

**U.S. District Court
Eastern District of Virginia – (Norfolk)
CRIMINAL DOCKET FOR CASE #: 2:21-cr-00020-RBS-RJK-1**

Case title: USA v. Diana Wilhelmsen Management Limited
Other court case number: 1:21cr36

Date Filed: 03/02/2021
Date Terminated: 09/24/2021

Assigned to: District Judge
Rebecca Beach Smith
Referred to: Magistrate Judge
Robert J. Krask

Defendant (1)

**Diana Wilhelmsen Management
Limited**
TERMINATED: 09/24/2021

represented by **Kierstan Lee Carlson**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

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PRO HAC VICE
ATTORNEY TO BE NOTICED
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Pending Counts

33:1908(a), 18:2 and 33:151.25
Failure to Maintain Accurate Oil
Record Book
(1)

Disposition

Four (4) years probation; \$800.00 special
assessment (total special assessment for Count 1 in
2:21cr6 & Count 1 in 2:21cr20); \$2,000,000.00 fine
(total fine for 2:21cr6 & 2:21cr20)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Joseph L. Kosky**
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Date Filed	#	Docket Text
03/02/2021	<u>1</u>	CONSENT TO TRANSFER JURISDICTION (Rule 20) from Eastern District of Louisiana by Diana Wilhelmsen Management Limited. (jlan) (Entered: 03/10/2021)
03/15/2021	<u>2</u>	ORDERED that this case be and is TRANSFERRED to the Norfolk Division of the United States District Court for the Eastern District of Virginia. Signed by District Judge Leonie M. Brinkema on 03/15/2021. (c/s to Norfolk Division) (jlan) (Entered: 03/15/2021)
03/17/2021	<u>3</u>	NOTICE OF ATTORNEY APPEARANCE: Kierstan Lee Carlson appearing for Diana Wilhelmsen Management Limited (Carlson, Kierstan) (Entered: 03/17/2021)
03/17/2021	<u>4</u>	Motion to appear Pro Hac Vice by Gregory F. Linsin and Certification of Local Counsel Kierstan L. Carlson (Filing fee \$ 75 receipt number 0422-7677902.) by Diana Wilhelmsen Management Limited. (Carlson, Kierstan) (Entered: 03/17/2021)
03/18/2021	<u>5</u>	ORDER denying <u>4</u> Motion for Pro hac vice as to Diana Wilhelmsen Management Limited (1). Signed by District Judge Rebecca Beach Smith on 3/18/21. (dbra) (Entered: 03/19/2021)
03/24/2021	<u>6</u>	MOTION for Reconsideration re <u>5</u> Order on Motion for Pro hac vice by Diana Wilhelmsen Management Limited. (Attachments: # <u>1</u> Proposed Order)(Carlson, Kierstan) (Entered: 03/24/2021)
03/31/2021	<u>7</u>	ORDER denying <u>6</u> Motion for Reconsideration as to Diana Wilhelmsen Management Limited (1). Signed by District Judge Rebecca Beach Smith on 3/31/2021. (tamarm,) (Entered: 03/31/2021)
04/09/2021	<u>8</u>	Letter to the Court from Gregory F. Linsin (Attachments: # <u>1</u> Envelope) (tamarm,) (Entered: 04/12/2021)
05/04/2021	<u>9</u>	Motion to appear Pro Hac Vice by Gregory F. Linsin and Certification of Local Counsel Kierstan L. Carlson (Filing fee \$ 75 receipt number AVAEDC-7767291.) by Diana Wilhelmsen Management Limited. (Carlson, Kierstan) (Entered: 05/04/2021)
05/05/2021	<u>10</u>	ORDER granting <u>9</u> Motion for Pro hac vice for Gregory Francis Linsin as to Diana Wilhelmsen Management Limited (1). Signed by District Judge Rebecca Beach Smith on 5/5/21. (tlev,) (Entered: 05/05/2021)

