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7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,

Case No. 17cr648-GPC

11 Plaintiff,

12 v.

PLEA AGREEMENT

13 WALTER ROVIDIO IPINA,

14 Defendant.

15 IT IS HEREBY AGREED between the plaintiff, UNITED STATES OF  
16 AMERICA, through its counsel, Adam L. Braverman, United States Attorney,  
17 and Lawrence A. Casper, Assistant United States Attorney, and Defendant  
18 WALTER ROVIDIO IPINA, with the advice and consent of Kurt Hermansen,  
19 counsel for Defendant, as follows:

20 **I**

21 **THE PLEA**

22 Defendant agrees to plead guilty to Count 1 of the Indictment  
23 charging Defendant as follows:

24 Beginning on a date unknown to the grand jury, but not later  
25 than April 2016, and continuing up to and including the date  
26 of this Superseding Indictment, within the Southern District  
27 and elsewhere, defendant WALTER ROVIDIO IPINA, aka "Gusano",  
28 aka "40 Rounds", did knowingly and intentionally conspire  
with others known and unknown to the grand jury to distribute  
a controlled substance, to wit: 5 kilograms and more of a  
mixture and substance containing a detectable amount of

1 cocaine, a Schedule II Controlled Substance; all in violation  
of Title 21 U.S.C. §§ 841(a)(1) and 846.

2 Defendant agrees that, following entry of Defendant's guilty plea,  
3 the Government need not hold or preserve any evidence seized in  
4 connection with this case. For any controlled substance seized in  
5 connection with this case, Defendant agrees that, following entry of  
6 Defendant's guilty plea, the Government may destroy the controlled  
7 substance 30 days after the Government has provided Defendant with the  
8 laboratory analysis report. If Defendant believes that additional  
9 testing is needed, Defendant will arrange for and complete such testing  
10 within that 30-day period, unless that period is extended by joint  
11 written agreement or Court order, in which case the Government shall  
12 preserve the controlled substance for the agreed-upon or judicially  
13 mandated period. If the court has issued a preservation order in  
14 connection with any seized evidence, Defendant will request that the  
15 Court lift or revoke the preservation order following entry of  
16 Defendant's guilty plea.

17 In addition, the attached forfeiture addendum shall govern  
18 forfeiture in this case.

19 **II**

20 **NATURE OF THE OFFENSE**

21 **A. ELEMENTS EXPLAINED**

22 The offense to which Defendant is pleading guilty has the following  
23 elements:

24 1. There was an agreement between two or more persons to commit  
25 the crime of distributing cocaine or some other prohibited drug; and

26 2. The defendant became a member of the conspiracy knowing of  
27 its object to distribute cocaine or some other prohibited drug and  
intending to help accomplish that object.

1           B.    ELEMENTS UNDERSTOOD AND ADMITTED - FACTUAL BASIS

2           Defendant has fully discussed the facts of this case with defense  
3 counsel. Defendant has committed each element of the crime and admits  
4 that there is a factual basis for this guilty plea. The following facts  
5 are true and undisputed:

- 6
- 7           1.    In or about early 2016, defendant agreed with one or  
8           more other persons to further the distribution of  
9           cocaine entering the United States via the Southern  
10           District of California by using his family owned  
11           trucking business' tractor-trailer to transport cocaine  
          in exchange for financial compensation. Defendant  
          acknowledges he was involved with efforts to move  
          cocaine in this manner from at least April 2016 until  
          September 30, 2016.
  - 12           2.    On September 30, 2016, defendant was the driver and sole  
13           occupant of his trucking business' tractor-trailer in  
14           which he was transporting approximately 32 kilograms of  
15           cocaine hidden in a non-factory compartment a co-  
16           conspirator arranged to have installed in the trailer.  
17           Defendant knowingly intended to further the conspiracy  
          by transporting that and other cocaine from Southern  
          California to the Chicago, Illinois area for delivery.  
          On September 30, 2016, law enforcement stopped his  
          tractor-trailer and seized the cocaine.
  - 18           3.    On September 21, 2016, before that transportation  
19           venture began, defendant communicated with the Mexican-  
20           based narcotics trafficker (who used the moniker "El-  
21           99") regarding the preparations underway for the truck  
22           to smuggle narcotics. On September 25, 2016, defendant  
23           informed the Mexican-based narcotics trafficker that the  
24           tractor-trailer was "ready." At the request, however,  
25           of the Mexican-based trafficker, defendant agreed to try  
26           to change out the license plates. On September 26, 2016,  
27           defendant sent the Mexican-based trafficker photos of  
28           his tractor-trailer and explained that he had claimed  
          his "plates were stolen" and that, "we will be able to  
          change all the numbers and I'll be ready on Wednesday."  
          The Mexican-based trafficker then confirmed that a  
          "load" was forthcoming.

