

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. 2372 Disciplinary Docket No. 3  
: :  
Petitioner : No. 55 DB 2017  
: :  
v. : Attorney Registration No. 67145  
: :  
RUFUS SETH WILLIAMS, : (Philadelphia)  
: :  
Respondent :

**ORDER**

**PER CURIAM**

**AND NOW**, this 19<sup>th</sup> day of October, 2017 upon consideration of the Verified Statement of Resignation, Rufus Seth Williams is disbarred on consent from the Bar of the Commonwealth of Pennsylvania, retroactive to April 13, 2017. See Pa.R.D.E. 215. Respondent shall comply with the provisions of Pa.R.D.E. 217 and pay costs to the Disciplinary Board, pursuant to Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 10/19/2017

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 2372 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 55 DB 2017
v.	:	
	:	Attorney Registration No. 67145
RUFUS SETH WILLIAMS	:	
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	:	No. 2372 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 55 DB 2017
v.	:	
	:	File No. C3-17-186
	:	
Rufus Seth Williams,	:	Attorney Registration No. 67145
Respondent	:	
	:	(Philadelphia County)

**RESIGNATION STATEMENT UNDER RULE 215, PA. R.D.E.**

I, Rufus Seth Williams, hereby resign from the practice of law in the Commonwealth of Pennsylvania in conformity with Rule 215 of the Pennsylvania Rules of Disciplinary Enforcement, and further state as follows:

1. I am an attorney admitted in the Commonwealth of Pennsylvania, having been admitted to the bar on December 10, 1992. My registration number is 67145.
2. I desire to resign from the Bar of the Commonwealth of Pennsylvania.
3. My resignation is freely and voluntarily rendered; I am not being subjected to coercion or duress; and I am fully aware of the implications of submitting this resignation.
4. I am presently represented by Samuel C. Stretton, Esq., P.O. Box 3231, West Chester, Pennsylvania 19381.
5. I am aware of a pending investigation by the Office of Disciplinary Counsel of alleged serious professional misconduct on my part. I acknowledge the material facts related to this misconduct are more fully set forth in the Joint Petition for Temporary

FILED  
9/29/2017  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

Suspension, filed April 3, 2017, which resulted in the Court's April 13, 2017, Order of Temporary Suspension. The Petition and Order are attached hereto and incorporated herein as "Exhibit A" and "Exhibit B" respectively.

6. I acknowledge that the material facts set forth in the aforementioned Exhibits A and B are true.

7. On June 29, 2017, I pled guilty to one count of Travel and use of Interstate Facilities to promote and Facilitate Bribery Contrary to Pennsylvania Law, 18 U.S.C. § 1952. A true and correct copy of the Guilty Plea Agreement is attached hereto as "Exhibit C."

8. I further admitted to committing the following additional offenses, which will be considered in the calculation of my sentence and restitution amount:

a. acceptance of bribes from Business Owner #1, as described and charged in Counts One to Five (Travel and Use of Interstate Facilities to Promote and Facilitate Bribery Contrary to Pennsylvania Law, in violation of 18 U.S.C. § 1952), Count Six (Hobbs Act Extortion, in violation of 18 U.S.C. § 1951), and Counts Fourteen and Fifteen (Honest Services Wire Fraud, in violation of 18 U.S.C. §§ 1343 and 1346);

b. acceptance of bribes from Business Owner #2, as described and charged in Counts Seven to Twelve (Travel and Use of Interstate Facilities to Promote and Facilitate Bribery Contrary to Pennsylvania Law, in violation of 18 U.S.C. § 1952), Count Thirteen (Hobbs Act Extortion, in violation of 18 U.S.C. §

1951), and Counts Fourteen and Fifteen (Honest Services Wire Fraud, in violation of 18 U.S.C. §§ 1343 and 1346);

c. a scheme to defraud a nursing home at which my mother resided, and friends of my mother as described and charged in Counts Sixteen to Twenty-One (Wire Fraud, in violation of 18 U.S.C. § 1343);

d. a scheme to defraud a political action committee, as described and charged in Counts Twenty-Two to Twenty-Five (Wire Fraud, in violation of 18 U.S.C. § 1343);

e. a scheme to defraud the City of Philadelphia and the HIDTA program, as described and charged in Counts Twenty-Six to Twenty-Seven (Wire Fraud, in violation of 18 U.S.C. § 1343) and Counts Twenty-Eight to Twenty-Nine (Mail Fraud, in violation of 18 U.S.C. § 1341).