05/06/2021	<u>11</u>	ORDER authorizing a United States Magistrate Judge, with the consent of the defendant, to conduct plea proceedings. Signed by District Judge Rebecca Beach Smith on 5/6/2020. (tamarm,) (Entered: 05/06/2021)
05/10/2021		Set Hearings as to Diana Wilhelmsen Management Limited: Plea Agreement Hearing set for 5/24/2021 at 10:00 AM in Norfolk Remote before Magistrate Judge Robert J. Krask. (cdod,) (Entered: 05/10/2021)
05/10/2021		Reset Hearings as to Diana Wilhelmsen Management Limited: Plea Agreement Hearing set for 5/24/2021 at 10:00 AM IN PERSON before Magistrate Judge Robert J. Krask. (cdod,) (Entered: 05/10/2021)
05/19/2021		Set Hearings as to Diana Wilhelmsen Management Limited: Telephone Conference set for 5/19/2021 at 03:15 PM in Norfolk Telephonically before Magistrate Judge Robert J. Krask. (btit) (Entered: 05/19/2021)
05/24/2021	<u>12</u>	Waiver of Right to Rule 11 (Consent) before a US District Judge by Diana Wilhelmsen Management Limited. (sche) (Entered: 05/28/2021)
05/24/2021	<u>13</u>	INITIAL APPEARANCE/PLEA AGREEMENT HEARING held before Magistrate Judge Robert J. Krask: Heidi Jeffreys, OCR. Joseph Kosky, AUSA, present on behalf of USA; Gregory Linsin (pro hac vice counsel) and Kierstan Carlson (local counsel) present on behalf of defendant. No corporate representative present. Initial Appearance and Plea Agreement Hearing as to Diana Wilhelmsen Management Limited held on 5/24/2021. Evidence presented. Plea entered by Diana Wilhelmsen Management Limited (1) as to Count 1 of the Criminal Information. Sentencing set for 9/23/2021 at 11:00 AM before District Judge Rebecca Beach Smith. (sche) Modified on 5/28/2021 (sche,). (Entered: 05/28/2021)
05/24/2021	<u>14</u>	WAIVER OF INDICTMENT by Diana Wilhelmsen Management Limited. (sche) (Entered: 05/28/2021)
05/24/2021	<u>15</u>	PLEA AGREEMENT as to Diana Wilhelmsen Management Limited. (Attachments: # <u>1</u> Attachment A to Plea Agreement)(sche) (Entered: 05/28/2021)
05/24/2021	<u>16</u>	Statement of Facts as to Diana Wilhelmsen Management Limited. (sche) (Entered: 05/28/2021)
05/24/2021	<u>17</u>	Sentencing Procedures Order as to Diana Wilhelmsen Management Limited. Signed by Magistrate Judge Robert J. Krask on May 24, 2021. (sche) (Entered: 05/28/2021)
05/24/2021	<u>18</u>	REPORT AND RECOMMENDATIONS Concerning Plea of Guilty as to Diana Wilhelmsen Management Limited. Written Objections to R&R due within 14 days from the date of its service. Signed by Magistrate Judge Robert J. Krask on May 24, 2021. (sche) (Entered: 05/28/2021)
05/24/2021	<u>19</u>	Exhibit 1 by Diana Wilhelmsen Management Limited, admitted at Plea Agreement Hearing on 5/24/2021 (Secretary's Certificate with Written Resolution of Board of Directors attached). (sche) (Entered: 05/28/2021)
06/21/2021	<u>20</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS as to Diana Wilhelmsen Management Limited for <u>18</u> Report and Recommendations on Guilty Plea. Signed by District Judge Rebecca Beach Smith on 6/21/2021. (tamarm,) (Entered: 06/21/2021)
07/21/2021	<u>21</u>	PRESENTENCE INVESTIGATION REPORT (Disclosed Presentence Investigation Report) (SEALED – government and defense counsel) as to Diana Wilhelmsen Management Limited. Objections to PSI due 8/4/21. (wells–major, belinda) (Entered: 07/21/2021)
08/17/2021	<u>22</u>	PRESENTENCE INVESTIGATION REPORT (Sentencing Presentence Investigation Report) (SEALED – government and defense counsel) as to Diana Wilhelmsen Management Limited. (wells–major, belinda) (Entered: 08/17/2021)
09/09/2021	<u>24</u>	SENTENCING MEMORANDUM by Diana Wilhelmsen Management Limited (Carlson, Kierstan) (Entered: 09/09/2021)
09/09/2021	<u>25</u>	Position on Sentencing by Diana Wilhelmsen Management Limited (Carlson, Kierstan) (Entered: 09/09/2021)

