

EXHIBIT 3

**JON R. ROGERS
12 CARA PLACE
STEUBENVILLE, OHIO 43953**

January 13, 2013

U.S. Department of Justice
Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N.W.
Suite 7300-----Bicentennial Building
Washington, DC 20530-0001

ATTENTION: Susan B. Gerson
Assistant Director

VIA: FAX @ (202) 252-6047
VIA: ORDINARY MAIL
VIA: CERTIFIED MAIL

**RE: JON R. ROGERS- FREEDOM OF INFORMATION REQUEST
PRIVACY ACT REQUEST
PUBLIC RECORDS REQUEST**

RE: Request Number 12-4838

Dear Ms. Gerson:

Thank you for your letter dated January 7, 2013. In that letter, you advised me that records pertaining to a third party cannot be released absent express authorization and consent of the third party or proof that the third party is deceased.

In that letter, you said that you enclosed an authorization form for the signature of the third party; however, no such form was enclosed. Could you please send the form, if the enclosed written consent is not sufficient?

Enclosed, you will find the written consent of John Thorne, one of the third parties who was a target of the government's investigation of the subject case.

Also enclosed is proof of the death of Peter Mowad, the only other target of the government's investigation of the subject case. He died on August 1, 2008, as confirmed by the enclosed federal court record.

Inasmuch as you did not identify *which* third parties you were referring to in your letter, I am assuming that Mr. Thorne and Mr. Mowad are the only third parties which are delaying or impairing your release of all requested records.

If there are other third parties whose consent is required, please identify them, and I will either get consent or modify my request in accordance with law.

I would appreciate your handling this request as quickly as possible, and I am looking forward to hearing from you within the next month.

Please send the requested documents to:

**JON R. ROGERS
C/O BRUZZESE & CALABRIA
P.O. BOX 1506
10th Floor--- SINCLAIR BUILDING
STEUBENVILLE, OHIO 43952**

As stated in my original and initial request the following terms have the following meanings:

The term “**United States Government**,” as defined in this Request, includes the United States Attorneys for each of the Districts of the U.S. Federal Courts, and any other employees, agents or servants of the United States Department of Justice, Internal Revenue Service [IRS], NSA, CIA, DEA, Treasury Department, Department of State, Office of the President of the United States, White House, U.S. Bureau of International Narcotics Law (“INL”), Computer Fraud Division of the U.S. Department of Justice, U.S. Treasury Department – Financial Crime Enforcement Network (“Fin CEN”), U.S. Ambassador to Antigua, Belize or Barbados, and/or Customs Service.

The phrase “**Civil Forfeiture Case**” means each of the following civil actions, and the phrase “**Civil Forfeiture Cases**” means every one of the following civil actions:

(1) *United States of America v. Various Accounts in the Names of Jon R. Rogers, Peter T. Mowad, John A. Thorne and Draycott Management Services, Inc.*, Civil Action No. 03-815, in the United States District Court for the Western District of Pennsylvania and/or

(2) *United States of America v. \$1,660,800.00 in United States Currency, \$122,400 in One Ounce Gold Coins, and One 100 Ounce Silver Block*, Civil Action No. 03-1157, in the United States District Court for the Western District of Pennsylvania and/or

(3) *United States of America v. Various Account in the Names of Carib International LTD., Fulton Data Processing LTD., Data-Tech 2000 LTD., World Lubricants, LTD., William J. Ceasar Enterprises LTD., Jon R. Rogers, John A. Thorne and Peter T. Mowad*, Civil Action No. 04-353, in the United States District Court for the Western District of Pennsylvania and/or

(4) *United States of America v. Various Accounts in the Name of Jon R. Rogers*, Civil Action No. 04-838, in the United States District Court for the Western District of Pennsylvania.

The phrase “**this case**” means (1) the above-styled Civil Forfeiture Cases and (2) all Search Warrant proceedings which led to the Search Warrants which were executed on June 3, 2003 at the home of Jon R. Rogers located at 1312 Dennis Way, Toronto, Jefferson County, Ohio and/or the office of Jon R. Rogers located at 1324 Dennis Way, Toronto, Jefferson County, Ohio, and (3) the investigation of Jon R. Rogers [or Jon R. Rogers’s conduct] by any agent or servant of the United States Government and/or Antiguan Government and/or Belize Government, and (4) any Grand Jury proceeding related to the investigation of Jon R. Rogers and/or related to the conduct of Jon R. Rogers and/or related to any formerly-contemplated indictment of Jon R. Rogers.

This request for information is made under the Federal Freedom of Information Act (5 U.S.C. §552) and the Federal Privacy Act (5 U.S.C. §552[a]) and the Ohio Public Records Disclosure Act (Chapter 149 Ohio Revised Code).

