

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA)	SA-07-CR-511
)	
v.)	Plea Hearing
)	
JOHN COCKERHAM and)	
MELISSA COCKERHAM)	February 1, 2008

BEFORE THE HONORABLE ROYAL FURGESON
United States District Judge
In San Antonio, Texas

FOR THE GOVERNMENT:

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1 (February 1, 2008.)

2 THE CLERK: SA-07-CR-511. United States versus John
3 Cockerham and Melissa Cockerham.

4 THE COURT: Could I have announcements from the
5 Government.

6 MR. EVANS: Good morning, Your Honor. Richard Evans
7 and -- of the Public Integrity Section. Emily Allen from the
8 Antitrust Division of the Department of Justice.

9 THE COURT: Thank you, Mr. Evans, and welcome,
10 Ms. Allen.

11 MS. ALLEN: Good morning, Judge.

12 MR. PARKS: Jimmy Parks for the defendant John
13 Cockerham, Jr., Your Honor.

14 THE COURT: Mr. Parks. Good morning.

15 MR. PARKS: Good morning.

16 MR. DE LA PAZ: Good morning, Judge. Brent De La Paz
17 for Melissa Cockerham. We're ready, Your Honor.

18 THE COURT: Thank you, Mr. De La Paz. Okay. Are we
19 ready to proceed?

20 MR. EVANS: Yes, we are, Your Honor.

21 MR. PARKS: Yes.

22 THE COURT: Let's see. And I understand that there
23 is a plea agreement?

24 MR. EVANS: There is, Your Honor.

25 THE COURT: Okay.

1 MR. EVANS: The -- The parties have agreed to a plea
2 agreement which incorporates the factual allegations in the
3 indictment as well as the factual statement that was also
4 signed by the parties. We have the actual document signed. I
5 don't know if the Court needs them at this point.

6 THE COURT: Well, I would just like to have it as I
7 go over it with the --

8 MR. EVANS: Yes. Absolutely.

9 THE COURT: -- with the defendants.

10 MR. EVANS: May I approach?

11 THE COURT: You may.

12 MR. EVANS: These are for John Cockerham. The second
13 one is for Melissa Cockerham. And I will be handling the plea
14 as to John Cockerham and Ms. Allen will be handling the one as
15 to Melissa.

16 THE COURT: Okay. Well, Mr. Cockerham, if you will,
17 please, come forward.

18 Good morning, sir.

19 THE DEFENDANT: Good morning, Your Honor.

20 THE COURT: Mr. Cockerham, you're the John Cockerham,
21 Jr. who's the defendant in this case. Is that correct?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: And you're here with your good lawyer
24 Mr. Parks and I understand you wish to enter a guilty plea in
25 the case before us. Is that correct?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And I understand you have agreed to plead
3 guilty to counts one, four, and five of the indictment which
4 charges you with one count of conspiracy in violation of 18
5 United States Code, Section 371; one count of bribery in
6 violation of 18 United States Code, Section 201; and one count
7 of conspiracy to commit money laundering in violation of 18
8 United States Code, Section 1956 (h). Is that correct?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Okay. Now, before I can take your plea,
11 I must make sure it's done voluntarily of your own free will
12 and in accordance with law. To do that, I have to ask you
13 questions under oath, so would you please raise your right
14 hand.

15 (Defendant sworn.)

16 THE COURT: Thank you very much. Do you understand
17 you're under oath now, Mr. Cockerham, and if you were to
18 answer any of my questions falsely those false answers could
19 later be used against you in another prosecution for perjury
20 or making a false statement?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: State your full name, sir.

23 THE DEFENDANT: John Lee Cockerham, Jr.

24 THE COURT: And, Mr. Cockerham, how old are you?

25 THE DEFENDANT: I'm forty-two, sir.

1 THE COURT: And how far did you go in school?

2 THE DEFENDANT: Masters, sir.

3 THE COURT: Where did you get your masters degree?

4 THE DEFENDANT: Webster University, sir.

5 THE COURT: Where did you get your undergraduate
6 degree?

7 THE DEFENDANT: Northeast Louisiana University, sir.

8 THE COURT: Thank you, sir. Are you in good physical
9 health?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Are you in good mental health?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Have you ever undergone or participated
14 in mental health counseling?

15 THE DEFENDANT: No, sir.

16 THE COURT: Do you believe you're competent to enter
17 a plea?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Mr. Parks, do you believe your client to
20 be competent?

21 MR. PARKS: I do, Your Honor.

22 THE COURT: Mr. Evans, do you have any question about
23 the competency of Mr. Cockerham?

24 MR. EVANS: No, Your Honor.

25 THE COURT: Thank you very much. Now, Mr. Cockerham,

1 I've seen you've been charged in a six count indictment with
2 conspiracy, bribery, and money laundering, including a
3 forfeiture request in the indictment. Have you gone over the
4 indictment and do you understand it with your good lawyer
5 Mr. Parks?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And I understand you're here today to
8 plead guilty, as we've said, to counts one, four, and five of
9 the indictment. Is that correct?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: And do you understand those counts of the
12 indictment?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: And has your lawyer explained those to
15 you?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And, Mr. Parks, is it your belief that
18 Mr. Cockerham understands the counts of the indictment?

19 MR. PARKS: Yes, sir.

20 THE COURT: Okay. You're here with Mr. Parks. He's
21 one of the most highly regarded criminal defense lawyers in
22 this area. Are you satisfied with his efforts on your behalf?

23 THE DEFENDANT: More than ever, sir.

24 THE COURT: Okay. Thank you very much. Now, I see
25 that you have signed the plea agreement. Is that correct?

1 THE DEFENDANT: Correct, sir.

2 THE COURT: Did you read it before you signed it?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Did you participate in the formulation of
5 the plea bargain agreement with your attorney and with the
6 attorneys for the Government?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: And do you understand the plea agreement?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: And when you signed it, did you sign it
11 voluntarily of your own free will?

