

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

Sentencing Minute Sheet

for the Honorable Fernando J. Gaitan, Jr., Chief U. S. District Judge, Kansas City, MO

UNITED STATES OF AMERICA

Case No: 4:08-cr-00026-FJG-4

vs.

CHRISTOPHER L. ELDER

Date: 05/03/11

Plaintiff Counsel

J. Curt Bohling, AUSA
Rudolph Rhodes, AUSA

Defendant Counsel

John R. Osgood

Time Commenced: 9:38 am/ Time Terminated: 11:00 am TOTAL TIME: 1 hour & 22 minutes

Parties appear for hearing. Defendant sworn. Parties argue government's objection re: two-level enhancement for obstruction of justice (perjury at trial). The Court overrules objection and adopts the guideline provisions w/o change. Court notes parties' previously filed sentencing memos. Defendant's counsel makes statement regarding sentence to be imposed. Government calls John Kowal to testify - 9:57 a.m. (cross- 10:12). Defendant makes statement and allocution granted. Government counsel makes statement regarding sentence to be imposed and defendant's counsel responds. Court finds that the guidelines are greater than necessary and grants defendant's request for a variance.

The Defendant is sentenced to Counts_1 & 3 thru 10_ .

INCARCERATION: defendant committed to custody of BOP for a total term of 15 Months. Counts 1, 3, & 4 thru 10 - 15 months, each count, concurrent.

SUPERVISED RELEASE: 2 years, each count, concurrent.

FINE: \$500, each count, for total of \$4,500.00; due immediately, interest waived.

SPECIAL ASSESSMENT: \$900.00 due immediately.

SPECIAL CONDITIONS OF SUPERVISED RELEASE OR PROBATION: see J&C.

Court orders forfeiture in the amount of \$991,114, joint and several w/other defendants in this case.

Parties argue defendant's motion for bond pending appeal - denied; and defendant ordered to self-surrender on 07/25/11.

Court Reporter/ERO - Gayle Wambolt

Rhonda Enss, Courtroom Deputy