

1 The Honorable Judge Lauren King
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11 AT SEATTLE
12 CLERK U.S. DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON
14 DEPUTY
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16 UNITED STATES DISTRICT COURT FOR THE
17 WESTERN DISTRICT OF WASHINGTON
18 AT SEATTLE
19

20 UNITED STATES OF AMERICA,

21 NO. 2:25-cr-00005-LK

22 Plaintiff,

23 v.

24 PLEA AGREEMENT

25 MAYHEM SERVICES, LLC,

26 Defendant.

27
28 The United States, through Acting Assistant Attorney General Adam R.F. Gustafson and Senior Trial Attorney Ryan Connors of the U.S. Department of Justice Environment and Natural Resources Division, Mayhem Services, LLC, and its attorney, Jeffrey Kradel, enter into the following Plea Agreement, pursuant to Federal Rule of Criminal Procedure 11(c)(1)(B).

29 1. **The Charge.** Defendant, having been advised of the right to have this
30 matter tried before a jury, agrees to waive that right and enter a plea of guilty to the
31 charge contained in the Superseding Information: Lacey Act Trafficking, in violation of
32 Title 16, United States Code, Sections 3372(a)(1), 3372(a)(2)(A), 3372(a)(4), and
3373(d)(2). Defendant understands the Superseding Information charges conduct that

1 Defendant, through its agents and employees, directly committed and acts Defendant
 2 aided and abetted others to commit, pursuant to 18 U.S.C. Section 2(a).

3 By entering a plea of guilty, Defendant hereby waives all objections to the form of
 4 the Superseding Information. Defendant further understands that before entering any
 5 guilty plea, Defendant's authorized representative will be placed under oath. Any
 6 statement given by Defendant under oath may be used by the United States in a
 7 prosecution for perjury or false statements.

8 2. **Elements of the Offenses.** The elements of Lacey Act Trafficking to
 9 which Defendant is pleading guilty are as follows:

10 a. The Defendant acted through its agents and employees, who were
 11 acting within the scope of their agency and employment for the intended benefit, at least
 12 in part, of Defendant;

13 b. The Defendant knowingly engaged in conduct that involved the sale
 14 and purchase of wildlife;

15 c. The Defendant knowingly transported or attempted to transport the
 16 wildlife;

17 d. In the exercise of due care, the Defendant should have known the
 18 wildlife was taken or possessed in violation of, or in a manner unlawful under, any law,
 19 regulation, or treaty of the United States or in violation of foreign law.

20 The elements of Aiding and Abetting are:

21 a. Someone else committed Lacey Act Trafficking;

22 b. Defendant acted through its agents and employees, who were acting
 23 within the scope of their agency and employment for the intended benefit, at least in part,
 24 of Defendant;

25 c. Defendant aided, counseled, commanded, induced, or procured that
 26 person with respect to at least one element of Lacey Act Trafficking;

27 d. Defendant acted before the crime was completed.

1 3. **The Penalties.** Defendant understands that the statutory penalties
 2 applicable to the offense to which Defendant is pleading guilty are as follows:

3 a. A maximum term of probation of five years, a fine of up to \$200,000
 4 or twice the gross gain or loss, and a mandatory special assessment of \$125.

5 Defendant understands that as a part of any sentence, in addition to any term of
 6 probation and/or fine that is imposed, the Court may order Defendant to pay restitution to
 7 any victim of the offense, as required by law.

8 Defendant further understands that the consequences of pleading guilty may
 9 include the forfeiture of certain property, either as a part of the sentence imposed by the
 10 Court, or as a result of civil judicial or administrative process.

