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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

Case 14-20102-CR-SCOLA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANA ALLIEGRO,

Defendant.

COURTROOM 12-3

MIAMI, FLORIDA

AUGUST 19, 2014

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CALENDAR CALL  
BEFORE THE HONORABLE ROBERT N. SCOLA, JR.  
UNITED STATES DISTRICT JUDGE

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APPEARANCES:

FOR THE GOVERNMENT:

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11:01:15 1 THE COURT: All right. Let's go back on the record on  
11:01:18 2 United States v. Ana Alliegro. So you all have had a couple of  
11:01:23 3 hours to consult. What's happening?

11:01:26 4 MR. MULVIHILL: Good morning, Your Honor. Thomas  
11:01:28 5 Mulvihill on behalf of the United States. I believe the defense  
11:01:30 6 wishes to enter a plea in this case, Your Honor.

11:01:33 7 THE COURT: Okay. And is there a formal written plea  
11:01:35 8 agreement?

11:01:36 9 MR. MULVIHILL: There is not, Your Honor.

11:01:38 10 THE COURT: Okay. Are there any oral or informal  
11:01:40 11 agreements?

11:01:42 12 MR. KLUGH: Yes, Your Honor, there is.

11:01:43 13 THE COURT: Okay. Let me hear that. Pay attention,  
11:01:45 14 Ms. Alliegro, because I am going to ask you about this.

11:01:49 15 Go ahead.

11:01:49 16 MR. KLUGH: Your Honor, as we understand the agreement,  
11:01:52 17 Ms. Alliegro will be pleading guilty to the four counts of the  
11:01:55 18 Indictment in this case.

11:01:58 19 The parties are agreeing to -- in this case a  
11:02:04 20 presentence report with regard to the offense conduct at issue  
11:02:10 21 has already been issued in the related case, the Sternad case.  
11:02:14 22 The parties are agreeing that the calculation reached in that  
11:02:20 23 case which involves a base offense level of 8.

11:02:24 24 A specific offense characteristic due to the amounts of  
11:02:28 25 funds involved would require an eight-level increase to that,

11:02:32 1 which results in a total offense level in this case of 16 with  
11:02:36 2 no other enhancements applicable.

11:02:40 3 The Government is agreeing to a 3E1.1 acceptance of  
11:02:50 4 responsibility reduction, plus given that it is coming at this  
11:02:56 5 time, the additional point for timely acceptance which would  
11:03:01 6 result ultimately in a Level 13 for the guidelines offense  
11:03:07 7 level.

11:03:11 8 I don't believe that there are any other express terms  
11:03:15 9 other than the Government will be recommending a guideline  
11:03:19 10 sentence, and the defense would be free to recommend a lower  
11:03:26 11 sentence. It seems likely that the defendant would -- we had --  
11:03:45 12 obviously, we cannot condition the Court on this, but the  
11:03:49 13 Government has agreed with the defense, in view of the fact that  
11:03:53 14 Ms. Alliegro has been in custody now for the better part of, I  
11:03:59 15 believe, six months, five-and-a-half months, that the Court  
11:04:02 16 would consider an expedited presentence report and it would, in  
11:04:08 17 fact, aid the parties as well so that we could have an expedited  
11:04:15 18 sentencing, if possible, if the Court has it available. We were  
11:04:18 19 thinking in terms of something like three weeks or something, if  
11:04:21 20 possible.

11:04:22 21 THE COURT: Okay.

11:04:23 22 MR. KLUGH: And I believe that's everything, Your  
11:04:25 23 Honor.

11:04:25 24 THE COURT: All right.

11:04:26 25 MR. MULVIHILL: Your Honor, just so the record is

11:04:28 1 clear, the guideline ranges and calculations the parties have  
11:04:34 2 agreed to recommend to the Court, but the Court is not obviously  
11:04:38 3 bound by our recommendations.

4 THE COURT: Right.

11:04:40 5 MR. MULVIHILL: I just want to make sure.

11:04:41 6 THE COURT: Okay. All right. Ms. Alliegro, could you  
11:04:42 7 please stand and raise your right hand to be sworn.

11:04:48 8 [The defendant was sworn by the clerk, Mr. Hasbun, at 11:04  
11:04:48 9 a.m.]

11:04:53 10 MR. HASBUN: Thank you. Please be seated and use the  
11:04:55 11 microphone, please.

11:04:57 12 BY THE COURT:

11:04:57 13 Q. All right. What is your full name?

11:05:01 14 A. Ana Sol Alliegro.

11:05:02 15 Q. And Ms. Alliegro, do you understand that you are now under  
11:05:05 16 oath and if you answer any of my questions falsely, those  
11:05:09 17 answers could later be used against you in another prosecution  
11:05:12 18 for perjury or making a false statement?

11:05:14 19 A. I understand.

11:05:15 20 Q. How old are you?