12 THE DEFENDANT: I did, sir.

13 THE COURT: Then I will accept the plea agreement so
14 long as, Mr. Parks, you tell me that you're convinced that
15 your client understands it and did sign it voluntarily?

16 MR. PARKS: He did.

17 THE COURT: Then I will accept it and it will be
18 embodied in the judgment at the disposition of this case.

19 Now, except for the promises that the Government has
20 made in the plea agreement, have there been any other promises
21 or assurances to you of any kind, Mr. Cockerham, that have
22 led -- led you to plead guilty, induced you to plead guilty?

23 THE DEFENDANT: No.

24 THE COURT: Anything that's outside this plea
25 agreement?

1 THE DEFENDANT: No, sir.

2 THE COURT: Okay. Is that -- Do you agree with that,
3 Mr. Parks?

4 MR. PARKS: Yes, Your Honor. I do agree with that.
5 I do want to bring one thing up to the Court. We've -- We
6 have had discussions just outside the plea agreement that with
7 Mr. Cockerham there was a question of retirement in the army
8 and I believe we've requested -- the Government has allowed
9 to -- to not object should he go through with this plea
10 agreement, participate actively in his cooperation with the
11 Government, that they will not register opposition with the
12 United States Army in regard to his request to request to the
13 retirement fund.

14 THE COURT: Mr. Evans, you agree?

15 MR. EVANS: Yes, Your Honor. The Government would
16 not take a position on that and would not oppose any ranks
17 Mr. Cockerham would be able to make with the army in that
18 regard.

19 THE COURT: Thank you both very much. That's very
20 helpful. All this being said, Mr. Cockerham, I understand
21 that the plea agreement and the agreement that we've just
22 talked about right here, these agreements comprise the full
23 extent of the agreements that have been a part of your plea
24 bargain. Is that correct?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: And there are none others than the ones
2 in your plea agreement and that we've discussed here?

3 THE DEFENDANT: No, sir.

4 THE COURT: Okay. None other. Now, has anyone tried
5 to force you to plead guilty?

6 THE DEFENDANT: No, sir.

7 THE COURT: Are you here to plead guilty of your own
8 free will because you are, in fact, guilty?

9 THE DEFENDANT: Your Honor, that's a --

10 THE COURT: Well, that's sort of the crux of the
11 matter and if you are not -- if you are not convinced that you
12 are guilty and you are not -- for some reason you don't feel
13 like you have a choice but to plead guilty, then we need to
14 back up and start all over again. You're certainly not under
15 any pressure from me to plead guilty and you certainly have
16 every right to have your case heard by a jury and decided by a
17 jury. You have an excellent lawyer who can certainly present
18 your case well to a jury, so I'm -- To me, I'm delighted to
19 take your plea. That's a part of my job. But if you don't
20 want to plea, it's also a part of my job to give you a fair
21 trial. But you have to tell me that you're here to plead
22 guilty of your own free will because you are, in fact, guilty
23 of these three counts set out in the plea agreement and in the
24 indictment.

25 THE DEFENDANT: Your Honor, I believe to plead guilty

1 will be the best case for me.

2 THE COURT: Well, and I understand that and sometimes
3 people feel that way, but I'm in the position that if for any
4 reason you don't believe you're guilty or you're just pleading
5 guilty to get this over with or, you know, to avoid the -- you
6 know, the problems you might face in a jury trial or anything
7 else, I can't accept your plea, so I have to know that you're
8 entering a plea of guilty because you tell me you are guilty
9 and if you cannot tell me you're guilty, that you agree you're
10 guilty, then I cannot accept your plea. And, you know, I'm
11 not -- I'm not here to force you to do anything. I understand
12 a lot of people say it's just better I plead guilty, but
13 that's -- that's not what the law allows.

14 THE DEFENDANT: Can I have just a second, Your Honor?

15 THE COURT: Sure.

16 (Defendant walks over to talk with Melissa Cockerham.)

17 THE COURT: The question before us, Mr. Cockerham, is
18 whether you are pleading guilty of your own free will because
19 you are, in fact, guilty of the three counts of the indictment
20 that are related to the plea agreement. Are you pleading
21 guilty because you are, in fact, guilty?

22 THE DEFENDANT: Your Honor, I'm going to answer it
23 this way. I ask God's forgiveness. God knows my heart and
24 I'm going with a plea of guilty.

25 THE COURT: Okay. I appreciate that. I just --

1 You're going to have to say, I plead guilty, in a few minutes.
2 I just need to know right now when we get to that point are
3 you pleading guilty --

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: -- because you did what the Government
6 accused you of doing? And you just have to answer me "yes" or
7 "no" on that.

8 THE DEFENDANT: Yes.

9 THE COURT: Okay. Now, do you also understand that
10 by entering a plea of guilty to the three counts of the
11 indictment that are stated in the plea agreement that you're
12 going to waive valuable rights. You're going to waive the
13 right to hold public office, the right to serve on a jury, the
14 right to possess a firearm, the right to hold public office.
15 You're going to potentially forfeit the right to get a
16 government job, a government loan, government housing. You're
17 going to forfeit many rights by entering a plea of guilty and
18 then having on your record a conviction for a federal -- for
19 three federal crimes. Do you understand?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Now, we need to talk about the maximum
22 penalties that you will face in this case. Under count one,
23 the maximum imprisonment is 5 years. Do you understand?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: The maximum fine is \$250,000. Do you

1 understand?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: And I would take it the maximum period of
4 supervised release would be 3 years. Do you understand?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: And do you understand supervised release
7 comes after prison and entails supervision by a probation
8 officer and if you violate supervised release you can go back
9 to prison in this instance for up to 2 years. Do you
10 understand?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: And do you understand you'll have to pay
13 an assessment to the Crime Victim's Fund for \$100 in regard to
14 this count?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Now, as to count four, the maximum period
17 of imprisonment is 15 years. Do you understand?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: And the maximum fine is either \$250,000
20 or not more than three times the monetary equivalent of the
21 thing of value. Do you understand?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Would the supervised release again be 3
24 years?

