

STATE OF MICHIGAN
IN THE 30TH JUDICIAL CIRCUIT COURT FOR INGHAM COUNTY

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

Case No. 17-000526-FC

v

HON. ROSEMARIE E. AQUILINA

LAWRENCE GERARD NASSAR,

Defendant.

BILL SCHUETTE (P32532)
Attorney General
ANGELA M. POVILAITIS (P58430)
ROBYN N. LIDDELL (P68287)
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PLEA AGREEMENT

NOW COME the Parties, the People of the State of Michigan, by and through Attorney General Bill Schuette and Assistant Attorneys General Angela M. Povilaitis, Robyn N. Liddell and Christopher M. Allen, and Attorneys for Defendant Lawrence Gerard Nassar, Matthew R. Newburg and Shannon M. Smith, and hereby agree to the following terms of this Plea Agreement:

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FILED
BARB FRYSON
CLERK OF THE 30TH
JUDICIAL CIRCUIT COURT
INGHAM COUNTY CLERK

W

1. Defendant Lawrence Gerard Nassar agrees to Plead Guilty.

The Defendant shall plead guilty to seven total counts of Criminal Sexual Conduct-First Degree, MCL 750.520b. Specifically, Defendant Nassar shall plead guilty to the following counts contained in the Fifth Amended Felony Information:

1. Count 1-Criminal Sexual Conduct First Degree-Victim under 13 (Victim A)
2. Count 2-Criminal Sexual Conduct First Degree-Victim under 13 (Victim B)
3. Count 5-Criminal Sexual Conduct First Degree-multiple variables (Victim C)
4. Count 8-Criminal Sexual Conduct First Degree-Victim 13-15 (Victim D)
5. Count 10-Criminal Sexual Conduct First Degree-Victim 13-15 (Victim E)
6. Count 18-Criminal Sexual Conduct First Degree-Victim 13-15 (Victim G)
7. Count 24-Criminal Sexual Conduct First Degree-Victim under 13 (Victim ZA)

2. **Agreed Upon Minimum Sentence Range.** The Parties agree to an indeterminate sentence with the minimum sentencing range between 25 years to 40 years for each of the above seven counts. The Court has final determination as to the minimum sentence imposed within that agreed upon sentence range for each count.

3. **Maximum Sentence Range.** The Court also has the authority to determine the Defendant's maximum sentence imposed for all seven counts, so long as the minimum sentence is at most $\frac{2}{3}$ the length of the maximum sentence.

4. Victim Impact Statements. The Defendant agrees to allow all victims or their parent/representative to give victim impact statements at Defendant's sentencing hearing. Included shall be the 125 victims who have reported their assaults to Michigan State University Police Department and the other-acts victims who have been identified on the People's witness list.

5. Dismissal of Remaining Charged Counts. In exchange for full compliance with the terms and conditions of this Plea agreement the People agree to dismiss counts 3, 4, 6, 7, 20, 22, 25, 26 and the reduced charges in counts 9, 11, 19, 21 and 23. (Counts 12-17 were dismissed by the Prosecution at the Preliminary examination).

6. Non-Prosecution Agreement. The Michigan Department of Attorney General agrees not to further prosecute the defendant for all reported Criminal Sexual Conduct charges reported to the Michigan State University Police Department as of November 22, 2017. *See Addendum A for a full list of identified cases included in this Non-Prosecution Agreement.* Further, the Michigan Department of Attorney General agrees not to prosecute the Defendant for his possession of four images of Child Sexually Abusive Material recovered from defendant's electronic devices during recent forensic examinations and which are not part of his pending Federal case.

7. **Concurrent Sentencing.** Defendant Nassar currently faces charges in Eaton County Circuit Court. The People shall not object to concurrent sentencing for all seven counts and for any sentence imposed pursuant to a plea agreement in the case pending against Nassar in Eaton County Circuit Court.

8. **Lifetime Electronic Monitoring and SORA.** Defendant acknowledges and understands that he is subject to lifetime electronic monitoring pursuant to MCL 750.520n. Defendant also acknowledges and understands that he shall comply with all requirements of the Sex Offenders Registration Act, MCL 28.723 et. seq.

