

EXHIBIT AA

United States Circuit Judge Denny Chin
U.S. Court of Appeals for the Second Circuit
40 Foley Square
New York, NY 10007

Dear Honorable Judge Chin,

I am writing to you as a deeply remorseful, broken, defeated, publicly humiliated man who is utterly terrified for what will happen to his two sons, former spouse and loved ones. I wear the unfading scarlet letter of felon and failure. Never did I think I would find myself in such an utterly pathetic and unenviable position. I have always strived to do what I thought were good things and to help people wherever I could in whatever way I could because I knew that I could easily be in someone else's shoes. Now I stand on the verge of learning what my fate will be and what it will mean for my family.

Unfortunately, we have a small family and no one who lives nearby. Jolanta's sister and brother live in Poland and my parents and brother live in Florida; none are able to provide any financial or caretaking support. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Since I was fired from the DOE in 2018 and especially since my arrest in 2021 my life has been a series of escalating disasters and converging traumas, including: the failure of my business because of my arrest, [REDACTED]

[REDACTED]

[REDACTED]. These events have devastated my family in ways that I cannot explain in words. They are barely hanging on. It is for that reason that I am pleading for mercy. Not especially for me, but for them because without my financial, emotional and physical support I fear that they will be cast adrift and drown.

Since the end of the trial, I have frequently thought about an interaction that I had with other management at the DOE shortly before I left. It involved the far too common bureaucratic response to individual lives and their difficult complications. A young child had an incurable disease that required him to be transported to school, when he could attend, via an ambulance. This boy's mother was not highly educated or well off, but from her years of caring and advocating for her son, and battling healthcare, education, and welfare bureaucracies that didn't want to deal with his complexities, she had become an expert on his disease and care. She had painstakingly trained the ambulance crew that transported him around the city on the specific care and procedures he needed to stay alive.

This was brought to my attention because a new contract had been issued and a whole new company unfamiliar with this boy and his needs would be taking over his transportation. Once I spoke with the mother and understood what was at stake, I spoke to the DOE's chief medical officer and head of contracts purchasing to see if anything could be done to avoid losing the child's existing transportation team—an outcome the child's mother (and I) believed would be life-threatening. Unsurprisingly, the answer we received was that "nothing can be done"—the bureaucracy couldn't deviate from past practices to make an exception in this case. Again, however, the child's mother did not give up and we convened a meeting with her and management to reconsider her case. Finally, after being face to face with the consequences of what would likely happen to this child if we didn't extend ourselves for her son's care, DOE management found a way to allow the ambulance and its crew to continue transporting this child, notwithstanding DOE's steadfast earlier denials. While the boy ultimately passed away about a year later, I knew that it was not because we failed to do what was right and what was within our power to help this family in need, despite it being out of the ordinary and not what had been done previously.

I relate this story to you because I understand a prison sentence might be the norm or might be expected in a case like this. But just as that persistent mother begged us to do whatever we could do to continue the care that her son needed, so too I implore Your Honor to consider all the available sentencing options that you have and impose a sentence that allows me to continue to provide the necessary support that is keeping my family going.

[REDACTED]

[REDACTED]

