

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, Petitioner	:	No. 1106 Disciplinary Docket No. 3 - Supreme Court
v.	:	No. 226 DB 2005 – Disciplinary Board
RICHARD KANOY DOTY, Respondent	:	Attorney Registration No. 22157 (Philadelphia)

ORDER


PER CURIAM:

AND NOW, this 31st day of July, 2006, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated May 25, 2006, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that Richard Kanoy Doty is suspended on consent from the Bar of this Commonwealth for a period of five years retroactive to April 27, 2006, and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

A True Copy Patricia Nicola

As of: July 31, 2006

Attest: 
Chief Clerk

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

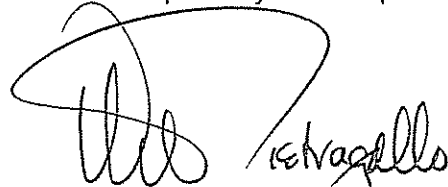
OFFICE OF DISCIPLINARY COUNSEL : No. 1106, Disciplinary Docket No. 3
Petitioner : Supreme Court
: :
: : No. 226 DB 2005 – Disciplinary Board
v. : :
: : Attorney Registration No. 22157
RICHARD KANOY DOTY : :
Respondent : (Philadelphia)

RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members William A. Pietragallo, Smith Barton Gephart and Mark S. Baer, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on May 15, 2006.

The Panel approves the Petition consenting to a five year Suspension retroactive to April 27, 2006 and recommends to the Supreme Court of Pennsylvania that the attached Joint Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney as a condition to the grant of the Petition.



William A. Pietragallo, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: May 25, 2006

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1106 Disciplinary
Petitioner : Docket No. 3
:
:
v. : No. 226 DB 2005
:
:
RICHARD KANOY DOTY, : Atty. Reg. No. 22157
:
Respondent : (Philadelphia)

JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT UNDER RULE 215(d), Pa.R.D.E

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

Donna M. Snyder
Disciplinary Counsel
Seven Penn Center
1635 Market Street
16th Floor
Philadelphia, PA 19103
(215) 560-6296

and

Richard Kanoy Doty
Reg #42958-018
FCI/Camp
P.O. Box 1000
Fort Dix, NJ 08640

Respondent

FILED

MAY 15 2006

Office of the Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1106 Disciplinary
Petitioner : Docket No. 3
:
: No. 226 DB 2005
v. :
: Atty. Reg. No. 22157
RICHARD KANOY DOTY, :
Respondent : (Philadelphia)

JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Esquire, Chief Disciplinary Counsel, and Donna M. Snyder, Disciplinary Counsel, and Respondent, Richard Kanoy Doty, file this Joint Petition In Support Of Discipline On Consent Under Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement ("Pa.R.D.E.") and respectfully represent that:

1. Petitioner, whose principal office is located at Suite 1400, 200 North Third Street, Harrisburg, Pennsylvania, is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules of Disciplinary Enforcement.

2. Respondent, Richard Kanoy Doty, was born on April 15, 1942 and was admitted to practice law in the Commonwealth on November 17, 1975. Respondent's last attorney registration address was 131 N. 20th Street, Philadelphia, PA 19103. Respondent is presently incarcerated and his mailing address is Reg #42958-018, FCI/Camp, P.O. Box 1000, Fort Dix, NJ 08640. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. By Order dated March 28, 2006, the Supreme Court of Pennsylvania placed Respondent on temporary suspension, effective April 27, 2006, and referred Respondent's criminal conviction matter, as described below, to the Disciplinary Board pursuant to Pa.R.D.E. 214(f)(1). (See Exhibit A)

SPECIFIC FACTUAL ADMISSIONS AND
RULES OF PROFESSIONAL CONDUCT AND
RULE OF DISCIPLINARY ENFORCEMENT VIOLATED

4. Respondent stipulates that the following factual allegations contained herein are true and correct, and that he violated the Rules of Professional Conduct and Rule of Disciplinary Enforcement set forth in ¶21, *infra*.

5. On May 3, 2005, the United States Attorney's Office filed an Information in the United States District Court for

the Middle District of Florida, Tampa Division, charging Respondent with one count of Accessory After the Fact, in violation of 18 U.S.C. §3, in a case captioned *United States of America v. Richard K. Doty*, Case No. 8:05-cr-181-T23-MSS. (See Exhibit B)

6. On April 14, 2005, Respondent and the government entered into a Guilty Plea Agreement. (See Exhibit C) Therein, the government represents that Respondent agreed to plead guilty to one count of Accessory After the Fact.

7. On September 21, 2005, Respondent pled guilty to one count of Accessory After the Fact before the Honorable Steven D. Merryday, Judge of the United States District Court for the Middle District of Florida, Tampa Division. (See Exhibit D)

8. The crime for which Respondent pled guilty involved a scheme, which is fully described in the Government's Plea Agreement. (See Exhibit D)

9. The Government National Mortgage Association (GNMA) was a government owned corporation within HUD responsible for administering mortgage-backed securities programs. Foundation Funding Group, Inc., doing business as GreatStone Mortgage (GreatStone) was a Tampa based FHA approved direct endorsement lender and GNMA issuer. As such, GreatStone

extended and processed FHA Streamline Refinance Loans, underwrote them on behalf of the FHA, packaged and pooled these loans into the GNMA Mortgage-Backed Securities Program and sold these securities to investors.