11:05:16 21 A. 44.

11:05:18 22 Q. And how far did you go in school?

11:05:20 23 A. Second year of college.

11:05:21 24 Q. Are you able to read and write in English?

11:05:25 25 A. Yes.

11:05:25 1 Q. Have you ever been treated for any mental illness or for any  
11:05:28 2 addiction to narcotic or prescription drugs or for alcohol  
11:05:31 3 abuse?

11:05:32 4 A. No.

11:05:32 5 Q. Today in court are you under the influence of any drugs,  
11:05:35 6 alcohol, narcotics or medications?

11:05:38 7 A. No.

11:05:38 8 Q. Have you taken any drugs, alcohol, narcotics or medication  
11:05:42 9 in the past 48 hours?

11:05:45 10 A. No.

11:05:45 11 Q. Are you under the care or treatment of a doctor for any  
11:05:48 12 condition?

11:05:50 13 A. No.

11:05:50 14 Q. All right. And prior to today, have you received a copy of  
11:05:54 15 the Indictment which is the formal charging document that sets  
11:05:58 16 forth the charges against you?

11:06:00 17 A. Yes.

11:06:00 18 Q. Have you had a chance to speak to your attorneys about those  
11:06:04 19 charges, about, in general, what type of evidence the Government  
11:06:09 20 may have against you and about any possible defenses you may  
11:06:11 21 have in the case?

11:06:13 22 A. Yes.

11:06:13 23 Q. Have you also spoken to them about the decision whether to  
11:06:17 24 plead guilty or go to trial?

11:06:20 25 A. Yes.

11:06:20 1 Q. Are you fully satisfied with the representation and advice  
11:06:23 2 that has been provided to you by your attorneys?

11:06:27 3 A. Yes.

11:06:28 4 Q. Is there anything concerning their representation or advice  
11:06:30 5 that you are not satisfied with?

11:06:33 6 A. No.

11:06:33 7 Q. Do you understand that your sentence is going to be  
11:06:36 8 calculated pursuant to the federal sentencing guidelines?

11:06:40 9 A. Yes.

11:06:40 10 Q. And the way the guidelines work is that points are added or  
11:06:43 11 subtracted for a number of different reasons. So, for example,  
11:06:46 12 the crime that you are pleading guilty to gives a certain number  
11:06:50 13 of points. If there are money involved in the crime, either  
11:06:54 14 money that are gained by the defendants or lost by other people,  
11:06:58 15 then more points could be added based upon the amount of money.

11:07:02 16 If you accept responsibility, points could be deducted.  
11:07:06 17 So there are those as well as a number of other factors that the  
11:07:08 18 Court may consider in calculating a guideline score and once I  
11:07:13 19 complete that calculation, it gives an advisory sentencing  
11:07:17 20 guideline range.

11:07:18 21 A. Yes.

11:07:18 22 Q. Do you understand that once I determine the advisory  
11:07:22 23 guideline range, I can sentence you to somewhere within that  
11:07:25 24 range, but I can also vary or depart and give a sentence that is  
11:07:30 25 greater than that, or I can vary or depart and give a sentence

11:07:34 1 that is less than that.

11:07:36 2 A. Yes.

11:07:37 3 Q. All right. And you heard your attorney announce that there  
11:07:41 4 is an agreement between you and your attorneys, plural, and the  
11:07:47 5 Government to recommend to me how I should calculate your  
11:07:51 6 guideline score.

11:07:52 7 Do you understand that although I will most likely go  
11:07:55 8 along with that recommendation, I am not legally obligated to do  
11:07:59 9 so; and if I calculate your guidelines in a different way than  
11:08:05 10 it's recommended to me to do, that does not give you the right  
11:08:08 11 to withdraw your plea.

11:08:10 12 A. Yes.

11:08:10 13 Q. And do you also understand that if your attorneys, or anyone  
11:08:13 14 else, have told you what they think your ultimate sentence is  
11:08:15 15 going to be, that is just an estimate by them. It is not  
11:08:19 16 binding on the Court, and it does not give you the right to  
11:08:22 17 withdraw your plea if their estimate is incorrect.

11:08:27 18 A. Yes.

11:08:27 19 Q. Other than what was announced in open court a few minutes  
11:08:32 20 ago, have any additional promises been made to you in order to  
11:08:36 21 get you to plead guilty today?

11:08:38 22 A. No, sir.

11:08:38 23 Q. Has anybody forced you, threatened you or coerced you in any  
11:08:42 24 way to get you to plead guilty?

11:08:43 25 A. No.



11:08:44 1 Q. Are you pleading guilty of your own free will because you  
11:08:46 2 are guilty?

11:08:47 3 A. Yes.

11:08:47 4 Q. Do you understand the maximum penalties you could receive  
11:08:52 5 for Count 1, which is a conspiracy to make a false statement and  
11:08:57 6 to violate federal election campaign act is five years in  
11:09:02 7 prison, followed by up to three years' supervised release, and a  
11:09:05 8 \$250,000 fine.

