

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----X
UNITED STATES OF AMERICA, :
 :
 -against- :
 :
 THOMAS UBERTO, :
 :
-----X

Docket No.: 1:22CR00007-001

Thomas Uberto’s Sentencing Memorandum

Green & Willstatter
Attorneys for Thomas Uberto
200 Mamaroneck Avenue, Suite 605
White Plains, New York 10601

By: Richard D. Willstatter
Of counsel

Introduction

Tom Uberto followed a crowd to the Capitol Building on January 6, 2021, but he caused no physical damage, nor did he assault anyone or even broadcast his entry on social media. His entry and walk through the Capitol have resulted in this conviction, but he plans to steer clear of political rallies in the future and poses no risk to the public.

In early January 2022, Thomas Uberto (“Tom”), having been contacted by an FBI Task Force Officer, retained counsel and, on January 10, 2022, voluntarily surrendered at an FBI field office in New Windsor, New York. He was arraigned that day on an arrest warrant and complaint charging him with four misdemeanor counts arising out of his trespass into the United States Capitol Building on January 6, 2021.

Mr. Uberto was released on an unsecured personal recognizance bond by United States Magistrate Judge Judith C. McCarthy at the U.S. Courthouse in White Plains in the Southern District of New York. He was ordered to appear by video before this Court. As reported by Pretrial Services, Mr. Uberto has complied with the conditions of release and has faithfully attended court appearances as required.

On September 2, 2022, Tom entered a plea of guilty to the petty offense of parading, demonstrating or picketing in a Capitol Building, a violation of 40 U.S.C. § 5104(e)(2)(g). He voluntarily admitted that he willfully and knowingly entered and paraded in the Capitol Building knowing that that he did not have permission to do so. The Court accepted his guilty plea and a pre-sentence investigation report was completed with Tom’s full cooperation.

There is no minimum for this offense and a six-month maximum term of imprisonment. Tom has agreed to pay \$500 restitution. Mr. Uberto is 55 years old and this is his first criminal conviction. In 1994, he pleaded guilty to the non-criminal traffic

infraction of driving while ability impaired, a violation of NY Vehicle and Traffic Law 1192(1). He has had no other contacts with the law before or since his arrest.

The Offense Conduct

Tom Uberto was persuaded by then President Trump that the 2020 election was somehow stolen. He learned that the former president was calling on his supporters to attend a rally in Washington, D.C. on January 6, 2021. He drove to the District of Columbia the night before and walked out of the hotel at 5:00 a.m. to walk to the Ellipse where it took hours to get admitted to the rally. The President then urged the crowd to walk to the Capitol. Mr. Uberto and many thousands of others did that. After arriving at a set of steps on the way, Tom sat down to rest for 30 minutes or more because he had been standing and walking all day. Public reports say that the Senate Wing Doors were breached at 2:12 p.m. When Tom Uberto walked in those doors 46 minutes later at 2:58 p.m., none of the people at that entrance were fighting with the officers who were present. Tom followed the crowd into the building, took a photo, and continued walking back and forth for a few minutes past dozens of police officers. He then walked out of the South Doors of the Capitol at 3:06 p.m.

Tom Uberto did not break or deface anything in the Capitol. He did not broadcast anything on social media. He did not shout at police officers or fight with them or any legislative staff in any way. He did not try to enter either chamber of Congress or any congressional offices. He did not see anyone fighting or destroying property while he was in the Capitol building. As he walked toward the South Doors, an officer directed him and others to leave the building through those doors and he did.

In the ten months since his arrest, Mr. Uberto has stopped participating in political activities and has focused instead on his marriage, his work and his rural community.

Tom Uberto's History and Characteristics

Tom Uberto's parents were divorced when he was just two years old. PSR ¶ 27. His mother, Susan, later married Edward Pomart and they raised Tom until they moved to Florida when he was 13 years old. He moved in with his father and step-mother until he was eighteen. He did not excel at school, but he managed to graduate from rural Valley Central High School in Montgomery, New York, 60 miles north of New York City, in Orange County, New York. PSR ¶¶ 29, 36. Tom's life with his father was more difficult financially and less structured. For example, they did not enjoy camping vacations like he had when he lived with his mother. His father was less focused on Tom in general than his mother had been. Tom started using marijuana and drinking during those years.

