

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v- :

IVAN F. BOESKY, :

Defendant. :

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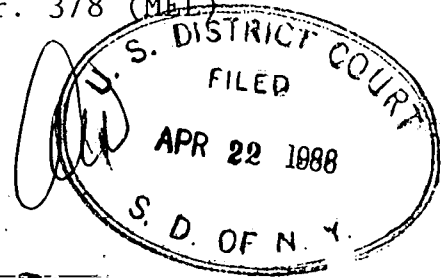
STATE OF NEW YORK)

SOUTHERN DISTRICT OF NEW YORK)

ss.:

AFFIDAVIT

87 Cr. 378 (MEL)



JOHN K. CARROLL, being duly sworn, states as follows:

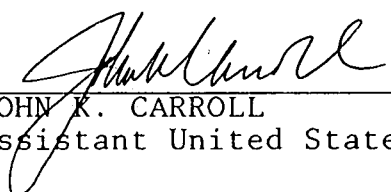
1. I am an Assistant United States Attorney in the office of Rudolph W. Giuliani, United States Attorney for the Southern District of New York. Together with other Assistant United States Attorneys, I have been charged with the responsibility for the prosecution of the above-captioned matter and certain related investigations. This affidavit is submitted in response to the motion of the defendant Ivan F. Boesky, pursuant to Fed R. Crim. P. 35, for a reduction of sentence.

2. On December 18, 1987, Boesky was sentenced to a three-year term of imprisonment following his guilty plea to a one-count indictment charging him with conspiracy to violate the federal securities laws. At that time, both in a written sentencing memorandum and in oral presentations to the Court, the

Government stated its position with regard to Boesky's crimes and his cooperation. In the Government's view, Boesky's three-year sentence was and remains an appropriate sentence in light of all the competing factors.

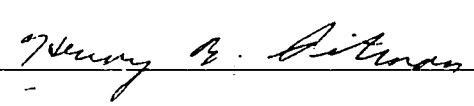
3. We have reviewed Boesky's instant application for a reduction of his sentence. In that application, Boesky correctly states both that he has continued to provide cooperation to the Government and that the Government's investigations relating to information he has provided continue.

4. We therefore consent to Boesky's request that any ruling on this motion be deferred until October, 1988. We further request the opportunity at that time or at such time thereafter as may be appropriate to address the merits of Boesky's application.



JOHN K. CARROLL
Assistant United States Attorney

Sworn to before me this
22^d day of April, 1988.



HENRY B. PITMAN
NOTARY PUBLIC, State of New York
No. 31-4716501
Qualified in New York County
Commission Expires ~~11-20-1988~~
Nov. 20, 1988