



U.S. Department of Justice

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March 31, 2014

VIA ELECTRONIC MAIL

Craig A. Raabe, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103

Re: United States v. Lisa Wilson-Foley,
Criminal No. 3:14CR_____

Dear Mr. Raabe:

This letter confirms the plea agreement between your client, Lisa Wilson-Foley (the "defendant"), and the United States Attorney's Office for the District of Connecticut (the "Government" or "this Office") concerning the conduct underlying Count One of the Information.

THE PLEA AND OFFENSE

Lisa Wilson-Foley agrees to waive her right to be indicted and plead guilty to a one-count Information charging her with conspiracy to make illegal campaign contributions contrary to 2 U.S.C. § 437g(d)(1)(A)(ii), all in violation of 18 U.S.C. § 371.

The defendant understands that, to be guilty of the conspiracy charged in Count One of the Information, the following essential elements of the offense must be satisfied:

1. Two or more persons agreed to commit an offense against the United States, that is, to make contributions and cause contributions to be made by an individual to the campaign committee for a candidate for the U.S. House of Representatives, which aggregated \$2,000 or more (but less than \$25,000) during a calendar year, in violation of Title 2, United States Code, Sections 441a(a)(1)(A), 441a(f) and 437g(d)(1)(A)(ii), and Title 18, United States Code, Section 2;
2. The defendant knowingly and willfully joined the conspiracy;
3. One or more of the co-conspirators took an overt act in furtherance of the conspiracy.

THE PENALTIES

In this instance, the offense of conspiracy to commit a violation of 2 U.S.C. §§ 441a(a)(1)(A), 441a(f) and 437g(d)(1)(A)(ii), in violation of 18 U.S.C. § 371, carries a maximum penalty of one year imprisonment and a \$100,000 fine. In addition, under 18 U.S.C. § 3583, the Court may impose a term of supervised release of not more than one year to begin at the expiration of any term of imprisonment. The defendant understands that, should she violate any condition of the supervised release, she may be required to serve a further term of imprisonment of up one year with no credit for time already spent on supervised release.

For the above offense, in addition to the penalties described above, the defendant also is subject to the alternative fine provision of 18 U.S.C. § 3571. Under this section, the maximum fine that may be imposed on the defendant is the greatest of the following amounts: (1) twice the gross gain to the defendant resulting from the offense; (2) twice the gross loss resulting from the offense; or (3) \$100,000.

In addition, the defendant is obligated by 18 U.S.C. § 3013 to pay a special assessment of \$25 on each count of conviction. The defendant agrees to pay the special assessment to the Clerk of the Court on the day the guilty plea is accepted.

THE SENTENCING GUIDELINES

Applicability

The defendant understands that the Court is required to consider any applicable Sentencing Guidelines as well as other factors enumerated in 18 U.S.C. § 3553(a) to tailor an appropriate sentence in this case and is not bound by this plea agreement. The defendant agrees that the Sentencing Guideline determinations will be made by the Court, by a preponderance of the evidence, based upon input from the defendant, the Government, and the United States Probation Office. The defendant further understands that she has no right to withdraw her guilty plea if her sentence or the Guideline application is other than she anticipated, including if the sentence is outside any of the ranges set forth in this agreement.

Acceptance of Responsibility

At this time, the Government agrees to recommend that the Court reduce by two levels the defendant's adjusted offense level under § 3E1.1(a) of the Sentencing Guidelines, based on the defendant's prompt recognition and affirmative acceptance of personal responsibility for the offense. Moreover, should the defendant qualify for a decrease under § 3E1.1(a) and her offense level determined prior to the operation of subsection (a) is level 16 or greater, the Government will file a motion with the Court pursuant to § 3E1.1(b) which recommends that the Court reduce the defendant's Adjusted Offense Level by one additional level based on her prompt notification of her intention to enter a plea of guilty. The defendant expressly understands that the Court is not obligated to accept the Government's recommendations on the reductions.

The above-listed recommendations are conditioned upon the defendant's affirmative

demonstration of acceptance of responsibility by (1) truthfully admitting the conduct comprising the offense(s) of conviction and truthfully admitting or not falsely denying any additional relevant conduct for which the defendant is accountable under Sentencing Guideline § 1B1.3, and (2) truthfully disclosing to the Probation Office personal information requested, including the submission of a complete and truthful financial statement detailing the defendant's financial condition.

In addition, the Government expressly reserves the right to seek denial of the adjustment for acceptance of responsibility if the defendant engages in any acts, unknown to the Government at the time of the signing of this agreement, which (1) indicate that the defendant has not terminated or withdrawn from criminal conduct or associations (Sentencing Guideline § 3E1.1); (2) could provide a basis for an adjustment for obstructing or impeding the administration of justice (Sentencing Guideline § 3C1.1); or (3) constitute a violation of any condition of release. Moreover, the Government reserves the right to seek denial of the adjustment for acceptance of responsibility if the defendant seeks to withdraw her plea of guilty or takes a position at sentencing, or otherwise, which, in the Government's assessment, is inconsistent with affirmative acceptance of personal responsibility. The defendant understands that she may not withdraw her plea of guilty if, for the reasons explained above, the Government does not make one or both of the recommendations or seeks denial of the adjustment for acceptance of responsibility.