25 MR. EVANS: That's right.

1 THE COURT: I think it would be 3 years. Do you
2 understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: And do you understand again that there's
5 a special assessment of \$100 to the Crime Victim's Fund?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And finally, under count five the maximum
8 period of imprisonment is 20 years. Do you understand that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: The maximum fine is \$500,000. Do you
11 understand that?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: And the maximum period of supervised
14 release is 5 years. Do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: And if you were to violate supervised
17 release you would go back to prison for 4 years. Do you
18 understand that?

19 THE DEFENDANT: Yes.

20 THE COURT: And you also understand that you'll have
21 to pay \$100 to the Crime Victim's Fund?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Do you also understand that you will be
24 sentenced in accordance with sentencing guidelines?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Mr. Parks is an expert in that area, but
2 we will -- we must get a Presentence Investigation Report from
3 a probation officer before we can get the -- sort of the
4 benchmark of the guidelines. Do you understand that?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: And do you understand, again, although
7 Mr. Parks knows the guidelines in great detail and is an
8 expert in predicting what the guidelines might be, I get the
9 final decision and if the guidelines appear more severe than
10 Mr. Parks estimated, you're still going to be bound by your
11 plea and cannot withdraw it. Do you understand?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Do you also understand that there's no
14 parole in the federal prison system and if you're sent to
15 prison you will not be released early on parole.

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Do you understand that in this plea
18 agreement you have agreed to waive your right to appeal my
19 sentence and to appeal your conviction except in the very
20 limited circumstance where there could be such a critical
21 mistake on the part of either your lawyer or the Government's
22 lawyer that would have ended up depriving you of your valuable
23 constitutional rights. Do you understand that?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: And basically with the caliber of lawyers

1 in this case it's very unlikely any such grievous mistake
2 would occur and it's very unlikely therefore that you would
3 have any right of appeal whatsoever. Do you understand?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Now, you're here to plead guilty and I'm
6 here to accept your plea, but I need you to understand that by
7 entering this plea you're waiving valuable rights. You're
8 waiving your right to a trial by jury in front of twelve
9 people. You're waiving your right to be presumed innocent.
10 You're waiving your right to have an exceptional lawyer like
11 Mr. Parks argue your case before a jury and present a defense
12 before a jury. You're waiving your right to see and hear the
13 witnesses who would testify against you and have Mr. Parks
14 cross examine them. You're waiving your right to be silent at
15 trial and have the jury told your silence can't be used
16 against you or to testify at trial if you chose. And you're
17 waiving your right to subpoena witnesses to compel their
18 attendance at trial to testify for you.

19 Do you understand these valuable rights you're
20 waiving?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: And do you understand there will be no
23 trial and the next thing that will happen at some point will
24 be a sentencing in accordance with the Sentencing Guidelines
25 and any other motions that the Government makes in this case.

1 Do you understand?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Now, there is a factual basis for your
4 plea agreement that's been signed here. Have you read that
5 factual basis?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Is it true and correct?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Then do you waive having it read here in
10 open court?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Okay. Then I will accept the factual
13 basis for the plea.

14 MR. PARKS: And, Judge, could I -- could I interject
15 for just a second?

16 THE COURT: You may.

17 MR. PARKS: I'm sorry to interrupt but I did want to
18 bring up one point. We did want to talk to the Court about
19 the factual basis for just a moment. It's not anything I
20 think that -- in fact, I've discussed it with the prosecutors,
21 it's not anything substantial, that would affect the factual
22 basis, but just as a -- it's actually an augmentation that
23 will further clarify his warrant authority. He wanted the
24 Court to be aware that he had the warrant contracting
25 authority that is -- is -- is specified in the factual basis

1 back in November, December, January of 2004 into 2005 and that
2 was the period in which he had -- I believe the Government is
3 well aware of that. They will find that out in any
4 debriefing, but I guess the only concern he and I both had is
5 that we didn't want to make a -- I guess we didn't want to --
6 we didn't want to not clarify the generality for sure that as
7 he debriefs someone might think that those are inconsistent
8 statements. In reality, it's just a clarification of the
9 factual basis you have before you.

10 THE COURT: Mr. Evans, what is your view on that?

11 MR. EVANS: Your Honor, it's my understanding that
12 Major Cockerham at some point in time did not have the warrant
13 or the warrant was taken away and then it might have been
14 restored, so I think it's correct to say that throughout that
15 entire period that he may not have had the warrant so that I
16 think -- I'm not sure about the exact time Mr. Parks has put
17 on the record, but I know that there was some period of time
18 which I believe he did not have the warrant, so that's -- that
19 clarification is not problematic as far the Government is
20 concerned.

21 MR. PARKS: Judge, I don't believe I misstated it,
22 but if I did, it's certainly documented so we won't have any
23 problem discovering the exact dates and times.

24 THE COURT: Well, those facts should be in government
25 records and should be --

1 MR. PARKS: Yes, sir.

2 THE COURT: -- what they are.

3 MR. EVANS: I'm sure we can ascertain the specifics
4 on that.

5 THE COURT: Okay. Then I am going to read the
6 indictment and ask for your plea, Mr. Cockerham. But as to
7 count one, I don't plan to read the entire count under the
8 indictment and I don't plan to read the background, but just
9 talk about count one in a general term and ask for a plea to
10 count one, unless the parties want me to read everything.

11 MR. PARKS: Judge, we've gone over the indictment on
12 more than one occasion. We feel comfortable with it. So,
13 with would accept the Court's capsulization or a brief
14 summary.

15 THE COURT: Then let me summarize count one and I'm
16 going to ask for your plea, Mr. Cockerham.

17 In count one the grand jury charges that from in on
18 or about 2004 until in on or about July 2007 in the Western
19 District of Texas, Kuwait, United Arab Emirates, and
20 elsewhere, defendants John Cockerham, Jr., Melissa Cockerham,
21 and Carolyn Blake, and others did knowingly and unlawfully
22 combine, conspire, confederate, and agree with others known
23 and unknown to the grand jury to knowingly and willfully
24 defraud the United States, commit an offense against the
25 United States, by corruptly demanding and seeking and

1 accepting things of value and all in violation of 18 United
2 States Code, Section 201 (b) (2) (a).