FACTUAL BASIS FOR GUILTY PLEA

9. **Factual Basis of Guilt (Count 1)-Victim A.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between August 1, 2012 and October 1, 2012, Defendant sexually penetrated Victim A by putting his finger into her vagina. Victim A was under the age of 13 at the time.

10. **Factual Basis of Guilt (Count 2)-Victim B.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between March 2011 and May 2011, Defendant sexually penetrated Victim B by putting his finger into her vagina. Victim B was under the age of 13 at the time.

11. **Factual Basis of Guilt (Count 5)-Victim C.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between February 1, 2000 and April 30, 2000, Defendant sexually penetrated Victim C by putting his finger into her vagina. Victim C was between the age of 13 and 15 at the time. Defendant acknowledges that as her doctor, Defendant was in a position of authority over Victim C and used his position of authority to constructively coerce Victim C to submit to the penetration.

12. **Factual Basis of Guilt (Count 8)-Victim D.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between May 9, 2014 and May 8, 2015, Defendant sexually penetrated Victim D by putting his finger into her vagina. Victim D was between the age of 13 and 15 at the time. Defendant acknowledges that as her doctor, Defendant was in a

position of authority over Victim D and used his position of authority to constructively coerce Victim D to submit to the penetration.

13. **Factual Basis of Guilt (Count 10)-Victim E.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between April 28, 2012 and April 27, 2015, Defendant sexually penetrated Victim E by putting his finger into her vagina. Victim E was between the age of 13 and 15 at the time. Defendant acknowledges that as her doctor, Defendant was in a position of authority over Victim E and used his position of authority to constructively coerce Victim E to submit to the penetration.

14. **Factual Basis of Guilt (Count 18)-Victim G.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between April 26, 2008 and April 25, 2011, Defendant sexually penetrated Victim G by putting his finger into her vagina. Victim G was between the age of 13 and 15 at the time. Defendant acknowledges that as her doctor, Defendant was in a position of authority over Victim G and used his position of authority to constructively coerce Victim G to submit to the penetration.

15. **Factual Basis of Guilt (Count 24)-Victim ZA.** The parties agree to the following statement of facts and Defendant shall state said facts in court at the time of this plea:

Between July 1, 1998 through January 18, 2005, Defendant sexually penetrated Victim ZA by putting his finger into her vagina. Victim ZA was under the age of 13 at the time.

16. **Waiver of Defenses.** Defendant Nassar waives any and all defenses he may have asserted at trial, including any defense that the conduct for which he pleads guilty was for a legitimate medical purpose.

17. **Venue.** The Parties stipulate that the pled-to crimes all occurred within Ingham County, Michigan.

18. **Complete Agreement.** This agreement, along with a similar agreement in Eaton County, constitutes the complete understanding and agreement between the Parties. No other promises have been made.

19. **Subject to Approval of the Court.** The parties recognize that this Plea Agreement, as with any felony guilty plea, is subject to acceptance or rejection by the Circuit Court.

BILL SCHUETTE
Attorney General

DATED: 11/22/2017

By: Angela M. Povilaitis
Angela M. Povilaitis (P58430)
Assistant Attorney General

I have read this agreement and carefully discussed every paragraph of it with my attorneys. I understand the terms of the agreement and I voluntarily agree to those terms. My attorney has advised me of my rights, of possible defenses, of the sentencing structures and guidelines and the consequences of entering into this agreement. No promises or inducements have been made to me other than those contained in this agreement. No one has threatened or forced me in any way to enter into this agreement. Finally, I am satisfied with the representation of my attorneys in this matter.

DATED: 11/22/17

Lawrence Gerard Nassar
LAWRENCE GERARD NASSAR
Defendant

I am the Defendant, Lawrence Gerard Nassar's attorney. I have carefully discussed every part of this agreement with my client. I have also fully advised my client of his rights, of possible defenses, of the sentencing structures and guidelines, and the consequences of entering into this agreement. To my knowledge, my client's decision to enter into this agreement is an informed and voluntary one.

