

STATE OF ILLINOIS
COUNTY OF MCLEAN
The People of the State of Illinois

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT

VS.

DEFENDANT:
JOHN YALE BUTLER
9513 N 2125 EAST
BLOOMINGTON, IL 61705

Case#: 2017CF001025



INFORMATION

COUNT 45 :The STATE'S ATTORNEY of McLean County, Illinois, in the name and by the authority of the People of the State of Illinois charges that JOHN YALE BUTLER on or about the 4th day of January, 2013 through the 29th day of March, 2016 at BLOOMINGTON, in the County of McLean, State of Illinois, committed the offense of

THEFT

IN THAT THE DEFENDANT, OR ONE FOR WHOSE CONDUCT THE DEFENDANT WAS LEGALLY RESPONSIBLE, KNOWINGLY, AND BY DECEPTION, OBTAINED CONTROL OVER PROPERTY BELONGING TO THE CITY OF BLOOMINGTON AND INTENDED TO PERMANENTLY DEPRIVE THE OWNER OF THE USE OF BENEFIT OF THE PROPERTY IN THAT CASH SALES REPORTING ON CONCESSIONS WAS MANIPULATED, THEREBY REDUCING COMMISSIONS PAID TO THE CITY OF BLOOMINGTON, SAID ACTS WERE IN FURTHERANCE OF A SINGLE INTENTION OR DESIGN AND THE LAST ACT OF THE THEFT OCCURRED ON OR ABOUT MARCH 31, 2016,

in violation of 720 ILCS 5/16-1(a)(2)(A)

A Class A Misdemeanor

Donald W. Knapp, Jr.

DONALD W. KNAPP, JR.

By Assistant State's Attorney

The undersigned, on oath, states that the facts set forth in the foregoing information are true in substance and matter of fact, to the best of his knowledge, information and belief.

Beoddy A. Ryzon

Complainant
Subscribed and sworn to before me
24th day of August, 2020

| DESCRIPTION | | |
|-------------|------|---------|
| D.O.B. | SEX | RACE |
| 08/28/1959 | Male | Unknown |

Additional ID

Hgt: 6 03 Wgt: 250 Hair: GRY Eyes: HAZ



Kelly Song Rinsberg

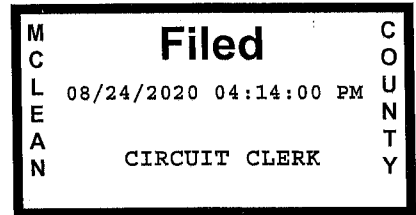
Notary Public

People request bond be set at \$300,000.00 Bond - 10%

Case Request Type: Bond Posted

Enhanced Penalty: N

Intake Report#: 20174314



Report Number: 1613024

Agency: Illinois State Police

ELEVENTH JUDICIAL CIRCUIT COURT
McLEAN COUNTY, ILLINOIS

McLEAN COUNTY
FILED
AUG 25 2020
CIRCUIT CLERK

People of the State of Illinois

Case Number(s): 2017-CF-1025

vs.

John Butler

Defendant

Home Confinement
Order for ~~Confinement to the McLean County Jail~~

The above-entitled matter coming before the Court, and the Defendant having been found guilty of the following offense(s):
Count 45, Theft (Class A misdemeanor)

The Defendant is hereby ordered to be remanded to ~~the McLean County Jail~~ ^{Home Confinement} for the following term:
91 actual days of Home Confinement with credit for 1 actual day served in McLean County Jail. 90 actual days remain
to be served. Home Confinement shall be monitored by McLean County Adult Court Services utilizing CAM Systems.

Commencing: August 26, 2020 At 9:00 AM/PM

Days stayed until the following Date/Time: _____

Straight Time ~~(Mandatory)~~ ^(Home Confinement) Periodic Imprisonment - See below for schedule

Eligible for Good Time Credit: Yes No Credit for 1 Actual Days Served

Periodic Imprisonment Schedule:

| | IN | OUT |
|-----------|-------|-------|
| Monday | _____ | _____ |
| Tuesday | _____ | _____ |
| Wednesday | _____ | _____ |
| Thursday | _____ | _____ |
| Friday | _____ | _____ |
| Saturday | _____ | _____ |
| Sunday | _____ | _____ |

The Defendant's periodic release shall be subject to the following conditions:

1. The Defendant shall maintain regular employment and advise the Sheriff, in writing, as to the status of said employment.
2. The Defendant is ordered to pay the Sheriff's office for the cost of incarceration at the cost of **\$20.00 per day**. The defendant shall pay in advance for each week of periodic imprisonment on the first business day of the week and shall remain current in his payments for the cost of incarceration as directed by the Sheriff. Failure of the defendant to pay the periodic imprisonment fee in advance will result in immediate suspension of this release schedule without further order, and the defendant shall be held in jail for the balance of his imprisonment until becoming current.
3. The Defendant shall not be subject to release except for work or other purposes set forth herein. If the Defendant, for any reason, is not engaged in the work activity or other purpose of release set forth herein, the Defendant shall immediately return to the County Jail.

