

18FC-1653C

THE STATE OF TEXAS

VS

BACKPAGE.COM, LLC

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IN THE 94th DISTRICT COURT;

OF NUECES COUNTY, TEXAS

STATE ID

FELONY INFORMATION

In the Name and by the Authority of the State of Texas:

Now comes Kirsta Melton, Assistant District Attorney of the County of Nueces, STATE OF TEXAS, on behalf of said State, presents in the District Court for the 105th Judicial District of said County, at the instant Term, January 2018 - June 2018, of said Court, that heretofore, to-wit,

COUNT ONE

Backpage.com, LLC, Ad Tech BV, Amstel River Holdings, LLC, Website Technologies, LLC, Posting Solutions, LLC, and UGC Tech Group BV, hereinafter referred to as Defendant Entities, did, on or about January 1, 2015, through March 31, 2015, and anterior to the filing of this information, in Nueces County, Texas, knowingly receive a benefit from participating in a venture that involved the trafficking of _____, a child younger than 18 years of age, and by any means caused _____ to engage in or become the victim of conduct prohibited by Section 43.05 Compelling Prostitution;

COUNT TWO

Backpage.com, LLC, Ad Tech BV, Amstel River Holdings, LLC, Website Technologies, LLC, Posting Solutions, LLC, and UGC Tech Group BV, hereinafter referred to as Defendant Entities, did, on or about September 1, 2015, through December 31, 2017, and anterior to the filing of this information, in Nueces County, Texas, with intent to establish, maintain, or participate in a combination or in the profits of a combination, the combination consisting of the Defendant Entities, Julia Dorst, Amnon Lipa, Omar Lopez-Castrillo and Vladamir Hanus, and other unnamed individuals, who collaborated in carrying on the following criminal activity:

Money Laundering, in that the Defendant Entities knowingly acquired, maintained an interest in, concealed, possessed, transferred or transported the proceeds of criminal activity; or conducted, supervised or facilitated a transaction involving the proceeds of criminal activity; or invested, expended and received the proceeds of criminal activity or funds that Defendant Entities believed are the proceeds of criminal activity, namely: United States currency or its equivalent, and said funds were acquired or derived directly or indirectly from criminal activity, namely conduct prohibited by Texas Penal Code Section 32.32 False Statement to Obtain Property or Credit or in the

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THE STATE OF TEXAS

VS

BACKPAGE.COM, LLC

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IN THE 94th DISTRICT COURT;

OF NUECES COUNTY, TEXAS

STATE ID

WAIVER OF INDICTMENT

NOW COMES Backpage.com, LLC, defendant herein, accused of the non-capital felony offense of COUNT 1: TRAFFICKING OF PERSONS; COUNT 2: ENGAGING IN ORGANIZED CRIMINAL ACTIVITY and represented by his attorney and having been advised by his attorney and by the Court of his rights and the nature of the charge against him and his right not to be tried in this case except on the indictment of a Grand Jury, hereby in open Court and in writing voluntarily and knowingly waives his right to be prosecuted by a Grand Jury indictment and announces his election and consent to be charged by information.



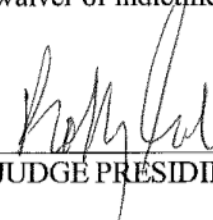
AUTHORIZED REPRESENTATIVE
OF DEFENDANT



ATTORNEY FOR THE DEFENDANT

ORDER

On this _____ day of _____, _____, the above-named defendant having appeared before me with his attorney in open Court, and the defendant having been fully advised of his rights and the nature of the charge against him and that he has a right to be prosecuted by indictment by a Grand Jury, the defendant intelligently, voluntarily, and knowingly waived such right and the defendant and his attorney signed the foregoing written instrument in open Court, and the Court hereby approves the waiver of indictment and approves prosecution in this case by information.



