

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1535 Disciplinary Docket No. 3
Petitioner	:	
	:	
v.	:	No. 150 DB 2009
	:	
	:	
VINCENT J. FUMO,	:	Attorney Registration No. 15937
Respondent	:	(Philadelphia)

ORDER

PER CURIAM:

AND NOW, this 24th day of April, 2014, there having been filed with this Court by Vincent J. Fumo his verified Statement of Resignation dated February 18, 2014, stating that he desires to resign from the Bar of the Commonwealth of Pennsylvania in accordance with the provisions of Rule 215, Pa.R.D.E., it is

ORDERED that the resignation of Vincent J. Fumo is accepted; he is disbarred on consent from the Bar of the Commonwealth of Pennsylvania retroactive to January 26, 2010; and he shall comply with the provisions of Rule 217, Pa.R.D.E. Respondent shall pay costs, if any, to the Disciplinary Board pursuant to Rule 208(g), Pa.R.D.E.

A True Copy Patricia Nicola
As Of 4/24/2014

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL	:	No. 1535 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 150 DB 2009
v.	:	
	:	Attorney Registration No. 15937
VINCENT J. FUMO	:	
Respondent	:	(Philadelphia)

RESIGNATION BY RESPONDENT

Pursuant to Rule 215
of the Pennsylvania Rules of Disciplinary Enforcement

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
Petitioner : No. 1535 Disc. Dkt.
: No. 3
v. :
: No. 150 DB 2009
: :
: Atty. Reg. No. 15937
VINCENT J. FUMO, :
Respondent : (Philadelphia)

RESIGNATION
UNDER Pa.R.D.E. 215

Vincent J. Fumo hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 ("Enforcement Rules") and further states as follows:

1. He is an attorney admitted in the Commonwealth of Pennsylvania, having been admitted to the bar on or about October 2, 1972. His attorney registration number is 15937.

2. He is currently on suspended status as a result of a January 26, 2010 Order issued by the Supreme Court of Pennsylvania placing him on temporary suspension pursuant to Rule 214(d)(2), Pa.R.D.E. ("the temporary suspension Order"). A true and correct copy of the temporary suspension Order is attached hereto and made a part hereof as "Exhibit A."

3. He desires to submit his resignation as a member of said bar.

4. His resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress; and he is fully aware of the implications of submitting this resignation.

5. He is aware that there is presently pending an investigation into allegations that he has been guilty of misconduct, based upon his convictions in the United States District Court for the Eastern District of Pennsylvania, Docket No. 2:06-CR-319-003, in a case captioned *United States of America v. Vincent J. Fumo*.

6. He acknowledges that on March 16, 2009, a jury found him guilty of 137 counts, as follows: one count of Conspiracy to Commit Mail Fraud, in violation of 18 U.S.C. § 371; sixty counts of Mail Fraud, in violation of 18 U.S.C. § 1341; thirty-nine counts of Wire Fraud, in violation of 18 U.S.C. § 1343; one count of Conspiracy to Commit Mail & Wire Fraud, in violation of 18 U.S.C. § 371; one count of Conspiracy to Defraud the United States, in violation of 18 U.S.C. § 371; two counts of Aiding & Assisting in the Filing of a False Tax Return, in violation of 26 U.S.C. § 7206; one count of Conspiracy to Obstruct Justice, in violation of 18 U.S.C. § 371; ten counts of Tampering with a Witness, Victim, or an Informant and Aiding and Abetting, in violation of 18 U.S.C. § 1512(b)(2)(B) and 18 U.S.C. § 2, respectively; one count of

Tampering with a Witness, Victim, or an Informant and Aiding and Abetting, in violation of 18 U.S.C. § 1512(c)(1) and 18 U.S.C. § 2, respectively; and twenty-one counts of Destruction, Alteration, or Falsification of Records in Federal Investigations and Bankruptcy and Aiding and Abetting, in violation of 18 U.S.C. § 1519 and 18 U.S.C. § 2, respectively.