Other: Home confinement to be monitored by McLean County Adult Court Services, Defendant shall be allowed to leave his residence for medical appointments (including obtaining a flu shot) and emergency medical care as authorized by Adult Court Services.

Any violation of this Order may result in the Sheriff taking the Defendant immediately into custody. ~~The Sheriff~~ ^{Adult Court Services} shall promptly report any violation of this order to the Court.

Dated: 08/25/2020


Judge of the Eleventh Circuit

ELEVENTH JUDICIAL CIRCUIT COURT
McLean County, Illinois

McLEAN COUNTY
FILED
AUG 25 2020
CIRCUIT CLERK

THE PEOPLE OF THE STATE OF ILLINOIS

vs.

Case Number: 2017CF1005

John Butler

ORDER FOR ELECTRONIC MONITORING

This case having come before this Court, and the defendant having appeared, and having been determined to be placed on Electronic Monitoring as a condition of release or as part of a sentence, is hereby ordered to be placed on the appropriate monitoring program hooked up by CAM Systems and supervised by McLean County Court Services for the following period:

08/26/2020 to 11/25/2020

For **PRE-TRIAL SUPERVISION** cases, the defendant shall remain in custody of the McLean County Adult Detention Center until fitted with Electronic Monitoring device by CAM Systems.

Defendant to comply with and complete the following conditions.

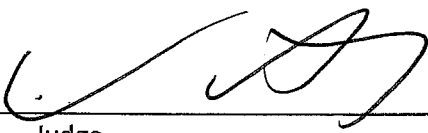
- Pay the initial installation fee of \$ _____ plus the weekly fee of \$ _____ to CAM Systems
- GPS Monitoring with Exclusion Zones of _____ feet from the protected address(es) as a condition of Pretrial Supervision
- GPS Monitoring with 24 hour Home Confinement or Curfew set from _____ until _____ as a condition of Pretrial Supervision
- SCRAM Alcohol Monitoring as a condition of Pretrial Supervision
- SCRAM-X Alcohol Monitoring with 24 hour Home Confinement or Curfew set from _____ until _____ as a condition of Pretrial Supervision
- No contact with: _____
- Comply with all the guidelines as indicated in the CAM Systems Electronic Monitoring Participation Agreement

For **POST CONVICTION** cases, the defendant shall contact CAM Systems (800) 208-3244 within 24 hours of entry of this order to set up Electronic Monitoring.

Defendant to comply with and complete the following conditions.

- Pay the initial installation fee of \$ 126 plus the weekly fee of \$ 56 to CAM Systems
- GPS Monitoring with Exclusion Zones of _____ feet from the protected address(es) as a condition of Probation or Conditional Discharge
- ~~GPS Monitoring with 24 hour Home Confinement or Curfew set from _____ until _____ as a condition of Probation or Conditional Discharge~~
- SCRAM Alcohol Monitoring as a condition of Probation or Conditional Discharge
- SCRAM-X Alcohol Monitoring with 24 hour Home Confinement or Curfew set from _____ until _____ as a condition of Probation or Conditional Discharge.
- No contact with: _____
- Comply with all the guidelines as indicated in the CAM Systems Electronic Monitoring Participation Agreement
- Submit to random urinalysis and/or alcohol testing as directed by Court Services.

Entered: 08/25/2020



Judge

| | | |
|--|---|---|
| STATE OF ILLINOIS, CIRCUIT COURT OF MCLEAN COUNTY | FINANCIAL SENTENCING ORDER - CRIMINAL | FOR COURT USE ONLY FILED AUG 25 2020 CIRCUIT CLERK McLEAN COUNTY |
| THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff vs. John Butler <hr/> Defendant (First, Middle, Last Name) | | |
| | | <hr/> 2017-CF-1025 Case Number |

The Defendant has appeared before this Court and has been adjudicated guilty (either by plea or after trial) of the offense(s) specified below. In addition to any other sentence(s) imposed, Defendant is ordered to pay the fine(s), assessment(s), and other amounts listed below, and is awarded the credit(s) authorized below.