10. In late 1998 or early 1999 until sometime in 2001, GreatStone was experiencing cash flow and other financial difficulties. GreatStone's owner, Corey Brower, his wife, Sandi Brower, and several other GreatStone officers, agents and employees devised a scheme to alleviate these problems by defrauding HUD and other financial institutions. The conspirators began to draw down on GreatStone's lines of credit and obtain money through sale and repurchase agreements by submitting documentation relating to mortgages which GreatStone had already funded with money obtained from loans from or repurchase agreements with another of its lending institutions. The conspirators would change the date on a copy of the promissory note and forge the signature of the mortgagee. As the scheme continued, the conspirators employed what amounted to a "pyramid scheme" using funds acquired through the submission of later fraudulent mortgages to repay earlier loans which they had fraudulently obtained. By means of this scheme the conspirators caused the victim financial institutions to advance millions of dollars to fund more than 930 bogus mortgage loans. The aggregate loss to these

institutions was approximately \$68,500,000. HUD has incurred losses of approximately \$9,500,000.

11. Respondent, Richard Doty, was an attorney licensed to practice law in Pennsylvania. In about August 2000 he was retained by Corey Brower and shortly thereafter became aware of the fraudulent scheme. During the summer of 2000 Respondent Doty advised Brower that they needed to come up with an "emergency exit plan" in case the scheme was detected. Consequently, Respondent performed research and compiled a list of countries to which the Browsers could flee, if necessary.

12. Between August 7 and August 23, 2001, Brower and a co-conspirator wire transferred approximately \$1.7 million to Respondent. A portion of this money was to assist in their escape plan. On August 23, 2001, Respondent Doty sent \$175,000 of that money to an attorney in California. A large portion of that money was to be used to obtain Belize citizenship for the Browsers and other conspirators. On or about August 31, 2001, Mr. Brower left Tampa, Florida when it became apparent that the scheme would soon be discovered. Mrs. Brower was already in Mexico. The couple then settled in Belize.

13. On or about October 18, 2001, Respondent Doty sent Brower an additional \$18,555 while Brower was in Mexico.

Brower secretly returned to the United States in December 2001 and met with Respondent Doty who provided Brower with an additional \$13,000 in cash.

14. On September 21, 2005, Respondent appeared before the Honorable Steven D. Merryday at which time Judge Merryday imposed a sentence of fifteen months imprisonment, thirty-six months of supervised release, a \$100 assessment and \$206,000 total restitution.

15. On September 26, 2005, Respondent filed a Motion for Reconsideration of Sentence or in the alternative that Respondent's reporting date be changed so that he did not have to report for 120 days.

16. On October 3, 2005, an Order was issued, granting in part and denying in part, Respondent's Motion for Reconsideration.

17. The Order denied reduction of sentence but granted the 120-day delay in the reporting date.

18. The crime to which Respondent pled guilty is punishable by imprisonment of not more than two and one-half years. 18 U.S.C. §3.

19. Respondent pled guilty to a "serious crime," as defined by Pa.R.D.E. 214(i).

20. Respondent's conviction of a serious crime is a *per se* basis for discipline under Pa.R.D.E. 203(b)(1).

21. By his conduct as alleged in ¶¶6 through 13 above, Respondent violated the following Rules of Professional Conduct and Rule of Disciplinary Enforcement:

- a. RPC 8.4(b), which provides that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- b. RPC 8.4(c), which states that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation; and
- c. Pa.R.D.E. 203(b)(1), which provides that conviction of a crime, which under Enforcement Rule 214 (relating to attorneys convicted of crimes) may result in suspension, shall be grounds for discipline.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

22. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension from the practice of law for a period of five years.

23. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania.

Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., stating that he consents to the recommended discipline and including the mandatory acknowledgements contained in Rule 215(d)(1) through (4), Pa.R.D.E.

24. In support of Petitioner's and Respondent's joint recommendation, it is respectfully submitted that:

- a. There are several mitigating circumstances:
 - i. Respondent has admitted engaging in misconduct and violating the charged Rules of Professional Conduct and Rule of Disciplinary Enforcement;
 - ii. Respondent has cooperated with Petitioner, as is evidenced by his admissions herein, and by his consent to receiving a suspension of five years;
 - iii. Respondent has no prior disciplinary history; and
 - iv. Respondent is suffering from bladder cancer, and the 120-day delay in reporting to prison was to enable him to receive chemotherapy treatments.

25. The case law in this jurisdiction for a conviction of the crime of Accessory After the Fact ranges from a three-year suspension to disbarment.

26. An element of the "Accessory After the Fact" offense Respondent was charged with was "conspiracy to commit wire fraud and to engage in unlawful money transactions." The average discipline for cases involving wire fraud is a three-year suspension. In *Office of Disciplinary Counsel v. Nicholas Panarella, Jr.*, No. 98 DB 2001, the Board equated mail fraud to wire fraud since they "both involve schemes or artifices intended to defraud or to obtain money or property by means of false or fraudulent pretenses or representations." *Id.* at 12. Convictions for mail or wire fraud generally warrant a three-year suspension. *Office of Disciplinary Counsel v. Joseph DeMesquita*, No. 139 DB 1995; *Office of Disciplinary Counsel v. Glenn D. DeSantis*, No. 22 DB 1996; and *Office of Disciplinary Counsel v. John G. Takacs*, No. 21 DB 1996.

In the present matter, Respondent was not involved with the commission of wire fraud per se but rather was involved in helping the conspirators flee the country and avoid prosecution.

In a more serious case, *Office of Disciplinary Counsel v. Milton E. Raiford*, 546 Pa. 628, 887 A.2d. 118, our Court

held that a disbarment was warranted when an attorney, through the use of an impersonator, engineered the criminal conviction of one client in order to benefit another client. The Respondent Raiford, in the course of representing two clients who had been charged with various criminal offenses engaged in a series of flagrant deceptions that were designed to undermine the proper functioning of the criminal justice system. In disbarring Raiford, the Court noted that deceptions practiced on a judicial system are among the most serious of all disciplinary infractions. *Id.* at 119.

