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United States Department of Justice

United States Attorney  
District of Connecticut

US DISTRICT COURT  
HARTFORD CT

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March 11, 2015

**Via Email**

David Meier, Esq.  
Todd & Weld, LLP  
One Federal Street  
Boston, MA 02110  
dmeier@toddweld.com

Re: United States v. Annette Campe  
Criminal No. ~~14-~~ (AWT)

3:15CR37

Dear Mr. Meier:

This letter confirms the plea agreement entered into between your client, Annette Campe (the "defendant"), and the United States Attorney's Office for the District of Connecticut (the "Government") concerning the referenced criminal matter.

THE PLEA AND OFFENSE

Annette Campe agrees to plead guilty to count one of the Information charging her with making false statements, in violation of 18 U.S.C. §§ 1001 and 2. She understands that, to be guilty of this offense, the following essential elements of the offense must be satisfied:

1. First, on or about January 11, 2012, Annette Campe made a statement in a financial ethics disclosure form known as an OGE Form 450, to wit, that Annette Campe did not receive gifts totaling more than \$350 from any one source in calendar year 2011 and/or that Annette Campe did not receive income greater than \$200 in calendar year 2011 from a reportable source;
2. Second, Annette Campe's statement in paragraph 1, above, was material;
3. Third, Annette Campe's statement in paragraph 1, above, was false, fictitious, or fraudulent, in that Annette Campe had received \$2,500 in cash from a person known to the Grand Jury in or about October 2011;

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4. Fourth, Annette Campe's false, fictitious, or fraudulent statement in paragraph 1, above, was made knowingly and willfully; and
5. Fifth, Annette Campe's false, fictitious, or fraudulent statement in paragraph 1, above, was made in a matter within the jurisdiction of the government of the United States, to wit, the Environmental Protection Agency.

#### THE PENALTIES

This offense carries a maximum penalty of 5 years' imprisonment and a \$250,000 fine. In addition, under 18 U.S.C. § 3583, the Court may impose a term of supervised release of not more than 3 years, to begin at the expiration of any term of imprisonment imposed. The defendant understands that should she violate any condition of the supervised release during its term, she may be required to serve a further term of imprisonment of up to 2 years with no credit for the time already spent on supervised release.

The defendant also is subject to the alternative fine provision of 18 U.S.C. § 3571. Under this section, the maximum fine that may be imposed on the defendant is the greatest of the following amounts: (1) twice the gross gain to the defendant resulting from the offense; (2) twice the gross loss resulting from the offense; or (3) \$250,000.

In addition, the defendant is obligated by 18 U.S.C. § 3013 to pay a special assessment of \$100.00 on each count of conviction. The defendant agrees to pay the special assessment to the Clerk of the Court.

Finally, unless otherwise ordered, should the Court impose a fine of more than \$2,500 as part of the sentence, interest will be charged on the unpaid balance of a fine amount not paid within 15 days after the judgment date. 18 U.S.C. § 3612(f). Other penalties and fines may be assessed on the unpaid balance of a fine pursuant to 18 U.S.C. §§ 3572 (h), (i) and § 3612(g).

#### Restitution

In addition to the other penalties provided by law, the Court may also order that the defendant make restitution under 18 U.S.C. § 3663. The scope and effect of the order of restitution are set forth in the attached Rider Concerning Restitution. Restitution is payable immediately unless ordered otherwise by the Court.

In addition to any restitution that may be ordered by the Court, the defendant agrees to make restitution to Jennifer Marie Stone in the amount of \$2,500, and Jaclyn Berry in the amount of \$5,000. The defendant agrees to make such restitution as ordered by the Court. The defendant understands that if she fails to make good faith efforts to pay restitution, the Government may seek to void this agreement.

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## THE SENTENCING GUIDELINES

### 1. Applicability

The defendant understands that although application of the United States Sentencing Guidelines is not mandatory, they are advisory and the Court is required to consider any applicable Sentencing Guidelines as well as other factors enumerated in 18 U.S.C. § 3553(a) to tailor an appropriate sentence in this case. *See United States v. Booker*, 543 U.S. 220 (2005). The defendant expressly understands and agrees that the Sentencing Guideline determinations will be made by the Court, by a preponderance of the evidence, based upon input from the defendant, the Government, and the United States Probation Officer who prepares the presentence investigation report. The defendant further understands that she has no right to withdraw her guilty plea if her sentence or the Guideline application is other than she anticipated.