1 4. Promptly following the September 30, 2016 seizure,  
2 defendant informed the Mexican-based trafficker of the  
3 seizure, explaining that, "[t]hings went to hell."

4 5. Defendant further acknowledges that the tractor and  
5 trailer described in the forfeiture addendum to this  
6 plea agreement are the same tractor and trailer that  
7 were used to transport the cocaine that was seized by  
8 law enforcement on September 30, 2016.

9 **III**

10 **PENALTIES**

11 The crime to which Defendant is pleading guilty carries the  
12 following penalties:

- 13 A. a maximum of life in prison, and a mandatory minimum 10 years;  
14 B. a maximum 10,000,000 fine;  
15 C. a mandatory special assessment of \$100 per count;  
16 D. a term of supervised release of at least 5 years and up to  
17 life. Failure to comply with any condition of supervised  
18 release may result in revocation of supervised release,  
19 requiring Defendant to serve in prison, upon revocation, all  
20 or part of the statutory maximum term of supervised release;  
21 E. possible ineligibility for certain Federal benefits; and  
22 F. criminal forfeiture of the tractor and trailer alleged for  
23 criminal forfeiture in the Indictment.

24 **IV**

25 **DEFENDANT'S WAIVER OF TRIAL RIGHTS AND**  
26 **UNDERSTANDING OF CONSEQUENCES**

27 This guilty plea waives Defendant's right at trial to:

- 28 A. Continue to plead not guilty and require the Government to  
prove the elements of the crime beyond a reasonable doubt;  
B. A speedy and public trial by jury;  
C. The assistance of counsel at all stages;

- 1 D. Confront and cross-examine adverse witnesses;  
2 E. Testify and present evidence and to have witnesses testify on  
3 behalf of Defendant; and,  
4 F. Not testify or have any adverse inferences drawn from the  
5 failure to testify.

6 V

7 **DEFENDANT ACKNOWLEDGES NO PRETRIAL RIGHT TO BE  
8 PROVIDED WITH IMPEACHMENT AND AFFIRMATIVE DEFENSE INFORMATION**

8 Any information establishing the factual innocence of Defendant  
9 known to the undersigned prosecutor in this case has been turned over  
10 to Defendant. The Government will continue to provide such information  
11 establishing the factual innocence of Defendant.

12 If this case proceeded to trial, the Government would be required  
13 to provide impeachment information for its witnesses. In addition, if  
14 Defendant raised an affirmative defense, the Government would be  
15 required to provide information in its possession that supports such a  
16 defense. By pleading guilty Defendant will not be provided this  
17 information, if any, and Defendant waives any right to this information.  
18 Defendant will not attempt to withdraw the guilty plea or to file a  
19 collateral attack based on the existence of this information.

20 VI

21 **DEFENDANT'S REPRESENTATION THAT GUILTY  
22 PLEA IS KNOWING AND VOLUNTARY**

23 Defendant represents that:

- 24 A. Defendant has had a full opportunity to discuss all the facts  
25 and circumstances of this case with defense counsel and has  
26 a clear understanding of the charges and the consequences of  
27 this plea. By pleading guilty, Defendant may be giving up,  
28 and rendered ineligible to receive, valuable government  
benefits and civic rights, such as the right to vote, the  
right to possess a firearm, the right to hold office, and the  
right to serve on a jury. The conviction in this case may  
subject Defendant to various collateral consequences,

1 including but not limited to revocation of probation, parole,  
2 or supervised release in another case; debarment from  
3 government contracting; and suspension or revocation of a  
4 professional license, none of which can serve as grounds to  
5 withdraw Defendant's guilty plea.

6 B. No one has made any promises or offered any rewards in return  
7 for this guilty plea, other than those contained in this  
8 agreement or otherwise disclosed to the Court.

9 C. No one has threatened Defendant or Defendant's family to  
10 induce this guilty plea.

11 D. Defendant is pleading guilty because Defendant is guilty and  
12 for no other reason.

13 **VII**

14 **AGREEMENT LIMITED TO U.S. ATTORNEY'S OFFICE**  
15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 This plea agreement is limited to the United States Attorney's  
17 Office for the Southern District of California, and cannot bind any  
18 other authorities in any type of matter, although the Government will  
19 bring this plea agreement to the attention of other authorities if  
20 requested by Defendant.