During the mid-1990s, Tom became addicted to crack cocaine. In December 1994, he was arrested for driving while intoxicated and, in August 1995, he pleaded guilty to a violation of NY Vehicle and Traffic Law § 1192, subdivision 1, driving while ability impaired, or DWAI, a lesser included offense. DWAI is traffic infraction and not a crime. See NY VTL § 1193(1)(a); Criminal Procedure Law § 1.20(39). Tom went into rehab at West Nyack Hospital and then voluntarily stayed a year at Lukens House, a halfway house, also in West Nyack. He attended AA meetings for nearly ten years. This past July, he celebrated 25 years sober, a real milestone.

Tom's work life has been spent as a carpenter. For two and a half years, he has been employed at Billman Ross and Associates, Inc. located in Middletown, New York where he makes a modest salary of around \$52,000 a year.

In 2014, Tom married Emily Uberto, a former Orange County New York Probation Officer who supervised people sentenced by the state court to serve sentences of probation in that county.



Emily Uberto is retired and now works part time at a Tractor Supply Company store in Middletown.¹ Ms. Uberto writes that Tom “is a very good husband and a wonderful provider ... He has expressed remorse for his actions and has vowed not to attend any further gatherings of this nature.” She points out that Tom has voluntarily participated in an Anger Management/Impulsivity Program. Tom has been seeing a therapist recommended by the Sullivan County Department of Community Services and participated 16 sessions of an impulse control/anger management group. Ms. Uberto has assured counsel that she will make it her business to ensure her husband has no further conflicts with the law.

¹ Tractor Supply is a retail chain that sells products for home improvement, agriculture, lawn and garden maintenance, livestock, equine and pet care recreational farmers and ranchers, pet owners, and landowners.

Tom Uberto Has Other Interests

In 2017, Tom joined the local volunteer fire department. In his rural community, there is no municipal fire department. If someone's house is on fire, they must depend on volunteers for help. Tom has gone through a series of trainings in firefighting, emergency driving and CPR. Tom also received interior firefighting training which is vital to saving the lives of victims and firefighters trapped in burning buildings. Less than one third of the Mountain Dale department has that training. He is currently the President of the Mountain Dale Volunteer Fire Department.

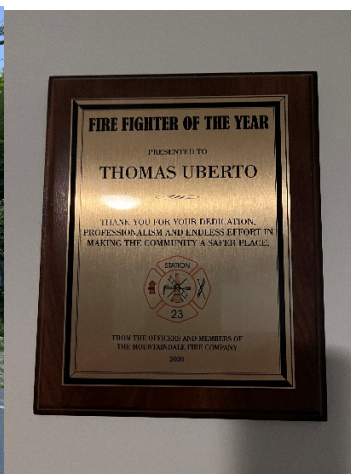


Tom Uberto, top row, second from left.

Tom and his fellow fire fighters participate in community events and help their neighbors in time of need. For example, when a serious wind storm knocked down trees and power lines, the Mountain Dale Fire Department worked to ensure the safety of the community.

