

Edmund J. Spinney  
315 Fifth Street  
Springfield, OR 97477  
(541) 988-9399  
(541) 988-9598 (FAX)  
ejspinney@aol.com  
OSB # 84094  
Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **JACOB JEREMIAH FERGUSON,** )  
 )  
 **Defendant.** )  
 )  
 \_\_\_\_\_ )

**Case No. CR 04-60087-AA**

**PETITION TO ENTER PLEA  
OF GUILTY, CERTIFICATE  
OF COUNSEL, AND ORDER  
ENTERING PLEA.**

The defendant represents to the court:

1. My name is Jacob Jeremiah Ferguson. I am 35 years old. I have gone to school up to and including the 12<sup>th</sup> grade and have completed a 2 year course of studies at a community college.
2. My attorney is Edmund J. Spinney.
3. My attorney and I have discussed my case fully. I have received a copy of the Indictment or Information. I have read the Indictment or Information, or it has been read to me, and I have discussed it with my attorney. My attorney has counseled and advised me concerning the nature of each charge, any lesser-included offense(s), and the possible defenses

that I might have in this case. I have been advised and understand that the elements of the charge(s) alleged against me to which I am pleading "GUILTY" are as follows:

Count 1: Knowingly and maliciously attempting to damage or destroy, by means of fire, any building or vehicle in whole or in part owned by the United States or any department or agency thereof.

Count 2: Knowingly and maliciously to damaging or destroying, by means of fire, any building or vehicle in whole or in part owned by the United States or any department or agency thereof.

I have had a full and adequate opportunity to disclose to my attorney all facts known to me that relate to my case.

4. I know that if I plead "GUILTY," I will have to answer any questions that the judge asks me about the offenses to which I am pleading guilty. I also know that if I answer falsely, under oath, and in the presence of my attorney, my answers could be used against me in a prosecution for perjury or false statement.

5. I am not under the influence of alcohol or drugs. I am not suffering from any injury, illness or disability affecting my thinking or my ability to reason. I have not taken any drugs or medications within the past seven (7) days except as follows: Methadone.

6. I understand that conviction of a crime can result in consequences in addition to imprisonment. Such consequences include deportation, or removal from the United States, or denial of naturalization, if I am not a United States citizen; loss of eligibility to receive federal benefits; loss of certain civil rights (which may be temporary or permanent depending on applicable state or federal law), such as the right to vote, to hold public office, and to possess

a firearm; and loss of the privilege to engage in certain occupations licensed by the state or federal government.

7. I know that I may plead "NOT GUILTY" to any crime charged against me and that I may persist in that plea if it has already been made. I know that if I plead "NOT GUILTY" the Constitution guarantees me:

a. The right to a speedy and public trial by jury, during which I will be presumed to be innocent unless and until I am proven guilty by the government beyond a reasonable doubt and by the unanimous vote of twelve jurors;

b. The right to have the assistance of an attorney at all stages of the proceedings;

c. The right to use the power and process of the court to compel the production of evidence, including the attendance of witnesses in my favor;

d. The right to see, hear, confront, and cross-examine all witnesses called to testify against me;

e. The right to decide for myself whether to take the witness stand and testify, and if I decide not to take the witness stand, I understand that no inference of guilt may be drawn from this decision; and

f. The right not to be compelled to incriminate myself.

8. I know that if I plead "GUILTY" there will be no trial before either a judge or a jury, and that I will not be able to appeal from the judge's denial of any pretrial motions I may have filed concerning matters or issues not related to the court's jurisdiction [*see instructions*].

9. In this case I am pleading "GUILTY" under Rule 11(e)(1)(C). My attorney has explained the effect of my plea under Rule 11(e)(1)(C) to be as follows:

My plea of guilty is under Rule 11(e)(1)(C); therefore, at the time of sentencing, the judge must either impose the specific sentence agreed upon by the prosecutor

and me, or allow me to withdraw my plea.

10. I know the maximum sentence which can be imposed upon me for the crime(s) to which I am pleading guilty is 20 imprisonment and a fine of \$250,000. I also know there is a mandatory minimum sentence of 5 years imprisonment.

11. I know that the judge, in addition to any other penalty, will order a special assessment as provided by law in the amount of \$100 per count of conviction.

12. I know that if I am ordered to pay a fine, and I willfully refuse to pay that fine, I can be returned to court, where the amount of the unpaid balance owed on the fine can be substantially increased by the judge and I can be imprisoned for up to one year.