A. FINE(S) [705 ILCS 105/27.3b-1 – minimum fine of \$25 in minor traffic offenses, \$75 in all other cases]

1. Count/Charge: 45- Theft \$ 75
2. Count/Charge: _____ \$ _____
3. Count/Charge: _____ \$ _____

B. CREDIT AGAINST FINES [deduction from Defendant's fine(s)]

- Credit for Pre-Sentencing Jail Time Served (1 days X \$30.00 per day) (\$ 30)

C. SCHEDULED ASSESSMENT [check one per case – most serious offense]

- Generic Felony – Schedule 1 – \$549 [705 ILCS 135/15-5]
 - Felony Drug Offense – Schedule 3 – \$2,215 [705 ILCS 135/15-15]
 - Felony Sex Offense – Schedule 4 – \$1,314 [705 ILCS 135/15-20]
 - Generic Misdemeanor – Schedule 5 – \$439 [705 ILCS 135/15-25]
 - Misdemeanor Drug Offense – Schedule 7 – \$905 [705 ILCS 135/15-35]
 - Misdemeanor Sex Offense – Schedule 8 – \$1,184 [705 ILCS 135/15-40]
 - Non-Traffic Violation – Schedule 13 – \$100 [705 ILCS 135/15-65]
- \$ 439

D. CONDITIONAL ASSESSMENT(S) [check all that apply – one per count]

1. Arson/residential arson/aggravated arson – \$500/conviction [705 ILCS 135/70(1)] \$ _____
2. Child pornography – \$500/conviction [705 ILCS 135/15-70(2)] \$ _____
3. Crime lab drug analysis – \$100 [705 ILCS 135/15-70(3)] \$ _____
4. DNA analysis – \$250/conviction [705 ILCS 135/15-70(4)] \$ _____
5. Drug-related offense, possession/delivery – Street Value [705 ILCS 135/15-70(6)] \$ _____
6. Methamphetamine-related offense, poss./manuf. – Street Value [705 ILCS 135/15-70(7)] \$ _____
7. Order of protection violation – \$200/conviction [705 ILCS 135/15-70(8)] \$ _____
8. Order of protection violation – \$25/violation [705 ILCS 135/15-70(9)] \$ _____
9. Dom. violence against family member – \$200 per plea/conv. [705 ILCS 135/15-70(13)] \$ _____
10. EMS response reimbursement (controlled substances) – \$1,000 [705 ILCS 135/15-70(15)] \$ _____
11. EMS reimb. (reck. driv./agg. reck. driv./agg. speeding) – \$1,000 max. [705 ILCS 135/15-70(16)] \$ _____
12. Sex trafficking/solicitation of sex act/prostitution - \$350.00 [705 ILCS 135/15-70(17)] \$ _____
13. Weapons violation (Trauma Center Fund) – \$100/conviction [705 ILCS 135/15-70(18)] \$ _____

E. OTHER AMOUNTS DUE

- 1. Restitution [see restitution addendum, if any, for details about payee(s) and amount(s)] \$ 450,000.00
- 2. Public Defender assessment \$ _____
- 3. Probation/Community Service Work fee (_____ months X \$25.00/month) \$ _____
- 4. Other: Home confinement monitoring fees (CAMS Systems) paid directly to CAMS \$ _____
- 5. Other: _____ \$ _____

F. OTHER PROVISIONS

- 1. In addition to the fine(s), assessment(s), and other amounts due as specified above, Defendant also shall be responsible for all other fees or costs associated with this cause that are incurred and/or recorded by the Circuit Clerk, including any and all of the following: notice fee(s), bond fee(s), failure-to-appear fee(s), Sheriff's fee(s), and/or booking fee(s) that have been or may be levied by the Circuit Clerk through the date of this Order.
- 2. Within 30 days of the date of entry of this Order, the Circuit Clerk shall compute the amounts due under this Order and prepare and transmit to Defendant a written notice of Defendant's total financial obligations in this cause, including the additional fees or costs referenced in the prior paragraph.
- 3. The Circuit Clerk shall apply all bond (less the 10% bond fee) to Defendant's financial obligations under this Order.
- 4. If Defendant is ordered to pay restitution, then, unless otherwise ordered by the Court, the Circuit Clerk shall apply all bond and payments first to restitution before any fines, assessments, or other amounts due under this Order.

G. PAYMENT DEADLINES

Defendant shall pay the amounts due under this Financial Sentencing Order by no later than 08/25/2021 to the Circuit Clerk's office.

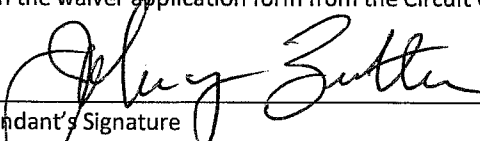
If ordered to pay *restitution*, then Defendant shall pay to the Circuit Clerk's office by no later than 08/25/2020 that *restitution* portion of Defendant's total financial obligation under this Order.

ACKNOWLEDGEMENT BY DEFENDANT

I am the Defendant in the case identified above. I have read fully the terms of this Financial Sentencing Order. If I am represented by an attorney, then I have had the opportunity to discuss the contents of this Order with my counsel.

If the date of the offense(s) on which I have been adjudicated guilty occurred prior to July 1, 2019, then I acknowledge that I may have the right to elect to be sentenced under the applicable law in effect at the time of the offense. If it is my wish to be sentenced under the former law, then I understand that I must inform the sentencing judge of that request at the time of my sentencing. If I do not ask the judge at the time of my sentencing to sentence me under the former law in effect at the time of the offense, then I acknowledge that the Court will apply the law in effect at the time of my sentencing.