### 2. Acceptance of Responsibility

At this time, the Government agrees to recommend that the Court reduce by two levels the defendant's Adjusted Offense Level under § 3E1.1(a) of the Sentencing Guidelines, based on the defendant's prompt recognition and affirmative acceptance of personal responsibility for the offense. This recommendation is conditioned upon the defendant's full, complete, and truthful disclosure to the Probation Office of information requested, of the circumstances surrounding her commission of the offense, of her criminal history, and of her financial condition by submitting a complete and truthful financial statement. In addition, this recommendation is conditioned upon the defendant timely providing complete information to the Government concerning her involvement in the offense to which she is pleading guilty. The defendant expressly understands that the Court is not obligated to accept the Government's recommendation on the reduction.

The Government will not make this recommendation if the defendant engages in any acts which (1) indicate that the defendant has not terminated or withdrawn from criminal conduct or associations (Sentencing Guideline § 3E1.1); (2) could provide a basis for an adjustment for obstructing or impeding the administration of justice (Sentencing Guideline § 3C1.1); or (3) constitute a violation of any condition of release. Moreover, the Government will not make this recommendation if the defendant seeks to withdraw her plea of guilty. The defendant expressly understands that she may not withdraw her plea of guilty if, for the reasons explained above, the Government does not make this recommendation.

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### 3. Stipulation

Pursuant to Section 6B1.4 of the Sentencing Guidelines, the defendant and the Government have entered into a stipulation which is attached to and made a part of this plea agreement. The defendant understands that this stipulation does not purport to set forth all of the relevant conduct and characteristics that may be considered by the Court for purposes of sentencing. The defendant expressly understands that this stipulation is not binding on the Court. The defendant also understands that the Government and the United States Probation Office are obligated to advise the Court of any additional relevant facts that subsequently come to their attention.

### 4. Guideline Stipulation

The parties agree as follows:

The Guidelines Manual in effect on the date of sentencing is used to determine the applicable Guidelines range.

Under U.S.S.G. § 2B1.1(a)(2), the base offense level is 6. Two points are added because more than \$5,000, but less than \$10,000, of reasonably foreseeable pecuniary harm resulted from the offense. U.S.S.G. § 2B1.1(b)(1)(B). The adjusted offense level is 8. Assuming the defendant received credit for acceptance of responsibility, two levels would be subtracted under U.S.S.G. § 3E1.1 with the resulting offense total as 6.

Based on an initial assessment, the parties agree that the defendant falls within Criminal History Category I. The parties reserve the right to recalculate the defendant's Criminal History Category and corresponding sentencing ranges if this initial assessment proves inaccurate.

A total offense level 6, assuming a Criminal History Category I, would result in a range of 0 to 6 months of imprisonment (sentencing table) and a fine range of \$500 to \$5,000, U.S.S.G. § 5E1.2(c)(3). The defendant is also subject to a supervised release term of 3 years. U.S.S.G. § 5D1.2(a)(2).

The defendant expressly understands that the Court is not bound by this agreement on the Guideline and fine ranges specified above. The defendant further expressly understands that she will not be permitted to withdraw the plea of guilty if the Court imposes a sentence outside the Guideline range or fine range set forth in this agreement.

The defendant reserves her right to seek a departure or non-Guidelines sentence, and the Government reserves its right to object and to seek whatever sentence it deems appropriate.

In the event the Probation Office or the Court contemplates any sentencing calculations different from those stipulated by the parties, the parties reserve the right to respond to any

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inquiries and make appropriate legal arguments regarding the proposed alternate calculations. Moreover, the parties expressly reserve the right to challenge or defend any sentencing determination, other than that stipulated by the parties, in any post-sentencing proceeding.

5. Waiver of Right to Appeal or Collaterally Attack Sentence

The defendant acknowledges that under certain circumstances she is entitled to appeal her conviction and sentence. It is specifically agreed that the defendant will not appeal or collaterally attack in any proceeding, including but not limited to a motion under 28 U.S.C. § 2255 and/or § 2241, the conviction or sentence of imprisonment imposed by the Court if that total effective sentence does not exceed 6 months, and a term of supervised release of three years, even if the Court imposes such a sentence based on an analysis different from that specified above. This waiver does not include a waiver of a claim pursuant to 28 U.S.C. § 2255 for ineffective assistance of counsel. The defendant expressly acknowledges that she is knowingly and intelligently waiving these rights.

