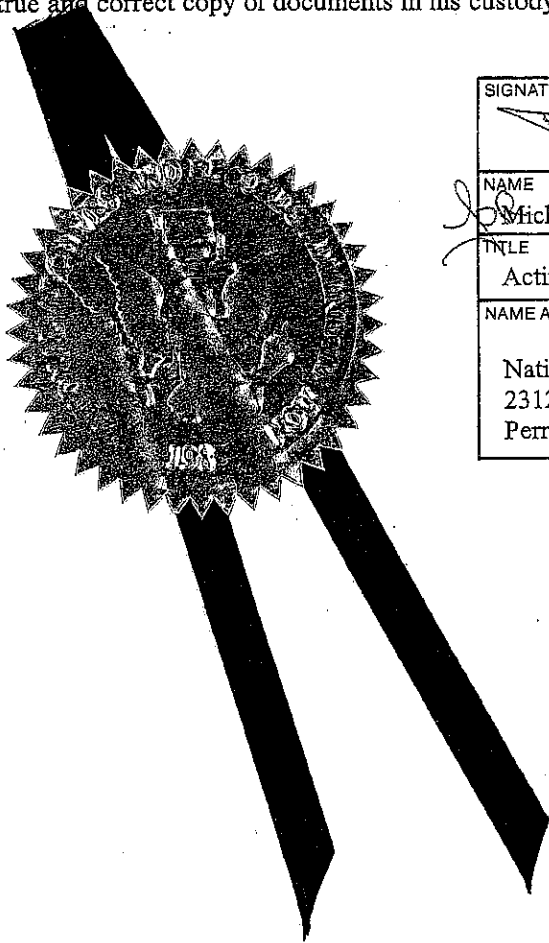


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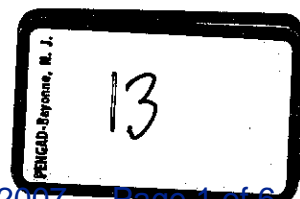
To all to whom these presents shall come. Greeting:

By virtue of the authority vested in me by the Archivist of the United States, I certify on his behalf, under the seal of the National Archives and Records Administration, that the attached reproduction(s) is a true and correct copy of documents in his custody.



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United States District Court
District of Nevada
Las Vegas, Nevada

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UNITED STATES OF AMERICA

Plaintiff

vs.

LOUIS A. VITALE and
GARY J. SPONHOLTZ

Defendants

Docket No. CR-S-89-261-LDG (RJJ)

Las Vegas, Nevada
April 13, 1990
10:23 o'clock a.m.

IMPOSITION OF SENTENCE UPON VERDICT OF GUILTY
TO THE INFORMATION ON BEHALF OF DEFENDANTS
LOUIS A. VITALE AND GARY J. SPONHOLTZ

THE HONORABLE LLOYD D. GEORGE, PRESIDING
UNITED STATES DISTRICT COURT JUDGE

COURT RECORDER:

SUE DAVY
U.S. District Court

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APPEARANCES:

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FOR THE DEFENDANTS:

RANDALL J. ROSKE, Attorney
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1 THE COURT: I am. I think it's probably
2 inappropriate that this occurred on Good Friday.

3 DEFENDANT VITALE: Right. Little irony here.

4 THE COURT: I hadn't thought of that.

5 DEFENDANT VITALE: But, you know, I've been
6 reflecting a lot. And we have been reflecting together here,
7 this group here, have been going through prayer services
8 during these days and the study of scripture. And have been
9 really reflecting on the fact, you know, there's a -- that
10 hymn that goes "Were you there when they crucified my Lord",
11 you know, and most people, you know, really tended to flee,
12 you know. And somehow we feel that putting your body there is
13 the one thing we can do. It's the one non-violent thing that
14 has been proven to do. Gandhi did it. Martin Luther King did
15 it. You know, all non-violent activists, the one thing they
16 do is kind of put their body there and say, "Okay, this is all
17 I have. This is all I've got, is my body. And I'll put my
18 body there, and if you want to beat it, if you want to throw a
19 fire hose on it, or whatever you want to do, if you want to
20 nail it to a cross, that's yours to do."

21 But I think that's what we felt, that the action
22 that happens is there at the Test Site. That's where -- what
23 we consider a horrible evil, an evil that would be perhaps
24 even worse than what happened in Germany with the Nazi
25 executions. And we felt, you know, at least put our body out

1 there and say, "Okay, we will go to the place where this evil
2 goes on, to be there to pray. And to raise that witness, and
3 that maybe people there will see this and be moved to stop
4 testing." You know, that's the one thing we can do. We feel
5 the necessity to do something, and that's the one thing we
6 felt we could do. So that's why we were there. Thank you.

7 THE COURT: Thank you, Father. Mr. Roske.

8 MR. ROSKE: Your Honor, I don't -- I don't quite, at
9 this point, I guess, know where the Court is heading on these
10 issues. But I suppose given that the Court has indicated it's
11 not going to do anything but adhere to the guidelines, then I
12 just want to make the record clear, that the Court does not
13 find the identified areas for departure that I have put in the
14 joint sentencing statement, to warrant departure downward in
15 this matter?

16 THE COURT: In this matter, the Court has considered
17 them, and I think there's no reason to depart from the
18 guidelines.

19 MR. ROSKE: Is -- but let me just make it -- make it
20 clear for the record --

21 THE COURT: I've made it clear for the record,
22 counsel.

23 MR. ROSKE: -- that you don't believe that there are
24 factors that warrant departure, or that they just don't
25 warrant departure in this case?

CERTIFICATION

I (WE) CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM THE ELECTRONIC SOUND RECORDING OF THE PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

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