3 Mr. Cockerham, how do you plead to that general
4 summary of count one? Either guilty or not guilty?

5 THE DEFENDANT: Guilty.

6 THE COURT: In count four, Mr. Cockerham, the grand
7 jury charges that beginning in on or about June 2004 through
8 in on or about December 2006 in Kuwait and elsewhere,
9 defendant John Cockerham, Jr., as a public official, directly
10 and indirectly did corruptly demand, seek, receive, accept,
11 and agree to receive and accept things of value in return for
12 being influenced in the performance of official acts and for
13 being induced to do and omit to do acts in violation of a
14 lawful duty, that is Cockerham solicited and agreed to accept,
15 among other things, approximately \$3,600,000 from
16 co-conspirator Contractor C in return for awarding DOD
17 contracts, modification, and calls to co-conspirator
18 Contractor C at Camp Ari fjan.

19 THE DEFENDANT: Ari fjan.

20 THE COURT: Ari fjan, Kuwait, and elsewhere, all in
21 violation of Title 18 United States Code 201 (b) (2) (a) and
22 (c).

23 How do you plead, sir? Guilty or not guilty?

24 THE DEFENDANT: Guilty.

25 THE COURT: In count five, the grand jury charges

1 from in on or about June 2004 and continuing until at least in
2 on or about July 2007, the exact dates being unknown in
3 Kuwait, the Western District of Texas, and elsewhere,
4 defendants John Cockerham, Jr., Melissa Cockerham, and
5 Carolyn Blake, and others did knowingly and intentionally
6 conspire to conduct financial transactions affecting
7 interstate and foreign commerce, to-wit: The transfer and
8 delivery of millions of dollars in United States, Kuwait, and
9 Emirati currency which, in fact, involved the proceeds of
10 specified unlawful activity, to-wit: Bribery, knowing that
11 the transaction was designed in whole and in part to conceal
12 and disguise the nature, location, source, ownership and
13 control of the proceeds of said specified unlawful activity
14 and knowing that the property involved in the financial
15 transaction represented the proceeds of some form of unlawful
16 activity in violation of Title 18, United States Code, Section
17 1956 (a) (1) (b) (1). All in violation of Title 18, United
18 States Code, Section 1956 (h).

19 How do you plead? Guilty or not guilty?

20 THE DEFENDANT: Guilty.

21 THE COURT: I make these following findings then. I
22 find that you're fully competent and capable of entering an
23 informed plea. I find that you are aware of the nature of the
24 charges and the consequences of your plea. And I find that
25 your plea of guilty to counts one, four, and five of the

1 indictment, that those -- that plea to those -- each of those
2 three counts is supported by an independent basis in fact
3 containing each of the essential elements of the offense as
4 stated in the three counts of the indictment.

5 I, therefore, accept your plea and judge you guilty
6 of count one, count four, and count five of the indictment.

7 Now, anything further from the Government?

8 MR. EVANS: Yes, Your Honor. Just a couple of
9 things. As -- As the Court indicated before Mr. Parks and the
10 Government, we've actually listed the -- the Sentencing
11 Guidelines calculation in the plea itself and that totals out
12 at 40 and the parties, pursuant to the agreement, agree that
13 either side could make arguments at sentencing regarding
14 whether an additional four level enhancement under USSG
15 2C1.1B3 of a public official in a high level or a similar
16 position would apply and that's reflected in paragraph 9 the
17 agreement.

18 Also reflected in that calculation are two points
19 related to the obstruction contact that was delineated in
20 count six -- count six of the indictment and the agreement
21 also indicates that because Mr. Cockerham has agreed to
22 cooperate with our ongoing investigation, upon successful
23 completion of that cooperation at the time of sentencing the
24 Government would dismiss counts two, three, and six as to
25 Mr. Cockerham at that time and that is also reflected in the

1 plea agreement.

2 THE COURT: Thank you very much for that help,
3 Mr. Evans, and for that statement on the record. Mr. Parks,
4 is there any statement you would like to make on the record?

5 MR. PARKS: Well, there's even some better stuff,
6 Judge, and that's the part about acceptance of responsibility
7 and moving for a 5K1 downward departure should he participate
8 and cooperate effectively with the Government.

9 THE COURT: Okay. And I'm always pleased to receive
10 motions in those -- in regard to those matters.

11 I think then that completes the taking of the plea
12 for Mr. Cockerham and then we will do it for Ms. Cockerham.

13 MR. PARKS: Thank you.

14 THE COURT: Thank you. Mr. Evans and Mr. Parks,
15 because we've closed the courtroom, I would take it that you
16 want these plea agreements and factual basis and so forth
17 placed under seal?

18 MR. EVANS: That is correct, Your Honor.

19 THE COURT: And this -- and this hearing as well
20 placed under seal.

21 MR. EVANS: Yes, Your Honor.

22 THE COURT: Okay. It will be done.

23 MR. EVANS: Thank you, Your Honor.

24 THE COURT: And, Kevin, if you need an order, you can
25 give me an order, Kevin, but right now just understand all

1 these matters are under seal.

2 THE CLERK: Okay.

3 MR. PARKS: And, Judge, can I say one thing? I --
4 the sealing or not -- of course, I'm -- I appreciate that. I
5 just want to make sure that what we're doing is -- that we're
6 asking for the right thing. I've -- I noticed in one of the
7 cases that I get on PACER, seems like almost every time I get
8 a sealed docket I can kind of figure out what it is. I think
9 what I wanted the Court to know, because of the 5K1 procedure
10 and our cooperation, it might help us a lot substantially the
11 more people that we can assure did not get information that
12 this occurred and so that's why we were asking about --

13 THE COURT: Well, Kevin, from that point of view --

14 MR. PARKS: Any steps the Court can take, I would
15 sure appreciate it.

16 THE COURT: Well, Kevin, let don't even put on the
17 docket that there has been a plea agreement.

18 THE CLERK: Okay.

19 THE COURT: In other words, not even a recognition
20 there's been anything filed. So, we -- we will not have that
21 on the docket.

