

3 THE COURT: All right. Mr. Walker, do you wish to
4 make a statement to me on your own behalf before I impose
5 sentence?

6 THE DEFENDANT: Yes, Your Honor, I do.

7 THE COURT: You may.

8 THE DEFENDANT: In addressing what Mr. Kirsch just
9 stated; that this was not a situation where we built
10 software and then looked to get money from staffing
11 companies with no intent to pay. We built software. We
12 talked to agencies. And literally, Your Honor, we were
13 expecting to close contacts any day.

14 Every day we went into the office, we were looking
15 for the phone call or the e-mail that says we are going to
16 extend you this contract for a large sum of money. So
17 when we first started out, if you remember at trial, we
18 were initially talking with the Colorado Bureau of
19 Investigation for about \$375,000. That would have covered
20 our staffing debts at that time.

21 And going forward, looking at the marketing efforts
22 we have with DHS, DOJ, NYPD and many other agencies,
23 literally, literally the thought was, we are going to
24 close one of these today, this week. And the talk in the
25 office was, we are going to be able to pay our debts and

1 go forward.

2 So there was no mindset of criminality. There was
3 no mindset of we are scamming these companies. The
4 mindset is, we need to work hard to market this good
5 product so that we can pay those debts. Now, in my mind
6 that doesn't make me the same as other white collar
7 criminals.

8 This business was set to go forward to be
9 successful; a viable business with a very good product.
10 And although the people who testified from DHS said that
11 they weren't that interested in the product, the meetings
12 we went to exhibited high interest; very high interest.
13 Even to the point of them taking some of the functionality
14 within the system we bought to include it in an RFI for
15 their Government-wide systems.

16 So we had high hopes, high anticipation of closing
17 business, I will say it again, any day now. And that was
18 to pay debt. That was not for us to close business and go
19 and buy a Bentley, to buy homes in the Bahamas. It was to
20 close the debt and go forward.

21 And so part of what troubles me is that as
22 defendants trying to defend ourselves, we weren't fully
23 aware of all of the limitations of presenting evidence.
24 So some of the things I say today are being said because
25 we couldn't say them at trial.

1 And so I say, that is very important for you to
2 understand, Your Honor, is we expected literally any day,
3 any week to close that contract, to be able to pay on our
4 debts.

5 THE COURT: How long did your scheme go?

6 THE DEFENDANT: Well, Your Honor, the business and
7 doing that work started probably in about 2000 -- I
8 started working on it in '98.

9 THE COURT: Right. Not when you started, when did
10 you start contacting these companies?

11 THE DEFENDANT: In about 2002.

12 THE COURT: When did it end?

13 THE DEFENDANT: 2005, Your Honor.

14 THE COURT: When you were closed down?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Three years. \$5 million. Any day now?

17 THE DEFENDANT: Any day now. That is my next
18 point, is that something else we couldn't bring to trial
19 is that based on our faith and our belief that we were
20 going to close that, being the will of God, that any day,
21 literally, God would bring that contract that would give
22 us the funds to pay on our debts.

23 And so part of that was just our own belief in the
24 product we had, and part of that, which we couldn't
25 introduce in trial, was just faith based. So that's the

1 reason that we went so long every day continuing to extend
2 ourselves to get to the place where we could pay off our
3 debt and our belief in our own product and our faith and
4 belief that we were doing work, and we knew that God -- or
5 we felt within ourselves that God would provide the
6 opportunity for us to pay this debt with some large
7 contract, Your Honor.

8 So that's mostly my statement. The other part is,
9 given the limitations at trial, our inexperience, we had
10 challenges. I am somewhat disillusioned by the system; by
11 the side bar that we had concerning the Fifth Amendment
12 issues, the expert witness issues, a lot of that is legal
13 wrangling that I am still not completely knowledgeable
14 about.

15 But those are my statements, Your Honor.

16 Legitimate business. Viable product. Belief any day, any
17 week we were going to close a debt and pay -- close a deal
18 and be able to pay our debt and to go forward.

19 THE COURT: All right. Any further statements
20 before I impose sentence?
