

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF JACKSON**

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 115932FE
vs.	)	
	)	<b>JUDGMENT</b>
	)	
ALLEN LEROY KAYSER,	)	Case File Date: 12/21/2011
Defendant	)	District Attorney File #: 11-8328

**DEFENDANT**

True Name: ALLEN LEROY KAYSER	Sex: Male
Date Of Birth: 05/02/1951	State Identification No (SID): 10242251OR
Fingerprint Control No (FPN): JJAC211076365	

**HEARING**

Proceeding Date: 10/15/2013  
Judge: Timothy Barnack  
Court Reporter: Wells, M

Defendant appeared in person and was not in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) CHRISTOPHER A MISSIAEN, OSB Number 053267. Plaintiff appeared by and through Attorney(s) JEREMY A MARKIEWICZ, OSB Number 053195.

**COUNT(S)**

It is adjudged that the defendant has been convicted on the following count(s):

**Count 1 : Racketeering**

Count number 1 , Racketeering, 166.720, Felony Class A, committed on or about 11/04/2006. Conviction is based upon a No Contest Plea on 10/15/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 1 is 9 and the Criminal History Classification (CHC) is I.

The court finds substantial and compelling reason for a Downward Dispositional Departure, as stated on the record. This departure is pursuant to the following aggravating or mitigating factor(s):

• STIPULATION OF PARTIES

**Probation**

Defendant is sentenced to Supervised Probation for a period of 5 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.
- IF DEFENDANT VIOLATES PROBATION, DEFENDANT STIPULATES TO 50 MONTHS IN THE OREGON DEPARTMENT OF CORRECTIONS.

**Jail as a Condition of Probation**

Defendant is confined to jail for 6 month(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

**Monetary Terms**

Defendant shall be required to pay the following amounts on this count:

**Compensatory Fine/Restitution:**

Restitution is ordered to be paid to the court and disbursed to the payee(s) named below.

Payee	Not To Exceed	Amount
STEPHEN CASALEGGIO		\$160,000.00
ROBERT CARLETON		\$951,668.73
JAMES PITTS		\$200,000.00
GEORGE RICHARD WHEELER, Jr		\$100,000.00
ELAINE LYTTLE		\$20,000.00
<b>Total</b>		\$1,431,668.73

**Count 3 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 3 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 11/04/2006. Conviction is based upon a Guilty Plea on 10/15/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 3 is 6 and the Criminal History Classification (CHC) is I.

### **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

### **Count 5 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 5 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 11/10/2006. Conviction is based upon a Guilty Plea on 10/15/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 5 is 5 and the Criminal History Classification (CHC) is I.

### **Probation**

Defendant is sentenced to Supervised Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.
- Obey all laws.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 120 sanction units with 60 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 20 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

### **Count 7 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 7 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 04/19/2007. Conviction is based upon a Guilty Plea on 10/15/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 7 is 5 and the Criminal History Classification (CHC) is I.

### **Probation**

Defendant is sentenced to Supervised Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 120 sanction units with 60 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 20 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

### **Count 9 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 9 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 07/27/2007. Conviction is based upon a Guilty Plea on 10/15/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 9 is 6 and the Criminal History Classification (CHC) is I.

### **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

**Count 15 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 15 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 12/01/2008. Conviction is based upon a Guilty Plea on 10/15/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 15 is 6 and the Criminal History Classification (CHC) is I.

**Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

**Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

**Count 17 : Aggravated Theft in the First Degree**

Count number 17 , Aggravated Theft in the First Degree, 164.057, Felony Class B, committed on or about 10/02/2009. Conviction is based upon a Guilty Plea on 10/15/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 17 is 6 and the Criminal History Classification (CHC) is I.

**Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

### **Count 18 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 18 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 10/02/2009. Conviction is based upon a Guilty Plea on 10/15/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 18 is 6 and the Criminal History Classification (CHC) is I.

### **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.

- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

### **Count 20 : Aggravated Theft in the First Degree**

Count number 20 , Aggravated Theft in the First Degree, 164.057, Felony Class B, committed on or about 10/12/2009. Conviction is based upon a Guilty Plea on 10/15/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 20 is 6 and the Criminal History Classification (CHC) is I.

### **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS

423.478, and the defendant shall pay any required per diem fees.

**Count 21 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 21 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 10/12/2009. Conviction is based upon a Guilty Plea on 10/15/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 21 is 6 and the Criminal History Classification (CHC) is I.

**Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

**Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

**Count 23 : Aggravated Theft in the First Degree**

Count number 23 , Aggravated Theft in the First Degree, 164.057, Felony Class B, committed on or about 03/21/2010. Conviction is based upon a Guilty Plea on 10/15/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 23 is 6 and the Criminal History Classification (CHC) is I.

## **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

## **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

## **Count 24 : Fraud/Deceit Regarding Securities/Securities Business**

Count number 24 , Fraud/Deceit Regarding Securities/Securities Business, 59.135, Felony Class B, committed on or about 03/21/2010. Conviction is based upon a Guilty Plea on 10/15/2013.

## **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 24 is 6 and the Criminal History Classification (CHC) is I.

## **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):  
Defendant shall:

- Obey all laws.
- Comply with all conditions and procedures of accounting office regarding payment of fines,

restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.

- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim(s) without prior permission from the court.
- NO HANDLING OF OTHER PEOPLES MONEY, INVESTMENTS AND/OR SECURITIES.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

### **Jail as a Condition of Probation**

Defendant is confined to jail for 30 day(s). Defendant is to report to Supervisory Authority by 10/24/2013 at 9:00 AM. NO MATRIX. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

### **COUNTS DISPOSED WITH NO CONVICTION**

Count # 2 , Racketeering is Dismissed.

Count # 4 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 6 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 8 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 10 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 11 , Aggravated Theft in the First Degree is Dismissed.

Count # 12 , Fraud/Deceit Regarding Securities/Securities Business is Dismissed.

Count # 13 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 14 , Aggravated Theft in the First Degree is Dismissed.

Count # 16 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 19 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 22 , Unlawful Offer or Sale of Securities is Dismissed.

Count # 25 , Unlawful Offer or Sale of Securities is Dismissed.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

**MONEY AWARD INCLUDING RESTITUTION**

**Judgment Creditor: State of Oregon**

**Judgment Debtor: ALLEN LEROY KAYSER**

**Restitution**

Payee	Amount
ELAINE LYTTLE	\$20,000.00
GEORGE RICHARD WHEELER, Jr	\$100,000.00
JAMES PITTS	\$200,000.00
ROBERT CARLETON	\$951,668.73
STEPHEN CASALEGGIO	\$160,000.00

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Amount Owed
Restitution	\$1,431,668.73
<b>Total</b>	<b>\$1,431,668.73</b>

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

**Payment Schedule**

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

**Jackson County Circuit Court**  
**100 S. Oakdale Ave**  
**Medford, Oregon 97501**  
**P: 541-776-7171**  
**F: <http://courts.oregon.gov/jackson>**

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Signed: \_\_\_\_\_  
Timothy Barnack