7. He acknowledges that on July 14, 2009, he was sentenced by the Honorable District Judge Ronald L. Buckwalter, as reflected in the Judgment in a Criminal Case, a true and correct copy of which is attached hereto and made a part hereof as "Exhibit B."

8. He acknowledges that on November 10, 2011, after the matter was remanded by the United States Court of Appeals for the Third Circuit, he was re-sentenced by Judge Buckwalter, as reflected in the Judgment in a Criminal Case, a true and correct copy of which is attached hereto and made a part hereof as "Exhibit C."

9. He submits the within resignation because the said convictions constitute a per se ground for discipline under Enforcement Rule 203(b)(1).

10. He submits the within resignation because he knows that he could not successfully defend himself against charges of professional misconduct based upon the convictions.

11. He is fully aware that submission of this Resignation Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of Enforcement Rule 218(b) and (c).


12. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has retained, consulted and acted upon the advice of counsel, Dennis J. Cogan, Esquire, in connection with his decision to execute the within resignation.

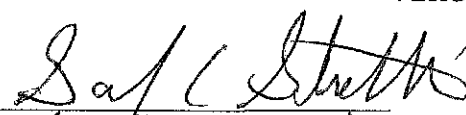
13. He requests that his disbarment be made retroactive to January 26, 2010, the date that the temporary suspension Order was entered. He is advised that the Office of Disciplinary Counsel does not oppose his request. He understands that the decision to grant his request lies solely within the discretion of the Supreme Court of Pennsylvania.

14. He is aware that under Enforcement Rule 215(c)(5), this Resignation Statement will be public.

It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S., Section 4904 (relating to unsworn falsification to authorities).

Signed this 18th day of February, 2014.


Vincent J. Fumo

WITNESS: 
610-696-4243

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 1535 Disciplinary Docket No. 3
VINCENT J. FUMO : Board File No. C1-09-749
: (United States District Court for the
: Eastern District of Pennsylvania, Case
: No. 06-CR-319-03)
: Attorney Registration No. 15937
: (Philadelphia)

ORDER

PER CURIAM:

AND NOW, this 26th day of January, 2010, a Rule having been entered by this Court on November 13, 2009, pursuant to Rule 214(d)(1), Pa.R.D.E., directing Vincent J. Fumo to show cause why he should not be placed on temporary suspension and, upon consideration of the response filed, it is hereby

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

A True Copy Patricia Nicola

As of: January 26, 2010

Attest:

Chief Clerk

Supreme Court of Pennsylvania

UNITED STATES DISTRICT COURT

EASTERN

District of

PENNSYLVANIA

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

VINCENT J. FUMO

FILED

JUL 23 2009

MICHAEL E. KUNZ, Clerk
By Dep. Clerk

Case Number: 06-CR-319-03

USM Number: 62033-066

DENNIS J. COGAN, ESQ.

Defendant's Attorney

THE DEFENDANT:

☐ pleaded guilty to count(s)

☐ pleaded nolo contendere to count(s)
which was accepted by the court.

X was found guilty on count(s) 1-35, 37, 39-99, 101, 103-141 ON MARCH 16, 2009
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18:371	Conspiracy to Commit Mail Fraud	2/07	1
18:1341	Mail Fraud	12/04	2-33
18:1343	Wire Fraud	4/02	34, 35
18:1343	Wire Fraud	6/12/02	37
18:1343	Wire Fraud	12/04	39-64
18:371	Conspiracy to Commit Mail & Wire Fraud	12/05	65

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

☐ The defendant has been found not guilty on count(s)

X Count(s) 36, 38 is X are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

CC: COUNSEL, USMS (2), USPO, USPTS, FISCAL

JULY 14, 2009

Date of Imposition of Judgment

Signature of Judge

RONALD L. BUCKWALTER, USDJ

Name and Title of Judge

Date

A TRUE COPY CERTIFIED TO FROM THE RECORD
DATED: August 3, 2009
ATTEST: Nail Olson
DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