11 Defendant agrees to submit a completed Financial Disclosure Statement as
 12 requested by the Government.

13 4. **Rights Waived by Pleading Guilty.** Defendant understands that by
 14 pleading guilty, Defendant knowingly and voluntarily waives the following rights:

15 a. The right to plead not guilty and to persist in a plea of not guilty;
 16 b. The right to a speedy and public trial before a jury of Defendant's
 17 peers;

18 c. The right to the effective assistance of counsel at trial, including, if
 19 Defendant could not afford an attorney, the right to have the Court appoint one for
 20 Defendant;

21 d. The right to be presumed innocent until guilt has been established
 22 beyond a reasonable doubt at trial;

23 e. The right to confront and cross-examine witnesses against Defendant
 24 at trial;

25 f. The right to compel or subpoena witnesses to appear on Defendant's
 26 behalf at trial;

g. The right to testify or to remain silent at trial, at which trial such silence could not be used against Defendant; and

h. The right to appeal a finding of guilt or any pretrial rulings.

4 5. **United States Sentencing Guidelines.** Defendant understands and
5 acknowledges that the Court must consider the United States Sentencing Guidelines and
6 possible departures under the Sentencing Guidelines together with the other factors set
7 forth in Title 18, United States Code, Section 3553(a), including: (1) the nature and
8 circumstances of the offense; (2) the history and characteristics of Defendant; (3) the
9 need for the sentence to reflect the seriousness of the offense, to promote respect for the
10 law, and to provide just punishment for the offense; (4) the need for the sentence to
11 afford adequate deterrence to criminal conduct; (5) the need for the sentence to protect
12 the public from further crimes of Defendant; (6) the need to provide Defendant with
13 educational and vocational training, medical care, or other correctional treatment in the
14 most effective manner; (7) the kinds of sentences available; (8) the need to provide
15 restitution to victims; and (9) the need to avoid unwarranted sentence disparity among
16 defendants involved in similar conduct who have similar records. Accordingly,
17 Defendant understands and acknowledges that:

18 a. The Defendant understands and acknowledges that the Sentencing
19 Guidelines, including Chapter Eight that provides guidance for the sentencing of
20 corporate defendants, may be considered by the Court, except that, pursuant to U.S.S.G.
21 §§ 8C2.1 and 8C2.10, the guidelines which pertain to the sentencing of organizations do
22 not determine the fine range in cases involving environmental crimes. Instead, the fine is
23 to be determined under 18 U.S.C. §§ 3553 and 3571. All other sections of Chapter Eight
24 of the Sentencing Guidelines that are applicable to corporate defendants are applicable to
25 this case;

1 b. After consideration of the Sentencing Guidelines and the factors in
 2 18 U.S.C. § 3553(a), the Court may impose any sentence authorized by law, up to the
 3 maximum term authorized by law;

4 c. The Court is not bound by any recommendation regarding the
 5 sentence to be imposed, or by any calculation or estimation of the Sentencing Guidelines
 6 offered by the parties or the United States Probation Department, or by any stipulations
 7 or agreements between the parties in this Plea Agreement; and

8 d. Defendant may not withdraw a guilty plea solely because of the
 9 sentence imposed by the Court.

10 6. **Ultimate Sentence.** Defendant acknowledges that no one has promised or
 11 guaranteed what sentence the Court will impose.

12 7. **Statement of Facts.** Defendant admits it is guilty of the charged offense.
 13 The parties agree on the facts contained in Exhibit 1.

14 The parties agree that the Court may consider additional facts contained in the
 15 Presentence Report (subject to standard objections by the parties) and/or that may be
 16 presented by the United States or Defendant at the time of sentencing, and that the factual
 17 statement contained herein is not intended to limit the facts that the parties may present to
 18 the Court at the time of sentencing.

19 8. **Imposition of a Fine.** The parties agree to jointly recommend the Court
 20 impose a fine of \$75,000 as part of the sentence. If the Court issues a fine, it will be
 21 payable immediately unless, pursuant to 18 U.S.C. § 3572(d), the Court orders otherwise.
 22 The parties are free to make any recommendation to the Court regarding a payment
 23 schedule. Pursuant to 34 U.S.C. § 20101(b)(1)(A), any fine imposed will be paid by the
 24 clerk into the Cooperative Endangered Species Conservation Fund, also known as the
 25 Lacey Act reward fund. 16 U.S.C. § 3375(d).