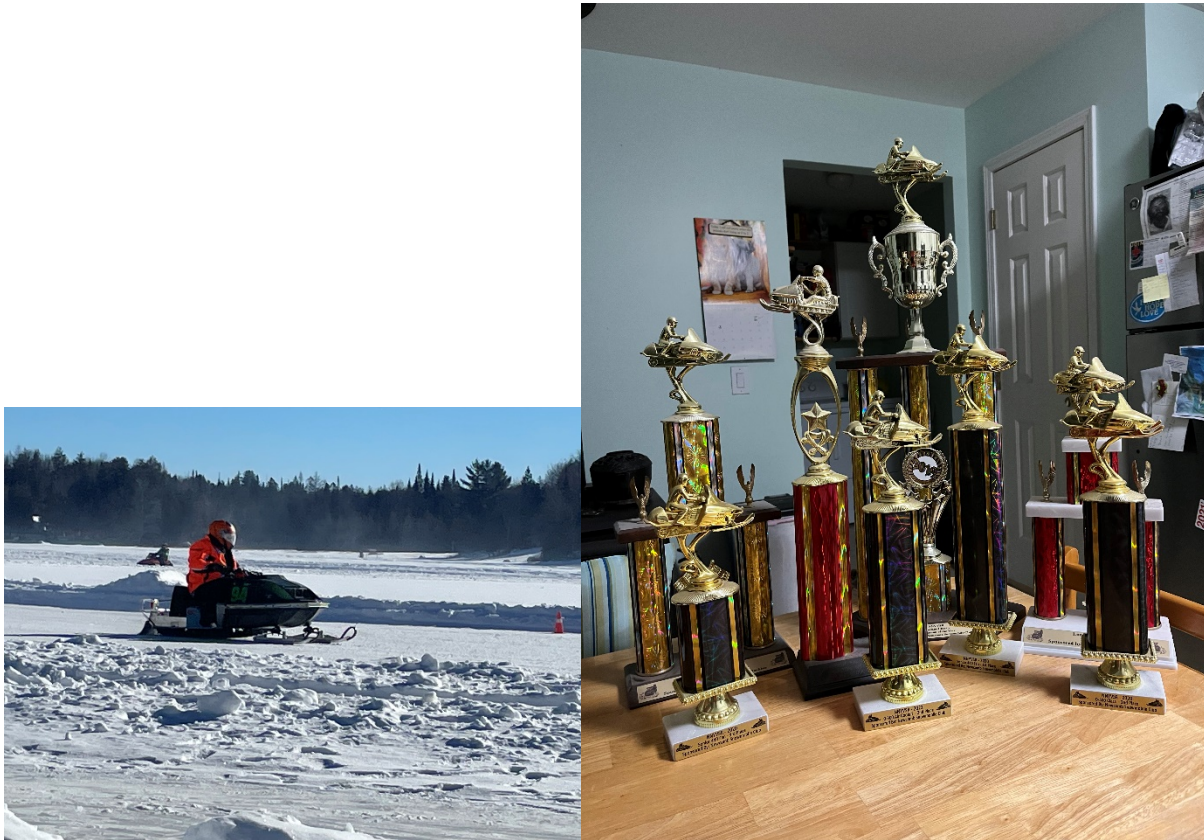


Tom Uberto holding a chain saw with other volunteers.



Firefighter of the Year Award.

In his spare time, Tom has a variety of hobbies. He is an avid snowmobiler and competes in races for which he has received trophies.



Tom also works on old cars and attends vintage automobile shows. Currently, he is restoring a 1973 American Motors Company Gremlin.



This project will take years to complete. It will keep Tom busy for a long time. Tom and Emily Uberto have also had pet dogs. One of their animals, to whom they were devoted, was a dog named Ollie. Unfortunately, Ollie got into some rat poison in a neighbor's

property and died. This was a devastating blow to the Ubertos. But they didn't respond with anger or seek retaliation. Rather, they held an informal "funeral" for Ollie.



Thomas Uberto has many interests and hobbies quite aside from politics. David Klussman, a fellow firefighter, tells us of an instance last summer when Tom helped out a homeless man by bringing him into his home, giving him a shower, clothing, spending money, and a ride to his final destination a couple hours north.

Pastor Brenda Cates recalls that Tom rebuilt their church's fire escape in Ellenville, New York. She also says

that he chopped and stacked a winter's worth of firewood for a senior member of their congregation.

Tom Uberto Will Not Reoffend

The arrest and prosecution of Thomas Uberto has chastened him and made him regret his participation in the events of January 6, 2021. He did not set out to commit a crime when he traveled to Washington, D.C. Former President Trump urged him and the others gathered at the Ellipse to walk down to the Capitol, so he did. Of course, he knew men had broken into the building. He saw hundreds of protesters walking into the

Capitol, apparently unchallenged by police officers standing nearby as he entered and paraded through the halls.