13. My attorney has discussed with me the Federal Sentencing Guidelines. I know The Guidelines are advisory, not mandatory. I also know the sentencing judge, in determining the particular sentence to be imposed, must consider those factors set forth in Title 18, United States Code, Section 3553(a), including, but not limited to: the nature and circumstances of the offense, my own history and characteristics, the goals of sentencing (punishment, deterrence, protection, and rehabilitation), and the sentencing range established by the advisory Guidelines. If my attorney or any other person has calculated a guideline range for me, I know that this is only advisory, and is only one of the factors that the judge will consider in making a final decision as to what sentence will be imposed. I also know that a judge may not impose a sentence greater than the maximum sentence referred to in paragraph (10) above.

14. I know from discussion with my attorney that, under the Federal Sentencing Guidelines, if I am sentenced to prison I am not entitled to parole. I will have to serve the full sentence imposed except for any credit for good behavior that I earn. I can earn credit for good

behavior in prison at a rate of up to 54 days for each year of imprisonment served. Credit for good behavior does not apply to a sentence of one year or less.

15. I know that if I am sentenced to prison, the judge will impose a term of supervised release to follow the prison sentence. During my supervised release term I will be supervised by a probation officer according to terms and conditions set by the judge. In my case, a term of supervised release can be 3 to 5 years. If I violate the conditions of supervised release, I may be sent back to prison for up to 3 years.

16. I know that in addition to or in lieu of any other penalty, the judge can order restitution payments to any victim of any offense to which I plead guilty. I am also informed that, for certain crimes of violence and crimes involving fraud or deceit, it is mandatory that the judge impose restitution in the full amount of any financial loss or harm caused by an offense. If imposed, the victim can use the order of restitution to obtain a civil judgment lien. A restitution order can be enforced by the United States for up to twenty (20) years from the date of my release from imprisonment, or, if I am not imprisoned, twenty (20) years from the date of the entry of judgment. If I willfully refuse to pay restitution as ordered, a judge may resentence me to any sentence which could originally have been imposed.

17. On any fine or restitution in an amount of \$2,500 or more, I know that I will be required to pay interest unless that fine or restitution is paid within fifteen (15) days from the date of the entry of judgment.

18. If I am on probation, parole, or supervised release in any other state or federal case, I know that by pleading guilty in this court my probation, parole or supervised release may be revoked and I may be required to serve time in that case, which may be consecutive, that is,

in addition to any sentence imposed on me in this court.

19. If I have another case pending in any state or federal court, I know that my Petition and Plea Agreement in this case do not, in the absence of an express and written agreement, apply to my other case(s), and that I can be faced with consecutive sentences of imprisonment.

20. My plea of "GUILTY" is based on a Plea Agreement that I have made with the prosecutor. That Plea Agreement is attached hereto and incorporated herein. I have read or had read to me the Plea Agreement, and I understand the Plea Agreement.

21. The Plea Agreement contains the only agreement between the United States government and me. No officer or agent of any branch of government (federal, state or local) or anyone else has promised or suggested that I will receive a lesser term of imprisonment, or probation, or any other form of leniency if I plead "GUILTY" except as stated in the Plea Agreement. I understand that I cannot rely on any promise or suggestion made to me by a government agent or officer which is not stated in writing in the Plea Agreement, or which is not presented to the judge in my presence in open court at the time of the entry of my plea of guilty.

22. My plea of "GUILTY" is not the result of force, threat, or intimidation.

23. I hereby request that the judge accept my plea of "GUILTY" to Counts 1 and 2 of the Information.

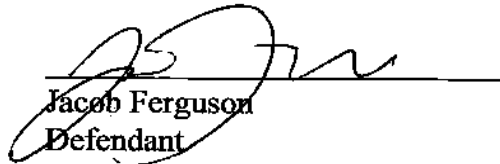
24. I know that the judge must be satisfied that a crime occurred and that I committed that crime before my plea of "GUILTY" can be accepted. With respect to the charge(s) to which I am pleading guilty, I represent that I did the following acts and that the following facts

are true:

On or about October 28, 1996, in the District of Oregon, I knowing and maliciously attempted to damage or destroy, by means of fire, a building located at 610 North Santiam Highway, Detroit, Oregon, and did maliciously and destroy, by means of fire, a 1992 Ford pick-up, both of which were owned by the United States Forest service, an agency of the United States.

25. I offer my plea of "GUILTY" freely and voluntarily and of my own accord and with a full understanding of the allegations set forth in the Indictment or Information, and with a full understanding of the statements set forth in this Petition and in the Certificate of my attorney that is attached to this Petition.

SIGNED by me in the presence of my attorney, after reading (or having had read to me) all of the foregoing pages and paragraphs of this Petition on this 26<sup>th</sup> day of October, 2007.