26 9. **Public Statement.** The parties agree to jointly recommend that the Court
 27 require the Defendant to make a written public statement detailing the Defendant's
 28

1 | contrition for the offense conduct and emphasizing the importance of hunting, guiding,
 2 | and wildlife regulations. The language of the public statement must be agreed upon by
 3 | the United States prior to entry of the Defendant's plea. The public statement must be
 4 | posted and readily available on the following webpage and account:

5 | AdventuresWithMayhemOutfitters.com and Facebook account Adventures with Mayhem
 6 | Outfitters. The Defendant agrees to maintain each of these accounts and webpages and
 7 | the public statement on those accounts and webpages for a period of one year from the
 8 | date of sentencing. The Defendant also agrees to publish the public statement in a
 9 | national or regional hunting or guiding magazine mutually agreed upon with the
 10 | Government within three months from the date of sentencing.

11 | 10. **Abandonment of Contraband.** Defendant also agrees that, if any federal
 12 | or foreign law enforcement agency seized any illegal contraband, including wildlife, that
 13 | was in Defendant's direct or indirect control, Defendant consents to the federal
 14 | administrative disposition, official use, and/or destruction of that contraband.

15 | 11. **Application of the Agreement.** This Plea Agreement will bind the
 16 | Defendant and all its successors and assigns. No change in name, change in corporate or
 17 | individual control, corporate reorganization, change in ownership, merger, change of
 18 | legal status, or similar action shall alter the responsibilities of the Defendant under this
 19 | Agreement. The Defendant shall not engage in any action to seek to avoid the obligations
 20 | and conditions set forth in this Agreement. Defendant agrees to remain in good standing
 21 | with all Washington corporation requirements and regulations during any period of
 22 | probation imposed by the Court and while it owes a fine.

23 | 12. **Non-Prosecution of Additional Offenses.** As part of this Plea Agreement,
 24 | the Environmental Crimes Section of the United States Department of Justice agrees not
 25 | to prosecute Defendant for any additional offenses known to it as of the acceptance of
 26 | this Plea Agreement based upon evidence in its possession at this time, and that arise out
 27 | of the conduct giving rise to this investigation, and will move to dismiss the remaining
 28 |

1 counts in the Indictment at the time of sentencing. In this regard, Defendant recognizes
 2 the United States has agreed not to prosecute all of the criminal charges the evidence
 3 establishes were committed by Defendant solely because of the promises made by
 4 Defendant in this Plea Agreement. Defendant agrees, however, that for purposes of
 5 preparing the Presentence Report, the Environmental Crimes Section will provide the
 6 United States Probation Office with evidence of all conduct committed by Defendant.

7 Defendant agrees that any charges to be dismissed before or at the time of
 8 sentencing were substantially justified in light of the evidence available to the United
 9 States, were not vexatious, frivolous or taken in bad faith, and do not provide Defendant
 10 with a basis for any future claims under the "Hyde Amendment," Pub. L. No. 105-119
 11 (1997).

12 **13. Breach, Waiver, and Post-Plea Conduct.** Defendant agrees that, if
 13 Defendant breaches this Plea Agreement, the United States may withdraw from this Plea
 14 Agreement and Defendant may be prosecuted for all offenses for which the United States
 15 has evidence or charged in the Indictment. Defendant agrees not to oppose any steps
 16 taken by the United States to nullify this Plea Agreement, including the filing of a motion
 17 to withdraw from the Plea Agreement. Defendant also agrees that, if Defendant is in
 18 breach of this Plea Agreement, Defendant has waived any objection to the re-institution
 19 of any charges that previously were dismissed or any additional charges that had not been
 20 prosecuted.