Respondent's conduct in the present matter, pleading guilty to accessory after the fact and engaging in a scheme to help conspirators who committed criminal fraud to escape, can be distinguished in that in the present matter Respondent did not lie to the courts; in fact, he cooperated in the prosecution and there was no lack of veracity to judicial authorities.

In *Office of Disciplinary Counsel v. Philip A. Valentino, Jr.*, 26 DB 1997, 68 Pa. D.&C. 4th 552 (1997), Respondent Valentino engaged in several instances of fraud by submitting medical records that he knew to be fraudulent. Respondent Valentino did this in five client matters. The court suspended Respondent Valentino for five years based on the fact that Respondent Valentino retained the moral sense

to immediately perceive his serious wrongdoing and bring his malfeasance to the attention of the court. As did the Respondent in *Valentino*, Respondent in this case cooperated with authorities and also volunteered additional information.

WHEREFORE, Petitioner and Respondent respectfully request that:

- a. Pursuant to Rule 215(e) and 215(g), Pa.R.D.E., the three-member panel of the Disciplinary Board review and approve the above Joint Petition In Support Of Discipline On Consent and file its recommendation with the Supreme Court of Pennsylvania in which it is recommended the Supreme Court enter an Order:
 - i. suspending Respondent from the practice of law for a period of five years retroactive to April 27, 2006; and
 - ii. Respondent shall comply with all provisions of Rule 217, Pa.R.D.E.
- b. Pursuant to Rule 215(i), the three-member panel of the Disciplinary Board order Respondent to pay the necessary expenses incurred in the investigation of this matter as a condition to the grant of the Petition and that all expenses be paid by

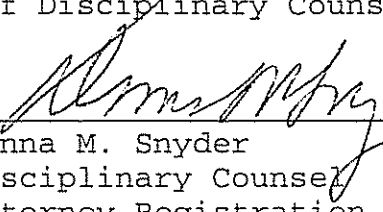
Respondent before the imposition of discipline
under Rule 215(g), Pa.R.D.E.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

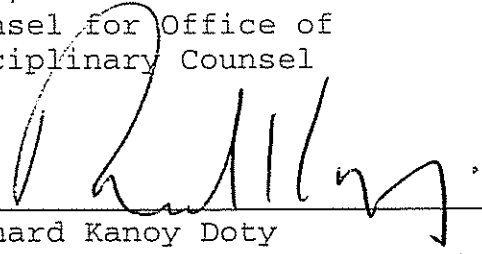
Paul J. Killion
Chief Disciplinary Counsel

5/19/06
Date

BY 
Donna M. Snyder
Disciplinary Counsel
Attorney Registration No. 53708
Seven Penn Center, 16th Floor
1635 Market Street
Philadelphia, PA 19103
(215) 560-6296
Counsel for Office of
Disciplinary Counsel

5/2/2006
Date

and

BY 
Richard Kanoy Doty
Attorney Registration No. 22157
Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1106 Disciplinary
Petitioner : Docket No. 3
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:
v. : No. 226 DB 2005
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:
RICHARD KANOY DOTY, : Atty. Reg. No. 22157
:
Respondent : (Philadelphia)

ORDER

PER CURIAM:

AND NOW, this _____ day of _____, 2006, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated _____, 2006, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that Richard Kanoy Doty is suspended on consent from the Bar of this Commonwealth for a period of five years retroactive to April 27, 2006, and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

It is further ORDERED that respondent shall pay costs, if any, to the Disciplinary Board pursuant to Rule 208(g), Pa.R.D.E.

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1106 Disciplinary
Petitioner : Docket No. 3
:
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v. : No. 226 DB 2005
:
:
RICHARD KANOY DOTY, : Atty. Reg. No. 22157
:
Respondent : (Philadelphia)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

Respondent, Richard Kanoy Doty, hereby states that he consents to the imposition of a suspension from the practice of law for a period of five years retroactive to April 27, 2006, the date he was placed on temporary suspension, and further states that:

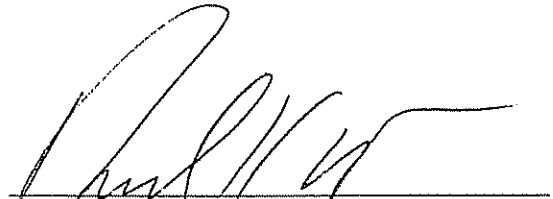
1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and he has consulted with counsel in connection with the decision to consent to discipline;

2. He is aware that there is presently pending a proceeding involving allegations that he has been guilty of misconduct as set forth in the Joint Petition;

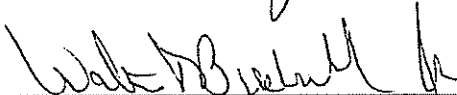
3. He acknowledges that the material facts set forth in the Joint Petition are true; and

4. He consents because he knows that if the allegations of misconduct pending against him continue to be prosecuted in

the pending proceeding, he could not successfully defend against them.


Richard Kanoy Doty
Respondent

Sworn to and subscribed
before me this 2
day of May, 2006.


Notary Public

WALTER T. BIEDERBECK JR.
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 2/23/2011

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA


OFFICE OF DISCIPLINARY COUNSEL, : No. 1106 Disciplinary
Petitioner : Docket No. 3
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RICHARD KANOY DOTY, : Atty. Reg. No. 22157
:
Respondent : (Philadelphia)

VERIFICATION

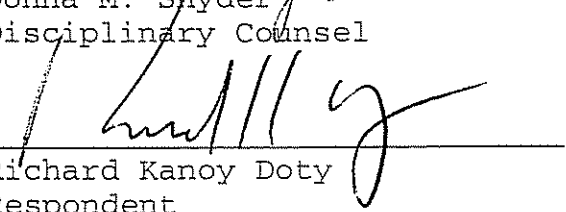
The statements contained in the foregoing Joint Petition
In Support Of Discipline On Consent Under Rule 215(d),
Pa.R.D.E. are true and correct to the best of our knowledge or
information and belief and are made subject to the penalties
of 18 Pa.C.S. §4904, relating to unsworn falsification to
authorities.

