest means but firm principles with the academic instruction he received[.]

(Letter # 8.)

Growing up in Santo Domingo, Jose felt compelled to ensure his siblings also excelled. While his parents worked, he was protective of his younger siblings – assisting with their schooling, setting good examples for them, and playing a major role in their upbringing. (Letters ## 5, 6.) Frank describes his “great brother” as follows: “[w]hen he was in school, he was an excellent student and helped me with my homework when I needed it. In the summer as kids . . . he was always giving us academic assignments like math or history worksheets so we [could] stay focused and be prepared for the next school year.” (Letter # 6.) Domingo echoed Frank’s comments writing: “[g]rowing up in the Dominican Republic, I remember Jose being extremely helpful in terms of my schooling . . . Jose played a major role . . . in the man I am today.” (Letter # 5.) Jose’s sister, Raisa, writes: “[a]s my brother he is and always has been with me 101 percent.” (Letter # 9.)

In 1984, Jose’s mother, Aura, was sponsored by her sister to work in the United States to make a better life for her financially struggling family outside of the Dominican Republic. Following his high school graduation, Jose and Antonio followed their mother to New Jersey, initially living in a two-bedroom apartment with Aura’s sister, Francisca, and her entire family.⁵ (Letter # 10.) The rest of Jose’s siblings and his father joined them in 1986, and the family lived in New Jersey ever since surrounded by an extended network that includes Jose’s aunts, uncles

⁵ His cousin, Naty writes: “Jose came to this country when I was a child. . . . We all lived together in a 2 bedroom apartment. . . . I remember as a kid, Jose always made time to play with me.” (Letter # 10.)

and cousins. The family laid down their roots in New Jersey, and eventually Jose and his siblings raised families of their own.

When he first arrived in the United States, Jose was determined to make the most of living in this country. During the day, Jose and Antonio worked in a textile factory. Menendez Tr. 2930:13-17. Contemporaneously, even though English was his second language, at night Jose went to college and earned his associate's degree in data processing from Hudson County Community College. *Id.* 2930:8-12. In June 1990, Jose attained his college degree, graduating *summa cum laude* with a GPA of 3.956. (PSR ¶ 186; Exhibit D, College Transcript.) Jose was naturalized as a U.S. citizen on July 20, 1995. (PSR ¶ 167.) His cousin, Naty, describes Jose during the early years in the United States best:

When Jose came to this country, he faced many challenges, yet he showed determination, resilience, and discipline. He pursued his education and worked hard to build a stable and meaningful life. His motivation has always been to provide for his family and ensure that those around him are cared for.

(Letter # 10.)

B. Jose Is A Devoted Family Man Who Has Sacrificed So Much For His Family

In approximately 1994, after obtaining an education and securing a job in the United States, Jose returned briefly to the Dominican Republic to convince his life partner, Martha, and her two young children, Omar Contreras (then age 4) and Vanessa Contreras (then age 1), to move to the United States with him. Jose had romantically pursued Martha from a distance, earning money in the United States to send to support her and her children. (Letter # 4.) She agreed, and Jose and Martha began their journey as a family unit, marrying in 1994. (PSR ¶ 169.) Jose raised Omar and Vanessa as his own children. (PSR ¶ 169.) Omar explains: “[s]ince those early days Jose treated me as his son, supporting my studies and providing our family with shelter and sustenance.” (Letter # 4.) And, Vanessa wrote: “[f]or over 30 years, he has been the man I proudly call Dad. .

.. His selflessness in claiming us as his own is one of the greatest gifts of my life, and it has shaped the woman I am today.” (Letter # 3.) In September 1998, Jose and Martha welcomed a daughter, Diana into their family. (Letter # 1.) Diana describes her father as “a wonderful human” who “cares so deeply for our family and has always done what he thinks will best protect and support our immediate and extended family and community.” (Letter # 2.)