This request is directed to a “public office” and “public official” within the meaning of R.C. 149.01.1 and it constitutes a request for “records” (including records which are “archived”), as defined by R.C. 149.01.1(F) and (G). This request is for “public records” as defined by R.C. 149.43.

R.C. 149.43(B)(1) authorizes this request and provides that the records shall be promptly prepared and made available by the public office and person responsible for the records. It also requires that a public office shall maintain the records in a manner in which they may be made available for inspection.

R.C. 149.43(B)(3) requires the public office/person to transmit a copy of the record after receiving this request. Failure to do so entitles the aggrieved person to the remedy of mandamus pursuant to R.C. 149.43(C).

Thank you.

Sincerely,


JON R. ROGERS

CONSENT AND AUTHORIZATION TO RELEASE INFORMATION
(Consent of John Thorne)

I hereby unconditionally give my consent and authorization to the United States Department of Justice and all other agencies of the United States Government, to release to Jon R. Rogers *all information and records* requested by Jon R. Rogers in the Freedom of Information Act Request, which is identified by the U.S. Department of Justice as Request Number 12-4838.

By my signature, I consent to allow the United States Department of Justice and all other agencies of the United States Government to release to the requester, Jon R. Rogers, *all* of my records.

Type of Request: Freedom of Information Act (FOIA) and Privacy Act.

Citizenship: I am a citizen of the United States of America.

Verification of my Identity:

First Name: John _____
Middle Name: A _____
Last Name: Thorne _____

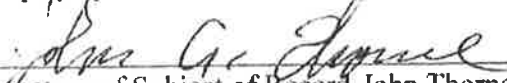
Daytime Telephone: 813.882.0060 _____

Address: 4151 Saltwater Blvd _____
Tampa, Fl 33615 _____

Date of Birth: 7.24.1949 _____

Place of Birth: Rochester, Pa _____

Sworn Declaration: I declare under penalty of perjury that the foregoing is true and correct.



Signature of Subject of Record-John Thorne

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

Civil Action No. 03-815

VARIOUS ACCOUNTS IN THE NAMES)
OF JON R. ROGERS, PETER T. MOWAD,)
JOHN A. THORNE AND DRAYCOTT)
MANAGEMENT SERVICES, INC.,)

Defendants.)

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Civil Action No. 03-1157

\$1,660,800.00 IN UNITED STATES)
CURRENCY, \$122,400.00 IN ONE)
OUNCE GOLD COINS, and ONE 100)
OUNCE SILVER BLOCK,)

Defendants.)

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Civil Action No. 04-353

VARIOUS ACCOUNTS IN THE NAMES)
OF CARIB INTERNATIONAL LTD.,)
FULTON DATA PROCESSING LTD.,)
DATA-TECH 2000 LTD., WORLD)
LUBRICANTS, LTD., WILLIAM J. CEASAR)
ENTERPRISES LTD., JON R. ROGERS,)
JOHN A. THORNE AND PETER T. MOWAD,)

Defendants.,)

UNITED STATES OF AMERICA,)

Plaintiff,	}	
	}	
v.	}	Civil Action No. 04-838
	}	
VARIOUS ACCOUNTS IN THE	}	
NAME OF JON R. ROGERS,	}	
	}	
Defendants.	}	

STIPULATION

AND NOW come the United States of America; the Estate of Peter T. Mowad, deceased, by its Executor, Anthony P. Mowad (the Estate); Lisa Renee Mowad Hoying, individually (Lisa Hoying); and Anthony Paul Mowad, individually (Anthony Mowad); and with the intent to be legally bound hereby, stipulate and agree as follows:

WITNESSETH

WHEREAS, the United States instituted the above-captioned Civil Forfeiture Actions by filing a verified complaints for forfeiture seeking forfeiture of the properties described therein.

WHEREAS, subsequent to the filing of the forfeiture actions, Peter T. Mowad died on August 1, 2008;

WHEREAS, on October 10, 2008, the Register of Wills of Beaver County, Pennsylvania, granted Letters Testamentary to Anthony P. Mowad, the named Executor, at No. 04-08-00918;

WHEREAS, the forfeiture actions at 08-315, 03-1157, 04-353 and 04-838 are related and are hereinafter collectively referred to as the Forfeiture Actions;

WHEREAS, all of the defendant assets and properties that are the subjects of the Forfeiture Actions at 08-315, 03-1157, 04-353 and 04-838 are hereinafter collectively referred to as the Defendant Properties;

WHEREAS, the Defendant Properties include the following properties currently in the possession of the Internal Revenue Service as defendant assets (hereinafter collectively the Mowad Assets): (1) \$931,065.57 formerly contained in Account Number 320-13624 at Instinet Corporation in the name of Peter T. Mowad; (2) \$531,812.40 formerly contained in Account Number 700933 at Provident Bank and Trust of Belize Ltd. in the name of Data Tech 2000 Ltd.; (3) \$23,598.10 formerly contained in Account Number 500111 at Provident Bank and Trust of Belize Ltd. in the name of Peter Mowad; and (4) \$155,664.39 formerly contained in Account Number 100000339 at Atlantic International Bank (Belize) in the name of Data Tech 2000 Ltd.