9. I am submitting my resignation because I know that I could not successfully defend against charges predicated upon the misconduct under investigation, in violation of the Rules of Professional Conduct, as set forth in the aforementioned Exhibits A to C.

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

11. I am aware that pursuant to Enforcement Rule 215(c), the fact that I have tendered my resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Secretary of the Board.

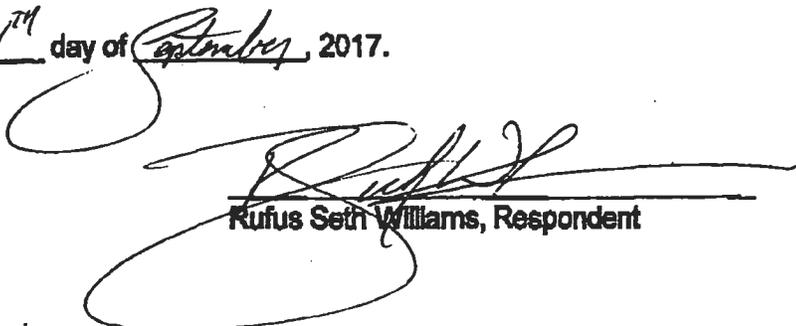
12. Upon entry of the disbarment Order, I will promptly comply with the notice, withdrawal, resignation, trust account, and cease-and-desist provisions of Enforcement Rule 217(a)-(d).

13. After entry of the disbarment Order, I will file a verified statement of compliance, as required by Enforcement Rule 217(e)(1).

14. I am aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Enforcement Rule 218(b) shall not begin until I file the verified statement of compliance required by Enforcement Rule 217(e)(1). However, if the disbarment Order contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

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

Signed this 14<sup>th</sup> day of September, 2017.

  
Rufus Seth Williams, Respondent

WITNESS: \_\_\_\_\_

**VERIFICATION**

The statements contained in the foregoing Resignation Statement under Rule 215, Pa.R.D.E. are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities

26 September 2017  
Date

Kristin A. Wells  
Kristin A. Wells  
Disciplinary Counsel  
Attorney Reg. No. 312080

September 24, 17  
Date

Rufus Seth Williams  
Rufus Seth Williams  
Respondent  
Attorney Registration No. 67145

Witnesses: M. Williams

→ M. Williams wrote  
me and confirmed he  
signed this document  
9/29/17

THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

Paul J. Killian  
Chief Disciplinary Counsel

Paul J. Burgoyne  
Deputy Chief Disciplinary Counsel

District III Office  
PA Judicial Center  
601 Commonwealth Avenue, Suite 5800  
P.O. Box 62675  
Harrisburg, PA 17106  
(717) 772-8572  
FAX (717) 772-7463



Disciplinary Counsel-in-Charge  
Ramona M. Mariani

Disciplinary Counsel  
Anthony A. Czuchnicki  
Suzy S. Moore  
Kristin A. Wells

OFFICE OF DISCIPLINARY COUNSEL

[www.padisciplinaryboard.org](http://www.padisciplinaryboard.org)

April 3, 2017

Prothonotary  
Supreme Court of Pennsylvania  
Western District Office  
801 City-County Building  
414 Grant Street  
Pittsburgh, PA 15219

ATTN: John A. Vaskov, Esq.  
Deputy Prothonotary

Re: Office of Disciplinary Counsel v. Rufus Seth Williams  
ODC File No. C3-17-186  
Attorney Registration No. 67145

Dear Mr. Vaskov:

Enclosed for filing is a Joint Petition for Temporary Suspension with Affidavit of Service. District Attorney Williams requests that the Court include language similar to that in Kathleen Kane's matter - "This order should not be construed as removing Respondent from elected office and is limited to the temporary suspension of [his] license to practice law." ODC takes no position as to the inclusion or omission of this language.

Respectfully,

Handwritten signature of Kristin A. Wells in cursive.