When interviewed, Martha described Jose to the Probation Officer as: “a family-oriented man who has always taken care of his responsibilities” and confirmed that he assumed the role of father to her own children from a prior relationship. (PSR ¶ 173.) Jose and Martha, like many couples, went through rough patches and legally divorced in 2009. (Letter # 1.) Jose readily admits to making mistakes in his marriage.⁶ But, apart from a very brief separation period in 2009, Jose and Martha have lived together effectively as husband and wife since the day Martha came to the United States until the present day, (PSR ¶ 173; Letter # 1), and as this Court knows, he refers to Martha as his wife.

Jose is the rock of his family. Those who know him stress that his devotion to family defines his character. He is the financial support of the family, and wanted to build a home where Martha could be at home raising their children. (Letter # 1.) He proudly put his children through school, and paid for their higher education. (Letters ## 2, 3, & 4.) He persevered in business and established a number of businesses and purchased properties that he allocated for the financial security of his children and his siblings. (PSR ¶¶ 191-94.)

When Jose’s mother endured cancer when she was in her early 50s, he supported and cared for her. Raisa explains that: “As a son, he has been more than a son with our mother, he is always

⁶ Jose also has another child, whom he financially supports but who lives with her biological mother in Colombia. (PSR ¶¶ 171 & 197.)

making sure she has everything she needed.” (*Id.*) Alfredo Diaz (“Mr. Diaz”) explained how Jose taught him that “family is everything” and often counseled him to cherish his mother. (Letter #

11.) Mr. Diaz shared:

One story I always remember is his treatment of his mother, who bravely fought against cancer. He told me that one of his greatest satisfactions was having been able to give her everything she needed in life. His advice to me was always with much love: ‘Love and cherish your mother in life because she means everything.’

(*Id.*)

Jose also provides support for his elderly aunts and other relatives, some of whom have lived for decades in apartments Jose owns, regardless of whether they are able to pay rent at times. (Letters ## 7, 12.) Omar explained that Jose’s early achievements “led his family to lean heavily on him for financial and emotional support from a young age.” (Letter # 4.) As his cousin, Naty, writes: “[w]hat defines Jose the most is his compassion and selflessness.” (Letter # 10.) She continues: “[h]e has taken on the responsibility of caring for my mother [Francisca], who is his mother’s sister. He checks on her, assists with her daily needs, and makes sure she always feels supported and loved.” (*Id.*) His 84-year-old aunt, Francisca, explains: “He is the one who helps me every month. I am alone and unable to work. Blessings for Jose.” (Letter # 13.) Similarly, his aunt, Onieda, recounts: “Even today, he helps me [financially], since I do not work, so that I can cover some of my expenses.” (Letter # 7; *see also* PSR ¶ 197.)

Jose’s goddaughter and cousin, Onelys, perhaps best encapsulates the importance of Jose’s support for his family:

I now understand that the only reason he was able to extend grace [by permitting Onelys’s family to live for decades in an apartment Jose owned regardless of their ability to pay rent] is because he was working so hard to make sure he could cover the difference for the mortgage while also providing for his own nuclear family unit, and other extended family. He was relentless in trying to open new doors that could allow us to all breathe with ease.

(Letter # 12.) For Jose, taking care of and protecting his family is a primary responsibility and fundamental to his finding peace in life.

As the Court heard Jose testify about at trial, Sundays are sacred to Jose and his family. *See Menendez Tr. 3015:24-3016:4; Letter # 1.* He is an active congregant at St. Augustine's Catholic Church in Union City, New Jersey, who, according to Pastor Rev. Legarra, "actively participate[s] in our community, demonstrating good moral character and a strong commitment to his faith." (Letter # 14.) *Every* Sunday, Jose and Martha go to mass, pay their respects to Jose's mother at the cemetery and light a candle in her honor, and then visit his father at his senior care facility. *See Menendez Tr. 3015:24-3016:4.* As Martha explains:

Jose gives his dad food, bathes him and makes sure that he takes all of his medicines, among other things he takes care of. . . . Finally, we return home to share our Sunday dinner giving thanks to GOD for all of the blessings we receive.