21 Defendant further understands that if, after the date of this Plea Agreement,
 22 Defendant should engage in illegal conduct, or conduct that violates any conditions of
 23 release or the conditions of confinement (examples of which include, but are not limited
 24 to, obstruction of justice, failure to appear for a court proceeding, criminal conduct while
 25 pending sentencing, and false statements to law enforcement agents, the Pretrial Services
 26 Officer, Probation Officer, or Court), the United States is free under this Plea Agreement
 27 to file additional charges against Defendant or to seek a sentence that takes such conduct
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1 into consideration by requesting the Court to apply additional adjustments or
 2 enhancements in its Sentencing Guidelines calculations in order to increase the applicable
 3 advisory Guidelines range, and/or by seeking an upward departure or variance from the
 4 calculated advisory Guidelines range. Under these circumstances, the United States is
 5 free to seek such adjustments, enhancements, departures, and/or variances even if
 6 otherwise precluded by the terms of the Plea Agreement.

7 **14. Waiver of Appellate Rights and Rights to Collateral Attacks.**

8 Defendant acknowledges that, by entering the guilty plea required by this Plea
 9 Agreement, Defendant waives all rights to appeal from Defendant's conviction, and any
 10 pretrial rulings of the Court, and any rulings of the Court made prior to entry of the
 11 judgment of conviction. Defendant waives to the full extent of the law:

12 a. Any right conferred by Title 18, United States Code, Section 3742,
 13 to challenge, on direct appeal, the sentence imposed by the Court, including any fine,
 14 restitution order, probation or supervised release conditions, or forfeiture order (if
 15 applicable); and

16 b. Any right to bring a collateral attack against the conviction and
 17 sentence, including any restitution order imposed, except as it may relate to the
 18 effectiveness of legal representation.

19 If Defendant breaches this Plea Agreement at any time by appealing or collaterally
 20 attacking (except as to effectiveness of legal representation) the conviction or sentence in
 21 any way, the United States may prosecute Defendant for any counts, including those with
 22 mandatory minimum sentences, that were dismissed or not charged pursuant to this Plea
 23 Agreement.

24 **15. Voluntariness of Plea.** Defendant agrees that Defendant has entered into
 25 this Plea Agreement freely and voluntarily, and that no threats or promises were made to
 26 induce Defendant to enter a plea of guilty other than the promises contained in this Plea
 27 Agreement or set forth on the record at the change of plea hearing in this matter.

1 16. **Statute of Limitations.** In the event this Plea Agreement is not accepted
2 by the Court for any reason, or Defendant breaches any of the terms of this Plea
3 Agreement, the statute of limitations shall be deemed to have been tolled from the date of
4 the Plea Agreement to: (1) thirty days following the date of non-acceptance of the Plea
5 Agreement by the Court; or (2) thirty days following the date on which a breach of the
6 Plea Agreement by Defendant is discovered by the United States Attorney's Office.

7 17. **Dismissal of Counts.** If this Plea Agreement is accepted by the Court and
8 the Defendant does not breach any of its terms, the United States will request after
9 sentencing that that Court dismiss all charges and forfeiture allegations in the Indictment.

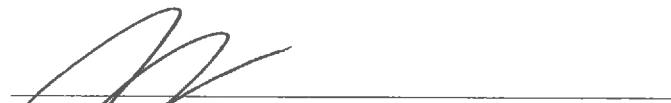
10 18. **Completeness of Plea Agreement.** The United States and Defendant
11 acknowledge that these terms constitute the entire Plea Agreement between the parties,
12 except as may be set forth on the record at the change of plea hearing in this matter. This
13 Plea Agreement binds only the Environmental Crimes Section of the United States
14 Department of Justice. It does not bind any other United States Attorney's Office or any
15 other office or agency of the United States, or any state or local prosecutor.