5/9/06
Date

5/06/2006
Date



Donna M. Snyder
Disciplinary Counsel



Richard Kanoy Doty
Respondent

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 1106 Disciplinary Docket No. 3
: :
RICHARD KANOY DOTY : Board File No. C1-05-1041
: :
: (United States District Court for the
: Middle District of Florida, Tampa
: Division, Case No. 8:05-cr-181-T-
: 23MSS)
: :
: Attorney Registration No. 22157
: (Philadelphia)

ORDER

PER CURIAM:

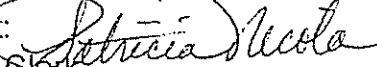
AND NOW, this 28th day of March, 2006, a Rule having been entered by this Court on January 26, 2006, pursuant to Rule 214(d)(1), Pa.R.D.E., directing Richard Kanoy Doty to show cause why he should not be placed on temporary suspension and no response thereto having been filed, it is hereby

ORDERED that the Rule is made absolute; Richard Kanoy Doty is placed on temporary suspension pursuant to Rule 214(d)(2), Pa.R.D.E., and he shall comply with all the provisions of Rule 217, Pa.R.D.E.; and the matter is referred to the Disciplinary Board pursuant to Rule 214(f)(1), Pa.R.D.E.

Madame Justice Baldwin did not participate in this matter.

A True Copy Patricia Nicola

As of: March 28, 2006

Attest: 
Chief Clerk

Supreme Court of Pennsylvania

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:05-cr-181-TR3 mss

18 U.S.C. § 3

RICHARD K. DOTY

INFORMATION

The United States Attorney charges:

COUNT ONE

Beginning at least as early as August 2001 and continuing through December 2001, in the Middle District of Florida, and elsewhere,

RICHARD K. DOTY,

defendant herein, knowing that an offense against the United States had been committed, to wit: conspiracy to commit bank fraud and to engage in unlawful monetary transactions, in violation of Title 18, United States Code, Section 371, did receive, relieve, comfort and assist the offenders, namely Corey Brower, Sandi Brower and

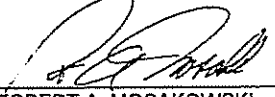
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FBI
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

Steve Cohn, in order to hinder and prevent the offenders' apprehension, trial and punishment.

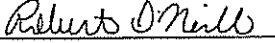
In violation of Title 18, United States Code, Section 3.

PAUL I. PEREZ
United States Attorney

By:


ROBERT A. MOSAKOWSKI
Assistant United States Attorney

By:


ROBERT E. O'NEILL
Assistant United States Attorney
Chief, Criminal Division

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:05-cr-181-T-23 MSS

RICHARD K. DOTY

PLEA AGREEMENT

A. Particularized Terms


Pursuant to Fed. R. Crim. P. 11(c), the United States of America, by Paul I. Perez, United States Attorney for the Middle District of Florida, and the defendant, RICHARD K. DOTY, and the attorney for the defendant, Jerome J. Froelich, Jr., mutually agree as follows:

1. Count(s) Pleading To

The defendant shall enter a plea of guilty to Count One of the Information. Count One charges the defendant with Accessory After the Fact, in violation of 18 U.S.C. § 3.

2. Maximum Penalties

Count One carries a maximum sentence of 2 ½ years imprisonment, a fine of \$250,000, a term of supervised release of three years, and a special assessment of \$50 per felony count for offenses committed prior to April 24, 1996, \$100 per felony count thereafter; for organizations the amounts are "\$200" and "\$400" respectively, said special assessment to be due on the date of sentencing. With

Defendant's Initials 

AF Approval _____

respect to certain offenses, the Court shall order the defendant to make restitution to any victim of the offense(s), and with respect to other offenses, the Court may order the defendant to make restitution to any victim of the offense(s), or to the community, as set forth below.

3. Elements of the Offense(s)

The defendant acknowledges understanding the nature and elements of the offense(s) with which defendant has been charged and to which defendant is pleading guilty.

The elements of Count One are:

First The defendant was aware that an offense against the United States had been committed, that is, conspiracy to commit wire fraud and to engage in unlawful monetary transactions;

Second: That the defendant knowingly and willfully assisted the offender in order to hinder his apprehension, trial or punishment.

4. Utilization of the Sentencing Guidelines

Pursuant to Fed. R. Crim. P. 11(c)(1)(B), the United States will recommend to the Court that the Court determine the defendant's applicable guidelines range and defendant's guidelines sentence, with any applicable departures, pursuant to the United States Sentencing Guidelines.

5. Indictment Waiver

Defendant will waive the right to be charged by way of indictment before a federal grand jury.

Defendant's Initials

Alcy

6. Mandatory Restitution to Victim of Offense of Conviction

Pursuant to 18 U.S.C. §§ 3663A(a) and (b), defendant agrees to make restitution to the Department of Housing and Urban Development and the financial institutions named in the Stipulated Facts section of this Plea Agreement in the amount of \$206,000.

7. Guidelines Sentence

Pursuant to Fed. R. Crim. P. 11(c)(1)(B), the United States will recommend to the Court that the defendant be sentenced within the defendant's applicable guidelines range as determined by the Court pursuant to the United States Sentencing Guidelines, as adjusted by any departure the United States has agreed to recommend in this plea agreement. The parties understand that such a recommendation is not binding on the Court and that, if it is not accepted by this Court, neither the United States nor the defendant will be allowed to withdraw from the plea agreement, and the defendant will not be allowed to withdraw from the plea of guilty.

