

CLOSED

**U.S. District Court  
District of New Jersey [LIVE] (Newark)  
CRIMINAL DOCKET FOR CASE #: 2:96-cr-00127-AJL-1**

Case title: USA v. ELECTRODYNE SYSTEMS, et al

Date Filed: 03/04/1996

Date Terminated: 05/27/1997

Assigned to: Judge Alfred J. Lechner, Jr.

Appeals court case numbers: 97-5366,  
98-6299**Defendant (1)****ELECTRODYNE SYSTEMS  
CORPORATION***TERMINATED: 05/28/1997*

represented by **ROBERT L. PODVEY**  
PODVEY MEANOR CATENACCI  
HILDNER COCOZIELLO &  
CHATTMAN, PC  
THE LEGAL CENTER  
ONE RIVERFRONT PLAZA  
NEWARK , NJ 07102-5497  
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Fax: 973-623-9131  
Email: rpodvey@podvey.com  
*TERMINATED: 05/28/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

22:2778B.F (b)(2) & (c); 18:2 & 22:127.1  
& 127.3 REGISTRATION AND  
LICENSING REQUIREMENTS  
(2)

**Disposition**

Probation w/super. 5yrs. on each of cts. 2 & 10, to run concurrently. Fine \$500,000 on each of cts. 2 & 10, for a total fine of \$1,000,000 due immediately. Probation w/super 5yrs. on each of cts. 2 & 10 to run concurrently. Fine \$250,000 on each of cts. 2 & 10, for a total fine of \$500,000 and \$140,000 due immediately. Balance to be paid in monthly installments of \$50,000 until debt is paid. Restitution of \$229,905.70 to be made. Spec. Assessment \$400.00. Cts. 1, 3-9, 11-13 Dismissed. Re-sentencing on remand-Probation w/super. 5yrs. on each of cts. 2 & 10, to

18:1001.F & 2 FALSE STATEMENTS OR  
ENTRIES GENERALLY  
(10)

run concurrently. Fine \$100,000 on Ct. 2  
& \$40,000 on ct. 10, total fine  
\$140,000.00. Restitution in the amount of  
\$2,000 to Greg Edelefsen, Esq. etc. ;  
\$170,660.00 to Rick Sofield,f Esq. etc. &  
\$57,245.70 to Spec. Agent Karl Strohbean,  
etc. Total Spec. Assessment \$400 due  
immediately.

Probation w/super. 5yrs. on each of cts. 2  
& 10, to run concurrently. Fine \$500,000  
on each of cts. 2 & 10, for a total fine of  
\$1,000,000 due immediately. Probation  
w/super 5yrs. on each of cts. 2 & 10 to run  
concurrently. Fine \$250,0 00 on each of  
cts. 2 & 10, for a total fine of \$500,000  
and \$140,000 due immediately. Balance to  
be paid in monthly installments of \$50,000  
until debt is paid. Restitution of  
\$229,905.70 to be made. Spec. Assessment  
\$400.00. Cts. 1, 3-9, 11-13 Dismissed.  
Re-sentencing on remand-Probation  
w/super. 5yrs. on each of cts. 2 & 10, to  
run concurrently. Fine \$100,000 on Ct. 2  
& \$40,000 on ct. 10, total fine  
\$140,000.00. Restitution in the amount of  
\$2,000 to Greg Edelefsen, Esq. etc. ;  
\$170,660.00 to Rick Sofield,f Esq. etc. &  
\$57,245.70 to Spec. Agent Karl Strohbean,  
etc. Total Spec. Assessment \$400 due  
immediately.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

18:371.F CONSPIRACY TO DEFRAUD  
THE UNITED STATES  
(1)

22:2778B.F (b)(2) & (c); 18:2 & 22:127.1  
& 127.3 REGISTRATION AND  
LICENSING REQUIREMENTS  
(3-6)

18:545.F & 2 SMUGGLING GOODS  
INTO THE U.S. (19:1304)  
(7)

22:2778B.F (b)(2) & (c); 18:2 & 22:127.1  
& 127.3 REGISTRATION AND

**Disposition**

dismissed.

dismissed.

dismissed.

dismissed.

**LICENSING REQUIREMENTS**

(8-9)

18:1001.F & 2 FALSE STATEMENTS OR  
ENTRIES GENERALLY

dismissed.

(11)

18:545.F & 2 SMUGGLING GOODS  
INTO THE U.S. (19:1304)

dismissed.