21 **VIII**

22 **APPLICABILITY OF SENTENCING GUIDELINES**

23 The sentence imposed will be based on the factors set forth in 18  
24 U.S.C. § 3553(a). In imposing the sentence, the sentencing judge must  
25 consult the United States Sentencing Guidelines (Guidelines) and take  
26 them into account. Defendant has discussed the Guidelines with defense  
27 counsel and understands that the Guidelines are only advisory, not  
28 mandatory. The Court may impose a sentence more severe or less severe  
than otherwise applicable under the Guidelines, up to the maximum in  
the statute of conviction. The sentence cannot be determined until a  
presentence report is prepared by the U.S. Probation Office and defense  
counsel and the Government have an opportunity to review and challenge

1 the presentence report. Nothing in this plea agreement limits the  
2 Government's duty to provide complete and accurate facts to the district  
3 court and the U.S. Probation Office.

4 **IX**

5 **SENTENCE IS WITHIN SOLE DISCRETION OF JUDGE**

6 This plea agreement is made pursuant to Federal Rule of Criminal  
7 Procedure 11(c)(1)(B). The sentence is within the sole discretion of  
8 the sentencing judge who may impose the maximum sentence provided by  
9 statute. It is uncertain at this time what Defendant's sentence will  
10 be. The Government has not made and will not make any representation  
11 about what sentence Defendant will receive. Any estimate of the probable  
12 sentence by defense counsel is not a promise and is not binding on the  
13 Court. Any recommendation by the Government at sentencing also is not  
14 binding on the Court. If the sentencing judge does not follow any of  
15 the parties' sentencing recommendations, Defendant will not withdraw  
16 the plea.

17 **X**

18 **PARTIES' SENTENCING RECOMMENDATIONS**

19 **A. SENTENCING GUIDELINE CALCULATIONS**

20 Although the Guidelines are only advisory and just one factor the  
21 Court will consider under 18 U.S.C. § 3553(a) in imposing a sentence,  
22 the parties will jointly recommend the following Base Offense Level,  
23 Specific Offense Characteristics, Adjustments, and Departures:

- |    |  |           |
|----|--|-----------|
| 24 | 1. Base Offense Level [USSG § 2D1.1(4)]                        | 32        |
| 25 | 2. Safety Valve (if applicable)<br>[§§ 2D1.1(b)(17) and 5C1.2] | -2*       |
| 26 | 3. Acceptance of Responsibility [§ 3E1.1]                      | <u>-3</u> |

27 \*If Defendant truthfully discloses to the government all  
28 information and evidence Defendant has concerning the offense and

1 relevant conduct, and if Defendant otherwise qualifies for the "safety  
2 valve" reduction contained in § 5C1.2, the government will recommend a  
3 two-level reduction under § 2D1.1(b)(17) and relief from any statutory  
4 mandatory minimum sentence pursuant to § 5C1.2. If Defendant does not  
5 qualify under § 5C1.2, Defendant may be subject to a statutory mandatory  
6 minimum sentence.

7 B. ACCEPTANCE OF RESPONSIBILITY

8 Despite paragraph A above, the Government need not recommend an  
9 adjustment for Acceptance of Responsibility if Defendant engages in  
10 conduct inconsistent with acceptance of responsibility including, but  
11 not limited to, the following:

- 12 1. Fails to truthfully admit a complete factual basis as  
13 stated in the plea at the time the plea is entered, or  
14 falsely denies, or makes a statement inconsistent with,  
15 the factual basis set forth in this agreement;
- 16 2. Falsely denies prior criminal conduct or convictions;
- 17 3. Is untruthful with the Government, the Court or  
18 probation officer; or
- 19 4. Breaches this plea agreement in any way.

20 C. FURTHER ADJUSTMENTS AND SENTENCE REDUCTIONS INCLUDING THOSE  
21 UNDER 18 U.S.C. § 3553

22 Defendant may request or recommend additional downward  
23 adjustments, departures, or variances from the Sentencing Guidelines  
24 under 18 U.S.C. § 3553. The Government will oppose any downward  
25 adjustments, departures, or variances not set forth in Section X,  
26 paragraph A above.  
27  
28



1 D. NO AGREEMENT AS TO CRIMINAL HISTORY CATEGORY

2 The parties have **no** agreement as to Defendant's Criminal History  
3 Category.

4 E. "FACTUAL BASIS" AND "RELEVANT CONDUCT" INFORMATION

5 The facts in the "factual basis" paragraph of this agreement are  
6 true and may be considered as "relevant conduct" under USSG § 1B1.3 and  
7 as the nature and circumstances of the offense under 18 U.S.C.  
8 § 3553(a)(1).