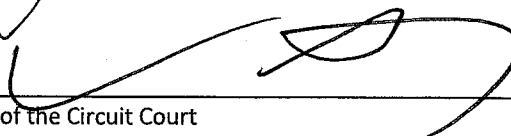
I acknowledge that I have been informed that I may have the right to petition the Court to request a waiver of some or all of the assessment(s) imposed by this Financial Sentencing Order. If I wish to request a full or partial waiver of assessments, then I understand that I must file my waiver application with the Circuit Clerk within 30 days of the date of entry of this Financial Sentencing Order. I understand that I may obtain the waiver application form from the Circuit Clerk's office.



Defendant's Signature

APPROVAL BY COURT

Entered: 08/25/2020



Judge of the Circuit Court

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
COUNTY OF MCLEAN

FILED
AUG 25 2020
MCLEAN COUNTY
CIRCUIT CLERK

PEOPLE OF THE STATE OF ILLINOIS

vs.

John Butler

Case No. 2017-CF-1025

STATEMENT OF RESTITUTION ADDENDUM

VICTIM #1:

NAME: City of Bloomington AMOUNT: \$430,230.00 DATE DUE: 08/25/2020
ADDRESS: Attn: City Manager, 109 E. Olive Street, Bloomington, IL
IF INSURANCE COMPANY, POLICY NUMBER: _____
CLAIM NUMBER: _____

VICTIM #2:

NAME: Illinois Department of Revenue
Bureau of Criminal Investigations AMOUNT: \$19,770.00 DATE DUE: 08/25/2020
ADDRESS: Attn: Restitution Officer, PO Box 19014 MC 4-300 Springfield, IL 62794
IF INSURANCE COMPANY, POLICY NUMBER: _____
CLAIM NUMBER: _____

VICTIM #3:

NAME: _____ AMOUNT: _____ DATE DUE: _____
ADDRESS: _____
IF INSURANCE COMPANY, POLICY NUMBER: _____
CLAIM NUMBER: _____

VICTIM #4:

NAME: _____ AMOUNT: _____ DATE DUE: _____
ADDRESS: _____
IF INSURANCE COMPANY, POLICY NUMBER: _____
CLAIM NUMBER: _____

VICTIM #5:

NAME: _____ AMOUNT: _____ DATE DUE: _____
ADDRESS: _____
IF INSURANCE COMPANY, POLICY NUMBER: _____
CLAIM NUMBER: _____

VICTIM #6:

NAME: _____ AMOUNT: _____ DATE DUE: _____
ADDRESS: _____
IF INSURANCE COMPANY, POLICY NUMBER: _____
CLAIM NUMBER: _____

Restitution (IS) (IS NOT) Joint and Several with:

CO-DEFENDANT(S):

CASE NUMBER(S):

Date: 08/25/2020

B.A.B.
State's Attorney

McLEAN COUNTY
FILED
AUG 25 2020
CIRCUIT CLERK

STATE OF ILLINOIS)
COUNTY OF MC LEAN)

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT

THE PEOPLE OF THE STATE OF ILLINOIS)
VS.)

NO. 2017-CF-1025

John Butler)

MOTION TO DISMISS

Now comes the People of the State of Illinois by the State's Attorney of McLean County, and moves this Court to:

- nol-pros (all) Counts 1, 2, 5, 6, 9-14, 19-38, 41-44 of the above-entitled cause
- dismiss the Rule to Show Cause
- dismiss the Petition to Revoke

for the following reason(s): Based upon agreed plea to count 45,
\$450,000 in restitution paid up-front and plea by BMI Concessions to Class 1 felony
offense of Theft

08/25/2020
Date

B.A.B.
(Assistant) State's Attorney

ORDER

This cause, coming on to be heard on the foregoing motion, and the Court being fully advised in the premises:
IT IS, THEREFORE, ORDERED that (all) Counts 1, 2, 5, 6, 9-14, 19-38, 41-44

- of the above-entitled cause be and the same is/are hereby nol-prossed.
- the Rule to Show Cause is hereby dismissed.
- the Petition to Revoke is hereby dismissed.
- Defendant is ordered to pay costs from bond.
- There is a warrant outstanding for Defendant's arrest on this charge. Said warrant is hereby recalled.
- Defendant is in custody of the McLean County Sheriff's Department on this charge. If Defendant is not being held on any other charges or detainers, said Department is hereby ordered to release Defendant from custody.
- Defendant's bond is ordered released, after it is applied to fine and costs in this cause, in accordance with applicable statutes.
- Defendant's bond is ordered transferred to case number 20 CF 859 as well as all SOS supporting documents including Notice of SSS and officer's sworn report.