09/09/2021	<u>26</u>	NOTICE by Diana Wilhelmsen Management Limited (Carlson, Kierstan) (Entered: 09/09/2021)
09/23/2021		Sentencing as to Diana Wilhelmsen Management Limited reset for 9/23/2021 at 12:00 PM in Norfolk Mag Courtroom 1 before District Judge Rebecca Beach Smith (time change only). (sche) (Entered: 09/23/2021)
09/23/2021	<u>27</u>	SENTENCING (for cases 2:21cr6 and 2:21cr20) held before District Judge Rebecca Beach Smith: Jody Stewart, OCR. Kenneth Nelson and Joseph Kosky present on behalf of USA; Gregory Linsin and Kierstan Carlson, ret. counsel, present on behalf of defendant corporation. Sentencing held on 9/23/2021 for Diana Wilhelmsen Management Limited (1). Gregory Linsin present as the corporate representative for Diana Wilhelmsen Management Limited. The court accepts the plea of guilty and accepts the Rule 11 binding plea. The Court adjudges the defendant corporation guilty of Count 1 of the Criminal Information in 2:21cr6, and Count 1 of the Criminal Information in 2:21cr20. Count 1: The defendant corporation is hereby placed on probation for a term of FOUR (4) YEARS. This term consists of FOUR (4) YEARS on Count 1 in Docket 2:21cr00006, and a term of FOUR (4) YEARS on Count 1 in Docket 2:21cr00020, all to be served concurrently. The defendant shall pay a special assessment for Count 1 in 2:21cr6 and Count 1 in 2:21cr20 of \$400.00 for each count, for a total special assessment of \$800.00. As to Count 1 of Docket 2:21CR00006 and Count 1 of Docket 2:21CR00020, the defendant corporation shall pay a combined total fine of \$2,000,000.00. (sche) (Entered: 09/23/2021)
09/24/2021	<u>28</u>	JUDGMENT as to Diana Wilhelmsen Management Limited (1) – Count(s) 1: Four (4) years probation (this term consists of FOUR (4) years on Count 1 in Docket 2:21cr6, and a term of FOUR (4) years on Count 1 in Docket 2:21cr20, all to be served concurrently; \$800.00 special assessment (total special assessment for Count 1 in 2:21cr6 & Count 1 in 2:21cr20); \$2,000,000.00 fine (total fine for 2:21cr6 & 2:21cr20). Signed by District Judge Rebecca Beach Smith on 9/23/2021. (tamarm,) (Entered: 09/24/2021)
09/24/2021	<u>29</u>	Sealed Statement of Reasons as to Diana Wilhelmsen Management Limited. Signed by District Judge Rebecca Beach Smith on 9/23/2021. (tamarm,) (Entered: 09/24/2021)
10/01/2021	<u>30</u>	MOTION for Whistleblower Awards by USA as to Diana Wilhelmsen Management Limited. (Attachments: # <u>1</u> Exhibit Declaration, # <u>2</u> Exhibit PCL Order, # <u>3</u> Proposed Order)(Nelson, Kenneth) (Entered: 10/01/2021)