11:09:09 9 As to Count 2, which is making a false statement to a  
11:09:19 10 federal agent, the maximum penalty is five years in prison,  
11:09:24 11 three years' supervised release and a \$250,000 fine.

11:09:26 12 As to Count 3, illegal campaign contributions, the  
11:09:30 13 maximum penalty is five years in prison, three years' supervised  
11:09:33 14 release and a \$250,000 fine.

11:09:36 15 And as to Count 4, illegal campaign contributions, the  
11:09:43 16 maximum is five years in prison, three years' supervised release  
11:09:45 17 and a \$250,000 fine. And as to each of those four counts, I  
11:09:49 18 must impose a \$100 special assessment, payable at the time of  
11:09:55 19 your sentencing, for a total of \$400.

11:09:57 20 Do you understand that those are the maximum penalties  
11:10:00 21 that you are facing?

11:10:05 22 A. Yes.

11:10:05 23 Q. Do you understand that if I accept your plea, you will be  
11:10:09 24 adjudicated guilty of several felony offenses and if you are a  
11:10:14 25 United States citizen, you could lose valuable civil rights,

11:10:17 1 such as the right to vote, the right to hold office, the right  
11:10:21 2 to serve on a jury, and the right to possess a firearm; and if  
11:10:26 3 you are not a United States citizen, you will be removed or  
11:10:29 4 deported from the United States. You will not be allowed to  
11:10:32 5 return to the United States. You will not be allowed to later  
11:10:35 6 become a citizen of the United States, and there are other  
11:10:39 7 adverse consequences to your immigration status as well.

11:10:42 8 Do you understand all that?

11:10:46 9 A. Yes.

11:10:47 10 Q. All right. You originally entered a plea of not guilty to  
11:10:49 11 the charges in the Indictment, and I want you to understand you  
11:10:52 12 have the absolute right to continue to plead not guilty; and if  
11:10:56 13 you did, you would have the right to have a trial before a judge  
11:10:58 14 or jury at which you would be presumed to be innocent and the  
11:11:04 15 Government would be required to prove your guilt beyond a  
11:11:07 16 reasonable doubt.

11:11:09 17 You would have the right to have the assistance of your  
11:11:13 18 attorneys throughout the entire trial, the right to confront and  
11:11:16 19 cross-examine the witnesses who testify against you, the right  
11:11:20 20 to compel the attendance of witnesses to testify on your behalf,  
11:11:24 21 and to compel the production of documents or other physical  
11:11:27 22 evidence to assist you in your defense.

11:11:30 23 You would have the right to testify or not testify and  
11:11:35 24 if you chose to not testify, your silence could not be used  
11:11:38 25 against you in any way and you would still be presumed to be

11:11:43 1 innocent and if you lost the trial, you could appeal your  
11:11:45 2 conviction to a higher court.

11:11:47 3 Do you understand that by pleading guilty this morning,  
11:11:51 4 there will be no trial in your case and you are giving up all of  
11:11:54 5 those rights that you would have had at a trial?

11:12:06 6 A. Yes.

11:12:06 7 THE COURT: And there is no written factual proffer, so  
11:12:09 8 what is the Government's factual proffer concerning the case  
11:12:14 9 against Ms. Alliegro as to each of the four counts? Please  
11:12:17 10 listen carefully, Ms. Alliegro, because I am going to ask you  
11:12:20 11 whether you agree with those facts.

11:12:23 12 MR. MULVIHILL: Your Honor, the Federal Election  
11:12:25 13 Campaign Act of 1971, as amended, was a federal statute that was  
11:12:30 14 enacted to regulate federal election campaigns.

11:12:34 15 The Election Act established the Federal Election  
11:12:38 16 Commission, an agency of the Executive Branch of the Government  
11:12:41 17 of the United States responsible for the administration and  
11:12:43 18 civil enforcement of the federal election and campaign finance  
11:12:46 19 laws. Among the purposes of the Election Act was the  
11:12:50 20 identification and disclosure of persons and entities making  
11:12:55 21 contributions to candidates for federal office, the enforcement  
11:12:59 22 of limitations on the amount of such contributions, the  
11:13:03 23 prohibition against the receipt of contributions by any  
11:13:06 24 candidate or candidate's committee from corporate sources, the  
11:13:10 25 prohibition of contributions in excess of \$2,500 by any

11:13:14 1 individual to any candidate or candidate's committee per federal  
11:13:19 2 election in 2012, and the prohibition of contributions in excess  
11:13:23 3 of \$100 in United States currency by any individual to any  
11:13:28 4 candidate or candidate's committee for federal election.