(Letter # 1.) Jose and his siblings are a constant, daily support for their elderly father. Raisa cooks his daily meals, and Jose and his brothers take turns bringing food to him during the week. (Letters ## 1, 6, 7, & 9.)

While over the past several years, Jose's criminal case and extensive cooperation have been trying on the family and Jose, Jose and Martha have recently welcomed grandchildren into their family, who Jose and Martha are "heavily involved with." (PSR ¶ 173.) Martha describes how grandchildren are the "path the Lord had opened" for Jose and given him "opportunity to renew his life." (Letter # 1.) Vanessa explains her joy as follows: "[w]atching my father step into the role of abuelo (grandpa) has been one of my happiest blessings. The love and tenderness he shows my children is the same selflessness he showed me, now multiplied across generations." (Letter # 3.) Jose is pained by what he has put his family through, but takes solace in the life his family has

built together and rejoices in the blessings his family provides to him as a friend, father and now a doting abuelo. Vanessa best explains:

[Jose’s] presence is deeply felt in our family, and his absence would create an irreplaceable void. I believe wholeheartedly that his character, his lifelong actions, and his role as a father and community member speak to the kind of man he is and the second chance he deserves.

(*Id.*)

C. Jose’s Generosity Extended To Friends And His Community In Countless Different Situations

Just as he learned from his neighbors in Santo Domingo as a boy, Jose’s life experience engrained in him a sense of duty to lift up not only his family, but his extended community as well – particularly those in need, as his faith in God teaches him he should. He is deeply compassionate to those less fortunate, and committed to share the blessings he has received in life. As his sister describes, “Jose is a person capable of taking the food out of his own mouth to give it to someone who may need it more than him.” (Letter # 9.) Jessica Sanchez, a family friend, emphasized that:

He is a God-fearing man who tries to live his life with integrity, humility and compassion . . . Never will this man fail to help someone in need when he knows he is capable of helping. And even when he knows he cannot help, he will at the very least offer a listening ear. One word that describes Jose perfectly would be selfless.

(Letter # 19.)

Jose has lived his life demonstrating a pattern of extraordinary generosity and selflessness that blurred the line between client, friend, and family. Over and over again, people describe Jose as the first to step in when someone was struggling, whether with housing, health, or personal crises. Jose’s drive to help others in need was manifest in his relationships with those he welcomed as his extended family, including Ana, who, as this Court is familiar with, he viewed and supported as his daughter. Menendez Tr. 2938:11-24. Martha’s anecdote about how, in part, he spends *every* Sunday at his father’s care home caring for *others* in addition to his father, is emblematic of who

Jose is. Martha writes: “Jose, not only visits his dad, but he visits other elderly people that do not receive visitors or care from their own families. Jose gifts them candy and ice cream and shares many smiles and jokes with many of them.” (Letter #1.)

A few other of the many, many examples of Jose’s generosity to his community include the following comments from some of his letter writers. Osvaldo Lopez (“Mr. Lopez”) recalled how Jose, who he met playing dominoes, offered him an apartment in Elizabeth, New Jersey when he was unable to afford housing for his family. (Letter # 15.) “[H]e barely knew me—yet he was doing something truly generous and life-changing for me and my family.” (*Id.*) Jose told Mr. Lopez “[p]ay me when you can.” (*Id.*) That one gesture from Jose enabled Mr. Lopez to bring his family back together and to “start rebuilding our life in the United States.” (*Id.*)

Jose’s daughter’s fiancé, Bladimir Liriano writes about Jose’s relationship with his six-year-old-daughter, who is on the autism spectrum: “[she] requires a great deal of patience, understanding and care. [Jose] has gone above and beyond in his efforts to support her. . . . [He] has created an environment where she feels safe, understood and valued. His involvement has been invaluable.” (Letter # 18.) Jose’s friend and business mentee, Gilberto Bernal (“Mr. Bernal”), shares a similar story:

On a personal level, Jose has been a constant source of support for me and my family, especially during difficult times. God blessed me with a special son who is on the autism spectrum and is now 16 years old. Jose has always been there for us, offering emotional and moral support. His strong faith, compassion, and genuine love for my son . . . have meant more than words can express.