Mr. Uberto voluntarily surrendered to the FBI in this case and has complied with the directions of the Court and Pretrial Services. If the Court imposes a term of probation, it can be assured that he will comply with the requirements and conditions of probation, and not only because his wife is a retired probation officer, but also because Mr. Uberto is not a radical fanatic bent on destruction or revolution. He has other interests and wants to avoid any problems with the law going forward.

Recommendation

Thomas Uberto is well-aware that other defendants charged with the same offense have been sentenced to serve jail time. Yet, Tom's conduct on January 6, 2021, was on the low end of culpability for that offense. He did parade through the Capitol and he certainly knew that building was off limits to the public at the time. Yet, he was not confronting anyone there, did not shout at anyone, and did not deface anything or destroy public property himself. He walked through the Capitol building and walked back out. This case is his only criminal conviction. He is employed, married, and a home owner. He chose to spend his meager savings to retain counsel even though he might well have qualified for the appointment of counsel. He qualifies to be the exception who is not sentenced to serve a term of imprisonment. The Court could impose a term of probation, possibly two years. It takes more than an hour for Tom to drive to the U.S Probation Office in White Plains and that expense will continue during his term of probation. Tom has also agreed to and will pay \$500 restitution. He is already sorry he committed the crime and does not need a term of imprisonment to bring that reality

into view. Accordingly, we respectfully request a sentence of probation² and an order of restitution in the amount of \$500.

Dated: November 25, 2022
White Plains, New York

Respectfully submitted,

/s/Richard D. Willstatter
Richard D. Willstatter
Attorney for Thomas Uberto

Addendum

Letters in Support

Gary Anderman

Rev. Brenda Cates

L. Joseph Gingras

David Klussman

Emily Uberto

Thomas Uberto

Ian Weiner

CERTIFICATE OF SERVICE

I hereby certify that the instant Sentencing Memorandum was served on all counsel of record this 25th day of November, 2022 via ECF.

/s/ Richard Willstatter
RICHARD D. WILLSTATTER (PHV)

² If the Court imposes a term of probation, we request that Mr. Uberto be permitted to speak by phone and communicate by letter with an old friend, Joseph Bertothy, who is 73 years old and serving a long prison sentence in Pennsylvania that was imposed many years ago.

Mountain Dale Fire District.

P O Box 202
Mountain Dale, NY 12763

Gary Anderman
Chairperson

Charles Weiner
Deputy Commissioner

Kevin Mahler
Commissioner

Edward Anderman
Commissioner

Paul Lucyk
Commissioner

October 12, 2022

Hon. Tanya S Chutkan
United States District Court
333 Constitution Avenue N.W.
Washington D.C. 20001

Re: Thomas Uberto.


Dear Honorable Tanya S. Chutkan,

On behalf of the Mountain Dale Fire District, I would like to express our concern of the actions of one of our Firefighters, Thomas Uberto. Mr. Uberto is presently an active Fire/First Aid Squad Member under our authority within the operating jurisdiction of the Mountain Dale Fire District. Mr. Uberto has been an active member in good standing since July 2017. Mr. Uberto has served in several different capacities within both departments. His tenure under our control has been exemplary. He has been very active in recruitment of new members and has even spearheaded the Mountain Dale Fire Department bylaws committee, to bring them up to date. He is presently assisting in the Out-Reach program for both departments. He is a dedicated member to our community. He has never been a subject of any disciplinary or counseling during his tenure with the department.

We understand the gravity of the events of January 6th and issues and further understand that Mr. Uberto did willingly take part in those actions. It is our understanding that he is willingly admitting to his actions on that day and should be dealt with accordingly. He should and is ready to accept any punishment your Honor feels just from his actions. We do ask that while doing so you take into consideration the amount of good Mr. Uberto has done and is still doing for the citizens of our community.