08/25/2020
Date

[Signature]
Judge

white: Court Copy
yellow: State's Attorney
pink: Defendant
goldenrod: Defense Attorney

STATE OF ILLINOIS
COUNTY OF MCLEAN
The People of the State of Illinois

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT

VS.

DEFENDANT:

BMI CONCESSIONS, L.L.C.
9513 N 2125 EAST RD
BLOOMINGTON, IL 61705

Case#: 2020CF000859



INFORMATION

COUNT 1 :The STATE'S ATTORNEY of McLean County, Illinois, in the name and by the authority of the People of the State of Illinois charges that BMI CONCESSIONS, L.L.C. on or about the 4th day of January, 2013 through the 29th day of March, 2016 at BLOOMINGTON,

in the County of McLean, State of Illinois, committed the offense of

THEFT

IN THAT BMI CONCESSIONS, L.L.C. IS A LIMITED LIABILITY COMPANY OPERATING UNDER THE LAWS OF THE STATE OF ILLINOIS AND THAT JOHN Y. BUTLER WAS THE PRESIDENT OF BMI CONCESSIONS L.L.C. DURING THE TIME PERIOD OF JANUARY 4, 2013 TO MARCH 29, 2016. AS A HIGH MANAGERIAL AGENT ACTING WITHIN THE SCOPE OF HIS EMPLOYMENT IN BEHALF OF THE COMPANY, AS DEFINED BY 72- ILCS 5/5-4(A)(2), JOHN Y. BUTLER KNOWINGLY COMMANDED THAT EMPLOYEES OF BMI CONCESSIONS L.L.C., BY DECEPTION, OBTAIN CONTROL OVER PROPERTY, WITH VALUE IN EXCESS OF \$10,000, BELONGING TO THE CITY OF BLOOMINGTON, A GOVERNMENTAL ENTITY, AND, IN DOING SO, INTENDED TO PERMANENTLY DEPRIVE THE OWNER OF THE USE OF BENEFIT OF THE PROPERTY IN THAT CASH FROM CONCESSION SALES WAS TAKEN AND UTILIZED FOR PAYMENT OF BMI CONCESSIONS, L.L.C. OBLIGATIONS. SAID CASH THAT WAS TAKEN WAS NOT REPORTED AS INCOME FROM CASH SALES OF CONCESSIONS, THEREBY REDUCING COMMISSIONS PAID TO THE CITY OF BLOOMINGTON IN THE AMOUNT \$14,005, AND SAID ACTS WERE IN FURTHERANCE OF A SINGLE INTENTION OR DESIGN AND THE LAST ACT OF THE THEFT OCCURRED ON OR ABOUT MARCH 31, 2016,

in violation of 720 ILCS 5/16-1(a)(2)(A)

A Class 1 Felony

Donald W. Knapp, Jr.

DONALD W. KNAPP, JR.

By Assistant State's Attorney

The undersigned, on oath, states that the facts set forth in the foregoing information are true in substance and matter of fact, to the best of his knowledge, information and belief.

Beadly A. Ryzan

Complainant
Subscribed and sworn to before me
24th day of August, 2020

| DESCRIPTION | | |
|-------------|---------|---------|
| D.O.B. | SEX | RACE |
| | Unknown | Unknown |

Additional ID

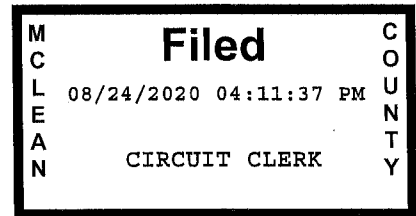


Kelly Song Rissberg

Notary Public

People request bond be set at
Case Request Type: Notice to Appear
Enhanced Penalty: N

Intake Report#: 20203087



Report Number: 20203087

Agency: State's Attorney's Office

WAIVER OR DEMAND OF JURY AND PLEA TO COMPLAINT

STATE OF ILLINOIS)
) SS.
COUNTY OF McLEAN)

IN THE CIRCUIT COURT 11TH JUDICIAL CIRCUIT
McLEAN COUNTY, ILLINOIS

The People of the State of Illinois)

VS.)

BMI Concessions, L.L.C.)

No. 2020-CF-0859
Ct. 1- Theft (Class 1
felony)

The undersigned defendant in the above entitled cause, comes now in open court through John Butler (President), in its own proper person, acknowledges receipt of copy of complaint in due time, acknowledges admonition by the Court as to effect of this plea, for plea herein says that it is guilty ~~not guilty~~ in manner and form as charged in said complaint, and waives ~~demands~~ a jury in said cause.

BMI Concessions LLC
By: John Butler Authorized Agent

Date this 25th day of August 2020.

**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
COUNTY OF MCLEAN**

THE PEOPLE OF THE STATE
OF ILLINOIS, PLAINTIFF

vs.