9 F. PARTIES' RECOMMENDATIONS REGARDING CUSTODY

10 The Government will recommend that Defendant be sentenced to the  
11 **low end** of the advisory guideline range recommended by the Government  
12 at sentencing or, if applicable, to the mandatory minimum sentence,  
13 whichever is greater.

14 G. SPECIAL ASSESSMENT/FINE/RESTITUTION/FORFEITURE

15 1. Special Assessment

16 The parties will jointly recommend that Defendant pay a special  
17 assessment in the amount of \$100.00 per felony count of conviction to  
18 be paid forthwith at time of sentencing. Special assessments shall be  
19 paid through the office of the Clerk of the District Court by bank or  
20 cashier's check or money order made payable to the "Clerk, United States  
21 District Court."

22 2. Fine

23 The parties will not recommend imposition of a fine due to  
24 Defendant's limited financial prospects and because the cost of  
25 collection, even taking into account the Inmate Responsibility Program,  
26 likely would exceed the amounts that could reasonably be expected to be  
27 collected.

1 H. SUPERVISED RELEASE

2 If the Court imposes a term of supervised release, Defendant will  
3 not seek to reduce or terminate early the term of supervised release  
4 until Defendant has served at least 2/3 of the term of supervised  
5 release and has fully paid and satisfied any special assessments, fine,  
6 criminal forfeiture judgment, and restitution judgment.

7 **XI**

8 **DEFENDANT WAIVES APPEAL AND COLLATERAL ATTACK**

9 Defendant waives (gives up) all rights to appeal and to  
10 collaterally attack every aspect of the conviction and sentence,  
11 including any restitution order. The only exception is that Defendant  
12 may collaterally attack the conviction or sentence on the basis that  
13 Defendant received ineffective assistance of counsel.

14 **XII**

15 **BREACH OF THE PLEA AGREEMENT**

16 Defendant and Defendant's attorney know the terms of this agreement  
17 and shall raise, before the sentencing hearing is complete, any claim  
18 that the Government has not complied with this agreement. Otherwise,  
19 such claims shall be deemed waived (that is, deliberately not raised  
20 despite awareness that the claim could be raised), cannot later be made  
21 to any court, and if later made to a court, shall constitute a breach  
22 of this agreement.

23 Defendant breaches this agreement if Defendant violates or fails  
24 to perform any obligation under this agreement. The following are non-  
25 exhaustive examples of acts constituting a breach:

- 26 1. Failing to plead guilty pursuant to this agreement;
- 27
- 28

2. Failing to fully accept responsibility as established in Section X, paragraph B, above;
3. Failing to appear in court;
4. Attempting to withdraw the plea;
5. Failing to abide by any court order related to this case;
6. Appealing (which occurs if a notice of appeal is filed) or collaterally attacking the conviction or sentence in violation of Section XI of this plea agreement; or
7. Engaging in additional criminal conduct from the time of arrest until the time of sentencing.

If Defendant breaches this plea agreement, Defendant will not be able to enforce any provisions, and the Government will be relieved of all its obligations under this plea agreement. For example, the Government may proceed to sentencing but recommend a different sentence than what it agreed to recommend above. Or the Government may pursue any charges including those that were dismissed, promised to be dismissed, or not filed as a result of this agreement (Defendant agrees that any statute of limitations relating to such charges is tolled indefinitely as of the date all parties have signed this agreement; Defendant also waives any double jeopardy defense to such charges). In addition, the Government may move to set aside Defendant's guilty plea. Defendant may not withdraw the guilty plea based on the Government's pursuit of remedies for Defendant's breach.

Additionally, if Defendant breaches this plea agreement: (i) any statements made by Defendant, under oath, at the guilty plea hearing (before either a Magistrate Judge or a District Judge); (ii) the factual basis statement in Section II.B in this agreement; and (iii) any

1 evidence derived from such statements, are admissible against Defendant  
2 in any prosecution of, or any action against, Defendant. This includes  
3 the prosecution of the charge(s) that is the subject of this plea  
4 agreement or any charge(s) that the prosecution agreed to dismiss or  
5 not file as part of this agreement, but later pursues because of a  
6 breach by the Defendant. Additionally, Defendant knowingly,  
7 voluntarily, and intelligently waives any argument that the statements  
8 and any evidence derived from the statements should be suppressed,  
9 cannot be used by the Government, or are inadmissible under the United  
10 States Constitution, any statute, Rule 410 of the Federal Rules of  
11 Evidence, Rule 11(f) of the Federal Rules of Criminal Procedure, and  
12 any other federal rule.