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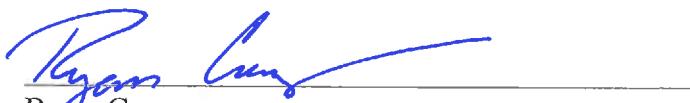
1 Dated this 8th day of September, 2025.
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4 On behalf of the Defendant Mayhem Services, LLC, I have been authorized to
5 sign this Agreement and bind the Defendant. The Defendant has been advised by its
6 attorneys of its rights, of possible defenses, of the Sentencing Guideline provisions, and
7 of the consequences of entering into this Agreement. The Defendant voluntarily agrees to
8 all of the terms of this Agreement. No promises or inducements have been made to the
9 Defendant other than those contained in this Agreement. No one has threatened or forced
10 the Defendant in any way to enter into this Agreement. The Defendant is satisfied by the
11 representation of its attorneys in this matter.

12 
13 BRANDEN TRAGER
14 Authorized Representative

15 
16 Jeffrey Kradel
17 Kradel Defense PLLC
18 Attorney for Defendant

19 Adam Gustafson
20 Acting Assistant Attorney General
21 Environment and Natural Resources Division
22 U.S. Department of Justice

23 
24 Ryan Connors
25 Senior Trial Attorney
26 Environmental Crimes Section
27 U.S. Department of Justice

1 EXHIBIT 1

2 Joint Factual Statement3
4 1. Defendants TRAGER and MAYHEM, acting through its agents and
5 employees, including TRAGER, who were acting within the scope of their agency and
6 employment for the intended benefit, at least in part, of MAYHEM, admit guilt to the
7 charged offense. The parties agree on the following facts:8 a. The Lacey Act made it unlawful for any person, including a
9 corporation, to knowingly engage in conduct that involved the sale and purchase of
10 wildlife and to knowingly transport and attempt to transport said wildlife that in the
11 exercise of due care they should have known were taken and possessed in violation of,
12 and in a manner unlawful under, any law, regulation, and treaty of the United States and
13 in violation of foreign law. 16 U.S.C. §§ 3372(a)(1), 3372(a)(2)(A), 3372(a)(4), and
14 3373(d).15 b. Under the Lacey Act, it was deemed a sale or purchase for a person
16 for money or other consideration to offer or provide guiding, outfitting, or other services;
17 or a hunting license or permit for the illegal taking acquiring, receiving, transporting, or
18 possessing of wildlife. 16 U.S.C. § 3372(c).19 c. The Migratory Bird Treaty Act (“MBTA”) implemented U.S.
20 treaties with Canada, Japan, Mexico, and Russia to ensure sustainable populations of
21 migratory birds. The MBTA made it unlawful, at any time, by any means or in any
22 manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer
23 for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment,
24 ship, export, import, cause to be shipped, exported, or imported, deliver for
25 transportation, transport or cause to be transported, carry or cause to be carried, or receive
26 for shipment, transportation, carriage, or export, any migratory bird native to the United
27 States or its territories without a permit. 16 U.S.C. § 703.28 d. “Take” meant to pursue, hunt, shoot, wound, kill, trap, capture, or
collect, or attempt to do the same. 50 C.F.R. § 10.12.

1 e. Under the MBTA it was illegal:

- 2 1. to take migratory game birds from or by means, aid, or use of
3 any motor vehicle or motor-driven land conveyance. 50
4 C.F.R. § 20.21(d).
- 5 2. to take migratory game birds by any means or aid of any
6 motor-driven land, water, or air conveyance, or any sailboat
7 used for the purpose of or resulting in the concentrating,
8 driving, rallying, or stirring up of any migratory bird. 50
9 C.F.R. § 20.21(h)
- 10 3. to take in any one calendar day more than the daily bag limit
11 or possess more migratory game birds taken in the United
12 States than the possession limit. 50 C.F.R. §§ 20.24, 20.33.
- 13 4. to kill or cripple any migratory game bird without making a
14 reasonable effort to retrieve the bird, and retain it in their
15 actual custody, at the place where taken or between that place
16 and either (a) their automobile or principal means of land
17 transportation; or (b) their personal abode or temporary or
18 transient place of lodging; or (c) a migratory bird preservation
19 facility; or (d) a post office; or (e) a common carrier facility.
20 50 C.F.R. § 20.25.
- 21 5. to transport, possess, or have in custody any migratory game
22 bird or part thereof taken in violation of the MBTA. 50 C.F.R.
23 §§ 20.31, 20.41.
- 24 6. to transport migratory birds belonging to another person
25 unless such bird was tagged as required 50 C.F.R. § 20.42.