Kristin A. Wells  
Disciplinary Counsel  
District III

KAW  
Enclosures

Exhibit A

Prothonotary  
Supreme Court of Pennsylvania  
April 3, 2017  
Page 2

cc: Paul J. Killion, Chief Disciplinary Counsel (w/enclosures)  
Paul J. Burgoyne, Deputy Chief Disciplinary Counsel  
(w/enclosures)  
Julia M. Frankston-Morris, Secretary of The Disciplinary  
Board (w/enclosures)  
Samuel C. Stretton, Esq., Respondent's Counsel

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. Disciplinary Docket
Petitioner	:	Docket No.
	:	
v.	:	Board File No. C3-17-186
	:	
	:	(United States District Court Eastern
	:	District of Pennsylvania (Philadelphia)
	:	No. 2:17-cr-00137-PD)
	:	
RUFUS SETH WILLIAMS,	:	Attorney Reg. No. 67145
Respondent	:	
	:	(Philadelphia County)

**JOINT PETITION FOR TEMPORARY SUSPENSION**

TO THE HONORABLE, THE CHIEF JUSTICE AND JUSTICES OF THE SUPREME COURT OF PENNSYLVANIA:

Office of Disciplinary Counsel (hereinafter "Petitioner"), by Paul J. Killion, Esquire, Chief Disciplinary Counsel, and by Kristin Wells, Esquire, Disciplinary Counsel, and Rufus Seth Williams ("Respondent"), by and through his counsel, Samuel C. Stretton, Esquire, jointly petition this Honorable Court for an Order temporarily suspending Respondent from the practice of law, and in support thereof state:

1. Petitioner, whose principal office is situated at PA Judicial Center, 601 Commonwealth Ave., Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania, 17106 is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of

Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Enforcement Rules.

2. Respondent, Rufus Seth Williams, was born on January 2, 1967, and was admitted to practice law in the Commonwealth of Pennsylvania on December 10, 1992. Respondent's Attorney Registration No. is 67145. Respondent is currently on active status, and is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

3. On March 21, 2017, a grand jury convened in the United States District Court for the Eastern District of Pennsylvania issued a twenty-three count Indictment charging Respondent with criminal misconduct.

4. The Indictment alleges that Respondent, the Philadelphia District Attorney, among other things, engaged in bribery and extortion.

5. Counts One to Five of the Indictment charged Respondent with travel and use of interstate facilities to promote and facilitate bribery contrary to Pennsylvania law, in violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

6. Count Six charged Respondent with obstructing and affecting interstate and foreign commerce by extortion under color of official right, in violation of Title 18, United States Code, Sections 1951(a) and (b)(2) and Section 2.

7. Counts Seven to Eleven charged Respondent with travel and use of interstate facilities to promote and facilitate bribery contrary to Pennsylvania law, in violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

8. Count Twelve charged Respondent with obstructing and affecting interstate and foreign commerce by extortion under color of official right, in violation of Title 18, United States Code, Sections 1951(a) and (b)(2) and Section 2.

9. Counts Thirteen to Seventeen charged Respondent with scheme to defraud the city and county of Philadelphia and its citizens of Defendant Williams's honest services, in violation of Title 18, United States Code, Sections 1343, 1346, and 2.

10. Counts Eighteen to Twenty-Three charged Respondent with wire fraud, in violation of Title 18, United States Code, Section 1343 and Section 2.

11. Respondent pled not guilty to all counts.

12. Respondent's trial has not yet been scheduled.

13. Respondent has no record of discipline.

14. Pursuant to Pa.R.D.E. 214(d)(5), Respondent and Petitioner believe that it would be in the best interest of the Respondent and the legal system for Respondent to be immediately suspended at this time pending the ultimate resolution of any disciplinary proceedings arising as a result of the aforementioned criminal proceedings.

15. By agreeing to the Interim Suspension, Respondent is not in any way admitting any misconduct and reserves the right to challenge the allegations at a later date.

WHEREFORE, Petitioner and Respondent jointly move your Honorable Court to enter an Order temporarily suspending Respondent from the practice of law and for further proceedings pursuant to Rule 214, Pa. R.D.E., depending upon the outcome of the pending criminal case, to determine the extent of final discipline.