13 **XIII**

14 **CONTENTS AND MODIFICATION OF AGREEMENT**

15 This plea agreement and the forfeiture addendum embody the entire  
16 agreement between the parties and supersede any other agreement, written  
17 or oral. No modification of this plea agreement shall be effective  
18 unless in writing signed by all parties.

19 **XIV**

20 **DEFENDANT AND COUNSEL FULLY UNDERSTAND AGREEMENT**

21 By signing this agreement, Defendant certifies that Defendant has  
22 read it (or that it has been read to Defendant in Defendant's native  
23 language). Defendant has discussed the terms of this agreement with  
24 defense counsel and fully understands its meaning and effect.

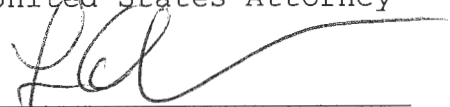
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XV

DEFENDANT SATISFIED WITH COUNSEL

Defendant has consulted with counsel and is satisfied with counsel's representation. This is Defendant's independent opinion, and Defendant's counsel did not advise Defendant about what to say in this regard.

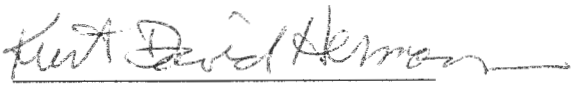
ADAM L. BRAVERMAN  
United States Attorney



LAWRENCE A. CASPER  
Assistant U.S. Attorney

4.30.18

\_\_\_\_\_  
DATED



KURT HERMANSEN  
Defense Counsel

4.17.18

\_\_\_\_\_  
DATED

**IN ADDITION TO THE FOREGOING PROVISIONS TO WHICH I AGREE, I SWEAR UNDER PENALTY OF PERJURY THAT THE FACTS IN THE "FACTUAL BASIS" SECTION ABOVE ARE TRUE.**



WALTER ROVIDIO IPINA  
Defendant

4.17.18

\_\_\_\_\_  
DATED

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**FORFEITURE ADDENDUM TO PLEA AGREEMENT**

**UNITED STATES v. WALTER ROVIDIO IPINA**

**CASE NO. 17cr0648-GPC**

Defendant understands and agrees that this Forfeiture Addendum to the main Plea Agreement will be filed with the Court at the same time as the filing of the main Plea Agreement. The Court at the time of the Fed. R. Crim. P. Rule 11 plea colloquy will have both the main plea agreement and this addendum before the Court, and any reference during the hearing to the "plea agreement" will be understood to be a reference to the main plea agreement together with this addendum. Both parties will insure that the Court is aware of and is considering both the plea agreement and this addendum at the Rule 11 hearing. If this issue is not raised by either party at the Rule 11 hearing, any objection relating to that issue will be considered waived.

I, the defendant, certify that I have read the preceding paragraph (or it has been read to me in my native language) and that I have discussed it with my counsel and fully understand its meaning and effect. I am satisfied with counsel's representation.

4.17.18  
Date

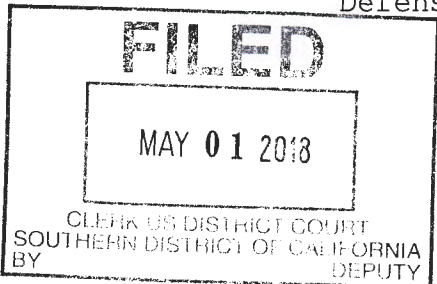
*Walter*  
WALTER ROVIDIO IPINA  
Defendant

**Acknowledgment by Defense Counsel:**

4.17.18  
Date

*Kurt David Hermansen*  
KURT HERMANSEN  
Defense Counsel

lac:3/28/18



1           **A.   PROPERTY SUBJECT TO FORFEITURE**

2           In addition to pleading guilty to Count 1 of the Indictment, as set  
3 forth in Section I of the main Plea Agreement, defendant agrees to  
4 forfeit the following assets, which are: (a) one white 2012 Freightliner  
5 Tractor cab bearing California license plate number WP76291, and Vehicle  
6 Identification Number (VIN)1FUJGLBG1CLB1201; and (b) one white 1999  
7 TRMLO Refer Trailer/Container bearing California license plate number  
8 4PR7572, and Vehicle Identification Number ("VIN") 1PT01ANH0X9012026,  
9 (collectively "the vehicles") pursuant to Title 21, United States Code,  
10 Section 853(a)(1) and (2).

