

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

NO. 4:20-CR-87-FL  
NO. 4:20-CR-90-FL  
NO. 4:20-CR-98-FL

UNITED STATES OF AMERICA	)	
	)	
v.	)	SECOND AMENDED ORDER
	)	GRANTING GOVERNMENT’S MOTION
PACIFIC CARRIERS LIMITED,	)	FOR WHISTLEBLOWER AWARD
	)	
Defendant.	)	


This matter is before the court to correct an administrative oversight in the court’s December 1, 2020, order granting the government’s motion for whistleblower award, in that the court omitted terms for tax withholdings in the payment instructions. All other terms and conditions of the original order remain in full force and effect, as set forth again below as amended.

THIS CAUSE came before the Court on the Government’s Motion for Whistleblower Award. After reviewing the motion, the Court finds good cause in its discretion to GRANT the Motion. The Court hereby ORDERS that an award of \$1,000,000.00 (USD), less applicable withholdings for United States tax purposes set forth as follows, be paid to Hong Guang Li from the fine proceeds in this case once the second fine payment is received, which is due thirty days after sentencing.

In particular, from the award of \$1,000,000.00 (USD), \$300,000.00 (30%) United States withholding tax will be withheld and sent to the United States Internal Revenue Service by the Administrative Office of the United States Courts (the “AO”). This is based on the AO’s determination that the whistleblower award is considered United States source income to the recipient, does not appear to be subject to any United States/China treaty exempting it from withholding, and is therefore subject to 30% non-resident alien tax withholding under Chapter 3

of the Internal Revenue Code. The net amount of \$700,000.00 (USD) will be sent to the award recipient using the wiring instructions separately provided to the Clerk of Court by the Government.

SO ORDERED, this the 12th day of April, 2021.

  
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LOUISE W. FLANAGAN  
United States District Judge