(Letter # 21.)

Jose has been there in times of need for his friends facing illness personally or in their families. Sigfrido Suazo (“Mr. Suazo”), a 73-year-old janitor supervisor – who has known Jose for more than thirty-five years – described Jose as the “brother I can always lean on.” (Letter #

16.) When Mr. Suazo was injured abroad and returned unable to walk, Jose was waiting at the airport to carry him home. (*Id.*) When Mr. Suazo was hospitalized for weeks, “Jose was by my side at the hospital and the Rehabilitation center where I spent 21 days.”⁷ (*Id.*) Miguel Nunez elaborates that: “[o]ne of the most difficult times in my life came when my wife was diagnosed with [a serious medical condition] . . . That period was overwhelming in every sense . . . [Jose] never turned away. He showed up. He checked in. . . . He offered me his support, not just in words, but in action.” (Letter # 22.)

Manuel Reyes recalled how, during a crisis when his wife faced a dangerous health complication while pregnant and the family business was facing challenges, Jose

reminded us to have faith, assured us that we were in his prayers, and gave us the strength to believe that everything would work out for the best and that our baby would be fine. What stood out the most was that, despite having his own personal challenges, he set them aside to focus on helping others.

(Letter # 17.) There are numerous other examples in the letters submitted in support of Jose, and his friend, Mr. Diaz, best summarizes the admiration reflected in the outpouring of personal support letters when he writes: “[m]y wish is that life could return to him all the good he has given to so many people and his community. There are no words sufficient to describe the kind-hearted human being that Jose Uribe is.” (Letter # 11.)

D. Jose Is A Caring Mentor And Role Model To Immigrant Businessmen And To Those In His Trucking Community

As part of Jose’s “pay it forward” philosophy, he has provided advice, counsel, encouragement and time mentoring many in the immigrant community to help them establish their own businesses. Through his mentorship, scores of entrepreneurs were able to learn from him,

⁷ Mr. Suazo also shares in his letter his two-decade tradition with Jose: “Every year, we go together and buy and install the Christmas Tree for my house and for his house. A moment of brotherhood and faith that helps us start the holidays season.” (*Id.*) He closes with a simple plea: “Please your Honor, let me go get more Christmas Trees with my brother Jose.” (*Id.*)

launch or save their businesses, and, in many instances, grow and employ large numbers of employees. As many of his letters of support reflect, those business success stories may not have occurred but for Jose’s guidance, and many of those large numbers of employees may not have had the opportunities afforded them to support their families. Time and again, immigrants from a variety of backgrounds – including the Hispanic community, the Asian community, an Israeli immigrant, and others, were given fresh start opportunities in part due to Jose’s experience that he freely shared with others to give them a leg up as they pursued their American dream as newcomers. (*See e.g.*, Letters ## 20, 23, 24, 25, 26, 26, 28, & 29.) Jose is admired for his moral compass and his example to younger generations as well.

For example, Mario Inoa, (“Mr. Iona”), Jose’s current employer and founder of Hi-Tech Trucking, explained that after a fire destroyed his home and a motorcycle accident left him hospitalized, he turned to Jose for guidance. (Letter #23.) With Jose’s help, he built Hi-Tech Trucking, which today employs forty-three people. (*Id.*) “When I met Jose Uribe personally, he helped me organize and create everything needed to start my company. As I continued to visit Jose, he strengthened my confidence,” Mr. Inoa explained. (*Id.*)

Similarly, Jose helped Ms. Alvarez’s family when they had invested in several trucks, but the family was left “on the verge of losing our entire investment” because a management company had abandoned them. (Letter # 20.) They were introduced to Jose, who stepped in, she recalled, “with both empathy and practical support,” and helped her family preserve their business until they were forced to close years later due to illness. (*Id.*)

Mr. Bernal, who has known Jose for more than twenty years, explained how pivotal Jose’s guidance was to his success:

His advice and insight have been instrumental in helping many individuals, including myself, start businesses and pursue their entrepreneurial goals. Today, I

am proud to say that I own a business that employs over 30 people—families whose livelihoods depend on the foundation that Jose helped me build. His guidance was a crucial part of our success.