22 MR. EVANS: Thank you, Your Honor. And we think that
23 this may be a somewhat limited time necessary. We think
24 possibly a matter of -- maybe a month at the outside just to
25 enable us to do certain things with Mr. Cockerham's

1 cooperation that we might not otherwise be able to do if it
2 were immediately made public.

3 THE COURT: Okay. And if there comes a time when we
4 can lift the seal, I would appreciate receiving notice.

5 MR. EVANS: We would notify the Court immediately
6 when that happens.

7 THE COURT: Okay.

8 MR. PARKS: Thank you.

9 THE COURT: Kevin -- Thank you, Mr. Parks. Kevin --
10 Mr. Frye, if you will note there's not supposed to be any
11 entry on the docket about this.

12 MS. ALLEN: Your Honor, if I could ask for a
13 clarification from Mr. Parks.

14 MR. PARKS: Yes.

15 MS. ALLEN: If this will be sealed with regard to the
16 third codefendant in the case?

17 MR. PARKS: Judge, I think my concern is probably one
18 where I'm being just a little bit anal retentive about it, but
19 what I -- what I'm -- I'm trying to reach an objective and I
20 don't know how to do it. My objective will be this: I hate
21 for us to lose the substantial 5K1 assistance on an individual
22 if -- if someone is able to kind of get rid of the evidence
23 and -- and cover their tracks because they know that he's pled
24 and they just automatically assume that he's going to be
25 working and cooperating because he pled so quickly. We

1 thought if we can have that period of time, that window, in
2 which everything is kept quiet, then the Government would have
3 an a chance to react on maybe individuals or companies that
4 would be unaware that he was cooperating. So, I would think
5 that even with -- with Robin -- anything we could do to -- I
6 mean, Carolyn, I'm sorry -- but anything we could do to kind
7 of keep it as quiet as possible would benefit us. It may not
8 benefit us, but I'm hoping it would.

9 THE COURT: Well, you know, as far as defendant Blake
10 is concerned, I'm sealing this as to her as well and her
11 attorney but if there comes a time when she's in a position to
12 cooperate or whatever or she wants to plead or it would become
13 beneficial for her to at least know of this, then I will leave
14 that to the good judgment of the U.S. Attorneys in discussions
15 with Mr. Parks and Mr. De La Paz. Okay.

16 Good morning, Ms. Cockerham.

17 THE DEFENDANT: Good morning, sir.

18 THE COURT: You are the Melissa Cockerham who is the
19 defendant here. Is that correct?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And I understand that you're here today
22 also to plead guilty to count one, count four, and count five.
23 Count one charging you with conspiracy, count four charging
24 with bribery, and count five charging with money laundering.
25 Is that correct?

1 THE DEFENDANT: That's correct.

2 MR. DE LA PAZ: I'm sorry, Your Honor. There should
3 be just a difference -- a small difference --

4 THE COURT: Oh, I'm sorry. Yes. There is a small
5 difference. I see that Ms. Cockerham is only pleading to
6 count five.

7 MR. DE LA PAZ: Yes, Your Honor.

8 THE COURT: The money laundering conspiracy.

9 THE DEFENDANT: Yes, sir. I'm sorry.

10 THE COURT: That was my fault and I was trying not to
11 lead both of us astray, Ms. Cockerham. Thank you, Mr. De La
12 Paz.

13 MR. DE LA PAZ: Yes, Your Honor.

14 THE COURT: You're paying attention, which one always
15 appreciates from a good defense lawyer. I know that Ms. Allen
16 was about to correct me if you hadn't, so I appreciate your
17 both being there.

18 Now, before I can accept your plea, Ms. Cockerham, I
19 must make sure it's done of your own free will in accordance
20 with law so I have to ask you questions under oath. Please
21 raise your right hand.

22 (Defendant sworn.)

23 THE COURT: Now, do you understand you're under oath
24 and if you were to answer any of my questions falsely those
25 false answers could later be used against you in another

1 prosecution for perjury or making a false statement?

2 THE DEFENDANT: I understand.

3 THE COURT: State your full name.

4 THE DEFENDANT: Melissa Jean Cockerham.

5 THE COURT: And, Ms. Cockerham, how old are you?

6 THE DEFENDANT: I'm forty-one.

7 THE COURT: And how far did you go in school?

8 THE WITNESS: A Masters.

9 THE COURT: And where is that from?

10 THE WITNESS: That's from Central Michigan.

11 THE COURT: And where is your undergraduate degree
12 from?

13 THE DEFENDANT: It's Northeast Louisiana University.

14 THE COURT: Thank you. Are you in good health?

15 THE DEFENDANT: Yes, I am.

16 THE COURT: Physical health?

17 THE DEFENDANT: Yes, I am.

18 THE COURT: Mental health?

19 THE DEFENDANT: Yes, I am.

20 THE COURT: Have you ever undergone mental health
21 counseling?

22 THE DEFENDANT: No, I have not.

23 THE COURT: Mr. De La Paz, do you believe your client
24 is competent and understands what she's doing here today?

25 MR. DE LA PAZ: She is competent, Your Honor. She

1 does understand.

2 THE COURT: Thank you. And, Ms. Allen, is there
3 anything in your records that would raise a question about the
4 competency of Ms. Cockerham?

5 MR. EVANS: Not at all, Your Honor.

6 THE COURT: Okay. Thank you both very much. I
7 apologize for my allergies.

8 Now, the -- the single count in the indictment you're
9 going to plead to, count five, do you understand that count?
10 Have you read it?