(12-13)

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition****Plaintiff**

USA

represented by **NOEL LAWRENCE HILLMAN**  
 OFFICE OF US ATTORNEY  
 970 BROAD STREET  
 NEWARK , NJ 07102  
 (973) 645-2904  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
03/04/1996	1	SEALED INDICTMENT as to ELECTRODYNE SYSTEMS (1) count(s) 1, 2-6, 7, 8-9, 10-11, 12-13, DENNIS NATHAN (2) count(s) 1, 2-6, 7, 8-9, 10-11, 12-13, VICTOR ARON LANDER (3) count(s) 1, 2-6, 7, 8-9, 10-11, 12-13 (mgr) (Entered: 03/11/1996)
03/04/1996	2	SEALING ORDER until arrest as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER ( Signed by Mag. Judge Joel A. Pisano ) (mgr) (Entered: 03/11/1996)
03/04/1996	3	NOTICE OF ALLOCATION AND ASSIGNMENT Newark ( before Judge Alfred J. Lechner, Jr. ) (mgr) (Entered: 03/11/1996)
03/05/1996		ORDER Unsealing Indictment as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER (mgr) (Entered: 03/11/1996)
03/13/1996	5	Minutes of 3/13/96 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER, Arraignment Held. Defendant(s) pleads not guilty Ordered govt. to have all documents in its possession by 3/22/96, Status Conference sto provide motion dates be set for 9:00 4/9/96 for ELECTRODYNE SYSTEMS, for DENNIS NATHAN, for VICTOR ARON LANDER, Govt. jury charges are to be submitted by 6/14/96, defts' are due on 6/28/96. ; Ordered bail cont. Ordered counsel to submit the appropriate speedy trial Order by 3/15/96. Trial with jury set for 9/9/96 for ELECTRODYNE SYSTEMS, for DENNIS NATHAN, for

		VICTOR ARON LANDER ; (Court Reporter/ESR: JC) (it) (Entered: 03/20/1996)
03/13/1996	6	ORDER FOR DISCOVERY AND INSPECTION as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER ( Signed by Judge Alfred J. Lechner, Jr. ) (it) (Entered: 03/20/1996)
03/14/1996	4	NOTICE of Appearance for ELECTRODYNE SYSTEMS by Attorney ROBERT L PODVEY, Podvey, Sachs, Meanor, Catenacci, Hildner & Coccoziello (it) (Entered: 03/15/1996)
03/18/1996	10	ORDER as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER, to Continue in Interests of Justice Time Excluded from 3/5/96 to 9/9/96 ( Signed by Judge Alfred J. Lechner, Jr. ) (jn) (Entered: 03/21/1996)
04/17/1996	14	Minutes of 4/17/96 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER, Status conference held. , set motion filing deadline for 5/1/96, govt's opposition due 5/15/96, def't's reply due 5/24/96, motion to be returnable on a date to be set, for ELECTRODYNE SYSTEMS, for DENNIS NATHAN, for VICTOR ARON LANDER In limine motions due by the end of June. Govt. to turn over expert reports by 6/14/96; def'ts' by 8/2/96. Briefs in response to 404b evidence to be submitted with the motions to be filed by 5/1/96. (Court Reporter/ESR: JC) (it) (Entered: 04/18/1996)
06/13/1996	15	Minutes of 6/13/96 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER, Status conference held. , set motion filing deadline for 7/8/96 for ELECTRODYNE SYSTEMS, for DENNIS NATHAN, for VICTOR ARON LANDER. Gov't's., opposition is due by 7/22/96; Def't's., reply is due 7/29/96; motions returnable on a date to be set. Gov't's., trial briefs, jury voir dire and charges are due by 7/12/96; Def't's., due on 7/22/96. Inlimine motions to be filed by 7/31/96. Gov't., expert reports due by 7/22/96; Def't's., by 9/6/96. 404 briefs due 7/31/96. , set Trial with jury for 10/7/96 for ELECTRODYNE SYSTEMS, for DENNIS NATHAN, for VICTOR ARON LANDER (Court Reporter/ESR: Joanne Caruso) (jn) (Entered: 06/14/1996)
06/14/1996	17	ORDER as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER re:pretrial motions and trial date. ( Signed by Judge Alfred J. Lechner, Jr. ) (jn) (Entered: 06/14/1996)
10/07/1996	18	Minutes of 10/7/96 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER, Hearing on def't's application to adjourn the plea scheduled for 10-7-96 at 9 a.m. Ordered application granted; plea rescheduled for 10-16-96 at 9 a.m. as to Electrodyne and Dennis Nathan; & 10-21-96 at 9 a.m. as to Victor Lander. Ordered memo to be submitted to the court by 10-11-96 addressing the issue of authority to set forth the factual basis of the plea on behalf of Electrodyne. (Court Reporter/ESR: SR) (it) (Entered: 10/09/1996)
10/16/1996	19	Minutes of 10/16/96 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, Retraction of Plea hearing held. , Guilty: ELECTRODYNE SYSTEMS (1) count(s) 2, 10, DENNIS NATHAN (2) count(s) 12 , Resolution filed. Bond reset to \$1,000,000secured by house for DENNIS NATHAN. , Ordered def't. released, bail cont. set Sentencing for 9:00 1/9/97 for ELECTRODYNE SYSTEMS, for DENNIS NATHAN (Court Reporter/ESR: JC) (it) (Entered: 10/17/1996)