(Letter # 21.) And, Rudy Muñoz, President of R & R Quality Logistics Corp., recounted how Jose’s counsel enabled him to launch a company that now provides for sixteen professional drivers and their families. (Letter # 30.)

Others concur in crediting Jose with their business successes. For example, Joseph Centeno turned to Jose after his employer suddenly shut down, leaving him and his colleagues without work. (Letter # 31.) He wrote:

With the guidance and encouragement of Mr. Uribe, I was able to start my own trucking company. Because of his support, I was able to bring multiple former co-workers with me into my new business—people who otherwise would have been left unemployed.

(*Id.*) Similarly, Yoelquis Dume, who now operates his own trucking business, described how Jose’s support helped his company not only survive but expand to employ others. (Letter # 32.)

He wrote:

During challenging times for my business, he offered valuable guidance, support, and ideas to help me improve and move forward. At times when I wanted to give up, he was there for me at any given time of the day or night. . . . Over the years my company has been able to offer employment to other truckers who are able to earn a living to support their families because of the brotherhood we have developed.

(*Id.*) Jose Pablo Bossi, who now runs a large trucking company with his three daughters, also credits Jose for lifting him up at the lowest point of his business. (Letter # 34.) He described Jose as the person who stood by him when his business partner took “every single dollar” and left him near collapse. (*Id.*) Bossi explained:

Jose saw me at my lowest moment. Instead of walking away or offering empty words, he stood firmly by my side. He reminded me of my worth, encouraged me to push forward, and helped me believe again that ‘this too shall pass.’

(*Id.*)

Letter after letter from Jose’s business associates, colleagues, and friends describe him as a role model whose example has guided them professionally, personally and spiritually. His friend and colleague, Alexander Bou’s letter succinctly states the overwhelming consensus of the letters before this Court in support of Jose:

I am writing on behalf of my good friend Jose Uribe, . . . I have known Jose Uribe for over 20 years and can confidently speak to his good character and positive contributions to our community. He has always been caring, responsible and [a] hardworking individual. He is like an uncle to me, he knows my entire family and [has] seen me grow up. I have been driving trucks for about ten years now. I became an owner operator thanks to Jose Uribe. He helped me many times when I was going to lose everything after work slowed down. He has made a huge impact in my life and I respectfully ask that you consider leniency in your sentencing. I truly believe that this incident does not reflect the person Jose Uribe really is. Given the opportunity, I am confident he will take full responsibility and make positive changes moving forward.

(Letter # 25).

Finally, many letters emphasize that Jose is now teaching by example how to face adversity. He has not tried to hide or deny responsibility. Instead, Jose has faced his circumstances directly, showing his community how to accept consequences with humility and continue contributing in meaningful ways. As Anthony Ramos Santana put it: “[e]ven in challenging situations, he has owned up to mistakes and tried to make things right. That level of accountability speaks volumes about his character.” (Letter # 37.)

Mr. Iona described offering Jose a position as safety advisor in August 2024 – after his guilty plea – because of the enduring trust he had built over years of guidance and support:

I am aware of the difficult time that Jose is going through now, but I had the need to visit him to ask for advice on how to save my company. Despite his serious personal issues, Jose agreed to help just like he always did in the past. Due to the friendship and trust that I created with Jose, I offered him a job at my company. . . . Since he joined our team things have improved dramatically . . . Jose works

countless hours with the same good heart and devotion that he spares for me and my family since the first day I met him in 2008.

(Letter # 23.) By owning his mistakes, continuing to support his family and community, and working tirelessly despite hardship, Jose has shown that redemption comes through responsibility and service. Taken together, the accounts of his letter writing family, friends and business associates show that Jose is not defined by his mistakes but by decades of mentorship, generosity, compassion, faith, and now, by the way he is meeting this moment of accountability.