WHEREAS, the Estate disputes the allegations contained in the Forfeiture Actions and believes it has viable defenses to the allegations;

WHEREAS, the government disputes the Estate's claim of viable defenses and believes it can sustain its burden of proof in the Forfeiture Actions; and

WHEREAS, the parties recognize that continued litigation will cause the parties to expend substantial time and financial resources; and

WHEREAS, such expenditures would not represent the efficient use of the parties time and resources nor provide for the efficient use of the Court's time and resources; and

WHEREAS, the parties desire to lift the stay as to the Mowad Assets and settle these cases by entering into this Settlement Agreement / Stipulation.

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual promises and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree and the Court so orders as follows:

1. The preamble to this Stipulation is incorporated herein as if set forth at length and is made part of this agreement.

2. The civil forfeiture actions at 03-815, 03-1157, 04-353 and 04-838 are procedurally consolidated.

3. The stay is lifted only against the Mowad Assets. The United States shall serve all persons and/or entities that may have a potential claim or interest in the Mowad Assets.

4. In the event any person and/or entity files a claim and/or an answer against any of the Mowad Assets and the claim is judicially determined to be valid causing the United States to pay the claim from the Mowad Assets, the obligation of the United States/Internal Revenue Service to pay the Estate \$820,070.15, as set forth in paragraph 5 below, shall become null and void and in lieu of the obligation in paragraph 5, the United States/Internal Revenue Service shall pay the Estate one half of the remaining Mowad Assets.

5. In the event the United States obtains an order of court divesting all persons and/or entities, other than the Estate, from any interest in the Mowad Assets, the Internal Revenue Service shall pay the Estate the sum of \$820,070.15 from the Mowad Assets, which payment shall be free and clear of all right, title and interest of the United States and the Internal Revenue Service in said funds without limitation.

6. Other than the payment to the Estate contemplated in either paragraphs 4 or 5 of this Stipulation, the Estate releases without limitation all of its rights, titles and interests in, and consents to the forfeiture of, all of the Defendant Properties in the Forfeiture Actions, including, without limitation, the remaining balance of the Mowad Assets after payment to the Estate.

7. The Internal Revenue Service agrees it will not seek to recover any funds from the Estate of Peter T. Mowad for payment of federal income taxes, fines, penalty or interest that Peter Mowad may have owed on income derived from the off shore gambling operation allegedly conducted by Jon R. Rogers, John A. Thorne, Peter T. Mowad, Carib International, Inc., Draycott Management Services, Inc., Data-Tech 2000, Ltd., World Lubricants, Ltd., Fulton Data Processing Ltd., William J. Caesar Enterprises, Ltd and related entities.

8. Lisa Hoying acknowledges that she has no right, title or interest in any of the Defendant Properties and waives service of the complaints and warrants of arrests in the Forfeiture Actions, including, without limitation, the Mowad Assets.

9. Anthony Mowad acknowledges that he has no right, title or interest in any of the Defendant Properties and waives service of the complaints and warrants of arrests in the Forfeiture Actions, including, without limitation, the Mowad Assets.

10. The parties agree that the terms of this Stipulation represent a fair and equitable settlement of all disputed claims including without limitation the seizure of the Mowad Assets and any related tax issues concerning possible unpaid federal income taxes, penalties and interest on income derived from the alleged illegal off shore gambling as described in the Forfeiture Complaints.