8. Acceptance of Responsibility - Three Levels

At the time of sentencing, and in the event that no adverse information is received suggesting such a recommendation to be unwarranted, the United States will recommend to the Court that the defendant receive a two-level downward adjustment for acceptance of responsibility, pursuant to USSG §3E1.1(a). The defendant understands that this recommendation or request is not binding on the Court, and if not accepted by the Court, the defendant will not be allowed to withdraw from the plea.

Further, at the time of sentencing, if the defendant complies with the provisions of USSG §3E1.1(b), the United States agrees to file a motion pursuant to Defendant's Initials Ally

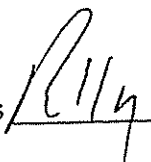
USSG §3E1.1(b) for a downward adjustment of one additional level. The defendant understands that the determination as to whether the defendant has qualified for a downward adjustment of a third level for acceptance of responsibility rests solely with the United States Attorney for the Middle District of Florida, and the defendant agrees that the defendant cannot and will not challenge that determination, whether by appeal, collateral attack, or otherwise.

B. Standard Terms and Conditions

1. Restitution, Special Assessment and Fine

The defendant understands and agrees that the Court, in addition to or in lieu of any other penalty, shall order the defendant to make restitution to any victim of the offense(s), pursuant to 18 U.S.C. § 3663A, for all offenses described in 18 U.S.C. § 3663A(c)(1) (limited to offenses committed on or after April 24, 1996); and the Court may order the defendant to make restitution to any victim of the offense(s), pursuant to 18 U.S.C. § 3663 (limited to offenses committed on or after November 1, 1987) or § 3579, including restitution as to all counts charged, whether or not the defendant enters a plea of guilty to such counts, and whether or not such counts are dismissed pursuant to this agreement. On each count to which a plea of guilty is entered, the Court shall impose a special assessment, to be payable to the Clerk's Office, United States District Court, and due on date of sentencing. The defendant understands that this agreement imposes no limitation as to fine.

Defendant's Initials



2. Supervised Release

The defendant understands that the offense(s) to which the defendant is pleading provide(s) for imposition of a term of supervised release upon release from imprisonment, and that, if the defendant should violate the conditions of release, the defendant would be subject to a further term of imprisonment.

3. Sentencing Information

The United States reserves its right and obligation to report to the Court and the United States Probation Office all information concerning the background, character, and conduct of the defendant, to provide relevant factual information, including the totality of the defendant's criminal activities, if any, not limited to the count(s) to which defendant pleads, to respond to comments made by the defendant or defendant's counsel, and to correct any misstatements or inaccuracies. The United States further reserves its right to make any recommendations it deems appropriate regarding the disposition of this case, subject to any limitations set forth herein, if any.

Pursuant to 18 U.S.C. § 3664(d)(3) and Fed. R. Crim. P. 32(d)(2)(A)(ii), the defendant agrees to complete and submit, upon execution of this plea agreement, an affidavit reflecting the defendant's financial condition. The defendant further agrees, and by the execution of this plea agreement, authorizes the United States Attorney's Office to provide to, and obtain from, the United States Probation Office or any victim named in an order of restitution, or any other source, the financial affidavit, any of the defendant's federal, state, and local tax returns, bank records and any other financial information concerning the defendant, for the purpose of making any recommendations

Defendant's Initials



to the Court and for collecting any assessments, fines, restitution, or forfeiture ordered by the Court.

4. Sentencing Recommendations

It is understood by the parties that the Court is neither a party to nor bound by this agreement. The Court may accept or reject the agreement, or defer a decision until it has had an opportunity to consider the presentence report prepared by the United States Probation Office. The defendant understands and acknowledges that, although the parties are permitted to make recommendations and present arguments to the Court, the sentence will be determined solely by the Court, with the assistance of the United States Probation Office. Defendant further understands and acknowledges that any discussions between defendant or defendant's attorney and the attorney or other agents for the government regarding any recommendations by the government are not binding on the Court and that, should any recommendations be rejected, defendant will not be permitted to withdraw defendant's plea pursuant to this plea agreement. The government expressly reserves the right to support and defend any decision that the Court may make with regard to the defendant's sentence, whether or not such decision is consistent with the government's recommendations contained herein.

5. Appeal of Sentence-Waiver

The defendant agrees that this Court has jurisdiction and authority to impose any sentence up to the statutory maximum and expressly waives the right to appeal defendant's sentence or to challenge it collaterally on any ground, including the ground that the Court erred in determining the applicable guidelines range pursuant to

Defendant's Initials



the United States Sentencing Guidelines, except (a) the ground that the sentence exceeds the defendant's applicable guidelines range as determined by the Court pursuant to the United States Sentencing Guidelines; (b) the ground that the sentence exceeds the statutory maximum penalty; or (c) the ground that the sentence violates the Eighth Amendment to the Constitution; provided, however, that if the government exercises its right to appeal the sentence imposed, as authorized by Title 18, United States Code, Section 3742(b), then the defendant is released from his waiver and may appeal the sentence as authorized by Title 18, United States Code, Section 3742(a).

6. Middle District of Florida Agreement

It is further understood that this agreement is limited to the Office of the United States Attorney for the Middle District of Florida and cannot bind other federal, state, or local prosecuting authorities, although this office will bring defendant's cooperation, if any, to the attention of other prosecuting officers or others, if requested.


7. Filing of Agreement

This agreement shall be presented to the Court, in open court or in camera, in whole or in part, upon a showing of good cause, and filed in this cause, at the time of defendant's entry of a plea of guilty pursuant hereto.