In this case our entire board knows Mr. Uberto on a personal level and doesn't seem to be actions that he would be caught up in. There have been several discussions with him regarding this incident and we believe he acted with no malice or intent to harm. He has shown nothing but embarrassment and remorse since he brought this event to our attention. He was also willing to resign in an effort not to bring any disgrace to our department. His resignation would only hurt our department more than good. Any decision your Honor will make regarding Mr. Uberto will satisfy our needs for action.

Respectfully,


Gary Anderman
Chairperson

Mountain Dale Fire District

*Ellenville Assembly of God
67 Canal Street - PO Box 294
Ellenville, New York 12428*

*Hon. Tanya S. Chutkan
United States District Court
333 Constitution Avenue N.W.
Washington, D.C. 20001*

Hon. Tanya S. Chutkan,

I am Rev. Brenda Cates, and I pastor Ellenville Assembly of God in Ellenville, New York. Tom Uberto and his wife, Emily Uberto, have been attending our church for a year and a half. They are my parishioners and friends.

I understand that Tom has been convicted of a serious crime and will appear before you for sentencing. I am writing today out of my concern for Tom, and in the hopes that Your Honor will be lenient in your sentencing.

We have found Mr. Uberto to be a quiet, kind man. We have had many pleasant conversations. He has several friends within the church. The Ubertos have even invited me into their home on numerous occasions for meals and times of fellowship.

Tom has been helpful with various projects around the church. He recently repaired and secured the steps on our fire escape. He has helped with several events and activities, as well. He also designed and created a functioning lighthouse statue for another local ministry.

Tom has been a blessing to our congregation. He is quick to volunteer and lend a hand to those in need. Last year, he and his wife took it upon themselves to help an elderly woman within our church by chopping and stacking her fire wood for the entire winter! He is a kind-hearted man. He has encouraged me, as his pastor, many times by his faithfulness to attend services, and participate in community outreaches.

Respectfully,

Rev. Brenda Cates

Rev. Brenda Cates, Pastor



September 13, 2022

Hon. Tanya S. Chutkan
United States District Court
333 Constitution Avenue N.W.
Washington D.C. 20001

Hon. Tanya S. Chutkan

My name is L. Joseph Gingras and proud to offer my character reference for Thomas Uberto to whom I have employed since July 6, 2020. He is an important part of our company.

During my relationship with Thomas Uberto, I have experienced an individual who is always on time, dependable, honest, trustworthy, talented hardworking carpenter who carries himself in a polite respectable manner. I can leave him on our projects confident that work will be completed.

I am aware that Tom has been convicted of entering the Capital Building on January 6th, 2021, and will appear before you for sentencing. Since that date Tom has been taking anger management classes every Tuesday at 2:00 and is near completion. It is my understanding he has learned a great deal from it.

Thomas is an intricate part of our company who helped us survive through the pandemic, we desperately need him and cannot afford to lose him as an employee. Any lenience in his sentencing would be greatly appreciated.

Please do not hesitate to contact me if you should require any further information.

Sincerely,

L. Joseph Gingras
845 542-2085
joe@billmanross.com

Hon. Tanya S. Chutkan,

My name is David Klussman and I am writing this letter on behalf of Thomas Uberto as a friend, fellow firefighter, and brother in Christ. I first met Tom about three years ago when I joined the Mountaindale Volunteer Fire Department. I understand that Tom has been convicted of a serious crime and will appear before you in the near future. I am requesting on his behalf that you would show leniency in your sentencing.

I first began to get to know Tom and his wife more personally when they began attending a bible study at my house and later on through their participation in community dinners I host at my house every Wednesday. One thing I can say about Tom generally speaking is that he cares about people. More specifically, he has a deep concern for those in his immediate community. Tom and his wife help cook for these community dinners that we have and he shares valuable insight and encouragement to all of us who attend.

Tom is also a dedicated firefighter who is currently the president of our department. I can see in his actions and words that he desires to better our department for the safety of our community. His care for our department on an emotional and spiritual level has led to the formation of a "chaplain" position in our department that is currently held by me.