Respectfully Submitted,

OFFICE OF DISCIPLINARY COUNSEL

Paul J. Killian,  
Chief Disciplinary Counsel

Date: 3 April 2017

By: Kristin A. Wells

Kristin A. Wells  
Disciplinary Counsel, District III  
Attorney Registration No. 312084  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5860  
P.O. Box 62675  
Harrisburg, Pennsylvania 17106  
(717)772-8572

And:

Date: March 30, 2017

Rufus Seth Williams  
Respondent  
Attorney Registration No. 67145

And:

Date: 3/31/17

Samuel C. Stretton  
Attorney for Respondent  
Attorney Registration No. 18491

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. Disciplinary Docket  
Petitioner : Docket No.  
 :  
v. : Board File No. CI-17-78  
 :  
 : (United States District Court Eastern  
 : District of Pennsylvania (Philadelphia)  
 : No. 2:17-cr-00137-PD)  
 :  
RUFUS SETH WILLIAMS, : Attorney Reg. No. 67145  
Respondent :  
 : (Philadelphia County)

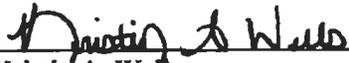
CERTIFICATE OF SERVICE

I hereby certify that I am causing to be served a copy of the Joint Petition for Temporary Suspension and all accompanying documents upon the persons and in the manner indicated below which service satisfies the requirements of Pa.R.A.P. 121:

Service by first-class mail to Respondent as follows:

Rufus Seth Williams  
c/o Samuel C. Stretton, Esquire  
Law Office of Samuel C. Stretton  
P.O. Box 3231  
West Chester, PA 19381

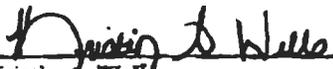
Date: 3 April 2017

  
\_\_\_\_\_  
Kristin A. Wells  
Disciplinary Counsel, District III  
Attorney Registration No. 312080  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5800  
P.O. Box 62675  
Harrisburg, Pennsylvania 17106  
(717)772-8572

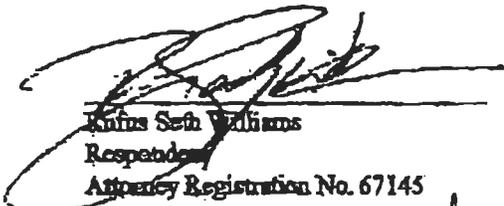
VERIFICATION

The statements contained in the foregoing Joint Petition to Temporarily Suspend an Attorney are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities

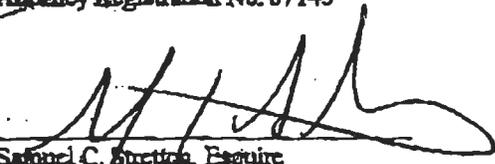
3 April 2017  
Date

  
Kristin A. Wells  
Disciplinary Counsel  
Attorney Reg. No. 312080

March 31, 2017  
Date

  
Rufus Seth Williams  
Respondent  
Attorney Registration No. 67145

3/31/17  
Date

  
Samuel C. Surtich, Esquire  
Attorney for Respondent  
Attorney Registration No. 18491

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. Disciplinary Docket
Petitioner	:	Docket No.
	:	
v.	:	Board File No. C1-17-78
	:	
	:	(United States District Court Eastern
	:	District of Pennsylvania (Philadelphia)
	:	No. 2:17-cr-00137-PD)
	:	
RUFUS SETH WILLIAMS,	:	Attorney Reg. No. 67145
Respondent	:	(Philadelphia County)
	:	

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the Joint  
Petition for Temporary Suspension is granted, and, pursuant to Rule 214, Pa.R.D.E., Rufus  
Seth Williams is placed on temporary suspension and he shall comply with all the provisions  
of Rule 217 Pa.R.D.E. Respondent's rights to petition for dissolution or amendment of this  
Order and to request accelerated disposition of charges underlying this Order pursuant to  
Pa.R.D.E. 208(f)(6), are specifically preserved.