8. Voluntariness

The defendant acknowledges that defendant is entering into this agreement and is pleading guilty freely and voluntarily without reliance upon any discussions between the attorney for the government and the defendant and defendant's attorney and without promise of benefit of any kind (other than the concessions contained herein), and without threats, force, intimidation, or coercion of

Defendant's Initials



any kind. The defendant further acknowledges defendant's understanding of the nature of the offense or offenses to which defendant is pleading guilty and the elements thereof, including the penalties provided by law, and defendant's complete satisfaction with the representation and advice received from defendant's undersigned counsel (if any). The defendant also understands that defendant has the right to plead not guilty or to persist in that plea if it has already been made, and that defendant has the right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against defendant, the right against compulsory self-incrimination, and the right to compulsory process for the attendance of witnesses to testify in defendant's defense; but, by pleading guilty, defendant waives or gives up those rights and there will be no trial. The defendant further understands that if defendant pleads guilty, the Court may ask defendant questions about the offense or offenses to which defendant pleaded, and if defendant answers those questions under oath, on the record, and in the presence of counsel (if any), defendant's answers may later be used against defendant in a prosecution for perjury or false statement. The defendant also understands that defendant will be adjudicated guilty of the offenses to which defendant has pleaded and, if any of such offenses are felonies, may thereby be deprived of certain rights, such as the right to vote, to hold public office, to serve on a jury, or to have possession of firearms.

Defendant's Initials

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9. Factual Basis

Defendant is pleading guilty because defendant is in fact guilty. The defendant certifies that defendant does hereby admit that the facts set forth below are true, and were this case to go to trial, the United States would be able to prove those specific facts and others beyond a reasonable doubt:

FACTS

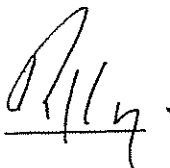
During the period between June 1998 and August 2001, Union Planters Bank, Sterling Bank and Trust and Republic Bank were all financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation.

The Department of Housing and Urban Development (HUD) was a department of the Executive Branch of the United States government responsible for, among other things, the administration of the National Housing Act.

The Federal Housing Administration (FHA) was an agency within HUD responsible for, among other things, insuring mortgages made by authorized lending institutions to qualified individual borrowers on single-family homes.

The Government National Mortgage Association (GNMA) was a government owned corporation within HUD responsible for administering mortgage-backed securities programs. Mortgage-backed securities were issued by private insurers such as mortgage companies approved by GNMA. Individuals and institutional investors then purchased these securities. The securities were backed by pools of individual mortgages. Each mortgage within the pool was insured by HUD or FHA.

Defendant's Initials



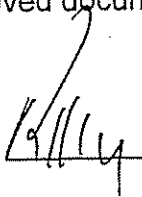
Foundation Funding Group, Inc., doing business as GreatStone Mortgage (GreatStone) was a Tampa based FHA approved direct endorsement lender and GNMA issuer. As such, GreatStone extended and processed FHA Streamline Refinance Loans, underwrote them on behalf of the FHA, packaged and pooled these loans into the GNMA Mortgage-Backed Securities Program and sold these securities to investors.

GreatStone employed two financing methods to obtain the money it used to fund the mortgages it originated. It maintained warehouse lines of credit with Sterling Bank and Trust, Republic Bank and Union Planters Bank. The lending institution would receive a security interest in each mortgage loan GreatStone extended. GreatStone would furnish the lending financial institution with the mortgagee's promissory note and copies of other documentation relating to the mortgage it acquired. GreatStone would repay that particular loan when it sold the mortgage-backed security, usually within 60 days.

The other financing method GreatStone used was to enter into sale and repurchase agreements with the other lending institutions listed in Part A of the criminal Information filed in this case. The lending institution would acquire title to the mortgage loans at the time it advanced to GreatStone the money to fund them. Under the terms of the agreements GreatStone would repurchase the loans after it sold the mortgage-backed securities.

Under either method, the original mortgage loan documents were to be placed with a GNMA approved document custodian.

Defendant's Initials

A handwritten signature or set of initials, possibly 'G/11/11', written in black ink.

In late 1998 or early 1999 GreatStone was experiencing cash flow and other financial difficulties. Greatstone owner Corey Brower, his wife Sandi Brower and several other GreatStone officers, agents and employees devised a scheme to alleviate these problems by defrauding HUD and the above-listed financial institutions. The conspirators began to draw down on GreatStone's lines of credit and obtain money through sale and repurchase agreements by submitting documentation relating to mortgages which GreatStone had already funded with money obtained from loans from or repurchase agreements with another of its lending institutions. The conspirators would change the date on a copy of the promissory note and forge the signature of the mortgagee. As the scheme continued, the conspirators employed what amounted to a "pyramid scheme" using funds acquired through the submission of later fraudulent mortgages to repay earlier loans which they had fraudulently obtained.

Since the money from each loan draw or mortgage purchase was only to be used by GreatStone to fund the mortgage loans to which it related, the aforementioned financial institutions would only wire loan funds to the title company which had been chosen to handle the closing of the mortgaged property. In order to circumvent this safeguard the conspirators created sham title companies in various states throughout the nation. In order to create the illusion that these bogus entities were genuine title companies they entered into corporate identity service agreements with companies which provided mail forwarding, telephone answering, voice mail and other business related services for them. All mail received at these "corporate offices" was forwarded to a conspirator's home in the Middle District of Florida. The conspirator also checked voice mail recordings in these different states from telephones located within the Middle

Defendant's Initials

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District of Florida. They prepared and submitted fraudulent title insurance commitments to the victim financial institutions. The conspirators also opened business bank accounts in the name of each bogus title company to receive the fraudulently obtained funds wire transferred from the victim financial institutions. They subsequently caused nearly all these funds to be wire transferred into a GreatStone checking account they had opened with a Texas branch of Bank One on September 9, 1999. Nearly all of these wire transfers crossed state lines. Nearly all of these transfers and subsequent withdrawals from the Bank One account were in amounts in excess of \$10,000. All the banks involved did business in interstate commerce.

