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**U.S. District Court
District of Wyoming (WYD)
CRIMINAL DOCKET FOR CASE #: 0:22-cr-00048-KHR-1**

Case title: USA v. ESI Energy LLC

Date Filed: 04/01/2022

Date Terminated: 04/06/2022

Assigned to: Honorable Kelly H Rankin

Defendant (1)

ESI Energy LLC

TERMINATED: 04/06/2022

represented by **Benjamin B. Wagner**
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Designation: Retained

Pending Counts

16 U.S.C. §§703, 707(a) (Unlawful Take of Migratory Birds)
(1-3)

Disposition

\$1,861,600.00 Fine, \$150.00 Special Assessment, 6,210,991.73 Restitution

Highest Offense Level (Opening)

Misdemeanor

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff**

USA

represented by **David A Kubichek**
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Date Filed	#	Docket Text
04/01/2022	1	INFORMATION as to ESI Energy LLC (1) count(s) 1-3. (Court Staff, scat) (Main Document 1 replaced on 4/4/2022) (Court Staff, smxb). (Main Document 1 replaced on 4/6/2022) (Court Staff, smxb). (Entered: 04/01/2022)

04/01/2022	2	EX PARTE/NON-PUBLIC DOCUMENT pursuant to the Judicial Conference Policy on Privacy and Public Access - PLEA AGREEMENT as to ESI Energy LLC. (Court Staff, scat) (Main Document 2 replaced on 4/1/2022) (Court Staff, scat). (Additional attachment(s) added on 4/1/2022: # 1 Attachment A, # 2 Attachment B) (Court Staff, scat). Modified to remove restriction per Judge Rankin on 4/11/2022 (Court Staff, scat). (Entered: 04/01/2022)
04/01/2022	3	NON-PUBLIC DOCUMENT pursuant to the Judicial Conference Policy on Privacy and Public Access- Praecipe for Summons by Plaintiff USA as to Defendant(s) ESI Energy LLC. (Court Staff, scat) Modified to remove restriction per Judge Rankin on 4/11/2022 (Court Staff, scat). (Entered: 04/01/2022)
04/01/2022	4	NON-PUBLIC DOCUMENT pursuant to the Judicial Conference Policy on Privacy and Public Access- Summons Issued as to ESI Energy LLC Waive Indictment/Guilty Plea to Information set for 4/5/2022 03:30 PM in Cheyenne Courtroom No. 3 (Room No. 2104) before Honorable Kelly H Rankin. Defendant served through counsel. (Court Staff, scat) Modified to remove restriction per Judge Rankin on 4/11/2022 (Court Staff, scat). (Entered: 04/01/2022)
04/01/2022	5	(TEXT-ONLY) NOTICE OF HEARING as to ESI Energy LLC, VIA ZOOM - NOTE: 1. This proceeding will be held via Zoom Video/Web Conferencing with all participants appearing remotely;the Zoom ID and Passcode will be provided separately to the participants email address of record. 2. Participants should connect to the proceeding 15 minutes prior to its scheduled start time to allow for troubleshooting of any connectivity issues. 3. To ensure the record is of the best quality, participants are encouraged to utilize a headset to reduce static and background noise. If not using a headset, participants must ensure the audio feed at their location is muted when not speaking. ***REMINDER: Recording or broadcasting of this hearing is prohibited.*** , Arraignment set for 4/5/2022 03:30 PM in Cheyenne Courtroom No. 3 (Room No. 2104) before Honorable Kelly H Rankin. Initial Appearance set for 4/5/2022 03:30 PM in Cheyenne Courtroom No. 3 (Room No. 2104) before Honorable Kelly H Rankin. Sentencing set for 4/5/2022 03:30 PM in Cheyenne Courtroom No. 3 (Room No. 2104) before Honorable Kelly H Rankin. (Court Staff, scat) (Entered: 04/01/2022)
04/01/2022	6	NOTICE OF ATTORNEY APPEARANCE: Jeffrey Scott Pope appearing for defendant ESI Energy LLC (Pope, Jeffrey) (Entered: 04/01/2022)
04/01/2022	7	NOTICE OF ATTORNEY APPEARANCE: Thomas L Sansonetti appearing for defendant ESI Energy LLC (Sansonetti, Thomas) (Entered: 04/01/2022)
04/01/2022	8	MOTION for Benjamin B. Wagner to appear pro hac vice; Check not tendered; by Defendant(s) ESI Energy LLC. (Attachments: # 1 Exhibit A, # 2 Proposed Order) (Sansonetti, Thomas) (Entered: 04/01/2022)

04/01/2022	9	NOTICE OF ATTORNEY APPEARANCE: Kerry J. Jacobson appearing for USA (Jacobson, Kerry) (Entered: 04/01/2022)
04/01/2022	10	ORDER granting 8 MOTION for Benjamin B. Wagner to appear pro hac vice (check not tendered) as to ESI Energy LLC (1) by the Honorable Kelly H Rankin. Copy of Order emailed to PHV attorney on this date with further instruction.(Court Staff, sal) (Entered: 04/01/2022)
04/01/2022		FINANCIAL ENTRY: PAYMENT OF \$100 RECEIVED FOR PRO HAC VICE FEE FOR BENJAMIN B WAGNER. RECEIPT CHY036167. (Court Staff, sjk) (Entered: 04/04/2022)
04/04/2022	11	NOTICE OF PRO HAC VICE ATTORNEY APPEARANCE: Benjamin B. Wagner appearing for defendant ESI Energy LLC (Wagner, Benjamin) (Entered: 04/04/2022)
04/05/2022	12	Minute Entry: Initial Appearance as to ESI Energy LLC held on 4/5/2022. Minute Entry: Arraignment as to ESI Energy LLC (1) Count 1-3 held on 4/5/2022. Defendant pled guilty. Proceedings held before Honorable Kelly H Rankin. (Court Reporter Jan Davis.) (Court Staff, smxb) (Entered: 04/06/2022)
04/05/2022	13	Minute Entry: Sentencing held on 4/5/2022 for ESI Energy LLC (1), Count(s) 1-3. 60 months unsupervised probation; \$1,861,600.00 Fine, \$150.00 Special Assessment, 6,210,991.00 Restitution. Proceedings held before Honorable Kelly H Rankin. (Court Reporter Jan Davis.) (Court Staff, smxb) (Main Document 13 replaced on 4/6/2022) (Court Staff, smxb). (Main Document 13 replaced on 4/6/2022) (Court Staff, smxb). (Entered: 04/06/2022)
04/06/2022	14	JUDGMENT and COMMITMENT Order by the Honorable Kelly H. Rankin as to ESI Energy LLC (1), Count(s) 1-3, \$1,861,600.00 Fine, \$150.00 Special Assessment, 6,210,991.73 Restitution. Emailed to USDC financial on this date.(Court Staff, sal) (Entered: 04/06/2022)

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