11:13:32 5           The Election Act's contribution limits apply to  
11:13:36 6 anything of value provided for the purpose of influencing a  
11:13:38 7 congressional election, including contributions to a candidate  
11:13:43 8 and his or her campaign and expenditures made in cooperation,  
11:13:47 9 consultation or concert with, or at the request or suggestion  
11:13:51 10 of, a candidate or his or her campaign.

11:13:54 11           In order to implement the above provisions, the Elect  
11:13:59 12 Act required the principal campaign committee of a candidate to  
11:14:02 13 file periodic campaign finance reports with the Federal Election  
11:14:06 14 Commission setting forth information concerning the source and  
11:14:10 15 expenditure of any campaign contributions.

11:14:12 16           The required information was to be submitted by the  
11:14:14 17 treasurer of the principal campaign committee to the Federal  
11:14:17 18 Election Commission on an FEC Form 3 entitled "Report of  
11:14:21 19 Receipts and Disbursements for an Authorized Committee" and  
11:14:25 20 attach schedules.

11:14:27 21           The FEC Form 3 and the schedule specifically required  
11:14:31 22 the true and accurate identification of all contributors and the  
11:14:35 23 amount of such contributions, and the true and accurate  
11:14:38 24 identification of all recipients of any campaign expenditures  
11:14:42 25 and the amount of such expenditures.

11:14:44 1 The FEC Form 3 further required a true and accurate  
11:14:48 2 identification of the source and amount of any loans to the  
11:14:51 3 campaign. The FEC Form 3s were made available to the public by  
11:14:56 4 the Federal Election Commission, and these reports were intended  
11:14:59 5 to provide a transparent record of the source and amount of any  
11:15:02 6 contributions and the recipients and amounts of any  
11:15:06 7 disbursements.

11:15:07 8 Justin Lamar Sternad was a candidate in the Democratic  
11:15:13 9 Party Primary Election for Florida's 26th Congressional District  
11:15:14 10 which was held on August 14, 2012.

11:15:18 11 On or about May 15, 2012, Justin Lamar Sternad signed  
11:15:24 12 an FEC Form 2 Statement of Candidacy and designated the Justin  
11:15:28 13 Sternad for Congress Committee as his principal campaign  
11:15:31 14 committee for the Democratic Party Primary Election for  
11:15:35 15 Florida's 26th Congressional District.

11:15:38 16 On or about July 10, 2012, Justin Sternad signed a  
11:15:45 17 second FEC Form 2 Statement of Candidacy and designated Lamar  
11:15:50 18 Sternad for Congress Committee as his principal campaign  
11:15:52 19 committee for the Democratic Party Primary Election for  
11:15:55 20 Florida's 26th Congressional District.

11:15:57 21 Both of these campaign committees operated under the  
11:16:00 22 identical FEC identification number in furtherance of a  
11:16:13 23 conspiracy to commit a multi-object conspiracy, to knowingly and  
11:16:22 24 willfully, in a matter within the jurisdiction of the Executive  
11:16:25 25 Branch of the United States, make a materially false, fictitious

11:16:28 1 and fraudulent statement, made contributions to a candidate for  
11:16:31 2 federal office, to-wit: Justin Lamar Sternad in excess of the  
11:16:38 3 limits of the Election Act, which contributions in calendar year  
11:16:40 4 2012 exceeded the limits of the Election Act by \$25,000 or more  
11:16:43 5 and made contributions to a candidate for federal office, which  
11:16:46 6 contributions in calendar year 2012 exceeded limits of the  
11:16:51 7 Election Act by \$25,000 or more. The defendant Ana Alliegro  
11:16:56 8 conspired with others to violate those provisions.

11:16:59 9           The objective of the conspiracy was to conceal the true  
11:17:03 10 source of the funds which were used by the political campaign of  
11:17:07 11 Justin Lamar Sternad during the Democratic Party Primary Contest  
11:17:11 12 of 2012 for Florida's 26th Congressional District, to secretly  
11:17:17 13 provide contributions in excess of the limits prescribed by the  
11:17:20 14 Election Act and to conceal the existence of the conspiracy and  
11:17:22 15 the violations of the laws of the United States.

11:17:24 16           The conspirators used cash and checks to conceal the  
11:17:27 17 source and amount of contributions that were made to the Sternad  
11:17:30 18 campaign and false and misleading FEC Form 3s were composed and  
11:17:35 19 filed with the Federal Election Commission in order to conceal  
11:17:38 20 the true source, amount and nature of the funds used by the  
11:17:41 21 campaign.

11:17:43 22           The initial cash contribution came about in May 2012  
11:17:47 23 when defendant Ana Alliegro hand-delivered \$500 in cash to  
11:17:53 24 coconspirator Justin Lamar Sternad. There was additional funds  
11:18:01 25 provided to Mr. Sternad's committee, to Justin Sternad's

11:18:07 1 campaign.

11:18:08 2 On or about June 7, 2012, a deposit of \$5,000 in cash  
11:18:12 3 was made into the account of Justin Sternad for Congress at a TD  
11:18:18 4 Bank branch in Washington, D.C.

