

**UNITED STATES DISTRICT COURT
NORTH CAROLINA WESTERN
PROBATION OFFICE**

Gregory A. Forest
Chief Probation Officer

January 9, 2013

Elisabeth F. Ervin
Deputy Chief Probation Officer

Reply to:
200 S. College Street, Suite
1650
Charlotte, NC 28202-2005
Tel: (704) 350-7600
Fax: (704) 350-7691

**Re: United States v. Igor Borodin
Docket No.: 3:12CR258**

The Mandatory Victims Restitution Act of 1996 provides that all identified victims directly and proximately harmed as a result of the commission of the offense in the above-entitled case receive notice of the following information:

On 10/22/2012, the above-named defendant was convicted of Trafficking in Counterfeit Goods and Aiding and Abetting the Same and Delivery of Property Containing Hazardous Materials. According to our records, you may be entitled to restitution. However, our office cannot guarantee that restitution, or any particular amount of restitution will be awarded to you at sentencing. This determination will be made by the Court.

The undersigned probation officer will be preparing a Presentence Report. You are asked to submit information concerning the amount of your losses to my attention at the above-noted address. A complete explanation of the type(s) of compensation you may be entitled to receive is included with this letter. All claims must be accompanied by supporting documentation. If you wish to have such information considered in the preparation of the Presentence Report, please complete the enclosed declaration form and return it to the attention of USPO Emily Hood, U.S. Probation Office at 200 S. College Street, Suite 1650, Charlotte, NC 28202.

The law permits you to file a separate affidavit relating to the amount of loss subject to restitution. Enclosed is a declaration form which has the same legal effect as an affidavit but does not need to be notarized. In addition, our office would like to tell the Court how the crime affected you; therefore, Victim Impact information is included on the enclosed declaration form. The information you submit on the declaration form will be included in the presentence report submitted to the Court. The presentence report is not a public document; however, it is prepared for use by the Court, defendant, and prosecution. Therefore, information from your statement which is included in the presentence report will be seen by the defendant and his/her attorney. The statute provides that the burden shall be on the attorney for the Government to demonstrate your losses as a result of the offense. Therefore, a copy of this declaration form will be given to the US Attorney's Office.

The US Attorney's Office will contact you after sentencing. If you are awarded restitution by the Court in this case, you may request the Clerk of Court to issue an *abstract of judgment* certifying that a judgment has been entered in your favor in the amount specified in the order. There is a charge for this service. Upon registering, recording, docketing, or indexing the abstract in accordance with the rules and requirements relating to judgments of the Court of the State where the district court is located, the abstract of judgment shall serve as a lien upon the property of the defendant located in such a State in the same manner and to the same extent and under the same conditions as a judgment of a court of general jurisdiction in that State.

In the event you are awarded restitution, it is your responsibility to notify the US Clerk of Court Office, Attn: Finance, 210 Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, NC 28202, of any changes in your mailing address while restitution is still owed. This information will be maintained confidentially. Any restitution payments made by the defendant will be disbursed by the US Clerk of Court Office. Please reference the defendant's name and docket number as above on any correspondence to this office.

Please understand that being awarded restitution is not a guarantee that you will receive compensation of losses from the defendant. The defendant's ability to pay the restitution is an obvious factor in whether you, as a victim, will receive restitution.

In the event you have additional questions or should your mailing address change prior to the disposition of this call, please feel free to contact me at 704-350-7616

Respectfully,

s/ Emily E. Hood

Emily E. Hood
U.S. Probation Officer
200 South College St., Ste. 1650
Charlotte, NC 28202
704-350-7616
victimsborodin@ncwp.uscourts.gov

Explanation of Losses Subject to Restitution

The Mandatory Restitution Act of 1996 provides that you may be entitled to an order of restitution. The types of losses for which the statute provides restitution are explained below. You have the right to explain these losses in detail in the attached Declaration form.

In the case of an offense resulting in damage to or loss or destruction of property of a victim of the offense, the court may order: (1) the return of the property to the owner of the property or someone designated by the owner; or if return of the property is impossible, impractical, or inadequate, (2) the payment of an amount equal to the greater of (a) the value of the property on the date of the damage, or (b) loss, or destruction, or (c) the value of the property on the date of sentencing, less the value (as of the date the property is returned) of any part of the property that is returned.

In the case of an offense resulting in bodily injury to a victim, the court may order: (1) payment of an amount equal to the cost of necessary medical and related professional services and devices relating to physical, psychiatric, and psychological care, including nonmedical care and treatment rendered in accordance with a method of healing recognized by the law of the place of treatment; (2) payment of an amount equal to the cost of necessary physical and occupational therapy and rehabilitation; and (3) reimbursement to the victim for income lost by such victim as a result of such offense.