11           Defendant agrees to the immediate entry of a preliminary order of  
12 forfeiture as to these vehicles. Defendant further agrees that, upon  
13 entry of the preliminary order of forfeiture, such order will be  
14 considered final as to his interests in the vehicles. Defendant agrees  
15 to immediately withdraw any claims to the vehicles in any pending  
16 administrative or civil forfeiture proceeding, and consents to the  
17 forfeiture of the vehicles to the United States in any and all actions  
18 taken by the United States. Defendant agrees to execute any and all  
19 documents requested by the Government to facilitate or complete the  
20 forfeiture process(es). Defendant further agrees not to contest or to  
21 assist any other person or entity in contesting the forfeiture of the  
22 vehicles in the forfeiture proceedings ancillary to this criminal case  
23 or in any related civil forfeiture proceeding.

24           **B.   BASIS OF FORFEITURE**

25           Defendant acknowledges that the vehicles, and each of them, are  
26 subject to criminal forfeiture as property used to facilitate the  
27 commission of the crimes alleged in Count 1 of the Indictment.  
28

1 **C. IMMEDIATE ENTRY OF PRELIMINARY ORDER OF FORFEITURE**

2 Defendant consents and agrees to the immediate entry of a  
3 preliminary order of forfeiture upon entry of the guilty plea(s).  
4 Defendant further agrees that upon entry of the preliminary order of  
5 forfeiture, such order will be considered final as to defendant's  
6 interests in the vehicles. Defendant agrees to immediately withdraw any  
7 claims to the vehicles in any pending administrative and civil forfeiture  
8 proceeding, and consents to the forfeiture of all properties seized in  
9 connection with this case to the United States. Defendant agrees to  
10 execute any and all documents requested by the Government to facilitate  
11 or complete the forfeiture process(es). Defendant further agrees not  
12 to contest or to assist any other person or entity in contesting the  
13 forfeiture of the vehicles.

14 **D. ENTRY OF ORDERS OF FORFEITURE AND WAIVER OF NOTICE**

15 Defendant consents and agrees to the entry of orders of forfeiture  
16 for such property and waives the requirements of Federal Rules of  
17 Criminal Procedure 32.2 and 43(a) regarding notice of the forfeiture in  
18 the charging instrument, announcement of the forfeiture at sentencing,  
19 and incorporation of the forfeiture in the judgment. Defendant  
20 acknowledges that defendant understands that the forfeiture of assets  
21 is part of the sentence that may be imposed in this case and waives any  
22 failure by the Court to advise defendant of this, pursuant to Rule  
23 11(b)(1)(J), at the time the Court accepts the guilty plea(s).

24 **E. WAIVER OF CONSTITUTIONAL AND STATUTORY CHALLENGES**

25 Defendant further agrees to waive all constitutional and statutory  
26 challenges in any manner (including direct appeal, habeas corpus, or any  
27 other means) to any forfeiture carried out in accordance with this  
28 agreement on any grounds, including that the forfeiture constitutes an



1 excessive fine or punishment. Defendant agrees to take all steps as  
2 requested by the United States to pass clear title to forfeitable assets  
3 to the United States, and to testify truthfully in any judicial  
4 forfeiture proceeding.

5 **F. AGREEMENT SURVIVES DEFENDANT; NO FORFEITURE ABATEMENT**

6 Defendant agrees that the forfeiture provisions of this plea agreement  
7 are intended to, and will, survive defendant, notwithstanding the  
8 abatement of any underlying criminal conviction after the execution of  
9 this agreement. The forfeitability of any particular property pursuant  
10 to this agreement shall be determined as if defendant had survived, and  
11 that determination shall be binding upon defendant's heirs, successors  
12 and assigns until the agreed forfeiture, including any agreed money  
13 judgment amount, is collected in full.

14  
15 4.17.18  
16 Date

Walter Rovidio Ipina  
17 WALTER ROVIDIO IPINA  
18 Defendant

17 **Acknowledgment by Counsel:**

18 4.17.18  
19 Date

Kurt Hermansen  
20 KURT HERMANSEN  
21 Defense Counsel

22 4.30.18  
23 Date

Lawrence A. Casper  
24 LAWRENCE A. CASPER  
25 Assistant U.S. Attorney