11. This release is conditioned upon the United States paying to the Estate that portion of the

Mowad Assets set forth in either paragraph four or five, whichever is applicable. By reason of and in reliance upon this Settlement Agreement / Stipulation the Estate, Anthony Mowad, and Lisa Hoying, and/or each of them, and/or each of their assigns, executor, executrix, agents and/or representatives, hereby unconditionally release and forever discharge the United States, its agents, servants, employees, officers, attorneys, insurers, successors, representatives and assigns (including without limitation any victims, persons or entities which receive the forfeited property or any portion thereof), and each of them, from and against any and all manner of claims, actions, causes of action, rights, set-offs, promises, allegations, expenses, assessments, penalties, charges, injuries, losses, costs, obligations, duties, suits, proceedings, debts, dues, contracts, judgments, damages, claims, counterclaims, liabilities and/or demands of every kind, character and manner whatsoever in law or equity, administrative or judicial, contract, tort (including negligence of all kinds) or otherwise, whether known or unknown, claimed or unclaimed, asserted or unasserted, suspected or unsuspected, discovered or undiscovered, choate or inchoate, accrued or unaccrued, anticipated or unanticipated, contingent or fixed, for, upon, or by reason of any and all matters whatsoever, related to and/or in connection with or arising out of these Forfeiture Actions including (1) the respective rights of the Estate, Anthony Mowad, and/or Lisa Hoying to service of the complaints and warrants of arrests in the Forfeiture Actions, to file claims and/or answers in the Forfeiture Actions and/or otherwise defend and/or contest the Civil Forfeiture Actions; (2) the arrests, seizures, releases, sales and/or forfeitures of the Defendant Properties; (3) any and all issues related to the Forfeiture Actions; (4) any and all defenses of the Estate, Anthony Mowad, and/or Lisa Hoying to the Forfeiture Actions; (5) any and all rights, titles and/or interests of the Estate, Anthony Mowad, and/or Lisa Hoying in the Defendant Properties; and/or (6) the incidents or circumstances giving rise to the Forfeiture Actions.

By reason of and in reliance on this Stipulation / Agreement the United States hereby releases the Estate, its heirs, administrators, executors and assigns of any claims it may have arising out of the above captioned civil forfeiture actions and the off shore gambling activities described therein and from any tax liability resulting from income derived by Peter Mowad from the said off shore gambling.

12. The terms set forth herein are intended as a final expression of the Stipulation for Settlement agreed to and may not be contradicted by evidence of any prior agreement or by any contemporaneous oral agreement. This Stipulation for Settlement may not be explained or supplemented by evidence of additional terms, nor may this Stipulation for Settlement be modified, except by written instrument executed by the parties hereto.

13. The parties hereto agree that this Stipulation may be executed by counterpart. The United States District Court will enter a certificate of reasonable cause pursuant to 28 U.S.C. § 2465 as part of the order approving this Stipulation for Settlement. This Stipulation is subject to the approval of the United States District Court.

With the intent to be legally bound hereby, the undersigned execute this Stipulation for Settlement this 17th day of April, 2010:

Respectfully submitted,

Mary Beth Buchanan

United States Attorney

By: Mary M. Keen Houghton
Mary McKeen Houghton
Assistant United States Attorney
633 US Courthouse & Post Office
Pittsburgh, PA 15219

The Estate of Peter T. Mowad

By: Anthony P. Mowad
Anthony P. Mowad, Executor

William F. Manifesto
William F. Manifesto, Esq.
Attorney for the Estate
139 Willow Ridge Road
Sewickley PA 15143

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412-644-6750
PA ID # 31929

Phone: 412-741-3995
Fax: 412-741-3840
PA ID # 11511
wmanifesto@wfmjlaw.com

Lisa Renee Hoying

Lisa Renee Hoying

Anthony P. Mowad

Anthony P. Mowad, individually

John S. Seich

John S. Seich, Esquire
Attorney for Lisa Renee Hoying

William F. Manifesto

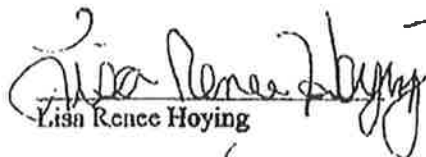
William F. Manifesto, Esq.
Attorney for Anthony P. Mowad

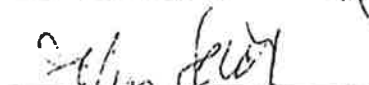
139 Willow Ridge Road
Sewickley PA 15143
Phone: 412-741-3995
Fax: 412-741-3841
PA ID # 11511

wmanifesto@wfmjlaw.com

412-644-6750
PA ID # 31929

Phone: 412-741-3995
Fax: 412-741-3840
PA ID # 11511
wmanifesto@wfmilaw.com


Lisa Renee Hoying


John S. Seich, Esquire
Attorney for Lisa Renee Hoying

Anthony P. Mowad, individually

William F. Manifesto, Esq.
Attorney for Anthony P. Mowad

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Fax: 412-741-3841
PA ID # 11511

wmanifesto@wfmilaw.com

01/14/2013 MON 15:28

FAX 740 282 5328

Bruzzeese & Calabria

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 *** FAX TX REPORT ***

TRANSMISSION OK

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DESTINATION ADDRESS	12022526047
SUBADDRESS	
DESTINATION ID	
ST. TIME	01/14 15:26
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PGS.	13
RESULT	OK

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 12 CARA PLACE
 STEUBENVILLE, OHIO 43953**

January 13, 2013

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RE: Request Number 12-4838

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