JUDGE PRESIDING

18FC-1653C

THE STATE OF TEXAS

VS

BACKPAGE.COM, LLC

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IN THE 94th DISTRICT COURT

OF NUECES COUNTY, TEXAS

STATE ID

JUDICIAL CONFESSION AND STIPULATION AND CERTIFICATION OF DISCOVERY

I, BACKPAGE.COM, LLC, am the Defendant in the above styled and numbered cause.

My attorney is David Botsford.

The State of Texas and the attorney for the Defendant, prior to the Defendant entering a plea of guilty, acknowledge that the documents, reports, and information attached hereto were produced by the Nueces County District Attorney's Office and/or the Office of the Attorney General of Texas and received by the attorney for the defendant as discovery in this cause. I further acknowledge that my attorney has reviewed the evidence with me. My attorney and I do hereby waive the production of any additional discovery and enter a plea of guilty or no contest to the charges.

My attorney has investigated the facts and circumstances surrounding my case, discussed those with me, and advised me of possible defenses. I am satisfied with my attorney's representation. I am pleading guilty to the offense of COUNT 1: TRAFFICKING OF PERSONS; COUNT TWO: ENGAGING IN ORGANIZED CRIMINAL ACTIVITY because I am guilty. My plea is freely, voluntarily, knowingly, and intelligently given.

On this day in open Court, I, Backpage.com, LLC, waive my right against self-incrimination and hereby judicially confess that

COUNT ONE

I, Backpage.com, LLC, Ad Tech BV, Amstel River Holdings, LLC, Website Technologies, LLC, Posting Solutions, LLC, and UGC Tech Group BV, hereinafter referred to as Defendant Entities, did, on or about January 1, 2015, through March 31, 2015, in Nueces County, Texas, knowingly receive a benefit from participating in a venture that involved the trafficking of _____, a child younger than 18 years of age, and by any means caused to engage in or become the victim of conduct prohibited by Section 43.05 Compelling Prostitution;

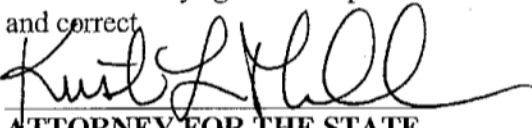
COUNT TWO


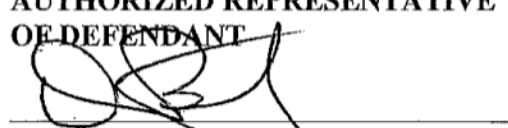
I, Backpage.com, LLC, Ad Tech BV, Amstel River Holdings, LLC, Website Technologies, LLC, Posting Solutions, LLC, and UGC Tech Group BV, hereinafter referred to as Defendant Entities, did, on or about September 1, 2015, through December 31, 2017, in Nueces County, Texas, with intent to establish, maintain, or participate in a combination or in the profits of a combination, the combination consisting of the Defendant Entities, Julia Dorst, Amnon Lipa, Omar Lopez-Castrillo and Vladamir Hanus, and other unnamed individuals, who collaborated in carrying on the following criminal activity:

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Money Laundering, in that the Defendant Entities knowingly acquired, maintained an interest in, concealed, possessed, transferred or transported the proceeds of criminal activity; or conducted, supervised or facilitated a transaction involving the proceeds of criminal activity; or invested, expended and received the proceeds of criminal activity or funds that Defendant Entities believed are the proceeds of criminal activity, namely: United States currency or its equivalent, and said funds were acquired or derived directly or indirectly from criminal activity, namely conduct prohibited by Texas Penal Code Section 32.35 Credit Card Transaction Record Laundering, and all proceeds of the criminal activity were related to one scheme or continuing course of conduct and the aggregate value of the proceeds is \$300,000 or more.

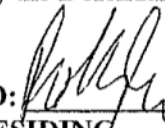
I hereby agree and stipulate that the facts contained in this instrument and its attached exhibits, if any, are true and correct.


ATTORNEY FOR THE STATE


AUTHORIZED REPRESENTATIVE
OF DEFENDANT

ATTORNEY FOR THE DEFENDANT

SUBSCRIBED AND SWORN to before me in open Court by the Defendant, BACKPAGE.COM, LLC, on this the 7 day of April, 2018.