Dated: 11/22/17

Matthew Newburg
MATTHEW NEWBURG
Attorney for Defendant

Dated: 11/22/17

Shannon M. Smith
SHANNON M. SMITH
Attorney for Defendant

NASSAR PLEA AGREEMENT- ADDENDUM A

MSU PD REPORT #	AG FILE #	VICTIM NUMBER
1758100962	16-0160727A	1
1658102691	16-0160725A	2
1658102716	16-0160718A	3
1658103139	16-0160691A	4
1658102844	16-0160677A	5
1658102849	16-0160668A	6
1658102863	16-0160606A	7
1658102865	16-0160602A	8
1658102960	16-0160598A	9
1658102969	16-0160502A	10
1658103163	16-0160495A	11
1658103336	16-0160481A	12
1658103529	16-0160477A	13
1658103028	16-0160451A	14
1658102732	16-0162083A	15
1658103133	17-0166749A	16
1401682 & 1658102798	17-0167446A	17
1658103029	17-0167448A	18
1658103298	17-0167451A	19
1658103296	17-0167480A	20
1658103979	17-0167485A	21
1658104048	17-0167488A	22
1658104092	17-0167491A	23
1658103697	17-0167493A	24
1658103398	17-0168462A	25
1658103914	17-0171716A	26
1658104327	17-0171712A	27
1658103696	16-0162062A	28
1758100754	17-0176049A	30
1758100141	17-0176060A	31
1658104272	17-0176063A	32
1758100573	17-0176093A	33
1758100303	17-0176103A	34
1658102714	17-0176108A	34

MSU PD REPORT #	AG FILE #	VICTIM NUMBER
1758100070	17-0176111A	35
1758100092	17-0176112A	36
1758100753	17-0177648A	37
1758100814	17-0177655A	38
1758100330	17-0177660A	39
1758100751	17-0180271A	40
1758100775	17-0180281A	41
1758101018	17-0180282A	42
1758101106	17-0180306A	43
1758100831	17-0183427A	44
1758100783	17-0183409A	45
1758100765	17-0186657A	46
1758101202	17-0198849A	47
1758100972	17-0198847A	48
1758102054	17-0198843A	49
1758100325	17-0198841A	50
1758100947	17-0198839A	51
1758100483	17-0198836A	52
1758100408	17-0198833A	53
1758101573	17-0201543A	54
1758100772	17-0198830A	55
1758100574	17-0198827A	56
1758100388	17-0198824A	57
1758101412	17-0198820A	58
1758101413	17-0198739A	59
1658104120	17-0198735A	60
1758100558	17-0198732A	61
1758100607	17-0198730A	62
1758100837	17-0198725A	63
1758100819	17-0198722A	64
1758100762	17-0198720A	65
1758100830	17-0198717A	66
1658103011	17-0198711A	67
1758100482	17-0198705A	68
1658103019	17-0201381A	69
1758101232	17-0201407A	70
1758100561	17-0201409A	71
1758101622	17-0201415A	72

MSU PD REPORT #	AG FILE #	VICTIM NUMBER
1758100752	17-0201418A	73
1758102259	17-0201420A	74
1758103602	17-0201423A	75
1758100825	17-0201427A	76
1758100302	17-0201431A	77
1758100740	17-0201434A	78
1758102552	17-0201438A	79
1758100809	17-0201441A	80
1758103603	17-0201464A	81
1758100586	17-0201471A	82
1758101053	17-0201473A	83
1658102794	17-0201477A	84
1658103276	17-0201479A	85
1758100748	17-0201482A	86
1658102796	17-0201487A	87
1658103457	17-0201490A	88
1658104276	17-0201385A	89
1658102866	17-0201387A	90
1658103957	17-0201390A	91
1758100033	17-0201392A	92
1758100409	17-0201493A	93
1758100098	17-0201496A	94
1658102733	17-0201499A	95
1758100860	17-0201502A	96
1658102869	17-0201506A	97
1758100437	17-0201509A	98
1658102871	17-0201511A	99
1758100487	17-0201514A	100
1658103400	17-0201431A	101
1758100782	17-0201519A	102
1658103695	17-0201521A	103
1658104185	17-0201523A	104
1758102551	17-0201528A	105
1758100149	17-0201537A	106
1758100557	17-0201534A	107
1758100962	17-0201552A	108
1758100756	17-0201550A	109
1758100951	17-0201548A	110

MSU PD REPORT #	AG FILE #	VICTIM NUMBER
1758100155	17-0201545A	111
1758100371	17-0201540A	112
1758103869	17-0201919A	113
1758103927	17-0201915A	114
1658103529		115