

February 6, 2003

**VIA FACSIMILE AND FIRST CLASS MAIL**

United States Attorney's Office  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242

Re: *United States v. XXXXX*, No. *YYY*

Dear:

As we discussed, XXXX XXX has agreed to be debriefed by the government in connection with the above—referenced. In exchange, the government will consider Mr. XXX's eligibility for a downward departure pursuant to U.S.S.G. / 5K1.1. It is my understanding that Mr. XXX's cooperation with the government is subject to the following terms and conditions:

1. The United States will not use any statements obtained from Mr. XXX during his meeting with the government, or while he is testifying at trial against another individual, against Mr. XXX at any hearing.

2. Any self—incriminating information provided by Mr. XXX while meeting with the government or while he is testifying at trial against another individual will not be used in determining or altering Mr. XXX's applicable guideline range, pursuant to Section 1B1.8(a) of the United States Sentencing Guidelines.

3. The United States will not institute any additional charges against Mr. XXX based upon the information received from him during any meeting with the government or while he is testifying at trial against another individual.

4. The United States will not refer nor provide any self—incriminating information received from Mr. XXX during his meeting with the government or while he is testifying at trial against another individual to any other prosecuting authorities, including, but not limited to, the State of Texas.

If this letter does not accurately reflect our understanding regarding the terms of Mr. **XXX**'s cooperation, please contact me.

Very truly yours,

F. Clinton Broden

c.c. **XXXX**