In sum, we respectfully submit that Jose's lifetime of good deeds, charitable acts and kindness for his family, friends and community strongly further support a non-custodial sentence for Jose. Not only has he fully accepted responsibility, demonstrated remorse, and provided extremely substantial assistance to the government, but he continues to be a profound force for good in countless people's lives. And, as one judge in this district has said in connection with sentencing, life is like a bank account in which you make deposits and take withdrawals. We respectfully submit that as the more than 80 letters of support attest, Jose has spent a lifetime selflessly – and without seeking any recognition – making deposits by helping his family, friends and community whenever and however he could – especially in their times of need – and October 9, 2025, is a day that Jose should be permitted to make a withdrawal from his lifetime bank account by receiving a non-custodial sentence.

V. THE REMAINING SECTION 3553(a) FACTORS SUPPORT A NON-CUSTODIAL SENTENCE⁸

The remaining relevant Section 3553(a) factors also support a variance to a non-custodial sentence.

A. A Non-Custodial Sentence Would Avoid Unwarranted Sentencing Disparities

A non-custodial sentence of time served plus supervised release would avoid unwarranted sentencing disparities for two reasons. *See* 18 U.S.C. § 3553(a)(6).

First, and most significantly, it is consistent with many of the sentences that other exceptional cooperators have received in highly significant matters in the Southern and Eastern Districts of New York. For the Court's reference, attached is a chart of significant and high-profile matters from 2009 to the present in which no less than 13 key cooperators who were facing a recommended Guidelines range that was either the same as or greater than Jose's⁹ – with several facing a sentencing exposure far in excess of Jose – and who received a non-custodial sentence in light of their substantial assistance. (*See* Exhibit E.)

For example, Lauren Salzman, who was one of the co-conspirators in the high-profile prosecution of a sprawling sex cult led by Keith Raniere, had a total offense level of 29 and faced a guidelines range of 87 to 108 months. Due to her extensive cooperation and testimony against

⁸ Whether a non-custodial sentence is necessary to provide Jose with educational or vocational training, medical care or other correctional treatment is inapplicable here because Jose does not need training, correctional rehabilitation or medical care.

⁹ The PSR calculated Jose's total offense level as a level 28 with a criminal history score of one, resulting in a recommended Guidelines range of 78 to 97 months. The government and Jose agree with the PSR. Jose notes that this calculation is based on a broad reading of the relevant conduct – to which Jose does not object – and includes payments by Hana that Jose either knew about or facilitated, but the government and Jose agree that “[a]lthough [Jose] assisted with [Nadine] receiving some payments from [Hana], [Jose] did not do so to further the aspect of the scheme to benefit Egypt and IS EG Halal.” (PSR ¶ 25, n.1.) If the additional \$187,587 was not included in Jose's Guidelines calculation, it would have resulted in a total offense level of level 26 with a recommended Guidelines range of 63 to 78 months.

Raniere, she received five years of probation and 300 hours of community service. Similarly, in the case of David Friehling, the auditor convicted in the Bernie Madoff investment scandal – the largest Ponzi scheme in history – faced a Guidelines range of more than 100 years, but the court imposed a sentence of time served with two-years of supervised release, including one year of home detention, in recognition of his substantial cooperation in the various Madoff-related prosecutions.

In this case, Jose was the lone star witness for the government at two trials, whose extensive and accurate information and testimony weathered rigorous cross-examination covering several days and constituted “devastating evidence” of culpability of one of the most powerful Senators in the United States in a historic public corruption trial of a sitting United States Senator. Jose’s testimony was extremely significant in assisting the prosecutors in obtaining convictions against Menendez, Nadine, and two other co-defendants – a resounding success for the government in holding high-level, public officials accountable. The value of his cooperation therefore certainly rises to – if not exceeds – the level of cooperation provided by the other defendants referenced in Exhibit E.