CLERK

APPROVED: 
JUDGE PRESIDING

CR-18FC-1653C

THE STATE OF TEXAS

V.

BACKPAGE.COM, LLC, AMSTEL RIVER
HOLDINGS, LLC, WEBSITE
TECHNOLOGIES, LLC, POSTING
SOLUTIONS, LLC, AD TECH BV, AND
UGC TECH GROUP BV,

DEFENDANTS.

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IN THE DISTRICT COURT

94th

JUDICIAL

DISTRICT

Nueces COUNTY, TEXAS

**COURT'S WRITTEN ADMONISHMENTS TO THE DEFENDANT
AND DEFENDANT'S WRITTEN WAIVER OF RIGHTS AND STIPULATION OF EVIDENCE
FOR PLEA OF GUILTY OR NOLO CONTENDERE**

NOW COMES THE DEFENDANTS Backpage.com, LLC, et al., (collectively, the "Defendant Entities") and requests the Court to accept their plea of guilty to the offense alleged in the information in this case, and further states that prior to entering this plea, the Defendant Entities have been provided with the following admonishments and understand the same, and that the Defendant Entities further waive the rights indicated herein and request the Court proceed by accepting their plea of guilty and assessing punishment without a jury.

WRITTEN ADMONISHMENTS TO DEFENDANT

PUNISHMENT ASSESSED:

The Defendant Entities are hereby admonished that any punishment recommendation of the State is not binding on the Court. Before any finding on the plea, the Court will inquire as to the existence of any plea bargain agreement between the State and the Defendant Entities and, if such exists, the court shall inform the Defendant Entities whether it will follow or reject the agreement in open court. If the Court rejects the agreement, the Defendant Entities will be permitted to withdraw their plea and no statement or other evidence received during the plea will be admitted against the Defendant Entities on the issue of guilt or punishment in any subsequent criminal proceedings unless reoffered and admitted at that time. If any objections to the evidence were waived at the time of the plea bargain, those objections may be urged ~~without~~ prejudice at a later trial following rejection of the plea agreement.

If, however, the punishment assessed does not exceed that agreed to by the Defendant Entities and recommended by the State, the trial court must give its permission to the Defendant Entities before they could prosecute an appeal on any matter in the case except for those matters raised by written motions filed prior to trial, unless the Defendant Entities expressly waived such right.

MENTAL COMPETENCY TO STAND TRIAL:

The defense counsel and the Defendant Entities hereby represent that the Defendant Entities are competent to stand trial, and based upon all evidence presented, the Court hereby finds the Defendant Entities competent.

Initials of Representative for
Defendant Entities

RANGE OF PUNISHMENT FOR OFFENSE:

The range of punishment is as follows:

| | | |
|----|---|-----|
| I | TRAFFICKING OF PERSONS | 1ST |
| II | ENGAGING IN ORGANIZED CRIMINAL ACTIVITY | 1ST |

| | | |
|-------------------------------------|---|--|
| <input type="checkbox"/> | STATE JAIL FELONY | A fine not to exceed \$20,000. If the Court finds that the corporation or association gained money or property or caused personal injury or death, property damage, or other loss, through the commission of a felony, the Court may sentence the corporation to pay a fine in an amount fixed by the Court, not to exceed double the amount gained by the corporation or association. |
| <input type="checkbox"/> | 3 RD DEGREE FELONY • STATE JAIL FELONY W/ DEADLY WEAPON FINDING OR 3G PRIOR CONVICTION • HABITUAL STATE JAIL FELON | A fine not to exceed \$20,000. If the Court finds that the corporation or association gained money or property or caused personal injury or death, property damage, or other loss, through the commission of a felony, the Court may sentence the corporation to pay a fine in an amount fixed by the Court, not to exceed double the amount gained by the corporation or association. |
| <input type="checkbox"/> | 2 ND DEGREE FELONY • STATE JAIL FELONY W/2 PRIOR FELONY CONVICTIONS • THIRD DEGREE FELONY W/ 1 PRIOR FELONY CONVICTION | A fine not to exceed \$20,000. If the Court finds that the corporation or association gained money or property or caused personal injury or death, property damage, or other loss, through the commission of a felony, the Court may sentence the corporation to pay a fine in an amount fixed by the Court, not to exceed double the amount gained by the corporation or association. |
| <input checked="" type="checkbox"/> | 1 ST DEGREE FELONY • 2 ND DEGREE FELONY W/ PRIOR FELONY CONVICTION | A fine not to exceed \$20,000. If the Court finds that the corporation or association gained money or property or caused personal injury or death, property damage, or other loss, through the commission of a felony, the Court may sentence the corporation to pay a fine in an amount fixed by the Court, not to exceed double the amount gained by the corporation or association. |
| <input type="checkbox"/> | 1 ST DEGREE FELONY (PRIOR CONVICTION) | A fine not to exceed \$20,000. If the Court finds that the corporation or association gained money or property or caused personal injury or death, property damage, or other loss, through the commission of a felony, the Court may sentence the corporation to pay a fine in an amount fixed by the Court, not to exceed double the amount gained by the corporation or association. |



Initials of Representative for
Defendant Entities

COURT FEES, COSTS, FINES, AND RESTITUTION:

The Defendant Entities are admonished that court fees, costs, fines, and restitution assessed in a criminal judgment shall be paid in one or several sums as ordered by the court. If the Defendant Entities are sentenced to pay a fine or costs or both and the Defendant Entities default in payment, the court after a hearing may order the Defendant Entities confined in jail until discharged, or may order the Defendant Entities to discharge the fines and costs through work, community service, or otherwise as provided by law.

The court that sentences a defendant convicted of an offense may order the defendant to make restitution to any victim of the offense or to the compensation to victims of crime fund. This restitution may be to compensate for property damage, loss, or destruction, or any expenses incurred by the victim as a result of the offense and may be ordered to be paid to the crime victim, the crime victims compensation fund, the crime victim's estate, a person who has compensated the victim for losses related to the offense, or another entity on the victim's behalf. Restitution may be ordered to be paid immediately upon sentencing, or in specified installments so as to require full restitution be paid not be later than: (A) the end of the period of probation, if probation is ordered; (B) five years after the end of the term of imprisonment imposed, if the court does not order probation; or (C) five years after the date of sentencing in any other case.

A sentence of imprisonment or a revocation of community supervision after a suspended sentence or deferred adjudication does not relieve a defendant of his obligation to pay restitution as ordered. Whether a defendant is placed on community supervision or is paroled or released on mandatory supervision, the court or the parole panel shall order the payment of restitution as a condition of community supervision, parole, or mandatory supervision.

The Defendant Entities are further admonished that funds in a prison inmate's trust account may, upon court order, be withdrawn, seized or garnished to pay any unpaid court fees, costs and fines associated with this conviction. The Defendant Entities understands that they, as part of this agreement, waive the right to the appointment of legal counsel to pursue any legal, equitable, or administrative proceeding to prevent the Texas Department of Criminal Justice from withdrawing, garnishing or seizing funds from their inmate trust account to pay any unpaid fine, court costs or court fees.

The Defendant Entities are further admonished that failure to pay restitution assessed by the court may results in the filing of a lien against any interest of the Defendant Entities in: 1) real property; 2) tangible or intangible personal property, or 3) a motor vehicle. The Defendant Entities acknowledges that a restitution lien may be filed at any time an outstanding restitution order remains unpaid, without regard to whether the Defendant Entities are under community supervision, in jail or prison, on parole, or have been released from custody or supervision.