  
\_\_\_\_\_  
Jacob Ferguson  
Defendant

### CERTIFICATE OF COUNSEL

The undersigned, as attorney for defendant Jacob Jeremiah Ferguson, hereby certifies:

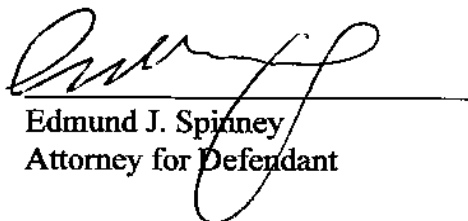
1. I have fully explained to the defendant the allegations contained in the Information in this case, any lesser-included offense(s), and the possible defenses which may apply in this case.

2. I have personally examined the attached Petition To Enter Plea of Guilty And Order Entering Plea, explained all its provisions to the defendant, and discussed fully with the defendant all matters described and referred to in the Petition.

3. I have explained to the defendant the maximum penalty and other consequences of entering a plea of guilty described in paragraphs (6)-(20) of the Petition, and I have also explained to the defendant the applicable Federal Sentencing Guidelines.

4. I recommend that the Court accept the defendant's plea of "GUILTY."

SIGNED by me in the presence of the above-named defendant, and after full discussion with the defendant of the contents of the Petition To Enter Plea of Guilty, and any Plea Agreement, on this 26<sup>th</sup> day of October, 2007.

  
Edmund J. Spinney  
Attorney for Defendant




**ORDER ENTERING PLEA**

I find that the defendant's plea of GUILTY has been made freely and voluntarily and not out of ignorance, fear, inadvertence, or coercion. I further find the defendant has admitted facts that prove each of the necessary elements of the crimes to which the defendant has pled guilty.

IT IS THEREFORE ORDERED that the defendant's plea of GUILTY be accepted and entered as requested in this Petition and as recommended in the Certificate of defendant's attorney.

DATED this 26<sup>th</sup> of October, 2007, in open court.

  
\_\_\_\_\_  
ANN AIKEN  
Judge, U.S. District Court

KARIN J. IMMERGUT, OSB #96314  
United States Attorney  
District of Oregon  
KIRK A. ENGDALL, OSB# 81215  
Assistant United States Attorney  
701 High Street  
Eugene, Oregon 97401  
(541) 465-6771  
[kirk.engdall@usdoj.gov](mailto:kirk.engdall@usdoj.gov)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,	)	
	)	Case No. CR <b>04-60087-AA</b>
Plaintiff,	)	
	)	<b><u>AGREEMENT</u></b>
v.	)	
	)	
JACOB JEREMIAH FERGUSON,	)	
	)	
Defendant.	)	

Karin J. Immergut, United States Attorney for the district of Oregon, and Kirk A. Engdall, Assistant United States Attorney, and Jacob Jeremiah Ferguson, by himself and through his attorney, Edmund J. Spinney, hereby enter into the following agreement, based upon the understandings and premises set forth below.

1.

Mr. Ferguson agrees to enter a plea of guilty to both counts of the attached Information charging him with the attempted arson of the Detroit Ranger Station and the arson of the United States Forest Service vehicle located at the Detroit Ranger Station, both of which occurred on October 28, 1996, in violation of 18 United States Code, Section 844(f)(1). The maximum

penalty for each of these offenses is 20 years imprisonment, including a five year mandatory minimum sentence, a fine of \$250,000, a \$200 fee assessment, and a three year period of supervised release.

2.

The parties stipulate and agree that the November 5, 2003 version of the United States Sentencing Guidelines manual will be used in this case, that U.S.S.G. § 2K1.4(a)(1)(B) (Arson) is the applicable guideline section, and that the base offense level under that section will be level 24, because the event involved the destruction or attempted destruction of a government facility. Because of Mr. Ferguson's willingness to enter a plea of guilty, and so long as he commits no new criminal offenses, does not obstruct or attempt to obstruct justice, does not otherwise commit an act or acts inconsistent with the acceptance of responsibility, and that he pay the fee assessment prior to sentencing in this matter, the United States agrees to recommend that he receive a three-level reduction in his base offense level for acceptance of responsibility pursuant to U.S.S.G. § 3E1.1. The United States will also recommend that Mr. Ferguson be sentenced at the low end of the appropriate guideline range as ultimately determined by the Court and that no fine or restitution will be imposed. Mr. Ferguson will be required to pay the necessary fee assessments.

Mr. Ferguson's guilty plea will be pursuant to the Federal Rule of Procedure 11(c)(1)(C). Therefore, if the court agrees to accept Mr. Ferguson's guilty plea, the court will be bound to impose the sentence recommended by this agreement.

3.

The United States Attorney's Office for the District of Oregon agrees it will bring no

additional charges against Mr. Ferguson for those criminal offenses committed in the District of Oregon including but not limited to those offenses listed in paragraph 9 below.