We respectfully submit, therefore, that an incarceratory sentence – one that sends Jose to prison for any amount of time – would result in an unwarranted sentencing disparity when compared with other key cooperators in significant matters in the Southern and Eastern Districts of New York. More importantly, it could serve to deter future potential cooperators in significant and high-profile cases – particularly where, as here, a potential cooperator knows in advance that he or she is likely to be subjected to intense scrutiny, harsh cross-examination, potential harassment and intimidation as well as substantial media coverage. A non-custodial sentence,

however, would have the beneficial effect of incentivizing future cooperators in significant and challenging cases like this one.

Second, as the PSR recommendation correctly points out, when considering the sentencing of his co-defendants, Jose is the least culpable of the defendants and generally should receive a sentence that is less than what his co-defendants received. (PSR Appendix A, at 62.) Given that Nadine received only four and one-half years of imprisonment, we submit that Jose's much more limited involvement – especially where none of his actions were done to “further the aspect of the scheme to benefit Egypt and IS EG Halal (PSR ¶ 25, n.1.) – justifies a non-custodial sentence to avoid any unwarranted sentencing disparities with his co-defendants (and even more so in light of his high-value cooperation).

B. A Non-Custodial Sentence Affords Adequate Deterrence For The Criminal Conduct At Issue In This Case

A court also considers “the need for the sentence imposed . . . to afford adequate deterrence to criminal conduct.” 18 U.S.C. § 3553(a)(2)(B). Although Jose's crimes were very serious, a non-custodial sentence affords adequate deterrence to the criminal conduct at issue. No one wants to endure what Jose has gone through – pleading guilty to seven felonies, agreeing to pay more than \$1 million in forfeitures and restitution,¹⁰ spending the time and money required to provide extremely substantial assistance to the government, enduring the extreme glare of the media

¹⁰ Jose voluntarily agreed to pay significant restitution of nearly \$867,000 to the IRS and has already prepaid \$239,000 to the IRS (although portions of that prepayment will be reduced by penalties and interest). (PSR ¶ 118.) Jose also voluntarily agreed to an asset forfeiture of \$246,000 for the loans that are the subject of Count Seven in the Superseding Information – even though he already fully repaid the loans at issue before he was indicted or took a plea in this case. (PSR Appendix A, at 65; Plea Agreement, at 3.) In addition to paying more than \$1 million in restitution and forfeiture, Jose has expended considerable sums of money toward counsel fees and expenses associated with his cooperation along with more than 300 hours of his time.

spotlight and the relentless attacks from the other defendants on his character and credibility, as well as the harassment and intimidation he and his family have suffered.

In addition, the significant sentences of Menendez, Hana, Daibes, and Nadine make clear both the seriousness of the public corruption and obstruction crimes at issue and the kinds of sentences one would receive absent cooperation. Their sentences have already sent a powerful message of deterrence.

Consequently, there already is sufficient specific and general deterrence to dissuade Jose, or any other member of the general public, from committing – or in Jose’s case re-committing – the crimes at issue in this case.

C. A Non-Custodial Sentence Is Sufficient To Protect The Public From Further Crimes Of The Defendant

A court also must consider “the need for the sentence imposed . . . to protect the public from further crimes of the defendant.” 18 U.S.C. § 3553(a)(2)(C). Here, there is no need to protect the public from Jose through a custodial sentence. To the contrary, the public likely would benefit from having Jose join society immediately following his sentencing, where he can continue to support and make meaningful contributions to his family, friends and others in his community through his mentorship and countless good deeds and acts of kindness. Indeed, Jose is eager to rebuild his life and explore new opportunities to support his family and community. Consequently, this factor either supports or is inapplicable to whether or not Jose should receive a variance to a non-custodial sentence.