11 THE DEFENDANT: Yes, I did.

12 THE COURT: And did you discuss it with your good
13 lawyer Mr. De La Paz?

14 THE DEFENDANT: Yes, sir, I did.

15 THE COURT: And did he answer all the questions that
16 you had about it?

17 THE DEFENDANT: Yes, he did.

18 THE COURT: You're not pleading guilty to any other
19 counts of the indictment. Is that correct?

20 THE DEFENDANT: That is correct.

21 THE COURT: You understand those other counts
22 however?

23 THE DEFENDANT: Yes, I do.

24 THE COURT: And you did discuss them with
25 Mr. De La Paz?

1 THE DEFENDANT: Yes, I did.

2 THE COURT: And, Mr. De La Paz, do you believe
3 Ms. Cockerham understands the count of the indictment to which
4 she pleads guilty, count five?

5 MR. DE LA PAZ: She does, Your Honor.

6 THE COURT: Okay. You're here with Mr. De La Paz, a
7 fine criminal defense lawyer, perhaps hasn't earned quite as
8 many stripes as Mr. Parks is because he's only a few years
9 younger than Mr. Parks, but he is a very fine lawyer and very
10 well regarded in this community. Are you satisfied with his
11 efforts?

12 THE DEFENDANT: Very much so.

13 THE COURT: Now, I see that you, too, have signed a
14 plea agreement. Is that correct?

15 THE DEFENDANT: That is correct.

16 THE COURT: Did you read it before you signed it?

17 THE DEFENDANT: Yes, I did.

18 THE COURT: Did you discuss it with Mr. De La Paz
19 before you've signed it?

20 THE DEFENDANT: I did.

21 THE COURT: Did you participate in negotiating this
22 plea agreement with Mr. De La Paz and the Government?

23 THE DEFENDANT: That's correct.

24 THE COURT: And do you understand in plea agreement?

25 THE DEFENDANT: Yes, I do, sir.

1 THE COURT: And did you sign it voluntarily?

2 THE DEFENDANT: I did.

3 THE COURT: Mr. De La Paz, do you agree that
4 Ms. Cockerham understands the plea agreement and that she
5 signed it voluntarily?

6 MR. PARKS: I do, Your Honor.

7 THE COURT: Okay. Then I will accept the plea
8 agreement and it will be embodied in the judgment at the end
9 of the case.

10 Now, except for the matters stated in the plea
11 agreement, the agreements that the Government has made with
12 you, have there been any other agreements that have induced
13 you to plead guilty here?

14 THE DEFENDANT: No, sir.

15 THE COURT: Anything that either one of the lawyers
16 would tell me that's not in the plea agreement? I do not
17 remember -- Ms. Cockerham, you were not a member of the U.S.
18 Army or were you?

19 THE DEFENDANT: I have been, yes, sir.

20 THE COURT: But had you reached an age of eligibility
21 for retirement?

22 THE DEFENDANT: Oh, no, sir. I was there -- in like
23 for three and-a-half years. Yes, sir.

24 THE COURT: Okay. So, we're not in a situation where
25 the retirement benefit issue would come.

1 THE DEFENDANT: That's correct.

2 THE COURT: Is that correct?

3 THE DEFENDANT: That's right, sir.

4 THE COURT: Okay. Okay. So, the entire agreement
5 you have with the Government is embodied in the plea
6 agreement. Correct?

7 THE DEFENDANT: Correct, sir.

8 THE COURT: Has anyone tried to force you to plead
9 guilty?

10 THE DEFENDANT: They did not.

11 THE COURT: Are you pleading guilty of your own free
12 will because you are, in fact, guilty?

13 THE DEFENDANT: Yes, sir, I am.

14 THE COURT: Do you understand by entering this plea
15 it will lead to a felony conviction which can have wide
16 ramifications for you. It can deprive you of the right to
17 vote, hold public office, serve on a jury, possess a firearm,
18 get government jobs, loans or housing. It can have other
19 ramifications. Do you understand?

20 THE DEFENDANT: Yes, sir, I understand.

21 THE COURT: Now, let's talk, if we could, about the
22 maximum penalties here in regard to count five. Do you
23 understand that the maximum period of imprisonment is 20
24 years?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: And do you understand that the maximum
2 fine is \$500,000?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: And do you understand that the maximum
5 period of supervised release -- My records indicate it would
6 be 5 years. Do the lawyers agree with that, that it would be
7 5 years? It says here 3 years. So, does it appear that it
8 would be 3 years instead of 5?

9 MS. ALLEN: Your Honor, I believe it would be 3
10 years.

11 THE COURT: Okay. Fortunately, we'll have great
12 probation officers and if there's any question, they can
13 clarify those issues with us. But you understand supervised
14 release comes after a prison term, Ms. Cockerham, and -- and
15 if you violate supervised release you'll have to go back to
16 prison. If your maximum supervised release is 3 years it will
17 be 2 years back to prison. If it's 5 years it will be 4 years
18 back to prison. Do you understand?

19 THE DEFENDANT: I understand.

20 THE COURT: Okay. And do you understand you'll have
21 to pay \$100 to the Crime Victim's Fund.

22 THE DEFENDANT: I do understand.

23 THE COURT: Now, in this plea agreement, as in your
24 husband's plea agreement, there are offense levels stated in
25 the plea agreement and I know Mr. De La Paz has talked to you

1 about what a total stipulated offense level 28, Criminal
2 History Category I would mean to you. Is that correct?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: I realize it's stipulated. I almost
5 always approve stipulations of the parties, but we will have
6 to see what a probation officer would have to say about this
7 and sometimes a probation officer will call my attention to
8 the fact that the stipulation is either too low, too high, or
9 just simply inadequate -- inaccurate and I would have to
10 discuss that with you at sentencing. Do you understand?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: But I think right now we can assume that
13 the stipulated total sentencing level is as shown in your plea
14 agreement. Is that correct?

15 THE DEFENDANT: Yes, sir, it was.

16 THE COURT: Do you understand, as I say, I almost
17 always adopt the stipulations of the parties, but I do have
18 some leeway in dealing with that and, of course, when there is
19 a stipulation, if I didn't follow the stipulation, you might
20 have the right to step out of the plea agreement, but as a
21 normal matter, if I follow the plea agreement and the
22 stipulations, then in all instances you're bound by your plea
23 and cannot withdraw it. Do you understand?