4.

Mr. Ferguson freely, voluntarily, knowingly and intelligently waives: (1) any rights to appeal or collaterally attack his conviction and sentence in connection with this case, with the exception of ineffective assistance of counsel or retroactive amendments to the United States sentencing guidelines, (2) any rights which he may have under *Blakely v. Washington*, 2004 WL 1402697 (June 24, 2004), and (3) a sentencing jury. He further agrees to have any sentencing issues determined by the sentencing judge in this case.

5.

Mr. Ferguson has expressed a desire to continue to cooperate in the investigation and prosecution of others who are involved in the commission of criminal acts, including but not limited to arson and related type activities. As part of this agreement, Mr. Ferguson agrees to meet with any and all members of requesting federal, state and local law enforcement agencies or offices, or other persons they designate at any reasonable times and places and to fully and completely cooperate with said agencies or offices by accurately and truthfully disclosing all information he knows concerning the above matters and all other matters related thereto, whether federal, state or local.

Mr. Ferguson understands he will be required to fully, honestly, truthfully and completely disclose all of the knowledge he has concerning all violations of federal and state laws and all persons involved in those violations. He must disclose the existence of any records, documents or other evidence that would corroborate his testimony or would further the investigation. He

must assist the investigation by providing those records, documents or other evidence that are within his control or the control of a third party, or do anything requested to aid in obtaining such records. He also agrees to testify fully, honestly, truthfully and completely at any trial, hearings or proceedings, either state or federal, upon request.

6.

Mr. Ferguson agrees to neither protect nor attempt to protect any person by withholding information or by providing false information, nor to falsely implicate any person. Mr. Ferguson may be asked by the government to contact persons known to him to be involved in criminal acts, including arson or related type activity. He agrees he will not take any action without the prior express knowledge and approval of the law enforcement officers with whom he is working. Mr. Ferguson agrees that the United States may confirm the accuracy of any information which he provides under the terms of this agreement by use of any investigative means which it deems appropriate and necessary and that he will fully cooperate with all efforts to verify that any information he provides under this agreement is truthful and complete. As part of this process, in the sole discretion of the United States, Mr. Ferguson may be asked to submit to a polygraph examination to verify any information which he may provide to the United States. Neither party shall object to the admissibility in evidence of the results of such examination in any proceeding to enforce or set aside this agreement in which compliance with the terms of this agreement are in issue. If Mr. Ferguson disagrees with the results of the polygraph, he may submit the results to an examiner of his choice at his own expense.

Should the defendant intentionally provide a false material statement to the government on any matters concerning his cooperation, he will be deemed to have breached this agreement

and he understands the United States will not move for a downward departure from his guideline sentence in exchange for his cooperation as agreed to in paragraph 9 below. Mr. Ferguson also understands he would not be able to withdraw his guilty plea should this occur.

7.

Mr. Ferguson understands that the United States of America will not tolerate any further violations of law, federal, state or local, and should any violations become known, they will be made known to the appropriate authorities. Nothing in this agreement will preclude prosecution of Mr. Ferguson by those authorities for such violations. Mr. Ferguson understands that nothing in this agreement will prevent the United States from instituting prosecution against him for perjury, subornation of perjury, false statements or false declarations if he commits or causes the commission of any such offense in connection with his testimony referred to above given after the date of this agreement.

8.

In addition to the non-prosecution agreements as set forth in paragraph 9 of this agreement, any statements made by Mr. Ferguson under the terms of this agreement will be deemed as if made under "use immunity" as defined under Title 18, United States Code, Section 6001, *et seq.* Mr. Ferguson understands and agrees that any rights and benefits he may have as a result of this agreement and any immunity conferred upon him shall not extend to any crimes beyond those criminal offenses enumerated in paragraph 9 below.

9.

If Mr. Ferguson fully performs his obligations under the terms of this agreement, at the time of sentencing, and if appropriate thereafter, under U.S.S.G. § 5K1.1 and/or Rule 35(b) of the

Federal Rules of Criminal Procedure, the United State's Attorney's Office for the District of Oregon agrees it will file a motion for a downward departure for substantial assistance to the extent necessary to bring Mr. Ferguson's total offense level to Zone A of the sentencing guidelines. The United States will also recommend that sentence be imposed at the low end of the resulting guideline range.