WAIVERS AND STIPULATIONS

The said Defendant Entities represent to the Court as follows:

1. I, Carl Ferrer, on behalf of the Defendant Entities, am mentally competent now and was sane at the time this offense was committed;
2. My plea is entered without any consideration of fear, and I have not been threatened in any manner whatsoever;
3. My plea is entered without persuasion and I have been promised nothing for my entering such plea;
4. I understand that the recommendation of the prosecuting attorney as to punishment is not binding on the Court;
5. I fully understand that the Court may accept or reject any plea bargain agreement made between the State and myself;
6. I fully understand that, should there be such an agreement, and the Court rejects any such plea bargain agreement, I shall be permitted to withdraw my plea of guilty, and that no statement or other evidence received during such hearing on my plea of guilt may be admitted against me on the issue of guilt or punishment in any subsequent criminal proceeding;



Initials of Representative for
Defendant Entities

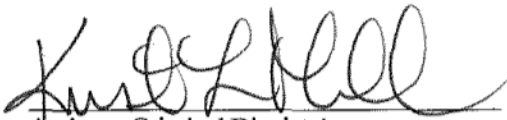
7. I understand that if the punishment does not exceed the punishment recommended by the prosecutor and agreed to by me and my attorney, the trial court must give its permission to me before I may prosecute an appeal on any matter in the case except those matters raised by written motion filed prior to trial. I further understand that the Court is unlikely to grant such permission where I am not legally entitled to an appeal.
8. I understand that if I am not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law. I affirm to the Court that I have consulted with my attorney and am satisfied that I understand the actual and potential consequences with respect to my immigration status that my plea in this case may initiate.

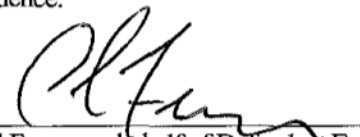
WAIVER OF ARRAIGNMENT AND WAIVER OF TEN DAYS TO
PREPARE FOR TRIAL BY COURT APPOINTED COUNSEL:

I, Carl Ferrer, on behalf of the Defendant Entities, after consulting with counsel and upon the advice of counsel, stipulate that I am one and the same person named in the instant information and I further stipulate that the name set forth in the information is my correct name. Furthermore, I stipulate that with the assistance of counsel, I fully understand the nature of the charge and allegations against the Defendant Entities and hereby waive any and all right to a formal arraignment. Furthermore, I would show this Court that I am represented by counsel, either by retaining an attorney or, due to my inability to afford an attorney, by the Court's appointing counsel. I acknowledge that my counsel and I are entitled to at least 10 days to prepare for trial unless such time be waived in writing by myself and my attorney. Now therefore, I and my attorney have waived and do hereby expressly waive any further time allowed by law, statutory or otherwise, and announce ready for trial and request that this Court proceed to hear the trial of this cause at this time.

WAIVER OF JURY:

Now, in writing and in open Court, I, Carl Ferrer, in person and by attorney, both agree that this case may be tried by the Court without the intervention of a jury both understanding that any recommendation to the Court made by the State on the issue of punishment need not be accepted nor approved by the Court, and we both consent to the Court assessing punishment in such a manner as the Court feels justified under the evidence.


Assistant Criminal District Attorney


Carl Ferrer, on behalf of Defendant Entities

WAIVER OF 30 DAYS TO FILE MOTION FOR NEW TRIAL:

I, Carl Ferrer, on behalf of Defendant Entities in this cause, joined by my attorney, in open Court waive the time allowed by law for the filing of a Motion for New Trial, and request that the Court impose sentence at this time.

WAIVER OF RIGHT OF APPEAL:

I, Carl Ferrer, on behalf of Defendant Entities in this cause, in writing and in open Court, with counsel, state that I understand that I have a right to appeal the conviction herein, and that following a conviction, if a defendant is indigent and desires to appeal, counsel will be appointed at no cost to the defendant. Now, understanding all rights in this connection, I waive and abandon all rights of appeal in this cause, including rights of appeal as to any pre-trial matters and competency of defense counsel.



Initials of Representative for
Defendant Entities

WAIVER OF HABEAS CORPUS

I, Carl Ferrer, on behalf of Defendant Entities in this cause, in writing and in open Court, with counsel, further state that I understand my right to seek post-conviction relief from the court's sentence by filing an application for a writ of habeas corpus under article 11.07, Texas Code of Criminal Procedure. As part of my agreement with the State, I hereby knowingly, voluntarily, and intelligently waive my right to seek relief pursuant to a post-conviction application for a writ of habeas corpus involving any claims—statutory, Constitutional, or otherwise—which are known or reasonably should have been known to me at this time.