D. A Non-Custodial Sentence Adequately Reflects The Seriousness Of The Offense, Promotes Respect For The Law, And Provides Just Punishment¹¹

We respectfully submit that a non-custodial sentence of time served adequately reflects the seriousness of the offenses, given everything he has been through to provide platinum-level cooperation to the government, including the intense media coverage of his plea and testimony, which has amplified the harm to his reputation, along with having to plead guilty to numerous felonies, and voluntarily agree to pay more than \$1 million in forfeitures and restitution. *See* 18 U.S.C. § 3553(a)(2)(A).

For the same reasons, a non-custodial sentence also promotes respect for the law and provides for a just punishment. *See id.* As a result of his crimes, Jose is now a convicted felon on multiple charges. This is a scarlet letter that he will wear for the rest of his life, and he will never work again in the insurance industry to which he dedicated much of his life. He must embark on the long path of repairing his reputation, career, and relationships.

As Jose wrote to the Court as part of his submission to Probation:

I am deeply sorry for the impact that my crimes have had on the citizenry of the United States, as well as their profound impact on my entire immediate and extended family. I love and respect the United States. As a naturalized citizen who

¹¹ While Jose had no objections to the PSR and strongly concurs with its recommendations of a sentence of time-served, three years of supervised release and no fine, the PSR recommendation identified two characteristics relating to Jose’s conduct that we do not believe are applicable. Relying on the number of bribes involved in all aspects of the bribery schemes (New Jersey Attorney General investigations as well as Egypt-related conduct) and the involvement of a U.S. Senator who was Chairman of the Senate Foreign Relations Committee, the recommendation concluded that this “point[ed] to a *mens rea* of greed and willful disregard for ethics and laws that guide the basic workings of a fair and just government...” (PSR Appendix A, at 61.) We respectfully submit, however, as this Court may recall from the trials and which numerous text messages confirm –Jose’s primary motivation and *mens rea* were to protect his family, and in particular, his daughter, Ana, from the New Jersey Attorney General’s investigations. Second, the PSR further concludes that the attempts to disrupt investigations and to “aide Egypt are significant national security concerns.” (*Id.*) However, the government and Jose agree that Jose never took any acts to “further the aspect of the scheme to benefit Egypt and IS EG Halal.” (PSR ¶ 25, n.1.) Jose’s conduct – and the bribes that he offered – were strictly in furtherance of the New Jersey Attorney General investigations scheme.

immigrated to America, I am grateful for the freedoms and opportunities this country has bestowed upon me and my family. I understand that in a nation of laws such as the United States, the law must be respected and obeyed. I failed in that regard. With the help of my family, as well as my deep faith in God, I will make every effort to continue to make amends and can assure the Court that I will never again engage in criminal conduct.

(PSR ¶ 127.) In many ways, Jose's greatest punishment has been to endure the shame and stress of these past three years, as he has tried to atone for his crimes and witnessed his family and friends experience the painful and emotional consequences of his conduct.

Even if the Court were to conclude – and we respectfully submit that it should not – that this Section 3553(a) factor does not support a non-custodial sentence, we respectfully submit that this factor alone cannot and does not outweigh the substantial weight of the many other Section 3553(a) factors that so strongly support imposition of a non-custodial sentence, particularly in light of Jose's extraordinary assistance and his personal history and characteristics.

VI. CONCLUSION

Jose sincerely apologizes to this Court and to the American public for his criminal conduct. And, he is deeply remorseful for that conduct. Since shortly after his indictment and arrest, he has done everything in his power to rectify the harm he caused and to provide the government with the most accurate, truthful and high-value information and testimony possible, while he has continued in other areas of his life to be an exceptional source of support to others through countless acts of kindness and good deeds for his family, friends and community as he has done for virtually all of his adult life.

Consequently, for the reasons set forth above and in Probation's recommendation, we respectfully submit that this Court should follow Probation's recommendation of time served and a term of three years of supervised release each on Counts 1 through 7, with all the terms to run

concurrently, and to impose no fine, because such a sentence is sufficient, but not greater than necessary, to comply with the federal sentencing goals set forth in Section 3553(a).

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CERTIFICATION

I hereby certify that on September 25, 2025, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's system.

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