10/16/1996	22	APPLICATION FOR PERMISSION TO ENTER PLEA OF GUILTY by ELECTRODYNE SYSTEMS (it) (Entered: 10/17/1996)
10/16/1996	23	Plea Agreement as to ELECTRODYNE SYSTEMS (it) (Entered: 10/17/1996)
10/16/1996	24	CERTIFICATION Re: Certificate of Dennis Nathan, Sole Director on behalf of ELECTRODYNE SYSTEMS Re: to plea of Guilty. (it) (Entered: 10/17/1996)
05/27/1997	35	Minutes of 5/27/97 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS, Deft. sets forth objections to guideline applications. Sentencing held. ELECTRODYNE SYSTEMS (1) count(s) 2, 10 of Indictment (Court Reporter/ESR: JC) (it) (Entered: 05/28/1997)
05/28/1997	36	JUDGMENT ELECTRODYNE SYSTEMS (1) count(s) 2, 10 of Indictment. Probation w/super. 5yrs. on each of cts. 2 & 10, to run concurrently. Spec. conditions: 1. deft. provide the Prob. Office w/full disclosure of its financial records, etc. 2. Electrodyne shall not permit Dennis Nathan or Victor Lander to serve the company or any successor entity in any capacity, etc. 3. Electrodyne shall hire and retain a compliance officer trained in and knowledgeable, etc. Fine \$500,000 on each of cts. 2 & 10, for a total fine of \$1,000,000 due immediately. Govt. is directed to take immediate steps to collect fine. Spec. assessment \$400 due immediately. RESTITUTION of \$2,000 payable to Greg Edlefsen, Esq., Office of General Counsel, Washington D.C.; \$170,660 payable to Rick Sofield, Esq., U.S. Air Force, Washington, D.C.; & \$57,245.70 payable to Special Agent Karl Strohbean, Office of the Inspector General, Cleveland, Ohio, etc. ELECTRODYNE SYSTEMS (1) count(s) 1, 3 -6 , 7 , 8 -9 , 11 , 12 -13 dismissed. (signed by Judge Alfred J. Lechner, Jr. ) party ELECTRODYNE SYSTEMS (it) (Entered: 05/28/1997)
05/30/1997	37	TRANSCRIPT filed as to ELECTRODYNE SYSTEMS for dates of 5/27/97 (jn) (Entered: 06/03/1997)
06/06/1997	38	NOTICE OF APPEAL by ELECTRODYNE SYSTEMS (1) count(s) 2 re: [36-1] judgment order FILING FEE \$ 105.00 RECEIPT # 241607 Copies mailed to USCA, J. BARRY COCOZIELLO (jn) (Entered: 06/09/1997)
06/19/1997	40	TRANSCRIPT filed as to ELECTRODYNE SYSTEMS for dates of 5/27/97 (jn) (Entered: 06/20/1997)
06/20/1997	39	NOTICE of Docketing ROA from USCA as to ELECTRODYNE SYSTEMS Re: [38-1] appeal USCA Number: 97-5366 (jn) (Entered: 06/20/1997)
06/24/1997	41	Transcript requested as to ELECTRODYNE SYSTEMS: Already on file. (jn) (Entered: 06/25/1997)
06/25/1997		RECORD COMPLETE FOR PURPOSES OF APPEAL. (jn) (Entered: 06/25/1997)
07/28/1997	42	TRANSCRIPT filed as to ELECTRODYNE SYSTEMS for dates of 10/15/96 (it) (Entered: 07/28/1997)
05/21/1998	44	ORDER as to ELECTRODYNE SYSTEMS: that the documentation is to be received in chambers by the close of business 6/22/98. ( Signed by Judge Alfred J. Lechner, Jr. ) (jn) (Entered: 05/22/1998)
07/06/1998	60	JUDGMENT OF USCA #97-5366 (certified copy) as to ELECTRODYNE SYSTEMS Re: [38-1] appeal remanding for resentencing ELECTRODYNE SYSTEMS (1) count(s) 2, 10 (it) (Entered: 09/03/1998)