DEFENDANT: VINCENT J. FUMO
 CASE NUMBER: 06-CR-319-03

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:1341	Mail Fraud	7/04	66-90
18:1343	Wire Fraud	12/03	91-98
18:371	Conspiracy to Defraud the United States	12/05	99
26:7206	Aiding & Assisting in the Filing of a False Tax Return	5/15/03	101
26:7206	Aiding & Assisting in the Filing of a False Tax Return	9/12/03	103
18:1341	Mail Fraud	8/03	104, 105, 106
18:1343	Wire Fraud	8/03	107, 108
18:371	Conspiracy To Obstruct Justice	10/05	109
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice / Aiding & Abetting	1/04	110, 111
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	4/06	112
18:1512(b)(2)(B) / 18:2	Obstruction of Justice / Aiding & Abetting	5/04	113
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	6/04	114, 115
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice / Aiding & Abetting	6/04	116
18:1512(b)(2)(B) / 18:2	Obstruction of Justice / Aiding & Abetting	6/04	117
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	6/04	118
18:1512(b)(2)(B) / 18:2	Obstruction of Justice / Aiding & Abetting	6/04	119
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	8/04	120, 121
18:1512(b)(2)(B) / 18:2	Obstruction of Justice / Aiding & Abetting	8/04	122
18:1512(b)(2)(B) / 18:2	Obstruction of Justice / Aiding & Abetting	10/04	123
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	12/04	124, 125
18:1512 (c)(1) / 18:2	Obstruction of Justice / Aiding & Abetting	1/05	126
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	1/05	127
18:1512(c)(2)(B)	Obstruction of Justice / Aiding & Abetting	1/05	128
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	2/05	129, 130, 131
18:1512(c)(2)(B)	Obstruction of Justice / Aiding & Abetting	2/05	132
18:1519 / 18:2	Obstruction of Justice / Aiding & Abetting	2/ 05 - 10/05	133-141

DEFENDANT: VINCENT J. FUMO
CASE NUMBER: 06-CR-319-03

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

36 MONTHS ON COUNTS 101, 103 TO RUN CONCURRENTLY WITH EACH OTHER AND ALL OTHER COUNTS.
55 MONTHS ON ALL OTHER COUNTS; TO RUN CONCURRENTLY TO EACH OTHER AND COUNTS 101 AND 103.

X The court makes the following recommendations to the Bureau of Prisons:

That the defendant be designated to the Federal Prison Camp in Lewisburg, PA

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

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

X before 2 p.m. on AUGUST 31, 2009.

☐ as notified by the United States Marshal.

X as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: VINCENT J. FUMO
CASE NUMBER: 06-CR-319-03

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

3 YEARS

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

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☒ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☐ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

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

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

STANDARD CONDITIONS OF SUPERVISION

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

DEFENDANT:
 CASE NUMBER:

CRIMINAL MONETARY PENALTIES

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

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 13,700.00	\$ 411,000	\$ 2,340,839.46 *

* The Restitution amount includes prejudgment interest.

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

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

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

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Independence Seaport Museum 211 South Columbus Blvd Phila., PA 19106 Att: Lori Dillard-Rech	127,906.88	134,217.99	5.49%
Pennsylvania State Senate C/O Chief Clerk Room 89 Capitol East Wing Harrisburgh, PA 19120-3052	1,293,927.42	1,413,819.05	62.06%
Citizen's Alliance for Better Neighborhoods 240 Daylesford Plaza P.O. Box 568 Paoli, PA 19301 Att: Thomas Riley, Jr., Esq,	958,080.36	792,802.42	32.45%

TOTALS	\$ 2379914.66	\$ 2340839.46
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

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

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

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

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

DEFENDANT: VINCENT J. FUMO
CASE NUMBER: 06-CR-319-03

SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 13,700 due immediately, balance due
☒ not later than DECEMBER 31, 2009, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

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

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

☒ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

RUTH ARNAO : 06-CR-319-04 \$676,519.98 Payable to: Citizens Alliance for Better Neighborhoods.

