

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 07-CR-57 (CNC)

INTERNATIONAL OUTSOURCING  
SERVICES, LLC,

Defendant.

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**MOTION TO DISMISS INDICTMENT**

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The United States, by its attorneys Steven M. Biskupic, United States Attorney for the Eastern District of Wisconsin, and Stephen A. Ingraham and Richard G. Frohling, Assistant United States Attorneys, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby moves this Court for leave to dismiss the indictment against International Outsourcing Services, LLC (“IOS”), in the above-captioned case without prejudice by order of the Court upon the following grounds.

1. IOS has agreed to cooperate completely in the ongoing investigation and prosecution of individuals concerning the fraud scheme charged in the above-captioned case as well as in the investigation and prosecution of persons associated with IOS for possible obstruction of justice both before and after the indictment in this case.

2. IOS has agreed to cooperate after installing a new management team and after removing the indicted individuals from their roles with the company.

3. As part of IOS’s cooperation agreement with the United States, IOS has agreed to take a number of actions, including:

- a. IOS has agreed to make its employees and representatives available for interview and testimony as necessary;

- b. IOS voluntarily has waived its attorney-client privilege and any work-product protections regarding all of its coupon-related and case-related documents and files. IOS has agreed to make these files available to the United States for unrestricted inspection and use in the criminal cases;
- c. IOS has designated a management-level employee to respond to requests by the United States for information and assistance until the indicted cases are fully adjudicated;
- d. IOS has appointed and will maintain an independent, on-site monitor to oversee company operations and finances;
- e. IOS has agreed to make available a custodian of IOS records to facilitate admissibility of any IOS records at the trial of any indicted individual; and
- f. IOS has agreed to place in escrow any distributions available to shareholders, including any equity distributions, pending resolution of the criminal cases.

4. IOS also has agreed that the United States may re-file the existing and/or additional charges if IOS materially breaches its cooperation agreement.

5. IOS also has agreed to waive the statute of limitations for five (5) years beginning from the March 6, 2007 indictment date for any conduct that is the subject of the present indictment, as well as any conduct that could form the basis of related offenses. IOS also has waived any speedy trial rights in the event of the re-filing of charges.

6. IOS further has agreed that if charges are re-filed against IOS, the company will not raise any foundation-related objections to the admission of any evidence obtained from the company's cooperation.

Respectfully submitted at Milwaukee, Wisconsin, this 17th day of May 2007.

STEVEN M. BISKUPIC  
United States Attorney

By:

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**ORDER TO DISMISS THE INDICTMENT**

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Based upon the motion of the United States, the indictment against defendant International Outsourcing Services, LLC, is hereby dismissed without prejudice.

Dated at Milwaukee, Wisconsin, this \_\_\_\_ day of May, 2007.

BY THE COURT:

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CHARLES N. CLEVERT  
United States District Judge