11:18:21 5 On or about June 8, 2012, a deposit of \$5,500 in cash  
11:18:24 6 was made into the account of Justin Sternad for Congress,  
11:18:29 7 Account Number 1570, at another TD Bank branch in Washington,  
11:18:33 8 D.C.

11:18:34 9 On or about June 8, 2012, Check Number 301, payable to  
11:18:37 10 the Department of State in the amount of \$10,440 was drawn on  
11:18:41 11 the account of Justin Sternad for Congress at TD bank and was  
11:18:47 12 provided to the Florida Department of State, Division of  
11:18:51 13 Elections, with the notation, "Qualifying fee, 2012."

11:18:54 14 This all came about, Your Honor, because Justin Sternad  
11:18:57 15 had tried to become a member of Congress in the 26th  
11:19:00 16 Congressional District by running in the Democratic Party  
11:19:03 17 Primary.

11:19:04 18 He found that he could not get the adequate number of  
11:19:06 19 signatures to qualify to be on the ballot. He also found that  
11:19:11 20 he did not have sufficient funds to pay the qualifying fee.  
11:19:17 21 Justin Lamar Sternad is a hotel clerk at a local hotel on Miami  
11:19:22 22 Beach. He has five children. His family collects food stamps  
11:19:27 23 and his hourly wage was somewhere between \$12 and \$15 an hour.

11:19:36 24 Towards the end of April 2012, Ana Alliegro reached out  
11:19:40 25 to Justin Sternad and offered her services, claiming that she

11:19:44 1 could get the financing to assist in his campaign. This came  
11:19:48 2 about because Ana Alliegro had earlier met in a restaurant with  
11:19:53 3 a coconspirator and formulated the plan to support financially  
11:20:03 4 Justin Sternad's campaign.

11:20:04 5 THE COURT: And why do we keep not naming the  
11:20:08 6 conspirator? I mean, I got the R&R on the Motion to Suppress,  
11:20:11 7 and I almost didn't affirm it but I almost like didn't affirm  
11:20:16 8 the Conspirator A. We're way past that time. Why is that  
11:20:23 9 person's identity still being withheld?

11:20:24 10 MR. MULVIHILL: It's the Department of Justice policy  
11:20:26 11 that you cannot name an unindicted coconspirator, Your Honor.

11:20:32 12 THE COURT: You cannot name an unindicted  
11:20:36 13 coconspirator.

11:20:37 14 MR. MULVIHILL: No. It's against the Department of  
11:20:42 15 Justice policy to do so.

11:20:44 16 THE COURT: So if we were in a trial if she didn't take  
11:20:46 17 a plea and we were in a trial --

11:20:49 18 MR. MULVIHILL: [Interrupting] In a trial, Your  
11:20:50 19 Honor --

11:20:50 20 THE COURT: -- and somebody testified, they couldn't  
11:20:50 21 mention the person's name?

11:20:51 22 MR. MULVIHILL: In a trial, you can mention the  
11:20:53 23 person's name.

11:20:54 24 THE COURT: What about in a factual proffer to tell  
11:20:57 25 them this is the facts of what happened and who was involved so



11:20:59 1 she can say yes. How are we going to say, you know, you did  
11:21:03 2 this or didn't do this?

11:21:05 3 MR. MULVIHILL: Your Honor, I understand the Court's  
11:21:07 4 question. The Department of Justice policy has been that at  
11:21:14 5 sentencings, at pleas, that you do not name unindicted  
11:21:18 6 coconspirators if can be the avoided. And since, in fact, we  
11:21:24 7 can identify this coconspirator by his role in the offense, we  
11:21:29 8 do not have to use his particular name.

11:21:33 9 I am not trying to in any way conceal it from the  
11:21:35 10 Court. I'm quite sure of the Court is aware.

11:21:37 11 THE COURT: If I tell you I want to know his name, you  
11:21:41 12 can tell me his name. There is no Justice Department policy  
11:21:43 13 that you can't answer a judge's question.

11:21:44 14 MR. MULVIHILL: No, that's not the case, Your Honor.  
11:21:46 15 That's not the case.

11:21:47 16 THE COURT: What's not the case?

11:21:49 17 MR. MULVIHILL: If you ask me a question, I'm answering  
18 your question.

11:21:52 19 THE COURT: Yes. I want to know who this conspirator  
11:21:55 20 is. I want her to know who it is, and she can say, "Yes, I did  
11:21:57 21 that" or not.

11:21:58 22 I mean, isn't it that same person that arranged to have  
11:22:01 23 one of that person's companies that he did business with prepare  
11:22:06 24 something for Mr. Sternad and then the bill was in the  
11:22:08 25 conspirator's name instead of Mr. Sternad's name and he said,

11:22:11 1 "Whoa, don't put it in my name." Didn't he travel somewhere  
11:22:15 2 with Ms. Alliegro during the time there was an issue of whether  
11:22:19 3 she was leaving or fleeing or not fleeing? Is that the same  
11:22:22 4 person?