Stipulation

Pursuant to § 6B1.4 of the Sentencing Guidelines, the defendant and the Government have entered into a stipulation, which is attached to and made a part of this plea agreement. The defendant understands that this stipulation does not set forth all of the relevant conduct and characteristics that may be considered by the Court for purposes of sentencing. The defendant understands that this stipulation is not binding on the Court. The defendant also understands that the Government and the United States Probation Office are obligated to advise the Court of any additional relevant facts that subsequently come to their attention.

Waiver of Right to Appeal or Collaterally Attack Sentence

The defendant acknowledges that under certain circumstances she is entitled to challenge her conviction and sentence. The defendant agrees not to appeal or collaterally attack in any proceeding, including but not limited to a motion under 28 U.S.C. § 2255 and/or § 2241, the conviction resulting from this guilty plea. The defendant acknowledges that she is knowingly and intelligently waiving these rights.

The parties reserve their respective rights to appeal the sentence imposed and to oppose each other's appeal, as permitted by 18 U.S.C. § 3742.

Information to the Court

The Government reserves its right to address the Court with respect to an appropriate sentence to be imposed in this case. Moreover, the Government will discuss the facts of this

case, including information regarding the defendant's background and character, 18 U.S.C. § 3661, with the United States Probation Office and will provide the Probation Officer with access to material in its file, with the exception of grand jury material.

WAIVER OF RIGHTS

Waiver of Trial Rights and Consequences of Guilty Plea

The defendant understands that she has the right to be represented by an attorney at every stage of the proceeding and, if necessary, one will be appointed to represent her.

The defendant understands that she has the right to plead not guilty or to persist in that plea if it has already been made, the right to a public trial, the right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against him, the right not to be compelled to incriminate herself, and the right to compulsory process for the attendance of witnesses to testify in her defense. The defendant understands that by pleading guilty she waives and gives up those rights and that, if the plea of guilty is accepted by the Court, there will not be a further trial of any kind.

The defendant understands that, if she pleads guilty, the Court may ask her questions about each offense to which she pleads guilty, and if she answers those questions falsely under oath, on the record, and in the presence of counsel, her answers may later be used against her in a prosecution for perjury or making false statements.

Waiver of Statute of Limitations

The defendant agrees that, should the conviction following defendant's plea of guilty pursuant to this plea agreement be vacated for any reason, then any prosecution that is not time-barred by the applicable statute of limitations on the date of the signing of this plea agreement (including any indictment or counts the Government has agreed to dismiss at sentencing pursuant to this plea agreement) may be commenced or reinstated against defendant, notwithstanding the expiration of the statute of limitations between the signing of this plea agreement and the commencement or reinstatement of such prosecution. The defendant agrees to waive all defenses based on the statute of limitations with respect to any prosecution that is not time-barred on the date the plea agreement is signed.

ACKNOWLEDGMENT OF GUILT AND VOLUNTARINESS OF PLEA

The defendant acknowledges that she is entering into this agreement and is pleading guilty freely and voluntarily because she is guilty. The defendant further acknowledges that she is entering into this agreement without reliance upon any discussions between the Government and her (other than those described in the plea agreement letter), without promise of benefit of any kind (other than the concessions contained in the plea agreement letter), and without threats, force, intimidation, or coercion of any kind. The defendant further acknowledges her understanding of the nature of the offense to which she is pleading guilty, including the penalties provided by law. The defendant also acknowledges her complete satisfaction with the

representation and advice received from her undersigned attorney. The defendant and her undersigned counsel are unaware of any conflict of interest concerning counsel's representation of the defendant in the case.

The defendant acknowledges that she is not a "prevailing party" within the meaning of Public Law 105-119, section 617 ("the Hyde Amendment") with respect to the counts of conviction or any other counts or charge that may be dismissed pursuant to this agreement. The defendant voluntarily, knowingly, and intelligently waives any rights she may have to seek attorney's fees and other litigation expenses under the Hyde Amendment.

SCOPE OF THE AGREEMENT

The defendant acknowledges that this agreement is limited to the undersigned parties and cannot bind any other federal authority, or any state or local authority. The defendant acknowledges that no representations have been made to her with respect to any civil or administrative consequences that may result from this plea of guilty because such matters are solely within the province and discretion of the specific administrative or governmental entity involved. Specifically, this agreement does not bind the Federal Election Commission or limit in any way its ability to bring a civil or administrative action against the defendant. Finally, the defendant acknowledges that this agreement has been reached without regard to any civil tax matters that may be pending or which may arise involving her.

COLLATERAL CONSEQUENCES

The defendant further understands that she will be adjudicated guilty of the offense to which she is pleading guilty and may suffer certain collateral consequences as a result of her conviction. The defendant understands that the Government reserves the right to notify any state or federal agency by which she is licensed, or with which she does business, as well as any current or future employer of the fact of her conviction.