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. 2372 Disciplinary Docket No. 3  
: :  
Petitioner : File No. C3-17-186  
: :  
v. : (United States District Court for the  
: Eastern District of Pennsylvania  
RUFUS SETH WILLIAMS, : (Philadelphia), No. 2:17-cr-00137-PD)  
: :  
Respondent : Attorney Reg. No. 67145  
: :  
: (Philadelphia County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 13<sup>th</sup> day of April, 2017, upon consideration of the Joint Petition to Temporarily Suspend an Attorney, Rufus Seth Williams is placed on temporary suspension, see Pa.R.D.E. 214(d)(5), and, to the extent applicable, he shall comply with all the provisions of Pa.R.D.E. 217.

A True Copy Patricia Nicola  
As Of 4/13/2017

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

Exhibit B

05D

125

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA :**

**v. :**

**CRIMINAL NO. 17-137**

**RUFUS SETH WILLIAMS :**

**FILED JUN 29 2017**

**GUILTY PLEA AGREEMENT**

Under Rule 11 of the Federal Rules of Criminal Procedure, the government, the defendant, and the defendant's counsel enter into the following guilty plea agreement. Any reference to the United States or the government in this agreement shall mean the Office of the United States Attorney for the District of New Jersey.

1. The defendant agrees to plead guilty to Count One of the Superseding Indictment charging him with Travel and Use of Interstate Facilities to Promote and Facilitate Bribery Contrary to Pennsylvania Law, in violation of 18 U.S.C. § 1952, arising from the defendant's acceptance of bribes from Business Owner #1, and not to contest forfeiture as set forth in the notice of forfeiture charging criminal forfeiture under 18 U.S.C. § 981(a)(1)(C). The defendant further acknowledges his waiver of rights, as set forth in the attachment to this agreement.

2. At the time of sentencing, the government will:

a. Move to dismiss Counts Two to Twenty-Nine of the Superseding Indictment as to this defendant. The defendant waives the statute of limitations as to all counts to be dismissed under this agreement and agrees that if the defendant withdraws

Exhibit C

from, or successfully challenges, the guilty plea entered under this agreement, or if these counts are otherwise reinstated under the terms of this agreement, neither the statute of limitations nor the Double Jeopardy Clause will bar prosecution on any of these dismissed counts.

b. Make whatever sentencing recommendation as to imprisonment, fines, forfeiture, restitution, and other matters which the government deems appropriate.

c. Comment on the evidence and circumstances of the case; bring to the Court's attention all facts relevant to sentencing including evidence relating to dismissed counts, if any, and to the character and any criminal conduct of the defendant; address the Court regarding the nature and seriousness of the offense; respond factually to questions raised by the Court; correct factual inaccuracies in the presentence report or sentencing record; and rebut any statement of facts made by or on behalf of the defendant at sentencing.

d. Nothing in this agreement shall limit the government in its comments in, and responses to, any post-sentencing matters.

3. The defendant understands, agrees, and has had explained to him by counsel that the Court may impose the following statutory maximum sentence with respect to Count One: a term of imprisonment of five years, a term of supervised release of three years, a \$250,000 fine, and a \$100 special assessment. Full restitution and forfeiture shall also be ordered, as further explained below.

4. The defendant further understands that supervised release may be revoked if its terms and conditions are violated. When supervised release is revoked, the original term of imprisonment may be increased by up to 2 years per count of conviction. Thus, a violation of supervised release increases the possible period of incarceration and makes it possible that the defendant will have to serve the original sentence, plus a substantial additional period, without credit for time already spent on supervised release.

5. The defendant agrees to pay the special victims/witness assessment in the amount of \$100 before the time of sentencing and shall provide a receipt from the Clerk to the government before sentencing as proof of this payment.

6. The defendant may not withdraw his plea because the Court declines to follow any recommendation, motion, or stipulation by the parties to this agreement. No one has promised or guaranteed to the defendant what sentence the Court will impose.