08/10/1998		Notice of MOTION/Affidavit of Sol Scghneiderman/Affidavit of thomas Catanio/Affidavit of J. Barry Cocozziello, by ELECTRODYNE SYSTEMS for Modification of Order Entered on May 21, 1998. (it) (Entered: 08/10/1998)
08/10/1998	46	ORDER, granting motion for modification of order of 5/21/98 as to ELECTRODYNE SYSTEMS to submit certain financial data for purposes of resentencing.( Signed by Judge Alfred J. Lechner, Jr. ) (jn) (Entered: 08/14/1998)
08/12/1998	45	LETTER OPINION as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER Re: addressing the sentencing of the individual defts. and the resentencing of Electrodyne, ( Signed by Judge Alfred J. Lechner, Jr. ) (it) (Entered: 08/14/1998)
08/12/1998	61	Re-Sentencing Minutes of 8/12/98 before Judge Alfred J. Lechner, Jr. as to ELECTRODYNE SYSTEMS (Court Reporter/ESR: JC) (it) (Entered: 09/03/1998)
08/20/1998	63	NOTICE OF APPEAL by ELECTRODYNE SYSTEMS (1) count(s) 7 re: [62-1] judgment order FILING FEE \$ 105.00 RECEIPT # 0253289 Copies mailed to USCA, HON. A.J. LECHNER, JR., NOEL LAWRENCE HILLMAN, ESQ. AUSA., BARRY COCOZIELLO ESQ. & JOANNE CARUSO, CSR. (jn) (Entered: 09/03/1998)
09/01/1998	62	AMENDED JUDGMENT: ELECTRODYNE SYSTEMS (1) count(s) 2, 10 . Probation w/super. 5yrs. on each of cts. 2 & 10, to run concurrently. Fine \$500,000 on each of cts. 2 & 10, for a total fine of \$1,000,000 due immediately. AMENDED TO: Probation w/super 5yrs. on each of cts. 2 & 10 to run concurrently. Fine \$250,000 on each of cts. 2 & 10, for a total fine of \$500,000 and \$140,000 due immediately. Balance to be paid in monthly installments of \$50,000 until debt is paid. Restitution of \$229,905.70 to be made. Spec. Assessment \$400.00. Cts. 1, 3-9, 11-13 Dismissed. ( Signed by Judge Alfred J. Lechner, Jr. ) (it) (Entered: 09/03/1998)
09/02/1998	58	TRANSCRIPT filed as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER for dates of 8/12/98 (jn) (Entered: 09/02/1998)
09/14/1998	70	NOTICE of Docketing ROA from USCA as to ELECTRODYNE SYSTEMS Re: [63-1] appeal USCA Number: 98-6299 (it) (Entered: 09/14/1998)
09/18/1998	71	TRANSCRIPT filed as to ELECTRODYNE SYSTEMS for dates of already on file in the D.C. office. (it) (Entered: 09/21/1998)
09/13/1999	72	JUDGMENT OF USCA (certified copy) as to ELECTRODYNE SYSTEMS, DENNIS NATHAN, VICTOR ARON LANDER Re:[51-1], [52-1] & [63-1] appeals affirming in part and reversing in part and remanding to the District Court for further proceedings. Court of Appeals #'s 98-6262,98-6263 & 98-6299. (jn) (Entered: 09/14/1999)
04/23/2001	75	Minutes of 4/23/01 before Judge Dickinson R. Debevoise as to ELECTRODYNE SYSTEMS, Re-Sentencing on remand held. ELECTRODYNE SYSTEMS (1) count(s) 2, 10 of Indictment (Court Reporter/ESR: MG) (it) (Entered: 04/26/2001)
04/25/2001	76	JUDGMENT: ELECTRODYNE SYSTEMS (1) count(s) 2, 10 . Re-sentencing on remand-Probation w/super. 5yrs. on each of cts. 2 & 10, to run concurrently. Fine \$100,000 on Ct. 2 & \$40,000 on ct. 10, total fine \$140,000.00. Restitution in the amount of \$2,000 to Greg Edelefsen, Esq. etc.; \$170,660.00 to Rick Sofield, Esq. etc. & \$57,245.70 to Spec. Agent Karl Strohbean, etc. Total Spec. Assessment \$400 due immediately. , ELECTRODYNE SYSTEMS (1) count(s) 1, 3 -6 , 7 , 8 -9 , 11 , 12 -13 dismissed. ( Signed by Judge Dickinson R. Debevoise ) (it) (Entered: 04/26/2001)

04/27/2001	NOTICE of \$400.00 SPECIAL ASSESSMENT PAYMENT by ELECTRODYNE SYSTEMS, CHECK # 3200, RECEIPT # 300550. (jn) (Entered: 04/27/2001)
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<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
02/19/2009 11:51:23			
<b>PACER Login:</b>	cb4586	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:96-cr-00127-AJL Start date: 1/1/1970 End date: 2/19/2009
<b>Billable Pages:</b>	10	<b>Cost:</b>	0.80

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