As evidenced by the letters attached to this agreement, the United States and the specified state and local jurisdictions also agree to bring no additional charges against Mr. Ferguson for offenses related to the following criminal events:

- a. An arson that occurred at J.E. Harl Fine Fashion and Furs, 1426 S. Main, Walnut Creek, Contra Costa County, California, in the Northern District of California, on or about April 14, 1998.
- b. An arson that occurred at the Redwood Coast Trucking Company, 2210 Peninsula Drive, Arcata, California, in the Northern District of California, on or about September 20, 1998.
- c. An arson that occurred at the House of Furs, 2727 Capitol Ave., Sacramento, Sacramento County, California, in the Eastern District of California, on or about May 10, 1998.
- d. An arson that occurred at the Animal Damage Control (ADC), Field Office, 720 O'Leary Rd. N.W., Olympia, Thurston County, Washington, in the Western District of Washington, on or about June 21, 1998.
- e. An arson that occurred at the APHIS Wildlife Research Center, 9701 Blomberg St. S. W., Olympia, Thurston County, Washington, in the Western District of

Washington, on or about June 21, 1998.

- f. A horse release and attempted arson at the U. S. Bureau of Land Management Wild Horse Corral, Rock Springs, Sweetwater County, Wyoming, in the District of Wyoming, on or about October 11, 1998.
- g. An arson that occurred at the Vail Ski Resort, Vail, Eagle County, Colorado, in the District of Colorado, on or about October 19, 1998.
- h. An arson at U. S. Forest Industries, 2611 Whittle Ave., Medford, Jackson County, Oregon, in the District of Oregon, on or about December 27, 1998.
- i. An arson at the Childers Meat Company, 29476 Airport Road, Eugene, Lane County, Oregon, in the District of Oregon, on or about May 9, 1999.
- j. An arson at the West University Eugene Police Substation, 716 E. 13th, Eugene, Lane County, Oregon, in the District of Oregon on or about September 6, 2000.
- k. An arson at the Joe Romania Chevrolet Dealership, 1425 Walnut St., Eugene, Lane County, Oregon, in the District of Oregon, where approximately 37 sports utility vehicles were burned on or about March 30, 2001.
- l. An arson at the Boise Cascade Corporate Offices, 450 N. Pacific Ave., Monmouth, Polk County, Oregon, in the District of Oregon, on or about December 25, 1999.
- m. An arson at the Superior Lumber Company offices, 2695 Glendale Valley Rd., Glendale, Douglas County, Oregon, in the District of Oregon, on or about January 2, 2001.
- n. An arson at the Jefferson Poplar Farms, 79114 Collins Rd., Clatskanie, Columbia



County, Oregon, in the District of Oregon, on or about May 21, 2001.

- o. An arson that occurred at the U. S. Forest Service Oakridge Ranger Station, 46375 Hwy. 58, Westfir, Lane County, Oregon, in the District of Oregon, on or about October 30, 1996.
- p. An arson that occurred at Cavel West, 1607 S. E. Railroad, Redmond, Deschutes County, Oregon, in the District of Oregon, on or about July 21, 1997.
- q. An arson and horse release that occurred at the U. S. Bureau of Land Management Wild Horse Corral, Burns, Harney County, Oregon, in the District of Oregon, on or about November 30, 1997.
- r. An arson that occurred at Wildlife Pharmaceuticals, 1401 Duff Dr., Fort Collins, Larimer County, Colorado, in the District of Colorado, on or about August 17, 1997.
- s. The removal of 47 dogs from Bio Devices, City of Orange, California on or about August 28, 1999.
- t. The release of mink at the Palmer Mink Farm, Preston, Idaho, on or about October 6, 1997.

**10.**

Should Mr. Ferguson breach this agreement at any time, it will be deemed null and void and both parties may proceed as if it had not existed. In the event the agreement is breached, the United States may use any statement made by Mr. Ferguson to any officer, agent or attorney of the United States or any state or to any federal or state grand jury in any prosecution which may be brought against him.

11.

Mr. Ferguson understands that the United States will fully inform the Court and United States Probation Office of all known information concerning Mr. Ferguson and his offenses for purposes of sentencing.

12.

This agreement sets out the entire agreement between the parties. There are no other promises, either express or implied, than those set forth above. Mr. Ferguson further acknowledges that no threats have been made against him by anyone in order to obtain his cooperation and signature to this agreement. Mr. Ferguson also understands that the benefits of this agreement, as more particularly described above, are solely dependent upon whether he uses his best efforts in cooperating with the agencies and offices referred to above and are not dependent, in whole or in part, on whether the United States is able to obtain any indictments or convictions of persons involved in arson and/or domestic terrorism related activities.