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

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

DEFENDANT: VINCENT J. FUMO
CASE NUMBER: 06-CR-319-03

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18:371	Conspiracy to Commit Mail & Wire Fraud	12/05	65
18:1341	Mail Fraud	7/04	66-90
18:1343	Wire Fraud	12/03	91-98
18:371	Conspiracy to Defraud the United States	12/05	99
26:7206	Aiding & Assisting in the Filing of a False Tax Return	5/15/03	101
26:7206	Aiding & Assisting in the Filing of a False Tax Return	9/12/03	103
18:1341	Mail Fraud	8/03	104, 105, 106
18:1343	Wire Fraud	8/03	107, 108
18:371	Conspiracy to Obstruct Justice	10/05	109
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18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	4/06	112
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18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	6/04	118
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice/ Aiding & Abetting	6/04	119
18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	8/04	120, 121
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice/ Aiding & Abetting	8/04	122
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice/ Aiding & Abetting	10/04	123
18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	12/04	124/125
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice/ Aiding & Abetting	1/05	126
18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	1/05	127
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice/ Aiding & Abetting	1/05	128
18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	2/05	129, 130, 131
18:1512(b)(2)(B)/ 18:2	Obstruction of Justice/ Aiding & Abetting	2/05	132
18:1519/ 18:2	Obstruction of Justice/ Aiding & Abetting	2/05 - 10/05	133-141

DEFENDANT: VINCENT J. FUMO
CASE NUMBER: 06-CR- 319-03

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 61 MONTHS to be served as follows:
36 MONTHS on Counts 101, 103; to run concurrently to each other.
60 MONTHS on Counts 1,2,3,6-14,34,35,37,65-67,76-79,91-94,99,109, to run concurrently to each other and all other Counts..
61 MONTHS on Counts 4,5,15-33,39-64,68-75,80-90,95-98,104-108,110-141, to run concurrently to each other and to all other Counts.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. _____ p.m. on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: VINCENT J. FUMO
CASE NUMBER: 06-CR-319-03

Judgment—Page 4 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of

3 YEARS

During the first year of Supervision, the defendant shall perform 500 hours of Community Service at the direction of the Probation Officer. The defendant shall perform 10 hours of Community Service per week.

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

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☐ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

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

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

STANDARD CONDITIONS OF SUPERVISION

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

DEFENDANT: VINCENT J. FUMO
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CRIMINAL MONETARY PENALTIES

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

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 13,700	\$ 411,000	\$ 3,435,548

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

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

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

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Pennsylvania State Senate C/O Chief Clerk Room 89 Capitol East Wing Harrisburgh, PA 19120-3052	2,517,274	2,517,274	73.27%
Citizen's Alliance for Better Neighborhoods 240 Daylesford Plaza P.O. Box 568 Paoli, PA 19301 Att: Thomas Riley, Esq.	1,566,528	783,264	22.80%
Independence Seaport Museum 211 S. Columbus Blvd. Phila., PA 19106 Att: Lori Dillard-Rech	135,010	135,010	3.93%
TOTALS	\$ 4,218,812	\$ 3,435,548	

☐ Restitution amount ordered pursuant to plea agreement \$ _____

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

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

☐ the interest requirement is waived for ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

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

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SCHEDULE OF PAYMENTS

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

- A Lump sum payment of \$ _____ due immediately, balance due
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
The defendant shall receive credit for all monetary penalties already paid.
The defendant shall pay the remainder of the Restitution in accordance with the instructions of the Probation Officer.

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

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

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Joint and Several Amount, and corresponding payee, if appropriate.

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

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