

# EXHIBIT 4



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

May 14, 2008

By Fax

Joshua Dratel, Esq.  
2 Wall Street, 3<sup>rd</sup> Floor  
New York, New York 10005

Re: United States v. [REDACTED] Cr. [REDACTED]

Dear Mr. Dratel:

This letter is to confirm our understanding pertaining to [REDACTED]'s anticipated return to the United States next week:

(1) This is not a cooperation agreement. Mr. [REDACTED] has agreed to provide the Government with information, and to respond to questions, so that the Government may evaluate his information and responses in making prosecutive decisions. While the parties hope this will lead to a guilty plea by Mr. [REDACTED] pursuant to a cooperation agreement, the Government has not yet had the opportunity to evaluate the truthfulness and completeness of his information. Accordingly, the Government does not at this time agree to make a motion on Mr. [REDACTED]'s behalf or to enter into a cooperation agreement, plea agreement, immunity or non-prosecution agreement. The Government makes no representation about the likelihood that any such agreement will be reached in connection with this proffer.

(2) As part of his efforts to cooperate with the Government, Mr. [REDACTED] will fly back to the U.S. on Sunday, May 18, 2008. Federal agents will meet him at the airport and arrange his stay at a hotel.

(3) On Monday, May 19, 2008, Mr. [REDACTED] will be processed and arraigned in federal court on the above-referenced Indictment. We are seeking court authorization for the arraignment to take place in the White Plains courthouse, in a sealed courtroom, with all docketing entries delayed until the time of his sentencing.

(4) Bail: The parties will request, on consent, that the Court allow Mr. [REDACTED] to be released on his own recognizance, with permission to return to Ireland to wrap up family/business matters, with the condition that he return to the United States at the latest by August 1, 2008, and remain permanently in the United States thereafter through sentencing.

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(5) Prior to August 1, 2008, Mr. [REDACTED] agrees that he will return to the United States for short trips when requested to do so by the Government for the purpose of cooperating with the Government.

The foregoing agreement is contingent on Mr. [REDACTED]'s continued willingness to cooperate with the Government and provide complete and truthful information.

Very truly yours,

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for Plaintiff United States of America

By:

[REDACTED]  
Assistant United States Attorneys  
One Saint Andrew's Plaza  
New York, New York 10007  
Tel. [REDACTED]

Agreed to:

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Joshua Dratel, Esq.  
Attorney for [REDACTED]