11:22:22 5 MR. MULVIHILL: Yes, Your Honor, it is.

11:22:23 6 THE COURT: Okay. So who is that person based on your  
11:22:26 7 evidence. If there were a trial in this case, what would the  
11:22:30 8 evidence show is the identity of that person?

11:22:32 9 MR. MULVIHILL: Your Honor, would the Court  
11:22:35 10 respectfully direct me to answer that question?

11:22:37 11 THE COURT: I think I just did.

11:22:39 12 MR. MULVIHILL: Thank you, Judge.

11:22:41 13 If I may then go back, I will --

14 THE COURT: Okay.

11:22:46 15 MR. MULVIHILL: -- mention it in the proffer --

16 THE COURT: Okay.

11:22:47 17 MR. MULVIHILL: -- pursuant to the Court's instruction.

11:22:48 18 In early April 2012, the defendant, Ana Alliegro, met  
11:22:58 19 at the Catch of the Day Restaurant with Congressman David Rivera  
11:23:02 20 and another individual, and at that point David Rivera directed  
11:23:10 21 Ana Alliegro to meet with Justin Lamar Sternad to assist, and  
11:23:21 22 she then met with Justin Lamar Sternad. She called him. She  
11:23:25 23 met with him. She told him that she had connections to provide  
11:23:29 24 the financing for his campaign. Since, as I told you, he was an  
11:23:33 25 extremely poor man, he agreed to accept it, took it as a

11:23:38 1 lifesaver.

11:23:39 2           The first thing that Ana Alliegro provided him was \$500  
11:23:44 3 in cash. She then provided -- there was also a car rental that  
11:23:51 4 he needed. He needed a campaign car, and Ana Alliegro deposited  
11:23:56 5 \$1,060 in Justin Lamar Sternad's account at the Wells Fargo  
11:24:02 6 Bank. He used those funds to rent a campaign car during the  
11:24:07 7 course of the campaign.

11:24:09 8           As I said, he needed sufficient funds for a qualifying  
11:24:13 9 fee. He needed \$10,440 to qualify to run in the Democratic  
11:24:19 10 Party Primary for the 26th Congressional District. He did not  
11:24:22 11 have those funds.

11:24:24 12           Ana Alliegro asked him for deposit slips to the Justin  
11:24:31 13 Sternad for Congress Campaign account. Lamar Sternad provided  
11:24:38 14 the deposit slips and subsequently an individual deposited  
11:24:44 15 \$5,000 on June 7 in the TD Bank branch in Washington, D.C. into  
11:24:51 16 the account of Justin Sternad for Congress at that branch, and  
11:24:57 17 then the very next day, on June 8, a deposit of \$500 was made at  
11:25:04 18 another branch in the TD Bank in Washington, D.C.

11:25:11 19           Subsequently on June 8, that money was used for a check  
11:25:18 20 that was issued to the Florida Department of State in the amount  
11:25:21 21 of \$10,440 for the qualifying fee. The check was provided by  
11:25:30 22 Justin Lamar Sternad. It was undated. A copy of the undated  
11:25:34 23 check was actually found on Ana Alliegro's computer and cell  
11:25:39 24 phone.

11:25:40 25           The check was later dated and deposited in Tallahassee,

11:25:46 1 Florida. Subsequent to that, the campaign needed fliers,  
11:25:51 2 campaign fliers, prepared. So a contact was made with Henry  
11:25:58 3 Barrios of Expert Printing. He's a part owner of Expert  
11:26:02 4 Printing, to, in fact, print up the flyer.

11:26:12 5 Ana Alliegro, prior to that contact, around the time of  
11:26:16 6 that contact, had reached out to friend of hers named Frank  
11:26:20 7 Cera. He provided the initial drafts of those campaign fliers.  
11:26:25 8 Those drafts were used by the graphic artist at Expert Printing,  
11:26:31 9 Yolanda Rivas, to design the fliers.

11:26:35 10 Those fliers were designed by Ana Alliegro, David  
11:26:40 11 Rivera and Yolanda Rivas in early June 2012. Yolanda Rivas was  
11:26:49 12 paid \$2,600 handed to her by Ana Alliegro for her role in  
11:26:55 13 designing the fliers.

11:26:56 14 Expert Printing subsequently printed thousands of  
11:27:01 15 fliers, approximately a dozen runs of different fliers, Your  
11:27:05 16 Honor, for the costs as set forth in the Indictment. They were  
11:27:13 17 paid \$10,000. An initial cash payment by Ana Alliegro was made  
11:27:17 18 directly to Henry Barrios.

