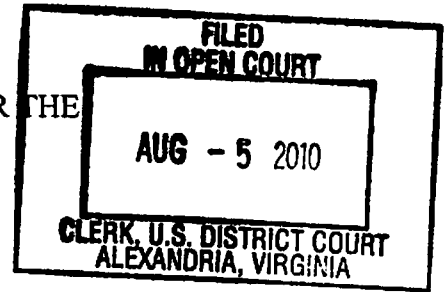


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 1:10-MJ-534
)
 MARK MAGLIOCCHETTI,)
)
 Defendant.)

STATEMENT OF FACTS

Were this matter to go to trial, the United States of America would prove the following facts beyond a reasonable doubt:

1. After graduating from college, MARK MAGLIOCCHETTI went to work at a lobbying firm owned and run by Person A. The firm, Company A, was a corporation. Company A had as clients various private companies and individuals. On their behalf, MARK MAGLIOCCHETTI and other lobbyists at Company A regularly solicited federal appropriations from Members of Congress.

2. Beginning after college graduation, MARK MAGLIOCCHETTI repeatedly was directed by Person A to make contributions to candidates for federal office. Beginning in 2002, Person A also repeatedly directed MARK MAGLIOCCHETTI to have MARK MAGLIOCCHETTI's wife make federal campaign contributions.

3. MARK MAGLIOCCHETTI knew and understood that the purpose of making campaign contributions was to maintain and increase Company A's lobbying business. Making campaign contributions helped Company A gain access to candidates for federal office, which in turn helped Company A maintain and accrue lobbying work and clients.

4. MARK MAGLIOCCHETTI received money to cover the cost of his and his wife's campaign contributions from Person A and Company A. The manner in which Person A funded the campaign contributions of MARK MAGLIOCCHETTI and his wife evolved over time. Prior to 2004, MARK MAGLIOCCHETTI's campaign contributions were largely funded by certain personal checks from Person A that MARK MAGLIOCCHETTI knew and understood were meant to fund campaign contributions. Beginning in 2004, MARK MAGLIOCCHETTI's wife was put onto the payroll at Company A as a consultant and received monthly payments. Again, MARK MAGLIOCCHETTI knew and understood that the payments to his wife from Company A, as well as certain personal checks he continued to receive, were meant to fund campaign contributions. Beginning in 2006, MARK MAGLIOCCHETTI and/or his wife received certain large lump-sum payments from Company A, which MARK MAGLIOCCHETTI knew and understood were meant to fund campaign contributions.

5. MARK MAGLIOCCHETTI'S understanding of the impropriety of receiving payments to fund campaign contributions grew over time. Initially, MARK MAGLIOCCHETTI felt uncomfortable receiving money that he knew was for campaign contributions, intuiting that the arrangement was problematic without knowing that it was expressly forbidden. Over time, however, MARK MAGLIOCCHETTI came to understand that it was unlawful for him to receive payments from either Person A or Company A to fund campaign contributions. MARK MAGLIOCCHETTI nevertheless continued to receive certain payments from Company A with the understanding that those payments were for political contributions, and he in fact used that money to make political contributions throughout 2007 and 2008.

6. During the time when MARK MAGLIOCCHETTI was aware that such funding was unlawful, the amount of contributions made by MARK MAGLIOCCHETTI and his wife and funded by Person A and Company A exceeded \$120,000 but was less than \$200,000.

7. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the government. It does not include each and every fact known to the defendant or the government, and it is not intended to be a full enumeration of all the facts surrounding the defendant's case.

Respectfully submitted,

Neil H. MacBride
United States Attorney
Eastern District of Virginia

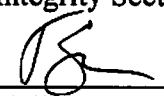
By:

 8-5-10

Mark D. Lytle
Assistant United States Attorney

Jack Smith
Chief
Public Integrity Section

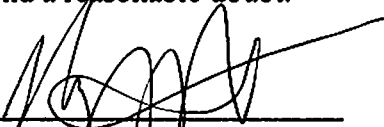
By:



M. Kendall Day
Justin V. Shur
Kevin O. Driscoll

After consulting with my attorneys and pursuant to the plea agreement entered into this day between the defendant, Mark Magliocchetti, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

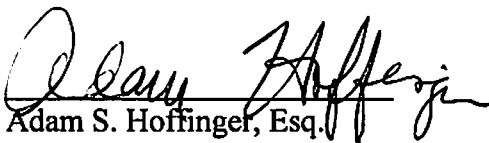
Date: 8/5/10



Mark Magliocchetti
Defendant

We are Mark Magliocchetti's attorney. We have carefully reviewed the above Statement of Facts with him. To our knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Date: 8/5/10



Adam S. Hoffingel, Esq.
Robert A. Salerno, Esq.
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Suite 6000
Washington, D.C. 20006