24 THE DEFENDANT: I understand that.

25 MS. ALLEN: Your Honor --

1 THE COURT: Yes, ma'am.

2 MS. ALLEN: I may have misheard but I think the plea
3 agreement as drafted is a C type agreement where the defendant
4 would not have the option to withdraw the plea.

5 THE COURT: Okay. Then I appreciate, Ms. Allen,
6 you -- you speaking to me about that. Thank you very much.
7 So, -- and I -- Ms. Allen has shown me that she's a -- a
8 thoughtful lawyer with a clear understanding of the rules by
9 her earlier presentations and, of course, she did graduate
10 from Harvard, so, you know, normally we pay close attention to
11 what Harvard graduates say in all instances, and I say that
12 with deep affection and fondness for your great school,
13 Ms. Allen.

14 MS. ALLEN: Thank you.

15 THE COURT: At any rate, so do you understand that
16 even if I were to change my view, you could not step out of
17 this plea agreement. Do you understand that?

18 THE DEFENDANT: Yes, sir, I understand.

19 THE COURT: So, you're bound by this plea agreement
20 and the stipulations you've made in this plea agreement. You
21 understand that?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Okay. Now, do you understand that
24 there's no parole in the federal prison system, so it does
25 appear likely that you might -- you will spend some time in

1 federal prison. You will not be released early on parole. Do
2 you understand that?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: I'm not prejudging that. The Government
5 may move that -- that because of your cooperation you be given
6 a probated sentence. I'm not going to prejudge what the
7 Government might do here, but given the seriousness of the
8 charges, I would expect that you would need to expect some --
9 some prison sentence. Do you understand?

10 THE DEFENDANT: I understand.

11 THE COURT: Do you also understand you've waived your
12 right to appeal your sentence and conviction?

13 THE DEFENDANT: Yes, I understand.

14 THE COURT: And as I told your husband, the only way
15 you could appeal is if your lawyer or if the Government
16 lawyers committed such an egregious error that in some way a
17 violation of your constitutional rights was implicated. Do
18 you understand that?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: You have a fine lawyer. The Government
21 has fine lawyers. It's very unlikely they would ever make
22 such a mistake, so your rights to appeal probably are very
23 remote. Do you understand?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Okay. Now, you're here to plead guilty

1 and I'm here to accept your plea, but you must understand
2 you're waiving valuable rights by entering a plea. You're
3 waiving your right to have a trial in front of a jury of
4 twelve people. You're waiving your right to be presumed
5 innocent. You're waiving your right to make the Government
6 prove your guilt beyond a reasonable doubt. You're waiving
7 your right to have a good lawyer like Mr. De La Paz present
8 your case to a jury of twelve and provide you a defense.
9 You're waiving your right to see and hear the witnesses who
10 would testify against you and have Mr. De La Paz cross examine
11 them. You're waiving your right to be silent at trial and
12 have the jury told your silence can't be used against you or
13 to testify at trial, if you chose to do so. And you're
14 waiving your right to subpoena witnesses and compel them to
15 come testify for you. Do you understand all these rights
16 you're waiving?

17 THE DEFENDANT: Yes, I do.

18 THE COURT: Okay. Now, again, there's a factual
19 basis for this plea. It's been stated in connection with your
20 husband's plea and I take it that your factual basis would
21 come close to mirroring that but I could be wrong. There may
22 be a separate factual basis for your plea. Ms. Allen, what is
23 the fact of that?

24 MS. ALLEN: The factual basis is contained in the
25 indictment and as well at paragraph 8 of the plea agreement

1 i t s e l f . T h e r e i s n o s e p a r a t e f a c t u a l b a s i s f o r t h e p l e a d i n g
2 d o c u m e n t , i t ' s a l l i n c o r p o r a t e d w i t h i n t h e s a m e d o c u m e n t . A n d
3 t h e f a c t u a l b a s i s i n p a r a g r a p h 8 d o e s o u t l i n e c e r t a i n f a c t s
4 t h a t a r e n o t c o n t a i n e d i n t h e i n d i c t m e n t .

5 T H E C O U R T : O k a y . T h a n k y o u v e r y m u c h f o r p o i n t i n g
6 t h a t o u t t o m e , M s . A l l e n . S i n c e y o u ' v e t o l d m e y o u r e a d t h e
7 p l e a a g r e e m e n t , y o u d i d r e a c h p a r a g r a p h 8 w h i c h e n t a i l s t h e
8 f a c t u a l b a s i s f o r y o u r p l e a . I s t h a t c o r r e c t ?

9 T H E D E F E N D A N T : Y e s , s i r .

10 T H E C O U R T : O k a y . A n d d o y o u t e l l m e t h a t f a c t u a l --
11 W i l l y o u t e l l m e t h a t f a c t u a l b a s i s i s t r u e a n d c o r r e c t ?

12 T H E D E F E N D A N T : Y e s , s i r .

13 T H E C O U R T : O k a y . T h e n I w i l l f i n d i t i s a c c u r a t e
14 a n d s h o u l d b e a c c e p t e d .

15 N o w , i f y o u w i l l p a r d o n m e , l e t m e r e a d p a r a g r a p h
16 f i v e a n d a s k f o r y o u r p l e a .

17 M R . D E L A P A Z : Y o u r H o n o r , i f i t p l e a s e t h e C o u r t ,
18 w e w o u l d w a i v e t h e f o r m a l r e a d i n g o f t h e i n d i c t m e n t .

19 T H E C O U R T : W e l l , I ' l l j u s t s u m m a r i z e i t , M r . D e L a
20 P a z . T h a t w i l l b e f i n e .

21 I n c o u n t f i v e , t h e g r a n d j u r y h a s a l l e g e d t h a t
22 b e t w e e n J u n e 2 0 0 4 a n d J u l y 2 0 0 7 , i n K u w a i t , t h e W e s t e r n
23 D i s t r i c t a n d e l s e w h e r e -- t h e W e s t e r n D i s t r i c t o f T e x a s , t h a t
24 y o u , a n d y o u r h u s b a n d , a n d C a r o l y n B l a k e c o n s p i r e d t o c o n d u c t
25 f i n a n c i a l t r a n s a c t i o n s a f f e c t i n g i n t e r s t a t e a n d f o r e i g n

1 commerce through bribery and money laundering transactions in
2 violation of 18 United States Code, Section 1956 (a) (1) (b)
3 (1) and 18 United States Code, Section 1956 (h).