His care for people does not stop with their emotional and spiritual needs only but also with the physical. He has started a weekly meetup at our local walking trails to encourage closer relationships through fitness for anyone who wishes to show up. I attend these walks with Tom and it has provided a unique opportunity to get to know him better.

The last example I will give as a testament to Tom's character was a recent encounter with a homeless individual. We live in a rural area and we don't encounter people living on the streets often. Tom noticed a man who was clearly living on the streets and in need of some basic care. Tom took this man into his home and provided him with a shower, clothes, spending money, and a ride to his final destination a couple hours north of Tom's residence. This is radical care for one's neighbor.

Thank you Hon. Tanya S. Chutkan for taking the time to read my request for Tom. Have a blessed day.

Respectfully,

David Klussman, RN, BSN

10/30/22

Hon. Tanya S. Chutkan
United States District Court
333 Constitution Avenue N.W.
Washington D.C. 20001

Dear Judge Chutkan,

My name is Emily Uberto, Tom Uberto's wife. I would like to thank you for taking the time to read and consider this letter written on his behalf. To begin though, I need to confess that there is a certain amount of shame that I feel writing this letter since, as a retired Probation Officer, I never envisioned myself having to write a letter like this for my husband. But, be that as it may, I love and respect him and am here to support him.

I know that as a Judge, you have read many letters written by friends and family members, often telling you what they think you want to hear so that you will be lenient on their loved one. This letter however, will be nothing but the straight up truth, as anything else would be to disrespect you and the Court.

To begin, I would like to tell you that Tom's actions that day were totally out of character for him. As long as I have known him, Tom has always shown the utmost respect for the law. He is also an honorable man who puts others' needs before his own, whether they are changing a stranded stranger's tire on the center of the road or putting himself out to help a neighbor. Let me give you a couple of examples.

This past summer, an elderly neighbor's septic tank collapsed. Her nephew, who was contacted for the problem, had seen Tom's backhoe in our yard and came down to ask Tom if he would be willing to give him a hand. Tom spent the next 3 evenings, from the time he got home from work until sunset, digging out the old collapsed tank, guiding the new tank in and backfilling the hole. When the job was completed, the neighbor asked him how much she owed him, and he asked her for only \$200, thereby saving her well over \$1,000. Tom also volunteered his time and backhoe to another neighbor who needed the foundation of his barn dug out so that it could be repaired. Tom spent 3 full days digging around the foundation, and only asked for enough money to replace the diesel gas he used, thereby saving this neighbor between \$2,000 and \$3,000.

Tom also is very mindful of the needs of the community at large. He joined our local fire department shortly after we moved into our present house. He quickly signed up for and completed basic firefighter training, then secured more advanced training to become qualified as an interior fire fighter as there was a need for more firefighters in the department who were capable of performing this more dangerous work. Over the years Tom has been very active in the fire company, both in terms of fighting fire and working hard to bring the department up to a higher professional level. Tom has also offered his services to our church, both in volunteering in outreaches and performing some basic upkeep on the building.

Your Honor, this offense has cost Tom dearly both relationally financially. We have had our share of marital difficulties through the years, but this has been especially trying given my past career. The bottom line though is that Tom is a very good husband and a wonderful provider and we are working to overcome this challenge. He has expressed remorse for his actions and has vowed not to attend any further gatherings of this nature. He has seen how the actions of one man can whip a crowd into a frenzy and get them to do things that they would never do otherwise.

As for our finances, it will be years before he can recover the monies that he has spent on his attorney, and then there will be a fine to deal with. He has also lost quite a bit of time from work traveling to report to his Pre-Trial Probation Officer, as well as attending his mandated counseling and voluntarily entering an Anger Management / Impulsivity Program. I must tell you that he has gained a good amount of insight into his behaviors from these programs. My experience as a Probation Officer was that people mandated to counseling or anger management were very passive in the programs, just showing up to get credit for their attendance. Tom however, fully utilized these opportunities to his benefit.