In the case of an offense resulting in bodily injury that also results in the death of a victim, the court may order payment of an amount equal to the cost of necessary funeral and related services.

In any case, the court may order reimbursement to the victim for lost income and necessary child care, transportation, and other expenses related to participation in the investigation or prosecution of the offense or attendance at proceedings related to the offense.

In any case, if the victim (or if deceased, the victim's estate) consents, the court may order the defendant to make restitution in services in lieu of money, or to make restitution to a person or organization designated by the victim or the estate. (18 U.S.C. § 3663)

In addition, the victim may at any time assign the victim's interest in restitution payments to the Crime Victims Fund in the Treasury without in any way impairing the obligation of the defendant to make such payments. (18 U.S.C. § 3664)

If a victim has received compensation from insurance or any other source with respect to a loss, the court shall order that restitution be paid to the person who provided or is obligated to provide the compensation, but the restitution order shall provide that all restitution of victims required by the order be paid to the victims before any restitution is paid to such a provider of compensation. (18 U.S.C. § 3664).

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA**

United States)
v.)
Igor Boridin)
)
)

Declaration of Victim Losses and/or Victim Impact

I, _____, am victim in the above-referenced case and I
Name of Victim
believe that I am entitled to restitution in the total amount of \$_____.

_____ My specific losses as a result of this offense are summarized in the following pages.

_____ I have been compensated by insurance and/or another source with respect
to all or a portion of our losses in the amount of \$_____. The
name and address of my insurance company(s) and claim number(s) for this loss is
listed in the following pages.

_____ I have included comments on how this offense has affected my life and that of my
family in the following pages.

I declare under penalty of law that the information included in this Declaration is true and correct
to the best of my knowledge.

Date _____ Signature _____

Printed Name: _____

Address: _____ Phone: _____

Email Address: _____

(Additional Pages May be Attached)

SUMMARY OF VICTIM LOSSES

Please state your **direct monetary loss** as a result of this crime below, attaching the proper substantiation records. Explain if necessary (continue on separate page if necessary).

Amount of Direct Monetary Loss \$ _____

List medical/physical therapy/counseling, etc., expenses including: provider; amount paid by insurance, by Medicaid, or any other entity; and amount paid by you (attach statement from entity paying benefits to support your claim). Attach extra sheets as needed.

Provider of Care	Amount Paid by Insurance or Other Entity	Amount Paid by You
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

Name/Address/Telephone No. _____
Of Health Insurance Company _____
And/or Other Entity Paying _____
Benefits _____
Contact Person/Claim Number _____

Are you currently in counseling/therapy? Yes No

If physically injured, will you be experiencing long-term medical treatment? Yes No

List **lost wages** below including: Name/address/telephone number of employer, number of hours lost/salary per hour, total wages lost (attach statement from employer to support your claim).

Name/Address/Telephone Number of Employer	Number Hours Lost	Salary Per Hour	Total Wages Lost
_____	_____	\$ _____	\$ _____
_____	_____		

List **any property lost, destroyed or damaged** and its value (attach receipts, repair bills, etc). If these items are not available, please state and explain why. List any amounts paid by insurance.

Property	Value	Paid By Insurance	Unreimbursed Value
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

Name/Address/Telephone No of Insurance _____
Company Paying Benefits _____
Contact Person/Claim Number _____

List **miscellaneous expenses** (type and amount). Include such items as child care during court appearances, transportation costs during the investigation, etc.

Type of Expense	Amount of Expense
_____	\$ _____
_____	\$ _____
_____	\$ _____

SUMMARY OF EXPENSES (THOSE NOT PAID BY INSURANCE) AS LISTED ABOVE FOR PRIMARY VICTIM:

Total Direct Monetary Loss	\$ _____
Total Amount Paid by Victim for Medical Expenses	\$ _____
Total Lost Income or Wages	\$ _____
Total Unreimbursed Property Loss	\$ _____
Total Miscellaneous Expenses	\$ _____

TOTAL UNREIMBURSED FINANCIAL LOSS FOR PRIMARY VICTIM: \$ _____

SUMMARY OF EXPENSES PAID BY SECONDARY VICTIM(S) (INSURANCE OR OTHER ENTITY) AS LISTED ABOVE:

Total Amount Paid by Insurance or other Entity for Medical Expenses	\$ _____
Total Amount Paid by Insurance for Property Loss	\$ _____