6. Information to the Court

The Government expressly reserves its right to address the Court with respect to an appropriate sentence to be imposed in this case. Moreover, it is expressly understood that the Government will discuss the facts of this case, including information regarding the defendant's background and character, 18 U.S.C. § 3661, with the United States Probation Office and will provide the Probation Officer with access to its file, with the exception of grand jury material.

WAIVER OF RIGHTS

Waiver of Trial Rights and Consequences of Plea

The defendant understands that she has the right to be represented by an attorney at every stage of the proceeding and, if necessary, one will be appointed to represent her.

The defendant understands that she has the right to plead not guilty or to persist in that plea if it has already been made, the right to a public trial, the right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against her, the right not to be compelled to incriminate herself, and the right to compulsory process for the attendance of witnesses to testify in her defense. The defendant understands that by pleading guilty she waives and gives up those rights and that, if the plea of guilty is accepted by the Court, there will not be a further trial of any kind.

The defendant understands that if she pleads guilty, the Court may ask her questions about the offense to which she pleads guilty, and if she answers those questions falsely under oath, on the record, and in the presence of counsel, her answers may later be used against her in a prosecution for perjury or making false statements.

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Waiver of Statute of Limitations

The defendant understands and agrees that should the conviction following defendant's plea of guilty pursuant to this plea agreement be vacated for any reason, then any prosecution that is not time-barred by the applicable statute of limitations on the date of the signing of this plea agreement (including any indictment or counts the Government has agreed to dismiss at sentencing pursuant to this plea agreement) may be commenced or reinstated against defendant, notwithstanding the expiration of the statute of limitations between the signing of this plea agreement and the commencement or reinstatement of such prosecution. The defendant agrees to waive all defenses based on the statute of limitations with respect to any prosecution that is not time-barred on the date the plea agreement is signed.

ACKNOWLEDGMENT OF GUILT; VOLUNTARINESS OF PLEA

The defendant acknowledges that she is entering into this agreement and is pleading guilty freely and voluntarily because she is guilty. The defendant further acknowledges that she is entering into this agreement without reliance upon any discussions between the Government and her (other than those described in the plea agreement letter), without promise of benefit of any kind (other than the concessions contained in the plea agreement letter), and without threats, force, intimidation, or coercion of any kind. The defendant further acknowledges her understanding of the nature of the offense to which she is pleading guilty, including the penalties provided by law. The defendant also acknowledges her complete satisfaction with the representation and advice received from her undersigned attorney. The defendant and her undersigned counsel are unaware of any conflict of interest concerning counsel's representation of the defendant in the case.

The defendant expressly acknowledges that she is not a "prevailing party" within the meaning of Public Law 105-119, section 617 ("the Hyde Amendment") with respect to the count of conviction or any other count or charge that may be dismissed pursuant to this agreement. The defendant voluntarily, knowingly, and intelligently waives any rights she may have to seek reasonable attorney's fees and other litigation expenses under the Hyde Amendment.

SCOPE OF THE AGREEMENT

The defendant acknowledges and understands that this agreement is limited to the undersigned parties and cannot bind any other federal authority, or any state or local authority. The defendant acknowledges that no representations have been made to her with respect to any civil or administrative consequences that may result from this plea of guilty because such matters are solely within the province and discretion of the specific administrative or governmental entity involved. Finally, the defendant understands and acknowledges that this agreement has been reached without regard to any civil tax matters that may be pending or which may arise involving her.

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COLLATERAL CONSEQUENCES

The defendant further understands that she will be adjudicated guilty of the offense to which she has pleaded guilty and may thereby be deprived of certain federal benefits as provided in 21 U.S.C. § 862 and will be deprived of certain rights, such as the right to vote, to hold public office, to serve on a jury, or to possess firearms. The defendant understands that pursuant to section 203(b) of the Justice For All Act, the Bureau of Prisons or the Probation Office will collect a DNA sample from the defendant for analysis and indexing. Finally, the defendant understands that the Government reserves the right to notify any state or federal agency by which she is licensed, or with which she does business, as well as any current or future employer of the fact of her conviction.

