

Excerpts from the plea agreement of
cooperating witness Marc Whaley.

the presence of counsel (if any), defendant's answers may later be used against defendant in a prosecution for perjury or false statement. The defendant also understands that defendant will be adjudicated guilty of the offenses to which defendant has pleaded and, if any of such offenses are felonies, may thereby be deprived of certain rights, such as the right to vote, to hold public office, to serve on a jury, or to have possession of firearms.

9. Factual Basis

Defendant is pleading guilty because defendant is in fact guilty. The defendant certifies that defendant does hereby admit that the facts set forth below are true, and were this case to go to trial, the United States would be able to prove those specific facts and others beyond a reasonable doubt:

FACTS

MARC ERIC WHALEY owned and operated Orlando Exotic Car Rental & Leasing, Inc., which was a car leasing company located at 5210 Old Winter Garden Road, Orlando, Florida. **WHALEY** also did business under the names 407 Exotic Cars, 407 Exotic Toys.com, Orlando Exotic Toys, and Elite Transportation. In 2003, **WHALEY** was operating his businesses in the Middle District of Florida and in the Northern District of Georgia. While conducting business in Atlanta, **WHALEY** began leasing cars to people he knew were in a group called the Black Mafia Family, also known as "BMF." At the beginning of **WHALEY's** dealing with BMF, **WHALEY** believed BMF promoted hip-hop stars, but did not know BMF distributed drugs throughout the United States. **WHALEY** and the leader of BMF, Demetrius "Meech" Flenory, agreed

Defendant's Initials

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that **WHALEY** would lease cars to BMF members, but title the leases would remain in **WHALEY's** name. Leases were paid in cash shipments sent to **WHALEY** in the Middle District of Florida.

On most occasions, **WHALEY** and/or his employees would take the money, convert it into money orders and structure deposits into **WHALEY's** various bank accounts. The money was structured to avoid law enforcement detection. **WHALEY** also used some of the money to pay bills and expenses for BMF members. **WHALEY** received money, through couriers, from "Meech." In truth, "Meech" had William Marshall, who was the chief financial officer for the BMF, send the money to **WHALEY**.

During this time, law enforcement stopped several of **WHALEY's** vehicles that BMF members were driving. Vehicles were stopped for various traffic infractions. On some occasions, law enforcement found drugs concealed inside the vehicles. **WHALEY** knew or should have known during the time that he was receiving bulk currency from BMF members that the money represented proceeds from drug sales. **WHALEY's** cars were used to further both BMF's legitimate and illegitimate activities.

In total, **WHALEY** and people he worked with are responsible for laundering more than \$1 million dollars in drug proceeds via bulk money shipments. The real and personal property identified in the Forfeiture of Assets portion of this agreement was "involved in" **WHALEY's** money laundering activities and is subject to forfeiture as criminal proceeds.

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