7. Pursuant to Guideline Section 1B1.2, the parties stipulate that the defendant committed all other offenses charged in the Superseding Indictment in this matter, in addition to the offense of conviction, and the defendant understands and agrees that, for the purpose of determining the defendant's Sentencing Guidelines range, Section 1B1.2(c) provides that these additional offenses shall be treated as if the defendant had been convicted of these additional counts. Specifically, the defendant admits that he committed these additional offenses, which shall be considered in the calculation of the Sentencing Guidelines range:

a. Acceptance of bribes from Business Owner #1, as described and charged in Counts One to Five (Travel and Use of Interstate Facilities to Promote and Facilitate Bribery Contrary to Pennsylvania Law, in violation of 18 U.S.C. § 1952), Count Six (Hobbs Act Extortion, in violation of 18 U.S.C. § 1951), and Counts Fourteen and Fifteen (Honest Services Wire Fraud, in violation of 18 U.S.C. §§ 1343 and 1346).

b. Acceptance of bribes from Business Owner #2, as described and charged in Counts Seven to Twelve (Travel and Use of Interstate Facilities to Promote and Facilitate Bribery Contrary to Pennsylvania Law, in violation of 18 U.S.C. § 1952), Count Thirteen (Hobbs Act Extortion, in violation of 18 U.S.C. § 1951), and Counts Fourteen and Fifteen (Honest Services Wire Fraud, in violation of 18 U.S.C. §§ 1343 and 1346).

c. A scheme to defraud a nursing home at which the defendant's relative resided, and friends of that relative, as described and charged in Counts Sixteen to Twenty-One (Wire Fraud, in violation of 18 U.S.C. § 1343).

d. A scheme to defraud a political action committee, as described and charged in Counts Twenty-Two to Twenty-Five (Wire Fraud, in violation of 18 U.S.C. § 1343).

e. A scheme to defraud the City of Philadelphia and the HIDTA program, as described and charged in Counts Twenty-Six to Twenty-Seven (Wire Fraud, in violation of 18 U.S.C. § 1343), and Counts Twenty-Eight to Twenty-Nine (Mail Fraud, in violation of 18 U.S.C. § 1341).

8. The defendant agrees that he may be held responsible for all restitution owed as a result of the offense to which he is pleading guilty, as well as all restitution owed as a result of all of the offenses described in paragraph 7 of this agreement, in an amount determined by the Court. The defendant further stipulates that this agreement of responsibility for restitution does not constitute extraordinary acceptance of responsibility or provide any basis to seek a downward departure or variance from the applicable Sentencing Guideline range.

9. With respect to forfeiture:

a. The defendant forfeits his right, title, and interest in the sum of \$64,878.22, as charged in the notice of forfeiture in the Superseding Indictment, representing all property, real and personal, that constituted and was derived from proceeds traceable to the commission of all offenses charged in the Superseding Indictment, and agrees to the entry of a money judgment against him in this amount. The defendant agrees to the entry of an order of forfeiture pursuant to Federal Rule of Criminal Procedure 32.2(b) as soon as possible after the guilty plea and before sentencing.

b. The defendant agrees to waive any claims, defenses, or challenges arising under the Double Jeopardy or Excessive Fines Clauses of the Eighth Amendment, resulting from the forfeiture imposed as a result of this agreement, and stipulates that such forfeiture is not grossly disproportionate to his criminal conduct.

c. The defendant agrees that the forfeiture requirements of this agreement do not amount to extraordinary acceptance of responsibility and do not constitute any basis for a downward departure under the Sentencing Guidelines.

10. In order to facilitate the collection of financial obligations to be imposed in connection with this prosecution, the defendant agrees fully to disclose all assets in which he has any interest or over which the defendant exercises control, directly or indirectly, including those held by a relative, nominee, or other third party. Accordingly:

a. The defendant will promptly submit a completed financial statement to the U.S. Attorney's Office, in a form it provides and as it directs. The defendant promises that his financial statement and disclosures will be complete, accurate, and truthful.

b. The defendant expressly authorizes the U.S. Attorney's Office to obtain a credit report on him in order to evaluate the defendant's ability to satisfy any financial obligation imposed by the Court.

11. Pursuant to USSG § 6B1.4, the parties agree and stipulate that, as of the date of this agreement, the defendant has demonstrated acceptance of responsibility for his offense, making the defendant eligible for a 2-level downward adjustment under USSG § 3E1.1(a). It is understood and agreed that: (1) the parties are free to argue the applicability of any other provision of the Sentencing Guidelines, including offense conduct, offense characteristics, criminal history, adjustments, and departures; (2) this stipulation is not binding upon either the Probation Office or the Court; and (3) the Court

may make factual and legal determinations that differ from this stipulation and that may result in an increase or decrease in the Sentencing Guidelines range and the sentence that may be imposed.

