

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
At Albuquerque NM

OCT 02 2006

MATTHEW J. DYKMAN
CLERK

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
) NO. 06-2008 JRLFG
 v.)
)
 UNITED NUCLEAR SCIENTIFIC)
 SUPPLIES, LLC, a corporation,)
)
 Defendant.)
)


PLEA AGREEMENT

The Office of the United States Attorney for the District of New Mexico and the United States Department of Justice, Office of Consumer Litigation (hereinafter referred to as the "government") and **UNITED NUCLEAR SCIENTIFIC SUPPLIES, LLC** (hereinafter referred to as the "defendant") enter into the following agreement.

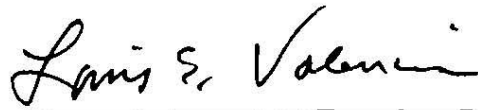
1. The defendant will plead guilty to a three count Information that will charge violations of Title 15, United States Code, Sections 1263(a) and 1264(a) and Title 18, United States Code, Section 2 (introducing or delivering for introduction and aiding and abetting the introduction and delivering for introduction into interstate commerce of misbranded or banned hazardous substances). The government agrees that no further federal prosecution will be brought under Title 15 of the United States Code with respect to the defendant's delivery of banned hazardous substances in interstate commerce between May 1, 2002 and August 2, 2006. The government also agrees that it will not bring any Title 15 hazardous-substance related criminal charges against Robert Lazar or Joy White directly arising out of their involvement in the defendant's delivery of banned hazardous substances in interstate commerce between May 1, 2002 and August 2, 2006.

2. The defendant understands that this agreement is only binding on the Office of the United States Attorney for the District of New Mexico and the Office of Consumer Litigation of the United States Department of Justice. Nothing in this agreement shall bind any other federal, state or local agency.
3. The defendant understands that the violations of Title 15, United States Code, Section 1263(a) to which defendant is agreeing to plead guilty are Class B misdemeanors. See 15 U.S.C. § 1264(a) and 18 U.S.C. § 3559(a)(7). Consequently, the United States Sentencing Guidelines do not apply to this case. See U.S.S.G. §§ 1B1.9.
4. The defendant, through its defense counsel, is fully apprised of the defendant's rights concerning appeal and fully understands the right to appeal the sentence under Title 18, United States Code, Section 3742. In the event the Court accepts the plea, as part of this agreement, both the defendant and the government hereby waive all rights to appeal all non-jurisdictional issues including, but not limited to, any issues relating to pre-trial motions, hearings and discovery and any issues relating to the negotiation, taking or acceptance of the guilty plea or the factual basis for the plea. Both the defendant and the government hereby waive all rights to appeal all sentencing issues except in the following limited circumstances: if the sentence is not in accordance with this plea agreement; or if the sentence is constitutionally defective. Defendant also retains the right to appeal any sentence imposed which exceeds the maximum statutory penalty. The waivers set out above relate to any issues which now exist or which may arise in the future. The defendant agrees to these waivers in order to cause the government to accept the provisions and stipulations of this plea agreement, to avoid trial, and to have this case


9/12/06
Date


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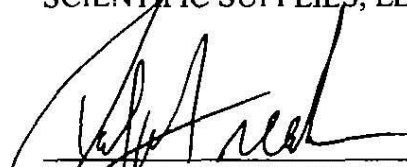
9/14/06
Date


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9/5/06
Date


ROBERT LAZAR
President, UNITED NUCLEAR
SCIENTIFIC SUPPLIES, LLC

9/5/06
Date


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