WAIVER OF FULL DISCOVERY

I, Carl Ferrer, on behalf of Defendant Entities in this cause, in writing and in open Court, with counsel, further state that I waive my right to full discovery from the State of Texas prior to entering into this plea agreement. While I have not received discovery from the State of Texas in regard to these charges, I have had full opportunity to review the relevant discovery from the State of California and believe with advice of counsel that it is in my best interests to proceed with this plea agreement.

In addition, I am waiving my right to appeal any discovery issue that should arise.

WAIVER OF REVIEW

I, Carl Ferrer, on behalf of Defendant Entities in this cause, in writing and in open Court, with counsel, further state that the plea agreement in this case has been negotiated with full consideration for the length of the term of community supervision, including any conditions precedent for which early termination or reduction of the term of the community supervision should be granted. I therefore waive any review or time credits to which I would otherwise be entitled by article 42.12, §20(a), except as set out and described in this plea bargain agreement.

WAIVER OF SHOCK PROBATION

I, Carl Ferrer, on behalf of Defendant Entities in this cause, in writing and in open Court, with counsel, further state that the plea agreement in this case has been negotiated with full consideration for potential actions of the court during its continuing jurisdiction after sentencing in this case. As part of my agreement with the State, I will not apply for or request, and I understand I will not be considered for “shock probation” or suspension of my sentence under article 42.12, §§6 or 15(f) unless the plea bargain agreement explicitly provides for such consideration.



Initials of Representative for
Defendant Entities

VOLUNTARINESS OF PLEA AND STIPULATION OF EVIDENCE:

Carl Ferrer, on behalf of the Defendant Entities, herein in open Court and in writing, and with the advice and consent of counsel, and by and through this instrument, acknowledges the following:

"I understand the nature of the charges against me, and I further understand the foregoing admonishments by the Court, and I further understand the consequences of my plea herein, and I agree that the evidence in this case may be stipulated and waive the appearance, confrontation, and cross-examination of the witnesses, and further consent to the introduction of testimony by affidavits, written statements of witnesses, and other documentary evidence in support of the judgment of the Court, and further state that I fully understand such stipulation and freely and voluntarily make such waiver. Under article 1.14, Code of Criminal Procedure, I give up all rights given to me by law, whether of form, substance or procedure. I hereby freely, knowingly and voluntarily waive any Constitutional or statutory protections and privileges against self-incrimination which may apply in both the determination of guilt and the assessment of punishment in this case. I further admit and stipulate that each and every allegation contained in the information herein is true and correct."

STIPULATION OF EVIDENCE:


Defendant Entities, did, on or about January 1, 2015, through March 31, 2015, in Nueces County, Texas, knowingly receive a benefit from participating in a venture that involved the trafficking of a child younger than 18 years of age, and by any means caused to engage in or become the victim of conduct prohibited by Section 43.05—Compelling Prostitution.

Defendant Entities, did, on or about September 1, 2015, through December 31, 2017, in Nueces County, Texas, with intent to establish, maintain, or participate in a combination or in the profits of a combination, the combination consisting of the Defendant Entities, Julia Dorst, Amnon Lipa, Omar Lopez-Castrillo and Vladamir Hanus, and other unnamed individuals, who collaborated in carrying on the following criminal activity:

Money Laundering, in that the Defendant Entities knowingly acquired, maintained an interest in, concealed, possessed, transferred or transported the proceeds of criminal activity; or conducted, supervised or facilitated a transaction involving the proceeds of criminal activity; or invested, expended and received the proceeds of criminal activity or funds that Defendant Entities believed are the proceeds of criminal activity, namely: United States currency or its equivalent, and said funds were acquired or derived directly or indirectly from criminal activity, namely conduct prohibited by Texas Penal Code Section 32.32—False Statement to Obtain Property or Credit or in the Provision of Certain Services, and all proceeds of the criminal activity were related to one scheme or continuing course of conduct and the aggregate value of the proceeds is \$300,000 or more.