12. The defendant states that he shall resign as the District Attorney for the City and County of Philadelphia, effective immediately upon the entry of his guilty plea. He further understands and agrees that: (a) the status of any professional license or certification held by the defendant is not protected by this agreement and is a matter solely within the discretion of the appropriate licensing, regulatory, and disciplinary authorities; and (b) the government will inform the appropriate professional licensing, regulatory, and disciplinary authorities in Pennsylvania of the disposition of the criminal charges filed against the defendant in this case.

13. If the defendant commits any federal, state, or local crime between the date of this agreement and his sentencing, or otherwise violates any other provision of this agreement, the government may declare a breach of the agreement, and may at its option: (a) prosecute the defendant for any federal crime including, but not limited to, perjury, obstruction of justice, and the substantive offenses arising from this investigation, based on and using any information provided by the defendant during the investigation and prosecution of the criminal case; (b) upon government motion, reinstate and try the defendant on any counts which were to be, or which had been, dismissed on the basis of this agreement; (c) be relieved of any obligations under this agreement regarding recommendations as to sentence; and (d) be relieved of any stipulations under the

**Sentencing Guidelines. Moreover, the defendant's previously entered guilty plea will stand and cannot be withdrawn by him. The decision shall be in the sole discretion of the government both whether to declare a breach, and regarding the remedy or remedies to seek. The defendant understands and agrees that the fact that the government has not asserted a breach of this agreement or enforced a remedy under this agreement will not bar the government from raising that breach or enforcing a remedy at a later time.**

**14. In exchange for the promises and concessions made by the government in entering this plea agreement, the defendant voluntarily and expressly waives all rights to appeal or collaterally attack the defendant's conviction, sentence, or any other matter relating to this prosecution, whether such a right to appeal or collateral attack arises under 18 U.S.C. § 3742, 28 U.S.C. § 1291, 28 U.S.C. § 2255, or any other provision of law.**

**a. Notwithstanding the waiver provision above, if the government appeals from the sentence, then the defendant may file a direct appeal of his sentence.**

**b. If the government does not appeal, then notwithstanding the waiver provision set forth in this paragraph, the defendant may file a direct appeal or petition for collateral relief but may raise only a claim, if otherwise permitted by law in such a proceeding:**

**(1) that the defendant's sentence on any count of conviction exceeds the statutory maximum for that count as set forth in paragraph 3 above;**

**(2) challenging a decision by the sentencing judge to impose an "upward departure" pursuant to the Sentencing Guidelines;**

(3) challenging a decision by the sentencing judge to impose an "upward variance" above the final Sentencing Guideline range determined by the Court; and

(4) that an attorney who represented the defendant during the course of this criminal case provided constitutionally ineffective assistance of counsel.

If the defendant does appeal or seek collateral relief pursuant to this subparagraph, no issue may be presented by the defendant in such a proceeding other than those described in this subparagraph:

15. The defendant acknowledges that filing an appeal or any collateral attack waived in the preceding paragraph may constitute a breach of this plea agreement. The government promises that it will not declare a breach of the plea agreement on this basis based on the mere filing of a notice of appeal, but may do so only after the defendant or his counsel thereafter states, either orally or in writing, a determination to proceed with an appeal or collateral attack raising an issue the government deems barred by the waiver. The parties acknowledge that the filing and pursuit of an appeal constitutes a breach only if a court determines that the appeal does not present an issue that a judge may reasonably conclude is permitted by an exception to the waiver stated in the preceding paragraph or constitutes a "miscarriage of justice" as that term is defined in applicable law.

16. The defendant waives any claim under the Hyde Amendment, 18 U.S.C. § 3006A (Statutory Note), for attorney's fees and other litigation expenses arising out of the investigation or prosecution of this matter.

17. The defendant waives all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation any records that may be sought under the Freedom of Information Act, 5 U.S.C. § 552, or the Privacy Act, 5 U.S.C. § 552a.

18. The defendant is satisfied with the legal representation provided by the defendant's lawyer; the defendant and this lawyer have fully discussed this plea agreement; and the defendant is agreeing to plead guilty because the defendant admits that he is guilty. It is agreed that the parties' guilty plea agreement contains no additional promises, agreements, or understandings other than those set forth in this

written guilty plea agreement, and that no additional promises, agreements, or understandings will be entered into unless in writing and signed by all parties.