KARIN J. IMMERGUT  
United States Attorney

September 17, 2007  
DATE

Kirk A. Engvall  
KIRK A. ENGVALL  
Assistant United States Attorney


**I HAVE READ THIS AGREEMENT CAREFULLY AND REVIEWED EVERY PART OF IT WITH MY ATTORNEY. I UNDERSTAND THE AGREEMENT AND FREELY AND VOLUNTARILY AGREE TO ITS TERMS.**

9-17-04  
DATE

  
JACOB JEREMIAH FERGUSON  
Defendant

**I REPRESENT DEFENDANT AS HIS LEGAL COUNSEL. I HAVE CAREFULLY REVIEWED EVERY PART OF THIS AGREEMENT WITH HIM. TO MY KNOWLEDGE, THE DECISION BY HIM TO ENTER INTO THIS AGREEMENT IS AN INFORMED AND VOLUNTARY ONE.**

9-17-2004  
DATE

  
EDMUND J. SPINNEY  
Attorney for defendant



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

AUSA Brian Stretch  
Chief of Violent Crimes  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, CA 94102

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Stretch:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson that occurred at J.E. Harl Fine Fashion and Furs, 1426 S. Main Street, Walnut Creek, Contra Costa County, California, on or about April 14, 1998; and the arson that occurred at the Redwood Coast Trucking Company, 2210 Peninsula Drive, Arcata, California on or about September 20, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

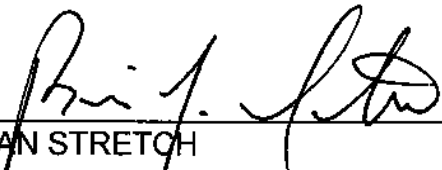
KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in black ink, appearing to read "Kirk A. Engdall", is written over the typed name.

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson that occurred at J.E. Harl Fine Fashion and Furs, 1426 S. Main Street, Walnut Creek, Contra Costa County, California, on or about April 14, 1998; and the arson that occurred at the Redwood Coast Trucking Company, 2210 Peninsula Drive, Arcata, California on or about September 20, 1998.

  
\_\_\_\_\_  
BRIAN STRETCH  
Assistant U.S. Attorney  
Chief of Violent Crimes

9-14-04  
\_\_\_\_\_  
Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

AUSA Ken Melikian  
Eastern District of California  
501 I Street, 19<sup>th</sup> Floor  
Sacramento, CA 95814

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Melikian:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson that occurred at the House of Furs, 2727 Capitol Avenue, Sacramento, Sacramento County, California on or about May 10, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in black ink that reads "Kirk A. Engdall".

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson that occurred at the House of Furs, 2727 Capitol Avenue, Sacramento, Sacramento County, California on or about May 10, 1998.

*for* *R. Steven Zepher*  
KEN MELIKIAN  
Assistant U.S. Attorney  
Eastern District of California

*9/13/07*  
Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

AUSA Andrew Friedman  
Western District of Washington  
601 Union Street  
Seattle, WA 98101-3903

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Friedman:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson that occurred at the Animal Damage Control (ADC), Field Office, 720 O'Leary Rd. NW., Olympia, Washington, on or about June 21, 1998; and the arson that occurred at the APHIS Wildlife Research Center, 9701 Blomberg St S.W., Olympia, Washington, on or about June 21, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

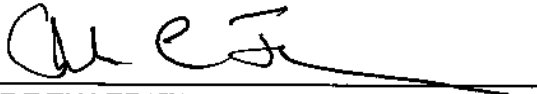
A handwritten signature in black ink that reads "Kirk A. Engdall".

KIRK A. ENGDALL  
Assistant United States Attorney



Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson that occurred at the Animal Damage Control (ADC), Field Office, 720 O'Leary Rd. NW., Olympia, Washington, on or about June 21, 1998; and the arson that occurred at the APHIS Wildlife Research Center, 9701 Blomberg St S.W., Olympia, Washington, on or about June 21, 1998.



ANDREW FRIEDMAN  
Assistant U.S. Attorney  
Western District of Washington

9/15/04

Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

Deputy County Prosecutor Jack Jones  
Thurston County Prosecutor's Office  
2000 Lakeridge Drive, S.W.  
Olympia, WA 98502

**Re: Jacob Jeremiah Ferguson**

Dear Mr. Jones:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson that occurred at the Animal Damage Control (ADC), Field Office, 720 O'Leary Rd. N.W., Olympia, Washington, on or about June 21, 1998; and the arson that occurred at the APHIS Wildlife Research Center, 9701 Blomberg St. S.W. Olympia, Washington, on or about June 21, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,


KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in cursive script that reads "Kirk A. Engdall".

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson that occurred at the Animal Damage Control (ADC), Field Office, 720 O'Leary Rd. N.W., Olympia, Washington, on or about June 21, 1998; and the arson that occurred at the APHIS Wildlife Research Center, 9701 Blomberg St. S.W. Olympia, Washington, on or about June 21, 1998.

