

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Jimmy Gale Watson Jr.,

*Defendant.*

**Deferred Prosecution Agreement**

**21 Cr. 138 (LGS)**

TO: JIMMY GALE WATSON JR.

On March 2, 2021, a grand jury sitting in the Southern District of New York returned Indictment 21 Cr. 138 (LGS), in which you are accused of: (i) conspiracy to commit commodities and securities fraud, in violation of 18 U.S.C. § 371, 7 U.S.C. §§ 9(1) and 13(a)(5), 17 C.F.R. 180.1(a) and 240.10b-5, and 15 U.S.C. §§ 78j(b) and 78ff (Count One); (ii) conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349 (Count Two); (iii) wire fraud, in violation of 18 U.S.C. §§ 1343 and 2 (Count Three); (iv) conspiracy to commit securities fraud and touting fraud, in violation of 18 U.S.C. §§ 371, 15 U.S.C. §§ 78j(b), 78ff, 77q(b) and 77x, and 17 C.F.R. § 240.10b-5 (Count Four); (v) conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349 (Count Five); (vi) wire fraud, in violation of 18 U.S.C. §§ 1343 and 2 (Count Six); and (vii) conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h) (Count Seven). However, after a thorough investigation, and based on the facts of this case and your personal circumstances, the U.S. Attorney's Office for the Southern District of New York ("USAO-SDNY") has determined that the interests of justice will best be served by deferring prosecution in this District. Upon your acceptance of responsibility for your behavior and by your signature on this deferred prosecution agreement (the "Agreement"), prosecution will be deferred during the term of your good behavior and satisfactory compliance with the terms of this Agreement for the period of six months from the signing of this Agreement.

The terms and conditions constituting your good behavior and satisfactory compliance are as follows:

- (1) You shall refrain from violation of any law (federal, state and local). You shall immediately contact your U.S. Pretrial Services Officer if arrested or questioned by a law-enforcement officer.
- (2) You shall associate only with law-abiding persons.
- (3) You shall work regularly at a lawful occupation and/or regularly attend school and support your legal dependents, if any, to the best of your ability. When out of work or not attending school you shall notify your supervising U.S. Pretrial Services Officer at once. You shall consult him or her prior to job and school changes.
- (4) You shall not leave the contiguous United States without the permission of your supervising U.S. Pretrial Services Officer.

(5) You shall notify your supervising U.S. Pretrial Services Officer immediately of any change in your place of residence.

(6) You shall follow your supervising U.S. Pretrial Services Officer's instructions and advice.

(7) You shall report to your supervising U.S. Pretrial Services Officer as directed.

As a further condition, you hereby consent to disclosure, by any federal, state or local government agency, or by any medical or substance abuse treatment provider, to the U.S. Pretrial Services Officer supervising your case, of such medical and treatment records as may be requested by the Pretrial Services Officer to evaluate deferral of prosecution in this case. You further agree that you will execute any additional consent forms that any such agency or provider may require to release such information.

Special conditions are as follows:

(1) You shall participate in mental health treatment as directed by U.S. Pretrial Services.

(2) You shall participate in drug testing or treatment as directed by U.S. Pretrial Services.

The USAO-SDNY may at any time revoke or modify any condition of this provisional release or change the period of such supervision. The USAO-SDNY may discharge you from supervision at any time. The USAO-SDNY may at any time proceed with the prosecution for this offense should the USAO-SDNY, in its sole discretion, deem such action advisable.

If upon completion of your supervision a written report from your supervising U.S. Pretrial Services Officer is received to the effect that you have complied with all the rules, regulations and conditions and special conditions applicable to your deferred prosecution, no further prosecution will be instituted in this District for the above offense.

If you successfully complete the term of supervision and fulfill all the terms and conditions of this Agreement, the USAO-SDNY will move the Court to dismiss the Indictment against you.

It is further understood that this Agreement and the terms and conditions set forth herein are limited to the facts and circumstances of this case and lack precedential value.

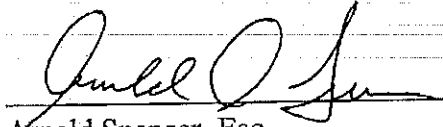
Dated: New York, New York  
February [], 2022

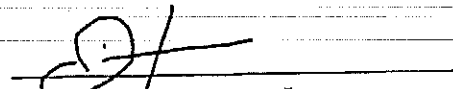
DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: *E Hanft*  
Elizabeth Hanft/Kiersten Fletcher  
Assistant United States Attorneys  
Tel.: 212-637-2334/2238

The undersigned hereby consents to the foregoing and expressly waives any and all rights to a speedy trial pursuant to the Sixth Amendment to the United States Constitution, the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*, and any other pertinent provisions, and consents to the adjournment of all pending proceedings in this case. The undersigned further waives the applicable statute of limitations with respect to any prosecution that is not time-barred on the date that this Agreement is signed. It is the intent of this provision to toll the applicable statute of limitations during the pendency of the deferred prosecution.

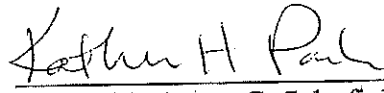
Dated: New York, New York  
February 9, 2022

  
Arnold Spencer, Esq.  
Attorney for Defendant

  
Jimmy Gale Watson Jr.  
Defendant

Pursuant to 18 U.S.C. § 3161(h)(2), exclusion under the Speedy Trial Act of the period of time during which the prosecution of the defendant is deferred pursuant to this Agreement is hereby approved.

Dated: New York, New York  
February 2, 2022  
March 4

  
Honorable Lorna G. Schofield  
United States District Judge  
Magistrate Judge  
KATHERINE H. PARKER

The undersigned hereby consents to the foregoing and will accept supervision of the above-named defendant on the conditions set forth herein.

Dated: New York, New York  
February 2, 2022  
March 4

  
United States Pretrial Services Officer