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I hereby stipulate as to the authenticity of the documentary evidence attached hereto.

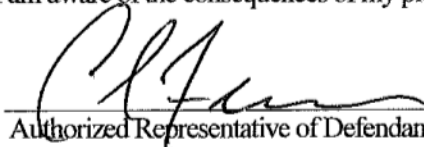

Authorized Representative of Defendant Entities


Initials of Representative for
Defendant Entities

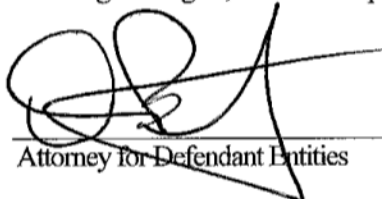
"It is my desire to enter a plea of guilty in the foregoing entitled and numbered cause. Upon inquiry by the Court, I hereby state that I am entering my plea of guilty freely and voluntarily, and only because I am guilty. I further confirm that I completely understand all of the written waivers, stipulations and motions filed in connection with the plea, and that the execution of each was done freely, knowingly and voluntarily, and that I am guilty as charged.

"I feel that I have been adequately and competently represented by my attorney and I state that I am totally satisfied with my lawyer's representation of me as evidenced by my signature below. The Judge of this Court has advised me, and I fully understand, that the amount of punishment that I receive and whether or not I receive a probated sentence is within the sole discretion of the Judge of this Court. I enter my plea uninfluenced by any consideration of fear, or by any persuasion, or delusive hope of pardon, prompting me to confess my guilt.

"I, Carl Ferrer, on behalf of Defendant Entities, do hereby acknowledge that prior to entering my plea of guilty, I have read and I understand the above admonishments and that I am aware of the consequences of my plea."


Authorized Representative of Defendant Entities

I, the attorney for the Defendant, hereby represent to the court that I have read and explained the foregoing admonishments and waivers to the Defendant and have also explained to said Defendant the legal rights and options available to the Defendant in this cause, as well as the consequences of entering a plea of guilty or nolo contendere to the charge, including any obligations the Defendant may have to register pursuant to Chapter 62, Texas Code of Criminal Procedure. I believe the Defendant is mentally competent to stand trial and that the Defendant understands the rights and options available to him and the consequences of waiving said rights, and that the plea herein is entered freely, knowingly, and voluntarily.


Attorney for Defendant Entities

SWORN TO AND SUBSCRIBED TO before me by the Defendant this the 9 day of April, 2018.

Clerk of the District Court

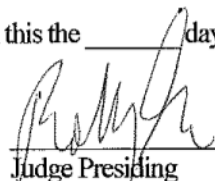
Judicial District

County, Texas

By: 
Deputy

IT IS THEREFORE ORDERED that the Defendants' Waivers and Stipulations as set forth above are hereby APPROVED by this Court and the findings made as set out above. The Court accepts the Defendants' plea, and having heard evidence, finds that the evidence substantiates the Defendants' guilt.


SIGNED on this the _____ day of _____, 20____.



Judge Presiding

Judicial District Court

County, Texas



Initials of Representative for
Defendant Entities
Page 7 of 7

CR-18FC-1653C

THE STATE OF TEXAS

V.

BACKPAGE.COM, LLC, AMSTEL RIVER
HOLDINGS, LLC, WEBSITE
TECHNOLOGIES, LLC, POSTING
SOLUTIONS, LLC, AD TECH BV, AND UGC
TECH GROUP BV,

DEFENDANTS.