I would respectfully request leniency in the sentencing of Tom. I feel that he is in no danger of repeating his actions.

In closing, I would like to thank you for your time and consideration. Should you have any questions or would like any further information, I will be present in Court at the time of sentencing.

Very truly yours,

Emily Uberto

Dear Judge Chutkan,

I would like to tell you a little about myself. I grew up and lived in rural New York my entire life. When I was 13 for Christmas my Dad gave me a used snowmobile he got as payment from some plumbing work he did for a customer. Me and my brothers and sister rode it around the lawn whenever there was snow and the whole family got involved riding snowmobiles on our local trail system.

My first vehicle was a pickup truck given to me by my Father. He bought it new but the motor was worn out from driving it many thousands of miles. He helped me take the motor out and brought it to a local machine shop to get it rebuilt for \$1000 dollars. I paid for it with the money I saved from working at the nursing home washing dishes. I cleaned and painted the engine compartment and frame while the motor was getting rebuilt. He picked it up and helped me put it in with his tractor. We put in a new clutch so it was like a new truck. My Father taught me a lot about mechanics and plumbing and heating. He passed away last year and I miss him.

When I was 27, I was arrested for driving while intoxicated. I had a problem with drinking and drugs. I began smoking pot at the age of 13 and at that point was using it along with drinking daily. I lost my driving privileges except to go to work and I had to take classes about drinking and driving. I remember it as a bad experience, but it helped me understand I had a problem and got me in programs like AA that helped me to get sober. I also remember my Dad telling me the people I was hanging around were not my friends and they would not help me when I really needed it. It took a while to find new friends and distance myself from the old ones. I started working on old hobbies like stamp and coin collecting and bought my first metal detector. I have found hundreds of coins over the years. Much of it pocket change with some worthwhile finds like a 1770s Spanish two real (Quarter) and a 1846 large cent with a hole punched in it with a square nail to make a neckless with someone's birthdate. On July 20 2022, I celebrated 25 years sobriety.

I started getting back into snowmobiling by restoring my first snowmobile. Then restoring other 1970s snowmobiles to ride and race. I have several trophies from racing antique snowmobiles. I recently started restoring a car. It is a 1972 AMC Gremlin and it may take me 2 or more years to complete. In 2017, I joined the volunteer fire department and took training to fight fires and use self-contained breathing apparatus or bottled air supply to go into smoky and burning buildings to put out fires and rescue trapped occupants.

I went to Washington on January 6 to hear the president speak. I left the hotel with some others I met in the lobby at 5 am to walk to the Ellipse and when we got there the line stretched to behind the Washington monument. I stood on line to get through security for over 5 hours. When I got in all the seats were taken and we had to stand. I listened to the President's speech and then began walking to the with the crowd to the Capitol. There were so many people that I got separated from the people I met at the hotel. When I got to an intersection (I think was Pennsylvania and Constitution Avenues), I found some steps to finally sit down on. I sat there for about a half hour resting and watching the crowd walk by while looking for the people I met

at the hotel. I took some pictures and rejoined the crowd walking to the capital. When I got to the Capitol, I saw hundreds of people on the steps and at the doors of the building. There were people in the temporary bleachers and a huge American flag was hanging from the back of the bleachers. I continued to walk up the hill on the grass on the left side of the capitol. Then turned right to join the crowd in front of the building. I did not go to the Capitol to break in or hurt anyone. I did not plan to go inside before I got there.

I saw many people go inside. Some people came back out but many did not. I knew it was wrong to go into the building as I looked at the open door that so many people went in. I am not sure why I entered the building except I was curious about what was going on in there. I did not know anyone got hurt until I left the building and saw a trail of blood going down the sidewalk. At the end of the sidewalk a woman was shouting, "they killed her." I asked who got killed and some said, "a girl." I saw many police in riot gear arriving and heard announcements to leave the area and a curfew to get off the streets. It took me a long time to find my way back to the hotel but got there before curfew. My wife called me to see if I was alright because she saw all the violence on TV. I told her I was ok and I didn't see any violence. She told me to turn on the TV as it was on all the channels. When I turned on the TV and saw police being attacked and remembered the blood I saw, I started to realize what happened and the seriousness of my decisions that day and was very scared. I knew for sure I did the wrong thing, but I could not undo it. I was scared I would be arrested and I was scared for my wife who told me not to go and I didn't listen.