  
\_\_\_\_\_  
JACK JONES #16786  
Deputy County Prosecutor  
Thurston County

SEP 19, 2007  
\_\_\_\_\_  
Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

AUSA Thomas O'Rourke  
District of Colorado  
1225 17<sup>th</sup> Street, Suite 700  
Denver, CO 80202

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. O'Rourke:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson at the Vail Ski Resort, Vail, Colorado on or about October 19, 1998, and an arson that occurred at Wildlife Pharmaceuticals, 1401 Duff Drive, Fort Collins, Larimer County, Colorado, on or about August 17, 1997.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

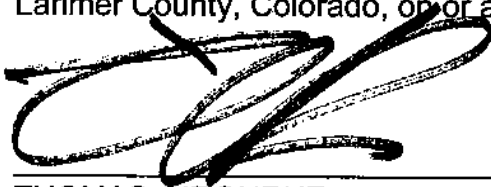
KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in black ink, appearing to read "Kirk A. Engdall".

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with arson at the Vail Ski Resort, Vail, Colorado on or about October 19, 1998, and an arson that occurred at Wildlife Pharmaceuticals, 1401 Duff Drive, Fort Collins, Larimer County, Colorado, on or about August 17, 1997.



THOMAS O'ROURKE  
Assistant U.S. Attorney  
District of Colorado

9/14/04

Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

The Honorable Mark D. Huddleston  
Jackson County District Attorney  
Jackson County District Attorney's Office  
715 West 10<sup>th</sup> Street  
Medford, OR 97501

**Re: Jacob Jeremiah Ferguson**

Dear Mr. Huddleston:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson at US Forest Industries, 2611 Whittle Ave., Medford, Oregon, on or about December 27, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

KIRK A. ENGDALL  
Assistant United States Attorney

*Mark -  
very  
Thanks  
much!  
Kirk*

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson or his actions in connection with arson at US Forest Industries, 2611 Whittle Ave., Medford, Oregon, on or about December 27, 1998.

  
\_\_\_\_\_  
MARK D. HUDDLESTON  
Jackson County District Attorney

9-14-04  
\_\_\_\_\_  
Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

The Honorable Alexander R. Gardner  
Lane County District Attorney  
Lane County District Attorney's Office  
125 E. 8<sup>th</sup> Avenue, Room 400  
Eugene, OR 97401

**Re: Jacob Jeremiah Ferguson**

Dear Mr. Gardner:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson at Childers Meat Company, 29476 Airport Road, Eugene, Oregon 97402 on or about May 9, 1999; the arson at the West University Eugene Police Substation, 716 E. 13<sup>th</sup>, Eugene, Oregon, on or about September 6, 2000; and the arson at Joe Romania Chevrolet Dealership, 1425 Walnut St., Eugene, Oregon, where approximately 37 sports utility vehicles were burned on or about March 30, 2001.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

*Kirk A. Engdall*  
KIRK A. ENGDALL  
Assistant United States Attorney

*Alex  
Thanks very much!  
Karl*



Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson at Childers Meat Company, 29476 Airport Road, Eugene, Oregon 97402 on or about May 9, 1999; the arson at the West University Eugene Police Substation, 716 E. 13<sup>th</sup>, Eugene, Oregon, on or about September 6, 2000; and the arson at Joe Romania Chevrolet Dealership, 1425 Walnut St., Eugene, Oregon, where approximately 37 sports utility vehicles were burned on or about March 30, 2001.



ALEXANDER R. GARDNER  
Lane County District Attorney

9/13/04

Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

The Honorable John W. Fisher  
Polk County District Attorney  
Polk County District Attorney's Office  
850 Main Street  
Dallas, OR 97338

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Fisher:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson of Boise Cascade Corporate Offices, 450 N. Pacific Ave., Monmouth, Polk County, Oregon, on or about December 25, 1999.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

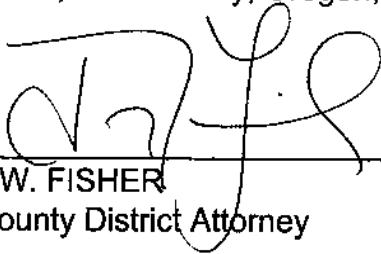
KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in black ink that reads "Kirk A. Engdall".

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson of Boise Cascade Corporate Offices, 450 N. Pacific Ave., Monmouth, Polk County, Oregon, on or about December 25, 1999.



\_\_\_\_\_  
JOHN W. FISHER  
Polk County District Attorney

13 SEP 04

\_\_\_\_\_  
Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

The Honorable Jack L. Banta  
Douglas County District Attorney  
Douglas County District Attorney's Office  
P.O. Box 1006  
Roseburg, OR 97470

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Banta:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson at Superior Lumber Company offices, 2695 Glendale Valley Rd., Glendale, Oregon, on or about January 2, 2001.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

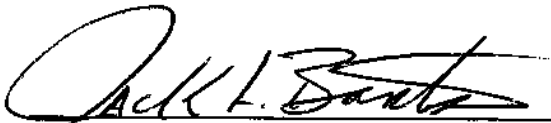
A handwritten signature in black ink that reads "Kirk A. Engdall".

