

UNITED STATES DISTRICT COURT Southern District of Texas Holding Session in Corpus Christi

ENTERED March 05, 2018 David J. Bradley, Clerk

UNITED STATES OF AMERICA V. Sea World Management and Trading, Inc.

JUDGMENT IN A CRIMINAL CASE (For Organizational Defendants) CASE NUMBER: 2:18CR00099-001

See Additional Aliases.

Briton Paul Sparkman Defendant Organization's Attorney

THE DEFENDANT ORGANIZATION:

- pleaded guilty to count(s) 1 and 2 on 02/26/2018.
pleaded nolo contendere to count(s) which was accepted by the court.
was found guilty on count(s) after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant organization is guilty of the following offenses:

Table with 4 columns: Title & Section, Nature of Offense, Offense Ended, Count. Contains two rows of offense details.

See Additional Counts of Conviction.

The defendant organization is sentenced as provided in pages 2 through 4 of this judgment.

- The defendant organization has been found not guilty on count(s)
Count(s) is are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant Organization's Federal Employer I.D.: None
Defendant Organization's Principal Business Address: 8 Poseidonos Avenue Kallithea, 176 74 Athens, Greece

February 26, 2018 Date of Imposition of Judgment

Handwritten signature of John D. Rainey

Signature of Judge

Defendant's Mailing Address/Organization: 8 Poseidonos Avenue Kallithea, 176 74 Athens, Greece

JOHN D. RAINEY SENIOR U. S. DISTRICT JUDGE Name and Title of Judge

March 5, 2018 Date

DEFENDANT ORGANIZATION: **Sea World Management and Trading, Inc.**  
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## PROBATION

The defendant organization is hereby sentenced to probation for a term of: 3 years.  
This sentence consists of three (3) years probation as to each of Counts 1 and 2, to run concurrently.

See Additional Probation Terms.

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant organization shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant organization shall also comply with the additional conditions on the attached page (if indicated below).

## STANDARD CONDITIONS OF SUPERVISION

See Special Conditions of Supervision.

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organization's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees;
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

DEFENDANT ORGANIZATION: **Sea World Management and Trading, Inc.**  
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### **SPECIAL CONDITIONS OF SUPERVISION**

The organization shall pay a fine of \$2,250,000.00 total, which is due and payable at the rate of \$1,500,000.00 which shall be paid within 30 days of date of imposition (02/26/2018). The remaining balance of \$750,000 shall be paid in three equal installments of \$250,000.00, to be paid at the end of each of the three years of probation.

The defendant is to fully comply with the Environmental Compliance Plan as set out in Attachment A to the Plea Agreement.

DEFENDANT ORGANIZATION: **Sea World Management and Trading, Inc.**  
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**CRIMINAL MONETARY PENALTIES**

The defendant organization shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 4 of 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$800.00	\$2,250,000.00	

The special assessment consists of \$400.00 as to each of Counts 1 and 2, to be paid consecutively, for a total of \$800.00.

The Fine consists of \$1,125,000.00 as to each of Counts 1 and 2, to be paid consecutively, for a total of \$2,250,000.00.

- See Additional Terms for Criminal Monetary Penalties.
- The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- The defendant organization must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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- See Additional Restitution Payees.

<b>TOTALS</b>	<u>\$0.00</u>	<u>\$0.00</u>
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- If applicable, restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_
- The defendant organization shall pay interest on any restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant organization does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for the  fine and/or  restitution.
  - the interest requirement for the  fine and/or  restitution is modified as follows:
- Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994, but before April 23, 1996.