

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

|                           |   |                             |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA  | : | Crim. No. 3-23-CR-00224-KAD |
|                           | : |                             |
| v.                        | : |                             |
|                           | : |                             |
| FREEPOINT COMMODITIES LLC | : |                             |
|                           | : |                             |
|                           | : |                             |

**UNOPPOSED MOTION TO DISMISS INFORMATION**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and Paragraph 3 of the Deferred Prosecution Agreement between the United States of America and Defendant Freepoint Commodities LLC (“Freepoint” or the “Company”) dated December 14, 2023 (*see* Dkt. No. 10 (the “DPA”)), the United States of America, by and through undersigned counsel, hereby moves to dismiss with prejudice the Information filed in the above-captioned case against Freepoint. In support of this motion, the Government states as follows:

1. On December 14, 2023, the Government filed a single-count Information charging Freepoint with conspiracy to commit offenses against the United States in violation of 18 U.S.C. § 371. *See* Dkt. No. 2 (the “Information”). Specifically, Freepoint was charged with conspiracy to violate the anti-bribery provisions of the Foreign Corrupt Practices Act of 1977 (the “FCPA”), as amended, 15 U.S.C. § 78dd-2.

2. On December 14, 2023, the Government entered into the DPA with Freepoint. In the DPA, the Government deferred prosecution of the Company for a period of three years, beginning on the date the Information was filed. *See* DPA ¶ 3. Among other obligations, the DPA required the Company to cooperate with the Government’s investigation, to pay a total criminal penalty of \$68,000,000, and to forfeit \$30,551,150. *Id.* ¶ 4.

3. The DPA provided that the Government would not continue the criminal prosecution against Freepoint and would move to dismiss the Information within six months of the expiration of the DPA if the Company fully complied with all of its obligations under the DPA. *Id.* ¶ 19.

4. The term of the DPA is scheduled to expire on or about December 14, 2026.

5. On or about May 14, 2026, the Chief Executive Officer (“CEO”) and Chief Operating Officer of Freepoint each certified to the Government that Freepoint had met its disclosure obligations pursuant to paragraph 6 of the DPA.

6. On or about May 14, 2026, the CEO and Chief Compliance Officer of Freepoint each certified to the Government that Freepoint had met its compliance obligations pursuant to paragraphs 14–16 of the DPA.

7. Paragraph 3 of the DPA provides that “in the event the Fraud Section and the Office find, in their sole discretion, that there exists a change in circumstances sufficient to eliminate the need for the reporting requirement in Attachment D, and that the other provisions of this Agreement have been satisfied, the Agreement may be terminated early.” *Id.* ¶ 3.

8. Based on information known to the United States, Freepoint has fully met its obligations under the DPA, including full cooperation with the Government and satisfaction of the terms of the provisions regarding self-reporting, and Freepoint has met its obligations to implement an enhanced compliance program and procedures. In addition, Freepoint made timely payments pursuant to the terms of the DPA satisfying its obligations to pay a total criminal monetary penalty of \$68,000,000 and to forfeit \$30,551,150. *See id.* ¶¶ 4, 9, 11.

9. As required by the DPA, Freepoint has represented that it will continue to cooperate with any investigations by the White Collar and Corporate Enforcement Section (formerly the

Fraud Section) or the Office until all investigations and prosecutions arising out of such conduct are concluded. *See id.* ¶ 5.

10. Because Freepoint has fully complied with all of its obligations under the DPA, the Government has determined that early dismissal with prejudice of the Information is appropriate.

For the foregoing reasons, the Government requests that this Motion to Dismiss the Information be granted.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 24, 2026, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Allison L. McGuire

Allison L. McGuire  
Trial Attorney

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|                           | : |                             |
|                           | : |                             |

**ORDER**

This matter came before the Court on the United States' unopposed Motion to Dismiss Information. Dkt. No. 18. Having considered the Motion and being fully advised, it is hereby

ORDERED AND ADJUDGED that the Motion is GRANTED. The Information in this case (Dkt. No. 2) is hereby dismissed with prejudice.

SO ORDERED.

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Hon. Kari A. Dooley  
United States District Judge

August \_\_\_\_, 2026  
Bridgeport, Connecticut