BMI Concessions, L.L.C.
DEFENDANT

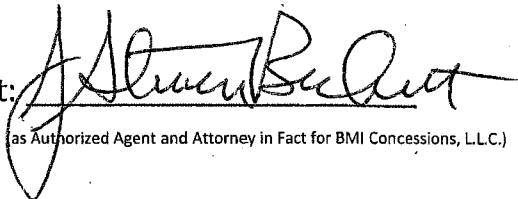
CASE NO. 20 CF 859

WAIVER OF PRELIMINARY EXAMINATION/INDICTMENT

NOW COMES the undersigned with counsel into open court, and being duly advised as to the right to a preliminary examination or indictment and the consequences of waiving that right, does hereby waive the right to a preliminary examination or indictment and consents to be bound over for trial.

Dated: August 29, 2020

Defendant:


(as Authorized Agent and Attorney in Fact for BMI Concessions, L.L.C.)

THE PEOPLE OF THE
STATE OF ILLINOIS

vs

No. 2020CF0859

B.M.I. Concessions, L.L.C.

PLEA AGREEMENT

The defendant and the State's Attorney hereby submit to the Court the following Plea Agreement which was reached pursuant to discussions initiated by them. The defendant consents to the Court's receiving evidence in aggravation and mitigation in advance of the tender of this plea. The Agreement is as follows:

1. Defendant agrees to plead guilty to Count 1- Theft (Class 1 felony)

2. State's Attorney agrees to nolle pros _____

3. The court will impose as a maximum sentence in this case the following:

a. \$⁷⁵ fine, plus court costs and fees as authorized by law, payable as follows:
see attached order for agreed fines/fees/costs

b. N/A years/months/days imprisonment in _____, as follows:

c. _____ for entry of conviction _____ with
payment of court costs and fees no later than 08/25/2021

Payment of Restitution no later than _____, as follows:

PERSONS OWED

AMOUNT PAYABLE

City of Bloomington (in satisfaction of food beverage commissions owed) \$430,230.00 Illinois Department of Revenue (in satisfaction of sales tax owed) \$19,770.00

d. Additional conditions: Entry of plea by John Butler to Count 45 in McLean County case 2017-CF-1025 BMI Concessions, L.L.C. agrees to waive any statute of limitations claim in regard to the charge in this matter. The State is of the understanding that the Defendant and the City of Bloomington have an agreement in which those parties are going to dismiss their civil claims against one another in McLean County case 2017-L-133 based upon the terms of the plea agreement in this matter and 2017-CF-1025.

4. It is stipulated that the defendant's prior record is as follows:

None

5. The defendant does (not) waive presentence investigation and written report.

August 25, 2020
Date

B.A.B.
State's Attorney

Steven Beckett, Attorney in Fact
Defendant

Steven Beckett
Defendant's Attorney

- white: Court copy
- yellow: State's Attorney
- pink: Probation Office
- gold: Defendant

| | | |
|---|--|---|
| STATE OF ILLINOIS, CIRCUIT COURT OF MCLEAN COUNTY | FINANCIAL SENTENCING ORDER - CRIMINAL | <small>FOR COURT USE ONLY</small> |
| THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff vs. BMI Concessions, L.L.C. <hr/> Defendant (First, Middle, Last Name) | | <hr/> 2020-CF-0859 <hr/> Case Number |

The Defendant has appeared before this Court and has been adjudicated guilty (either by plea or after trial) of the offense(s) specified below. In addition to any other sentence(s) imposed, Defendant is ordered to pay the fine(s), assessment(s), and other amounts listed below, and is awarded the credit(s) authorized below.

A. FINE(S) [705 ILCS 105/27.3b-1 – minimum fine of \$25 in minor traffic offenses, \$75 in all other cases]

- 1. Count/Charge: Count 1- Theft \$ 75
- 2. Count/Charge: _____ \$ _____
- 3. Count/Charge: _____ \$ _____

B. CREDIT AGAINST FINES [deduction from Defendant's fine(s)]

- Credit for Pre-Sentencing Jail Time Served (_____ days X \$30.00 per day) (\$ _____)

C. SCHEDULED ASSESSMENT [check one per case – most serious offense]

- Generic Felony – Schedule 1 – \$549 [705 ILCS 135/15-5]
- Felony Drug Offense – Schedule 3 – \$2,215 [705 ILCS 135/15-15]
- Felony Sex Offense – Schedule 4 – \$1,314 [705 ILCS 135/15-20]
- Generic Misdemeanor – Schedule 5 – \$439 [705 ILCS 135/15-25]
- Misdemeanor Drug Offense – Schedule 7 – \$905 [705 ILCS 135/15-35]
- Misdemeanor Sex Offense – Schedule 8 – \$1,184 [705 ILCS 135/15-40]
- Non-Traffic Violation – Schedule 13 – \$100 [705 ILCS 135/15-65] \$ 549