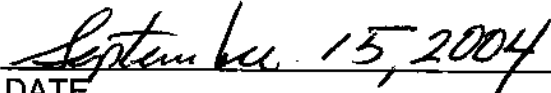
KIRK A. ENGDALL  
Assistant United States Attorney

A handwritten note in black ink that reads "Jack - Thanks very much! KJ".

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson at Superior Lumber Company offices, 2695 Glendale Valley Rd., Glendale, Oregon, on or about January 2, 2001.

  
\_\_\_\_\_  
JACK L. BANTA  
Douglas County District Attorney

  
\_\_\_\_\_  
DATE



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

The Honorable Stephen Atchison  
Columbia County District Attorney  
Columbia County District Attorney's Office  
230 Strand Street, Room 328  
St. Helens, OR 97051

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Atchison:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the arson at Jefferson Poplar Farms, 79114 Collins Rd., Clatskanie, Oregon, on or about May 21, 2001.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

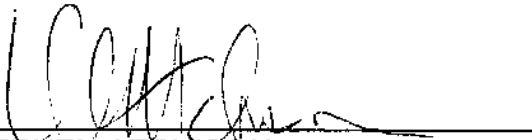
KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in black ink, reading "Kirk A. Engdall". The signature is written in a cursive, slightly slanted style.

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the District of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the arson at Jefferson Poplar Farms, 79114 Collins Rd., Clatskanie, Oregon, on or about May 21, 2001.



STEPHEN ATCHISON  
Columbia County District Attorney

9/14/04  
Date



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

The Honorable Harold V. Moneyhun  
Sweetwater County Attorney  
731 C Street  
Rock Springs, WY 82901

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Moneyhun:

This letter is in regard to our conversation concerning the horse release and attempted arson at the BLM Wild Horse Coral, Rock Springs, Sweetwater County, Wyoming, on or about October 11, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in cursive script that reads "Kirk A. Engdall".

KIRK A. ENGDALL  
Assistant United States Attorney



Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with the offenses arising out of the horse release and attempted arson at the BLM Wild Horse Coral, Rock Springs, Sweetwater County, Wyoming, on or about October 11, 1998.

\_\_\_\_\_  
SIGNATURE

  
\_\_\_\_\_  
HAROLD V. MONEYHUN

9/10/04  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
SWEETWATER COUNTY ATTORNEY



U.S. Department of Justice  
Karin J. Immergut  
United States Attorney  
District of Oregon  
701 High Street  
Eugene, OR 97401

Office: (541) 465-6771  
Fax: (541) 465-6582

September 10, 2004

First Assistant U.S. Attorney John Green  
District of Wyoming  
2120 Capitol Avenue, Room 4002  
Cheyenne, WY 82001

**Re: *Jacob Jeremiah Ferguson***

Dear Mr. Green:

This letter is in regard to our conversation concerning the potential prosecution by your office of Jacob Jeremiah Ferguson, for offenses arising out of the horse release and attempted arson at BLM Wild Horse Corral, Rock Springs, Sweetwater County, Wyoming on or about October 11, 1998.

In our conversation you advised me that if Mr. Ferguson enters a plea of guilty to one count of arson in the District of Oregon in Federal Court pursuant to the terms of the cooperation agreement, your office might be willing to forego prosecution of him for these matters. By this letter, I am requesting confirmation as to whether charges would be filed.

If there is any additional information you would like me to provide, please let me know. I can be reached at 541-465-6946. Thank you for your consideration of and assistance with this matter.

Very truly yours,

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

A handwritten signature in black ink that reads "Kirk A. Engdall". The signature is written in a cursive, slightly slanted style.

KIRK A. ENGDALL  
Assistant United States Attorney

Page 2 of 2

If Jacob Jeremiah Ferguson enters a plea of guilty to a federal felony arson charge in the district of Oregon in accordance with the terms of the cooperation agreement between AUSA Kirk A, Engdall, Jacob Jeremiah Ferguson and his attorney Edmund Spinney, this office agrees it will not file charges against Mr. Ferguson for his actions in connection with horse release and attempted arson at BLM Wild Horse Corral, Rock Springs, Sweetwater County, Wyoming on or about October 11, 1998.

John R. Green  
JOHN GREEN  
First Assistant U.S. Attorney  
District of Wyoming

15 Sep 04  
Date