11:27:20 19 A \$5,000 cash payment was subsequently delivered to  
11:27:26 20 Henry Barrios via Sunshine State Messenger Service and a  
11:27:34 21 \$13,824.85 check was delivered by David Rivera to Henry Barrios  
11:27:41 22 who then was directed by Mr. Rivera to write a \$9,000 check to  
11:27:49 23 Rapid Mail and Computer Service. They are the ones who mail the  
11:27:56 24 fliers.

11:27:57 25 John Barreiro of Rapid Mail and Computer Service, Inc.,

11:28:02 1 met with both David Rivera and Ana Alliegro, together and  
11:28:07 2 separately. Ana Alliegro delivered the payment as set forth in  
11:28:14 3 the Indictment in cash on a number of occasions to John  
11:28:19 4 Barreiro. The conspirators also used a courier service to  
11:28:25 5 deliver the payments in cash to Rapid Mail and Computer Service,  
11:28:31 6 Inc.

11:28:31 7 The courier service is Sunshine State Messenger  
11:28:35 8 Service. They have the receipts and have provided them to the  
11:28:39 9 Government of the delivers of cash. They also needed to place  
11:28:43 10 "robo" calls, automated calls, campaign calls, to the community,  
11:28:49 11 and an individual from Urban Initiatives, Incorporated was the  
11:28:58 12 entity that placed the calls, Your Honor. He received  
11:29:00 13 approximately, I believe, \$2,500 in case from Ana Alliegro via  
11:29:07 14 Sunshine State Messenger Service.

11:29:17 15 When it came time to file the FEC Form 3s, Justin Lamar  
11:29:28 16 Sternad did not know the exact amounts that needed to be put on  
11:29:32 17 there and when he had to file the final reports that are set  
11:29:36 18 forth in the Indictment, Your Honor, he conferred with Ana  
11:29:39 19 Alliegro on how he should be reporting them and he reported all  
11:29:42 20 this money as loans from his personal funds to the campaign  
11:29:47 21 when, in fact, they were not his funds whatsoever. He has pled  
11:29:51 22 guilty to the fact that he knew they were not his funds. He  
11:29:55 23 didn't have the funds for it. The funds came from others.

11:29:58 24 That in a nutshell, Your Honor, would be the  
11:30:04 25 Government's proof if called to make those representations in

11:30:07 1 court.

11:30:07 2 BY THE COURT:

11:30:08 3 Q. All right. Ms. Alliegro, do you agree that if there was a  
11:30:10 4 trial, the Government would be able to put on evidence to  
11:30:13 5 establish those facts?

11:30:17 6 A. Yes.

11:30:17 7 Q. All right. And in terms of the facts that involve you  
11:30:22 8 directly that you heard, are those facts true and correct?

11:30:32 9 MR. KLUGH: Your Honor, essentially we have no  
11:30:37 10 quibbling. It was an oral proffer. It was a lot to digest. I  
11:30:42 11 don't want to put her in a position of being -- it may be some  
11:30:46 12 information that she's not completely sure about but --

11:30:53 13 BY THE COURT:

11:30:53 14 Q. I mean, he was reading a lot of things about the federal  
11:30:56 15 election laws and what other people did with another company.  
11:30:58 16 That's what I'm saying. So that's why I asked the first  
11:30:59 17 question. Would you agree that if there was a trial, the  
11:31:02 18 Government would have evidence of that even though she may not  
11:31:07 19 have personal knowledge herself but --

11:31:09 20 A. Yes.

11:31:09 21 Q. -- in terms of what they said about what she did, she would  
11:31:12 22 know that, so do you agree with that, Ms. Alliegro?

11:31:15 23 A. Yes.

24 THE COURT: Okay.

11:31:15 25 MR. KLUGH: I think it is clear. I just want the Court

11:31:18 1 to be aware that I don't think that the Government is saying  
11:31:20 2 that it was Ms. Alliegro's money.

11:31:21 3 THE COURT: Right. I didn't hear them say that either.

4 MR. KLUGH: Thank you, Your Honor.

5 BY THE COURT:

11:31:24 6 Q. Okay. All right. So Ms. Alliegro, how do you plead to the  
11:31:29 7 four counts in the Indictment: Count 1, which charges you with  
11:31:33 8 conspiracy to make a false statement and violate Federal  
11:31:37 9 Election Campaign Act, and Count 2 which charges you with making  
11:31:42 10 a false statement, and Counts 3 and 4 which charge you with  
11:31:47 11 illegal campaign contributions.

11:31:50 12 Do you plead guilty or do you plead not guilty?

11:31:52 13 A. Guilty, Judge.

11:31:53 14 THE COURT: All right. I find that the defendant is  
11:31:55 15 fully competent and capable of entering an informed plea; that  
11:31:59 16 she is aware of the nature of the charges and the consequences  
11:32:02 17 of the plea and that the plea is freely, knowingly and  
11:32:05 18 voluntarily entered and is supported by an independent basis in  
11:32:09 19 fact which contains each of the essential elements of the  
11:32:11 20 offense.