I did not sleep that night as the events of the day kept running through my head. I left early the next morning. The eight-hour drive home took forever as I wondered how many people were hurt or killed. I regretted my actions and kept asking myself why I did it and to this day I'm not sure why. When I got home my wife Emily was even madder then when I left to go to Washington. She asked me if I went in the building. I lied and said no for fear of her leaving me and getting a divorce.

In July 2021, the FBI came to the office of the company I work for and showed the secretary some pictures of me and asked if I work there. That night I told my wife and she asked why were they looking for me. Did you go in there she asked? This time I had to tell her I did. She was furious at me.

Since that day I have regretted being with the crowd and going into the Capitol. I still am not exactly sure why I went in the open door that day. I was so close to just walking away, but the curiosity of what was going on inside drew me in. I am really sorry for what I did and I did not want to hurt anyone that day, but I did. I hurt my wife and I hurt myself and I prolonged securing the building for the safety of all the people that worked inside.

Going forward, I do not want to attend any more rallies or protests. I do not feel safe in large crowds anymore as I witnessed firsthand how fast things can get out of control and become deadly. I also avoid talking about politics because it always causes conflict even with spouses and very good friends.

Thank you, Your Honor, for taking time to read this letter.

Sincerely,

Thomas Uberto

A handwritten signature in blue ink, appearing to read "Thomas Uberto". The signature is written in a cursive style with a large initial 'T' and 'U'.

10/27/22

Hon. Tanya S. Chutkan

United States District Court

333 Constitution Avenue N.W.

Washington D.C. 20001

Your Honor,

My name is Ian Weiner I am a Lifelong resident of Mountaidale NY. I work as an outside salesman for a local Plumbing and HVAC supply house. I am the father of Four young Daughters ages 5,7,9,12.

I am writing to you today on behalf of my entire family and in the interest of Mr. Thomas Uberto and his family. Tom has become a vital part of our community since moving here some years ago. He is actively involved as the president of our fire company which my dad Charles is an active member for 68 years, mostly as chief in some capacity. Tom and my dad have struck up a friendship due to being community-oriented men and focused on Firematics and helping to make our town thrive in any way possible.

Tom has been a huge help with my elderly parents and the upkeep of doctor's appointments and Hospital visits. Tom and his wife regularly visit my mother who has dementia and lives at home with an aid. They take her out to lunch, to church and to visit my dad in the nursing home about 30 minutes from home.

I have also become friends with Tom in the last few years. He is truly a gentleman and an unbelievable craftsman. He is always willing to lend a hand with projects around the house and when we have BBQs and pizza parties with the other neighbors as well.

As President of the Mountaidale Fire Co. Tom took it upon himself to write to the Sullivan County Board of Fire Chiefs and Nominate my Father for the Lifetime Achievement award. Ultimately because of his dedication to the history of the people in our town and community Tom made it possible for my Dad to receive that award last year. This was long overdue for my father and our family for his contribution to Firematics and endless dedication to our community. It was Tom who made that happen for our family.

I may also add that Tom has been instrumental in having our Fire Co. annual family BBQ at the town park. This is something that had fallen by the wayside the last few years and he insisted that we start doing it again. Tom made sure everyone got invited and worked tirelessly to prepare and serve a wonderful meal to our families. It has been a pleasure to work side by side with Tom on these events. He has an unbelievably calm disposition and problem-solving attitude.

I understand that Tom is facing some serious charges and will be appearing in front of you soon. I hope you will take this letter into consideration and find some leniency for Tom.

Thank You Ian Weiner