26 f. Every migratory game bird wounded by hunting and reduced to
27 possession by the hunter was to be immediately killed and become part of the daily bag
28 limit, 50 C.F.R. § 20.38.

1 g. The harlequin duck (*Histrionicus histrionicus*) was a small sea duck
2 with a habitat ranging from Alaska to California prized by hunters.

3 h. The Washington Division of Fish and Wildlife closed harlequin
4 hunting for the 2022 – 2023 season, prohibiting any take or harvest. Wash. Admin. Code
5 220-416-060 (2022).

6 i. It was lawful in British Columbia, Canada, for hunters to take two
7 harlequins per day during the 2022 – 2023 season. British Columbia Wildlife Act
8 (“B.C.W.A.”), Hunting Regulation § 12(a)(vi).

9 j. British Columbia law regulated the hunting and guiding of hunts for
10 birds:

- 11 1. All birds listed in the Migratory Birds Convention Act, which
12 included the harlequin, were listed as game birds. B.C.W.A.,
13 Designation and Exemption Regulation § 14(b). Game birds
14 were classified as small game. *Id.* § 15(j).
- 15 2. It was unlawful for a person to guide for game or offer to
16 guide for game unless they held a guide outfitter license or
17 accompanied or assisted a person to hunt game birds or small
18 game on land other than Crown land. B.C.W.A. §§ 48(1)(a),
19 (d).
- 20 3. A British Columbia guide outfitter license was only eligible
21 for Canadian citizens or permanent residents. B.C.W.A. §
22 51(1)(a)(i).
- 23 4. A "guide" meant a person who, for compensation or reward
24 received or promised, accompanied and assisted another
25 person to hunt wildlife, but did not include a guide for fish.
26 B.C.W.A. § 1(1).
- 27 5. A "guide outfitter" meant a person licensed as a guide
28 outfitter under this Act. *Id.*

1 k. TRAGER and MAYHEM knowingly engaged in conduct that
2 involved the sale and purchase of wildlife and knowingly transported and attempted to
3 transport said wildlife that in the exercise of due care they should have known was taken
4 and possessed in violation of and in a manner unlawful under any foreign law or any law,
5 regulation, and treaty of the United States, or to attempt to do so, or to aid and abet
6 another in the commission of such conduct.

7 l. Throughout the relevant period, TRAGER and MAYHEM guided
8 hunts in British Columbia, Canada, for the harlequin and other birds without the required
9 guide outfitter license. TRAGER and MAYHEM received payments in exchange for
10 guiding waterfowl hunting trips in Washington and Canada, transported hunters across
11 the U.S. border, and guided hunts in Canada.

15 n. For example, between November 14, 2022, and November 18, 2022,
16 in exchange for money, TRAGER professionally guided a hunting group in British
17 Columbia, Canada, resulting in the shooting of birds. TRAGER drove the hunters across
18 the border at Blaine, Washington. During that trip, and others, TRAGER facilitated
19 providing the hunters' birds for a taxidermist in preparation for exportation to the United
20 States. TRAGER professionally guided a similar trip in Canada between December 14,
21 2022, and December 19, 2022.

22 o. Further, between January 6, 2023, and January 8, 2023, TRAGER
23 guided a hunting group near Tacoma, Union, and Long Beach in the Western District of
24 Washington. During the hunting trip, TRAGER and MAYHEM engaged in violations of
25 the MBTA.

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