SATISFACTION OF FEDERAL CRIMINAL LIABILITY; BREACH

The defendant's guilty plea, if accepted by the Court, will satisfy the federal criminal liability of the defendant in the District of Connecticut as a result of her participation in the count charged in the Information.

The defendant understands that if, before sentencing, she violates any term or condition of this agreement, engages in any criminal activity, or fails to appear for sentencing, the Government may void all or part of this agreement. If the agreement is voided in whole or in part, defendant will not be permitted to withdraw her plea of guilty.

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NO OTHER PROMISES

The defendant acknowledges that no other promises, agreements, or conditions have been entered into other than those set forth in this plea agreement, and none will be entered into unless set forth in writing, signed by all the parties.

This letter shall be presented to the Court, in open court, and filed in this case.

Very truly yours,

DEIRDRE M. DALY  
UNITED STATES ATTORNEY



DUSTIN CHAO  
SPECIAL ASSISTANT U.S. ATTORNEY

The defendant certifies that she has read this plea agreement letter and its attachments or has had it read or translated to her, that she has had ample time to discuss this agreement and its attachments with counsel and that she fully understands and accepts its terms.



ANNETTE CAMPE  
The Defendant

Date

I have thoroughly read, reviewed and explained this plea agreement and its attachments to my client who advises me that she understands and accepts its terms.



DAVID MEIER, ESQ.  
Attorney for the Defendant

Date

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STIPULATION OF OFFENSE CONDUCT

The defendant Annette Campe and the Government stipulate and agree to the following offense conduct which gives rise to the defendant's agreement to plead guilty in this case:

As of the date of this plea agreement, Annette Campe has been a Special Agent with the United States Environmental Protection Agency ("EPA") for at least approximately 10 years. As an EPA Special Agent, Annette Campe was required to complete, certify, and sign a financial disclosure report, known as an "OGE Form 450," which she submitted to the EPA, an office within the Executive Branch of the United States. On or about January 11, 2012, in the District of Connecticut, Annette Campe knowingly and willfully made a material false statement on an OGE Form 450, and submitted such false OGE Form 450 to the EPA on or about the same date. In such OGE Form 450, Annette Campe reported that she had no reportable gifts totaling more than \$350 from any one source during the reporting period (calendar year 2011) and that she had received no income greater than \$200 during the reporting period (calendar year 2011) from a reportable source relating to the \$2,500 in cash that Annette Campe received, as detailed herein. In reality, however, in or about October 2011, Campe received reportable cash in the amount of \$2,500 from an individual known to the Grand Jury. The total reasonably foreseeable pecuniary harm from Campe's offense conduct included \$2,500 in lost funds of Jennifer Marie Stone and \$5,000 in lost funds from Jaclyn Berry.

The written stipulation above is incorporated into the preceding plea agreement. It is understood, however, that the defendant and the Government reserve its rights to present additional, relevant offense conduct to the attention of the Court in connection with sentencing.



ANNETTE CAMPE  
The Defendant



DUSTIN CHAO  
Special Assistant U.S. Attorney



DAVID MEIER, ESQ.  
Attorney for the Defendant

Attorney David Meier

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RIDER CONCERNING RESTITUTION

The Court may order that the defendant make restitution under 18 U.S.C. § 3663. The order of restitution may include:

1. If the offense resulted in damage to or loss or destruction of property of a victim of the offense, the order of restitution may require the defendant to:

A. Return the property to the owner of the property or someone designated by the owner; or

B. If return of the property is impossible, impracticable, or inadequate, pay an amount equal to:

The greater of -

(I) the value of the property on the date of the damage, loss, or destruction; or

(II) the value of the property on the date of sentencing, less the value as of the date the property is returned.

2. In any case, reimburse the victim for lost income and necessary child care, transportation, and other expenses incurred during participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense.

The order of restitution has the effect of a civil judgment against the defendant. In addition to the court ordered restitution, the court may order that the conditions of its order of restitution be made a condition of probation or supervised release. Failure to make restitution as ordered may result in a revocation of probation, or a modification of the conditions of supervised release, or in the defendant being held in contempt under 18 U.S.C. § 3583(e). Failure to pay restitution may also result in the defendant's re-sentencing to any sentence which might originally have been imposed by the Court. See 18 U.S.C. § 3614. The Court may also order that the defendant give notice to any victim(s) of her offense under 18 U.S.C. § 3555.