For example, on or about July 28, 2000, the conspirators entered into an agreement with HQ Global Workplaces, in Cincinnati, Ohio, for corporate services including telephone answering and mail receipt and forwarding on behalf of their sham entity, Columbus Escrow Services (Columbus). On August 7, 2000, the conspirators opened a business checking account for Columbus at an Ohio branch of First Union Bank. On or about May 4, 2001, the conspirators caused Republic Bank to wire transfer funds in the amount of \$130,977 from the Middle District of Florida to the Columbus account with First Union, in Ohio. This money was to fund two mortgage loans purportedly extended by GreatStone. In truth, these mortgage loans were bogus and all the documents relating to them were forged and/or fraudulent. These proceeds were subsequently wire transferred by the conspirators to the GreatStone account in Texas.

To further conceal their scheme the conspirators also created sham entities to serve as purported document custodians. Once again, they entered into corporate

Defendant's Initials



identity service agreements with companies which provided mail receiving and forwarding, voice mail and related services. The fraudulent documents relating to the bogus mortgage loans were sent to these sham entities and thereafter forwarded to the conspirators. For example, on or about August 3, 1999, the conspirators entered into a corporate identity service agreement for Colonial Custodians, one of their sham custodial entities.

An additional aspect of the scheme was to extend a series of actual mortgage loans either to non-qualified borrowers or in amounts in excess of FHA underwriting regulatory guidelines. They then falsely certified that the mortgage loans met FHA criteria and thereby caused the FHA to insure them. They also wrongfully included these non-qualifying loans into the pools backing the securities they issued. For example, on or about February 27, 1999 in the Middle District of Florida, a conspirator knowingly and willfully caused a HUD Form 92900-A to be submitted to HUD which falsely certified that FHA Mortgage 374-3003625 was eligible for HUD Mortgage Insurance under the Direct Endorsement Program knowing that the loan contained underwriting deficiencies that resulted in loan amounts exceeding the regulatory maximum, no assurance of good credit history and which permitted the inclusion of unallowable delinquent interest, late charges and other borrower obligations into the new mortgage amount.

GreatStone also had to submit annual audited financial statements to GNMA in order to continue as an approved GNMA issuer. The conspirators concealed lines of credit they maintained with several of the victim financial institutions from the auditors in

Defendant's Initials

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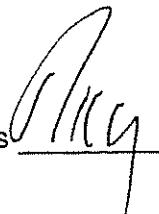
order to create the illusion that GreatStone was a financially solvent entity. These false and fraudulent financial statements were thereafter submitted to GNMA's agent. One of these was submitted on or about March 6, 2001 and related to calendar year 2000.

By means of this scheme the conspirators caused the victim financial institutions to advance millions of dollars to fund more than 930 bogus mortgage loans. The aggregate loss to these institutions was approximately \$68,500,000. HUD has incurred losses of approximately \$9,500,000.

Defendant Richard Doty was an attorney licensed to practice in Pennsylvania. In about April 2000 he was retained by Corey Brower and shortly thereafter became aware of the fraudulent scheme. During the summer of 2000 the defendant advised Brower that they needed to come up with an "emergency exit plan" in case the scheme was detected. Consequently, the defendant performed research and compiled a list of countries to which the Browers could flee, if necessary.

Between August 7 and August 23, 2001, Corey Brower and a co-conspirator wire transferred approximately \$1.7 million to the defendant. A portion of this money was to assist in their escape plan. On August 23, 2001, the defendant sent \$175,000 of that money to an attorney in California. A large portion of that money was to be used to obtain Belize citizenship for the Browers and other conspirators. On or about August 31, 2001, Corey Brower left Tampa, Florida when it became apparent that their scheme would soon be discovered. Sandi Brower was already in Mexico. The couple then settled in Belize.

Defendant's Initials



On or about October 18, 2001, the defendant sent Corey Brower an additional \$18,555 while Brower was in Mexico. Brower secretly returned to the United States in December 2001 and met with the defendant who provided Brower with an additional \$13,000 in cash.

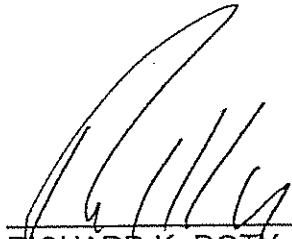
10. Entire Agreement

This plea agreement constitutes the entire agreement between the government and the defendant with respect to the aforementioned guilty plea and no other promises, agreements, or representations exist or have been made to the defendant or defendant's attorney with regard to such guilty plea.

11. Certification


The defendant and defendant's counsel certify that this plea agreement has been read in its entirety by (or has been read to) the defendant and that defendant fully understands its terms.

DATED this 14th day of April, 2005.

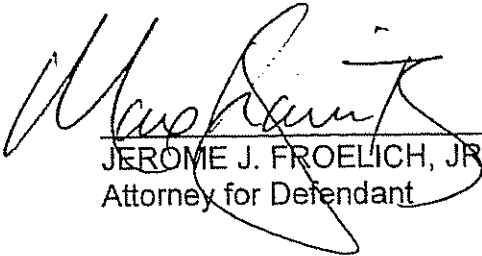


RICHARD K. DOTY
Defendant

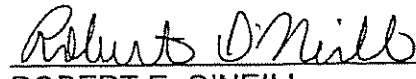
PAUL I. PEREZ
United States Attorney

By: 

ROBERT A. MOSAKOWSKI
Assistant United States Attorney



JEROME J. FROELICH, JR.
Attorney for Defendant



ROBERT E. O'NEILL
Assistant United States Attorney
Chief, Criminal Division

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: 8:05-cr-181-T-23MSS

USM NUMBER: 42958-018

vs.