**JEFFERSON B. SESSIONS III**  
Attorney General of the United States

**WILLIAM E. FITZPATRICK**  
Acting United States Attorney  
for the District of New Jersey



**RUFUS KEITH WILLIAMS**  
Defendant



**ROBERT A. ZAWMER**  
**VINEET GAURI**  
Assistant United States Attorneys



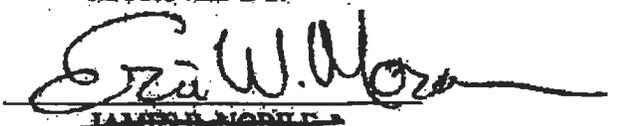
**THOMAS F. BURKE, Esq.**  
**TREVAN BORUM, Esq.**  
Counsel for Defendant



**ERIC W. MORAN**  
Special Attorney  
Appointed Under 28 U.S.C. § 515

Date: 6/29/17

APPROVED BY:



~~JAMES B. NOBLE~~  
Chief, Special Prosecutions Division  
District of New Jersey  
**ERIC W. MORAN**  
Deputy Chief, Criminal Division

**Attachment**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** :

**v.** :

**CRIMINAL NO. 17-137**

**RUFUS SETH WILLIAMS** :

**ACKNOWLEDGMENT OF RIGHTS**

I hereby acknowledge that I have certain rights that I will be giving up by pleading guilty.

1. I understand that I do not have to plead guilty.
2. I may plead not guilty and insist upon the completion of the trial which has commenced before this Court.
3. At that trial, I understand:
  - a. that I have the right to be tried by the jury that has been selected from the Eastern District of Pennsylvania with my participation, and that of my attorneys;
  - b. that the jury could only convict me if all 12 jurors agreed that they were convinced of my guilt beyond a reasonable doubt;
  - c. that the government has the burden of proving my guilt beyond a reasonable doubt and that I do not have to prove anything;
  - d. that I am presumed innocent unless and until such time as the jury was convinced beyond a reasonable doubt that the government had proven that I was guilty;
  - e. that I have the right to be represented by a lawyer at this trial and at any appeal following the trial, and that if I could not afford to hire a lawyer, the court would appoint one for me free of charge;

f. that through my lawyer I have the right to confront and cross-examine the witnesses against me;

g. that I could testify in my own defense if I wanted to and I could subpoena witnesses to testify in my defense if I wanted to; and

h. that I would not have to testify or otherwise present any defense if I did not want to and that if I did not present any evidence, the jury could not hold that against me.

4. I understand that if I plead guilty, the trial would end, the jury will be dismissed, and I would be giving up all of the rights listed above.

5. I understand that if I decide to enter a plea of guilty, the judge will ask me questions under oath and that if I lie in answering those questions, I could be prosecuted for the crime of perjury, that is, for lying under oath.

6. I understand that if I plead guilty, I have given up my right to appeal, except as set forth in the appellate waiver provisions of my plea agreement.

7. Understanding that I have all these rights and that by pleading guilty I am giving them up, I still wish to plead guilty.

8. I acknowledge that no one has promised me what sentence the Court will impose. I am aware and have discussed with my attorney that, at sentencing, the Court will calculate the Sentencing Guidelines range (including whether any departures apply), and then, in determining my sentence, will consider the Guideline range and all relevant policy statements in the Sentencing Guidelines, along with other sentencing factors set forth in 18 U.S.C. § 3553(a), including

(1) the nature and circumstances of the offense and my personal history and characteristics;

(2) the need for the sentence imposed— (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; (B) to afford adequate deterrence to criminal conduct; (C) to protect the public from further crimes of the defendant; and (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;

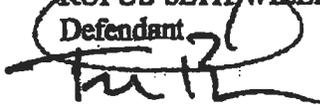
(3) the kinds of sentences available;

(4) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and

(5) the need to provide restitution to any victims of the offense.



RUFUS SETH WILLIAMS  
Defendant



THOMAS F. BURKE, Esq.  
TREVAN BORUM, Esq.  
Counsel for the Defendant

Dated: 6/29/17