SATISFACTION OF FEDERAL CRIMINAL LIABILITY; BREACH

The defendant's guilty plea, if accepted by the Court, will satisfy the federal criminal liability of the defendant in the District of Connecticut as a result of her conduct underlying Count One of the Information.

The defendant understands that if, before sentencing, she violates any term or condition of this agreement, engages in any criminal activity, or fails to appear for sentencing, the Government may void all or part of this agreement. If the agreement is voided in whole or in part, defendant will not be permitted to withdraw her plea of guilty.

NO OTHER PROMISES

The defendant acknowledges that no other promises, agreements, or conditions have been entered into other than those set forth in writing, and none will be entered into unless set forth in writing, signed by all the parties.

Craig A. Raabe, Esq.

March 31, 2014

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This letter shall be presented to the Court, in open court, and filed in this case.

Sincerely,

MICHAEL J. GUSTAFSON
ATTORNEY FOR THE UNITED STATES,
ACTING UNDER AUTHORITY CONFERRED
BY 28 U.S.C. § 515

LIAM BRENNAN
ASSISTANT UNITED STATES ATTORNEY

CHRISTOPHER M. MATTEI
ASSISTANT UNITED STATES ATTORNEY

The Defendant certifies that she has read this plea agreement letter and its attachment(s) or has had it read or translated to her, that she has had ample time to discuss this agreement and its attachment(s) with counsel and that she fully understands and accepts its terms.

Lisa Wilson-Foley
The Defendant

Date

I have thoroughly read, reviewed and explained this plea agreement and its attachment(s) to my client who advises me that she understands and accepts its terms.

Craig A. Raabe, Esq.
Attorney for the Defendant

Date

STIPULATION OF OFFENSE CONDUCT

The defendant, Lisa Wilson-Foley, and the Government stipulate to the following offense conduct that gives rise to the defendant's agreement to plead guilty to the Information:

In 2011 and 2012, the defendant was a candidate for election to the U.S. House of Representatives from Connecticut's Fifth Congressional District, and competing in a primary campaign for the nomination of the Republican Party. As a candidate for federal office, the defendant and her associates formed and registered with the Federal Election Commission ("FEC") the Lisa Wilson-Foley for Congress committee (the "Campaign Committee") in order to receive contributions and make expenditures on behalf of her campaign. The defendant knew that federal law imposed restrictions on contributions to federal campaigns, including a \$2,500 limit on any contribution by any individual during each election, i.e., convention, primary and general elections. The defendant also knew that the Campaign Committee was required by law to file periodic reports with the FEC detailing, among other things, contributions made to her campaign and expenditures made on the campaign's behalf. In these reports, the Campaign Committee was required to identify each person who, during the relevant reporting period, contributed more than \$200 to the committee, together with the date and the amount of any such contribution. The defendant knew that one of the purposes of these reporting requirements was to make available to the voting public information concerning the source of contributions to the Campaign and the nature of the Campaign's expenditures.

In or about September 2011, the defendant entered into an unlawful conspiracy with her husband, Brian Foley ("Foley"), Co-Conspirator 1 and others to make and cause to be made illegal contributions to the Campaign Committee, as set forth in Count One of the Information. In particular, in September 2011, Co-Conspirator 1 proposed to the defendant and Foley that he (Co-Conspirator 1) be hired to work on the defendant's congressional campaign. Co-Conspirator 1 advised that he could replace the private political consultant that the Campaign had retained. The defendant wanted Co-Conspirator 1 to work for her congressional campaign. However, the defendant knew and believed that, if Co-Conspirator 1 was hired in a significant role by her Campaign and paid through the Campaign Committee for that work, the media and the voting public would become aware of Co-Conspirator 1's official association with her Campaign. The defendant knew and believed that disclosure of Co-Conspirator 1's paid role in the Campaign would result in substantial negative publicity for her candidacy because Co-Conspirator 1 had previously been convicted of a felony offense. In order to retain Co-Conspirator 1's services for the Campaign while reducing the risk that his paid Campaign role would be disclosed to the public, the defendant, Foley, Co-Conspirator 1 and others agreed that Co-Conspirator 1 would be paid by Foley to work on the Campaign.

In calendar year 2011, Co-Conspirator 1 was paid approximately \$15,000 for services rendered to the Campaign. In calendar year 2012, Co-Conspirator 1 was paid approximately \$20,000 for services rendered to the Campaign. These payments originated with Foley and constituted contributions to the Campaign Committee. As the defendant knew, those contributions were not reported to the FEC, in violation of federal campaign finance laws.

The written stipulation above is incorporated into the preceding plea agreement. The defendant and the Government reserve their right to present additional relevant offense conduct to the attention of the Court in connection with sentencing.

LISA WILSON-FOLEY
The Defendant

LIAM BRENNAN
ASSISTANT UNITED STATES ATTORNEY

CHRISTOPHER M. MATTEI
ASSISTANT UNITED STATES ATTORNEY

CRAIG A. RAABE, ESQ.
Attorney for the Defendant