4 How do you plead to that count of the indictment,
5 Ms. Cockerham?

6 THE DEFENDANT: Guilty.

7 THE COURT: Then let me make these findings. I find
8 you're fully competent and capable of entering an informed
9 plea. I find that you're aware of the nature of the charges
10 and the consequences of your plea, and I find your plea to
11 count five is a knowing and voluntary plea supported by an
12 independent basis in fact containing each of the essential
13 elements of the offense. I do accept your plea and find you
14 guilty of count five of the indictment.

15 And, Ms. Allen, is there anything else you would add
16 at this time?

17 MS. ALLEN: Yes, Your Honor. As part of the plea
18 agreement, the United States agrees to dismiss count one and
19 count six against -- with regards to Melissa Cockerham
20 provided that she complies with the terms of the plea
21 agreement and I believe that's all.

22 THE COURT: Excellent. Thank you so much, Ms. Allen.

23 MS. ALLEN: Oh, I'm sorry, Your Honor. I did forget
24 one thing.

25 THE COURT: Not a problem. Be glad to hear from you.

1 MS. ALLEN: The parties have also stipulated to a
2 guidelines calculation which I understand is not binding on
3 the Court. The factual basis for the plea does not include
4 the facts relevant to the obstruction sentence enhancement
5 that is contained here in paragraph 9 and I just would like to
6 state for the record that the basis for that -- for that two
7 point enhancement is contained within the indictment and that
8 the defendant willfully obstructed and impeded the
9 administration of justice with respect to the investigation
10 and application of the money laundering conspiracy.

11 THE COURT: Thank you very much, Ms. Allen.
12 Mr. De La Paz, anything that you would like to add?

13 MR. DE LA PAZ: We have nothing further, Your Honor.

14 THE COURT: Okay. Then this completes the plea
15 hearings.

16 Mr. Frye, I would ask you, if you would, to hold
17 these matters for me until Monday. In other words, don't
18 even --

19 THE CLERK: Don't --

20 THE COURT: -- don't do anything, just put them in
21 the vault and you and I will deal with them on Monday.

22 There has been an issue about Ms. Cockerham being
23 released to go back to Kentucky with her family and with her
24 children. I don't know if the parties have discussed that
25 matter or available at this time to consider it with me.

1 I'm -- I will be -- I do want to make some decision about that
2 within about the next seven to ten days and so I would be in
3 touch with you. If you're -- if you're not prepared to talk
4 about it then I will hold a telephone conference with you.

5 MS. ALLEN: We are prepared to talk about that today.
6 Very briefly, I think I spoke with Mr. De La Paz and Melissa
7 Cockerham, Ms. Cockerham, would like to stay here in
8 San Antonio as part of her cooperation with the Government and
9 at the point where that cooperation has reached substantial
10 steps, we will not have any objection to her going to
11 Kentucky. I think that may be within maybe one to two months
12 and I believe she's willing to waive that request until that
13 time.

14 THE COURT: Okay. Well, there is a motion to remain
15 on bond. I had put a limit on the halfway house bond, so I'm
16 going to grant the request to remain on bond in the halfway
17 house and so I will sign this and then we will talk about an
18 extension of that at a later time.

19 MS. ALLEN: We have no objection.

20 THE COURT: Okay. Thank you very much, Ms. Alien.

21 So, Marshals, Ms. Cockerham can continue on bond at
22 the halfway house as we arranged earlier. With that,
23 Mr. Evans, do you have anything further?

24 MR. EVANS: Nothing further, Your Honor. Thank you
25 for your indulgence in allowing us more time this morning. We

1 apologize if we've impacted your scheduling any.

2 THE COURT: Well, it -- This was very important and
3 schedules sometimes need to be impacted and so I was glad to
4 be here. I know you all have worked very hard. This is a
5 very serious and complicated matter and so I do understand
6 that. And thank you, Mr. Evans. Anything further from you,
7 Ms. Allen?

8 MS. ALLEN: Yes, one thing. We would seek to delay
9 sentencing for some period of time while the defendants are
10 cooperating with the Government. It's difficult to estimate
11 when that might be and I would like to ask how you would like
12 to receive notice when the parties are ready.

13 THE COURT: Would -- When you get ready, if you will
14 personally notify me and I'll talk to Mr. Frye and then we
15 will set matters in motion. It -- probably until -- Probably
16 we need to wait sort of a -- near the end of Ms. Cockerham's
17 stay here in San Antonio, but then at that point before she
18 leaves, we need her interviewed by a probation officer, so we
19 would probably want to do that and -- but other than that, I
20 don't see any problem with the delays, as you -- as you say.

21 Anything from you, Mr. De La Paz?

22 MR. DE LA PAZ: Nothing, Your Honor.

23 THE COURT: Mr. Parks?

24 MR. PARKS: Nothing, Your Honor. Thank you.

25 THE COURT: Well, it's clear everybody has worked

1 very hard on this and this is a difficult, as I say,
2 complicated, serious matter. I do appreciate the hard work of
3 the lawyers and, Mr. & Ms. Cockerham, I know this has been a
4 matter that has produced great difficulty for you and so I
5 wish you luck and hope -- I hope the next several months
6 produce the kind of results that I think everybody's
7 anticipating here. Good luck to you.

8 THE DEFENDANT MS. COCKERHAM: Thank you.

9 THE COURT: We'll be in recess.

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I, DENVER B. RODEN, United States Court Reporter for the United States District Court in and for the Western District of Texas, San Antonio Division, hereby certify that the above and foregoing contains a true and correct transcription of the proceedings in the above entitled and numbered cause.

WITNESS MY HAND on this day of , 2008.

/s/

DENVER B. RODEN, RMR
United States Court Reporter
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