D. CONDITIONAL ASSESSMENT(S) [check all that apply – one per count]

- 1. Arson/residential arson/aggravated arson – \$500/conviction [705 ILCS 135/70(1)] \$ _____
- 2. Child pornography – \$500/conviction [705 ILCS 135/15-70(2)] \$ _____
- 3. Crime lab drug analysis – \$100 [705 ILCS 135/15-70(3)] \$ _____
- 4. DNA analysis – \$250/conviction [705 ILCS 135/15-70(4)] \$ _____
- 5. Drug-related offense, possession/delivery – Street Value [705 ILCS 135/15-70(6)] \$ _____
- 6. Methamphetamine-related offense, poss./manuf. – Street Value [705 ILCS 135/15-70(7)] \$ _____
- 7. Order of protection violation – \$200/conviction [705 ILCS 135/15-70(8)] \$ _____
- 8. Order of protection violation – \$25/violation [705 ILCS 135/15-70(9)] \$ _____
- 9. Dom. violence against family member – \$200 per plea/conv. [705 ILCS 135/15-70(13)] \$ _____
- 10. EMS response reimbursement (controlled substances) – \$1,000 [705 ILCS 135/15-70(15)] \$ _____
- 11. EMS reimb. (reck. driv./agg. reck. driv./agg. speeding) – \$1,000 max. [705 ILCS 135/15-70(16)] \$ _____
- 12. Sex trafficking/solicitation of sex act/prostitution – \$350.00 [705 ILCS 135/15-70(17)] \$ _____
- 13. Weapons violation (Trauma Center Fund) – \$100/conviction [705 ILCS 135/15-70(18)] \$ _____

E. OTHER AMOUNTS DUE

- 1. Restitution [see restitution addendum, if any, for details about payee(s) and amount(s)] \$ _____
- 2. Public Defender assessment \$ _____
- 3. Probation/Community Service Work fee (_____ months X \$25.00/month) \$ _____
- 4. Other: _____ \$ _____
- 5. Other: _____ \$ _____

F. OTHER PROVISIONS

- 1. In addition to the fine(s), assessment(s), and other amounts due as specified above, Defendant also shall be responsible for all other fees or costs associated with this cause that are incurred and/or recorded by the Circuit Clerk, including any and all of the following: notice fee(s), bond fee(s), failure-to-appear fee(s), Sheriff's fee(s), and/or booking fee(s) that have been or may be levied by the Circuit Clerk through the date of this Order.
- 2. Within 30 days of the date of entry of this Order, the Circuit Clerk shall compute the amounts due under this Order and prepare and transmit to Defendant a written notice of Defendant's total financial obligations in this cause, including the additional fees or costs referenced in the prior paragraph.
- 3. The Circuit Clerk shall apply all bond (less the 10% bond fee) to Defendant's financial obligations under this Order.
- 4. If Defendant is ordered to pay restitution, then, unless otherwise ordered by the Court, the Circuit Clerk shall apply all bond and payments first to restitution before any fines, assessments, or other amounts due under this Order.

G. PAYMENT DEADLINES

Defendant shall pay the amounts due under this Financial Sentencing Order by no later than 08/25/2021 to the Circuit Clerk's office.

If ordered to pay *restitution*, then Defendant shall pay to the Circuit Clerk's office by no later than _____ that *restitution* portion of Defendant's total financial obligation under this Order.

ACKNOWLEDGEMENT BY DEFENDANT

I am the Defendant in the case identified above. I have read fully the terms of this Financial Sentencing Order. If I am represented by an attorney, then I have had the opportunity to discuss the contents of this Order with my counsel.

If the date of the offense(s) on which I have been adjudicated guilty occurred prior to July 1, 2019, then I acknowledge that I may have the right to elect to be sentenced under the applicable law in effect at the time of the offense. If it is my wish to be sentenced under the former law, then I understand that I must inform the sentencing judge of that request at the time of my sentencing. If I do not ask the judge at the time of my sentencing to sentence me under the former law in effect at the time of the offense, then I acknowledge that the Court will apply the law in effect at the time of my sentencing.

I acknowledge that I have been informed that I may have the right to petition the Court to request a waiver of some or all of the assessment(s) imposed by this Financial Sentencing Order. If I wish to request a full or partial waiver of assessments, then I understand that I must file my waiver application with the Circuit Clerk within 30 days of the date of entry of this Financial Sentencing Order. I understand that I may obtain the waiver application form from the Circuit Clerk's office.