11:32:12 21 I am going to accept her plea of guilty, adjudicate her  
11:32:15 22 guilty of Counts 1 through 4 of the Indictment.

11:32:19 23 Now, how long has she been in custody?

11:32:25 24 MR. KLUGH: Five-and-a-half months, Your Honor.

11:32:28 25 MR. MULVIHILL: Since March 7, Your Honor.

11:32:29 1 MR. KLUGH: If you count Nicaragua, March 4, which is  
11:32:34 2 the only command in the calendar. You've heard that before, I  
11:32:38 3 take it. March 4.

11:32:41 4 THE COURT: Okay. I am not saying I am going to give  
11:32:43 5 her this sentence, but I am just looking at the sentencing  
11:32:45 6 options if you have correctly calculated the guidelines, then  
11:32:51 7 Level 13, Criminal History Category I, is 12 to 18 months.

11:32:56 8 Again, I could vary above or below that but just within  
11:33:00 9 the guidelines, one of the options is to have six months in jail  
11:33:03 10 with home detention and the other six months instead of 12  
11:33:06 11 months, so to make that a meaningful option then if we want to  
11:33:10 12 have a sentencing -- again, I don't know. I may give her more  
11:33:12 13 than 18 months. I don't know. But if I want to give her six  
11:33:16 14 months, it doesn't do any good if we are past the six months.

11:33:19 15 So without putting an undue burden on the Probation  
11:33:23 16 Department, my suggestion is that rather than ordering an  
11:33:27 17 expedited presentence investigation report, we order a modified  
11:33:32 18 sentencing report and ask the Probation Office only to give us  
11:33:37 19 the offense conduct, the calculation of the guidelines and her  
11:33:40 20 criminal history.

11:33:41 21 They should have the offense conduct and the  
11:33:43 22 calculation based upon Mr. Sternad's case already. I don't  
11:33:47 23 think she has any prior record so that should be easy to verify.

11:33:51 24 That way you all can give me a sentencing memorandum  
11:33:54 25 with whatever information each side wants to give me about her



11:33:57 1 and we can get it done in the next few weeks.

11:34:01 2 MR. KLUGH: Thank you, Your Honor.

11:34:01 3 MR. MULVIHILL: That works.

11:34:03 4 THE COURT: All right. Ms. Alliegro, generally a  
11:34:06 5 defendant prior to their sentencing has the right to have a full  
11:34:10 6 presentence investigation report prepared by the Department of  
11:34:14 7 Probation but it takes about 80 to 90 days, and that would have  
11:34:17 8 a lot of information about your background, your work history,  
11:34:21 9 your health history, your employment history, your educational  
11:34:25 10 history, your criminal history, and a lot of information to help  
11:34:29 11 the Court make the appropriate decision.

11:34:31 12 Are you willing to go forward with your sentencing in a  
11:34:34 13 couple of weeks knowing that a full presentence investigation  
11:34:38 14 report will not be prepared? I will have a modified sentencing  
11:34:41 15 report. Your attorneys can give me whatever other information  
11:34:46 16 they think I should have to impose an appropriate sentence. The  
11:34:51 17 Government can also provide any information they think I should  
11:34:53 18 have as well. Are you willing to do that?

11:34:55 19 THE DEFENDANT: Yes, Your Honor.

11:34:56 20 THE COURT: And the Government is also willing to do  
11:34:57 21 that?

11:34:58 22 MR. MULVIHILL: Yes, Your Honor.

11:34:58 23 THE COURT: Okay. So today is the 19th. How about  
11:35:14 24 September 10th, Wednesday, September 10th, at 8:30.

11:35:17 25 MR. KLUGH: Thank you, Your Honor. That's fine for us.

11:35:20 1 THE COURT: Are you available?

11:35:21 2 MR. MULVIHILL: Yes, sir.

11:35:25 3 THE COURT: Okay. So, again, I assume since you are  
 11:35:31 4 agreeing with the calculations, I would hope Probation would  
 11:35:35 5 assign the same probation officer who did the other calculation  
 11:35:38 6 for Mr. Sternad so we're not reinventing the wheel. There  
 11:35:42 7 shouldn't be any legal objections to the calculations. All  
 11:35:51 8 right. Anything else we can take up this morning?

11:35:55 9 MR. KLUGH: No, Your Honor. Thank you very much.

10 MR. MULVIHILL: No, Your Honor.

11:35:58 11 THE COURT: All right. Ms. Alliegro, we'll see you  
 11:36:00 12 back in a couple of weeks.

13 THE DEFENDANT: Thank you.

14 C E R T I F I C A T E

15 I hereby certify that the foregoing is an accurate  
 16 transcription of proceedings in the above-entitled matter.

17

18 08.19.14  
 DATE

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