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FILED

APR 2 1991

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA_____
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EXXON CORPORATION and EXXON
SHIPPING COMPANY,

Defendants.

NO. A90-015 CR

ORDER

(Plea Agreement Rejected)

The court has heretofore taken guilty pleas from the defendants as to certain of the charges pursuant to a plea agreements. The court has now completed its evaluation of that plea agreement and has determined that the same is unacceptable. The plea agreement is rejected for the reasons stated in open court on April 24, 1991.

Under the plea agreement and Rule 11, Federal Rules of Criminal Procedure, defendants are entitled to withdraw their plea of guilty. Counsel for defendants have requested time within which

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101. 1

1 to make that decision. On or before May 24, 1991, counsel for
2 defendants shall orally advise the court of their decision; at that
3 time the court will schedule further proceedings and at the request
4 of any party will schedule a status conference. Defendants shall
5 confirm their oral advice to the court by a formal motion to
6 withdraw pleas or other advice to the court with respect to the
7 status of those pleas.

8 For purposes of the Speedy Trial Act, the court notes that
9 excludable delay has occurred between March 22, 1991, and today,
10 April 24, 1991, during which time the court has been considering
11 the proposed plea agreement. See 18 U.S.C. § 3161(h)(1)(i). Addi-
12 tional excludable delay will accrue between April 24, 1991, and
13 May 24, 1991, or such sooner date as both defendants shall have
14 filed their motion to withdraw pleas or such other notice with
15 respect to disposition of this case as the defendants may decide
16 upon. This delay has been requested by each of the defendants, and
17 the court finds that such delay is in the interest of justice and
18 is not contrary to the public interest in speedy trials for the
19 reason that this case involves an event of unusually large propor-
20 tions and therefore potentially involves extraordinarily large fines
21 such that more than a normal amount of time for reevaluation of
22 defendants' position is justifiable.

23 DATED at Anchorage, Alaska, this 24 day of April,
24 1991.

25 
United States District Judge

26 cc; M. Davis, R. Bundy, J. Clough, US Marshal, Pretrial Services

ORDER (Plea Agreement Rejected)