By: BMI Anderson LLC
[Signature] Defendant's Signature, Authorized Agent

APPROVAL BY COURT

Entered: 08/25/2020


[Signature]
Judge of the Circuit Court

MANAGER'S CERTIFICATE

I, the undersigned, have read this Plea Agreement and carefully reviewed every part of it with counsel from Beckett Law Office, P.C., attorneys for Defendant BMI Concessions, L.L.C. an Illinois Limited Liability Company (“the Defendant”), and have consulted extensively with said counsel prior to making the foregoing certification. I understand the terms of this Plea Agreement and voluntarily agree, on behalf of the Defendant, to each of its terms. I authorize J. STEVEN BECKETT, as attorney-in-fact to act at all times on behalf of BMI Concessions L.L.C, in signing the Plea Agreement and any and all documents attendant to the presentation of a plea of guilty in McLean County Circuit Court, being fully advised of the rights of the Defendant, of possible defenses, of the range of sentences that may be adjudicated, and of the consequences of entering into the Plea Agreement.

I acknowledge that no promises or inducements have been made other than those contained in the Plea Agreement. Furthermore, no one has threatened or forced BMI Concessions L.L.C. in any way to enter into the Agreement. I am also satisfied with the aforesaid counsel's representation in this matter. I certify that I am the sole Manager of BMI Concessions, L.L.C., and that I have been duly authorized by the Defendant to execute this Certificate on behalf of the Defendant.

Dated: August 25, 2020



John Y. Butler, Manager
BMI Concessions, L.L.C.,

CERTIFICATE OF CORPORATE RESOLUTIONS

I, John Y. Butler, hereby certify that I am the sole Member and Manager of BMI Concessions, L.L.C. an Illinois Limited Liability Company ("the Defendant" and/or "the Company") and that the following are true, complete and correct copies of resolutions adopted by the Defendant pursuant to authority granted under the Illinois Limited Liability Act (805 ILCS 180/1-5 et seq.) and by the Operating Agreement duly promulgated by the Membership of the Company now in effect. I further certify that such resolutions have not been amended, modified, rescinded or revoked, and are in full force and effect on the date hereof.


The Defendant, BMI Concessions, L.L.C., RESOLVED that:

- I The Company has been fully informed by its counsel of the proposed settlement with the State of Illinois in connection with the investigation and filing of a single count of Theft in violation of 720 ILCS 5/16-1(a)(2)(A), by information in McLean County Case No. 20-CF- 20CF859, and the key terms of the proposed settlement have been explained or distributed to the Membership of the Company.

- II Pursuant to the Plea Agreement between the Company and the State of Illinois: (1) the Company will plead guilty to a criminal violation of Illinois law, specifically 720 ILCS 5/16-1(a)(2)(A); (2) the Company will pay a fine of approximately 75.⁰⁰ dollars; *+ costs* and (3) the Company will agree to the other commitments set out in the Plea Agreement.

- III The Membership hereby approves the proposed settlement related to the completion of the proceeding against the Company and empowers and obliges the Company's attorney-at-law, J. STEVEN BECKETT, as duly authorized representatives of the Company, to (1) execute the Plea Agreement on behalf of the Company and any other documents necessary to enter into the proposed settlement with the representatives of the McLean County State's Attorney; and (2) enter a plea of guilty before the Circuit Court of McLean County in the above-referenced cause and accept the sentence of that Court on behalf of the Company.

IN WITNESS HEREOF, the undersigned has executed this on August 25, 2020.

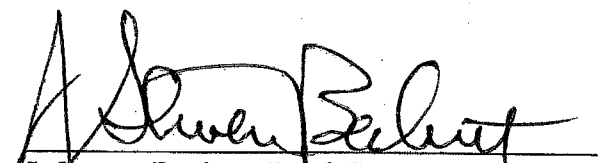


John Y. Butler, Sole Member/Manager of
BMI Concessions, L.L.C.,

CERTIFICATE OF COUNSEL

I am lead counsel for BMI Concessions, L.L.C. an Illinois Limited Liability Company ("the Defendant") in the matter covered by this Plea Agreement. In connection with such representation, I have examined the relevant documents and have discussed the terms of this Plea Agreement with the Defendant's sole Member/Manager, John Y. Butler. Based on our review of the foregoing materials and discussions, I am of the opinion that as representative of the Defendant, BMI Concessions L.L.C. I have been duly authorized to enter into the Plea Agreement on behalf of the Defendant and that the Agreement has been duly and validly authorized, executed, and delivered on behalf of the Defendant and is a valid and binding obligation of the Defendant. I have carefully reviewed the terms of this Plea Agreement with Defendant's sole Member/Manager. I have fully advised him of the rights of the Defendant, of possible defenses, of the range of sentences that may be adjudicated, and of the consequences of entering into this Agreement. To my knowledge, the decision of the Defendant to enter into this Agreement, based on the authorization of its Member by appropriate Company resolution, is an informed and voluntary one. Further, I have carefully reviewed the factual basis of the Plea Agreement with my client. To my knowledge, the decision of the Defendant to stipulate to these facts, based on the authorization of the Defendant's sole Member, John Y. Butler, is an informed and voluntary one.

Dated: August 25, 2020


J. Steven Beckett, Lead Counsel for
Defendant BMI Concessions, L.L.C.