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IN THE DISTRICT COURT

94TH JUDICIAL DISTRICT

NUECES COUNTY, TEXAS

PLEA BARGAIN AGREEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

I, Carl Ferrer, on behalf of Backpage.com, LLC, Amstel River Holdings, LLC, Website Technologies, LLC, Posting Solutions, LLC, Ad Tech BV, and UGC Tech Group BV (collectively, the "Defendant Entities"), having had the advice of counsel, hereby agree to the following:

1. I, Carl Ferrer, on behalf of the Defendant Entities, will enter a plea of guilty to 1 Count of Trafficking of Persons TPC Section 20A.02 and 1 Count of Engaging in Organized Criminal Activity TPC Section 71.02 as alleged in the above-referenced cause.
2. I, Carl Ferrer, on behalf of the Defendant Entities, agree to cease operation of the Defendant Entities and to refrain from owning, operating, controlling, or participating in these entities or any similar entity in the future.
3. I, Carl Ferrer, on behalf of the Defendant Entities, do not concede that Defendant Entities had knowledge that the victim in this case, _____ was underage at the time the Backpage.com advertisements of her were posted. However, I am pleading the Defendant Entities guilty to Trafficking of Persons TPC Section 20A.02 because I am aware that the Defendant Entities are guilty under the law "regardless of whether the defendant knows the age of the child."

In return and in consideration thereof, the State of Texas agrees that:

4. If there is a dispute regarding whether the Defendant Entities have met their obligations under this agreement, the Court shall determine whether the Defendant Entities have failed to comply with this agreement.
5. The Court agrees to defer the sentencing of the Defendant Entities until Carl Ferrer, on behalf of the Defendant Entities, has had the opportunity to comply with his obligations under this Agreement.

In the event that Carl Ferrer faithfully fulfills his obligations on behalf of the Defendant Entities under this Agreement, the State shall inform the Court of the same and will recommend the following:

| | | | |
|-----------------|----|---|-----------------|
| Charges/Counts: | I | TRAFFICKING OF PERSONS | 1 ST |
| | II | ENGAGING IN ORGANIZED CRIMINAL ACTIVITY | 1 ST |

Plea to Enhancement Paragraphs:

State to Waive Enhancement Paragraphs:

State to Dismiss:

Confinement: _____ years TDCJ
 _____ County Jail
 _____ State Jail
☐ Credit for time served awaiting trial

Affirmative

Findings:

- ☐ Deadly weapon used
- ☐ Family violence (\$100.00 family violence center payment, if community supervision is granted)
- ☐ Hate crime (pursuant to art. 42.014, C.C.P)
- ☐ Other affirmative finding (specify)

Community
Supervision:

- _____ years TDCJ suspended for _____ years
- _____ State Jail suspended for _____ year(s)
- _____ County Jail suspended for _____.
- ☐ Deferred adjudication community supervision for _____ year(s)
- ☐ _____ days jail as condition of community supervision
- ☐ No opposition to work release

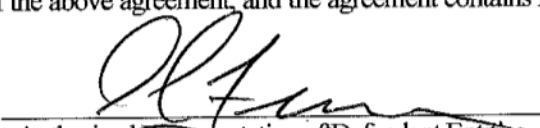
Other Terms:

- ☒ Fines: \$20,000 per Defendant Entity, per count.
- ☒ Restitution \$ see note below
- ☐ Adult community supervision fee of \$0, payable monthly
- ☐ Psychological/Drug/Alcohol Abuse Evaluation, with Counseling, and/or Treatment as recommended, up to and including inpatient
- ☐ Intensive Supervision Program
- ☐ Community Service Restitution: _____ hours
- ☒ Other: Take all necessary steps to dissolve Backpage.com and related companies in Texas and Delaware. In addition, pursuant to the plea bargain agreement between Defendant Entities and the federal government, Defendant Entities have agreed to pay full restitution to all victims directly or proximately harmed by the defendants' relevant conduct, in an amount not to exceed \$500 million.

THE UNDERSIGNED certify they have READ ALL TERMS of the above agreement, and the agreement contains ALL the terms of the plea bargain to which they have agreed.

Criminal District Attorney
Nueces County, Texas

By: 
Asst. Criminal District Attorney


Authorized Representative of Defendant Entities


Attorney for Defendant Entities