RICHARD K. DOTY

Defendant's Attorney: Jerome J. Froelich, Jr., ret

THE DEFENDANT:

X pleaded guilty to count ONE of the Information.

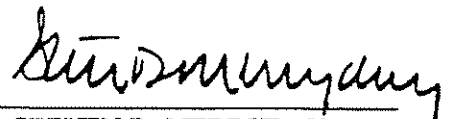
<u>TITLE & SECTION</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE ENDED</u>	<u>COUNT</u>
18 U.S.C. § 3	Accessory After the Fact	December 2001	ONE

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in economic circumstances.

Date of Imposition of Sentence: September 20, 2005



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE

DATE: September 20th, 2005

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

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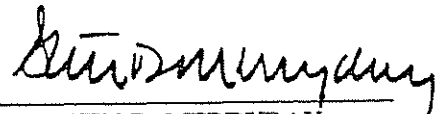
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Date of Imposition of Sentence: September 20, 2005



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE

DATE: September 20th, 2005

I certify the foregoing to be a true and correct copy of the original.

SHERYLL L. LOESCH, Clerk
United States District Court
Middle District of Florida

By: 

Deputy Clerk

EXHIBIT D

AO 245B (Rev 12/03) Sheet 2 - Imprisonment

Judgment - Page 2 of 6

Defendant: RICHARD K. DOTY
Case No.: 8:05-cr-181-T-23MSS

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **FIFTEEN (15) MONTHS**.

X The court makes the following recommendations to the Bureau of Prisons: that the defendant be placed in a minimum security facility as near to Philadelphia, PA as possible.

The defendant is remanded to the custody of the United States Marshal.
 The defendant shall surrender to the United States Marshal for this district.

at a.m./p.m. on
 as notified by the United States Marshal.

X The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.

X within thirty (30) days.
 as notified by the United States Marshal.
 as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

United States Marshal

By: _____
Depury Marshal

Defendant: RICHARD K. DOTY
Case No.: 8:05-cr-181-T-23MSS

Judgment - Page 3 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **THIRTY-SIX (36) MONTHS**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime, and shall not possess a firearm, ammunition, or destructive device as defined in 18 U.S.C. § 921.

X The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. Based on the probation officer's determination that additional drug urinalysis is necessary, the Court authorizes random drug testing not to exceed 104 tests per year.

X The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

X The defendant shall cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: RICHARD K. DOTY
Case No.: 8:05-cr-181-T-23MSS

Judgment - Page 4 of 6

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

- X The defendant shall participate, as directed by the Probation Officer, in a program (outpatient and/or inpatient) for treatment of narcotic addiction or drug or alcohol dependency. This program may include testing for the detection of substance use or abuse. Further, the defendant shall be required to contribute to the costs of services for such treatment not to exceed an amount determined reasonable by the Probation Officer's Sliding Scale for Substance Abuse Treatment Services.
- X Until such time as the restitution is paid in full, the defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, acquisitions or obligating himself for any major purchases without approval of the probation officer.
- X The defendant shall provide the probation officer access to any requested financial information.

Defendant: RICHARD K. DOTY
 Case No.: 8:05-cr-181-T-23MSS

Judgment - Page 5 of 6

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Total Restitution</u>
<u>Totals:</u>	\$100.00	\$ waived	\$206,000.00

— The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

— The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
Department of Housing and Urban Development		\$ 69,834.00	
Sterling Bank and Trust		91,876.00	
Republic Bank		44,290.00	
<u>Totals:</u>	<u>\$</u>	<u>\$ 206,000.00</u>	

— Restitution amount ordered pursuant to plea agreement \$ _____.

— The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

— The court determined that the defendant does not have the ability to pay interest and it is ordered that:

— the interest requirement is waived for the ____ fine ____ restitution.

— the interest requirement for the ____ fine ____ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for the offenses committed on or after September 13, 1994, but before April 23, 1996.

Defendant: RICHARD K. DOTY
Case No.: 8:05-cr-181-T-23MSS

Judgment - Page 6 of 6

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A. Lump sum payment of \$ 100.00 (special assessment) due immediately, balance due
 ___ not later than _____, or
 ___ in accordance ___ C, ___ D, ___ E or ___ F below; or
- B. ___ Payment to begin immediately (may be combined with ___ C, ___ D, or ___ F below): or
- C. ___ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a
 period of _____ (e.g., months or years), to commence _____ days (e.g., 30 or 60 days) after the
 date of this judgment; or
- D. ___ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a
 period of _____, (e.g., months or years) to commence _____ (e.g. 30 or 60 days) after
 release from imprisonment to a term of supervision; or
- E. ___ Payment during the term of supervised release will commence within _____ (e.g., 30 or
 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of
 the defendant's ability to pay at that time, or
- F. Special instructions regarding the payment of criminal monetary penalties:
 Restitution: While in the Bureau of Prisons custody, the defendant shall either (1) pay at least \$25
 quarterly if the defendant has a non-Unicor job or (2) pay at least 50% of his or her monthly earnings if
 the defendant has a Unicor job. Upon release from custody, the defendant shall pay restitution at the rate
 of \$100 per month. At any time during the course of post-release supervision, the victim, the government,
 or the defendant, may notify the Court of a material change in the defendant's ability to pay, and the Court
 may adjust the payment schedule accordingly.

Unless the court has expressly ordered otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several
Richard K. Doty shall pay restitution in the amount of \$206,000, joint and several with Robert Joseph Buchmeier (1), Case No. 8:04-cr-47-T-27MSS

- ___ The defendant shall pay the cost of prosecution.
- ___ The defendant shall pay the following court cost(s):
- ___ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.