

FDW/DMD/JSB

FILED IN OPEN COURT
ON 5-18-06 Clerk
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
US District Court
Eastern District of NC

NO. 5:06-CR-136-103

UNITED STATES OF AMERICA)
)
 v.)
)
 KEVIN L. GEDDINGS)

I N D I C T M E N T

The Grand Jury charges that:

INTRODUCTION

I. Geddings' involvement with Scientific Games International, Inc.

1. In 1993, KEVIN L. GEDDINGS, defendant herein ("GEDDINGS"), formed a political consulting and advertising firm named Geddings & Phillips Communications, LLC ("Geddings & Phillips Communications"). GEDDINGS is the president of Geddings & Phillips Communications, which is wholly owned by GEDDINGS and his wife. In addition to directing the media strategy for various political candidates, Geddings & Phillips Communications also provided public policy strategies to a number of private businesses. According to its website, Geddings & Phillips Communications offered to assist potential corporate clients to "navigate difficult government procurement issues, make the case for legislative reform and impact government policies."

2. In 1998, GEDDINGS directed Jim Hodges' successful campaign for the office of Governor of South Carolina. GEDDINGS is

credited with creating the "Bubba Campaign," which featured a fictional Georgia store owner thanking then incumbent Governor David Beasley for denying South Carolinians the opportunity to vote for a state lottery. On November 2, 1998, Jim Hodges was elected Governor of South Carolina.

3. Following Jim Hodges' defeat of David Beasley, GEDDINGS took a short leave of absence from Geddings & Phillips Communications in order to serve as Chief of Staff for Governor Hodges. GEDDINGS resigned from this position on September 17, 1999, and returned to his public relations firm. GEDDINGS also became involved in the South Carolina lottery referendum campaign.

4. As part of GEDDINGS' efforts to gain passage of a South Carolina lottery, Geddings & Phillips Communications provided consulting services to an advocacy group named The South Carolina Lottery for Better Schools Coalition ("South Carolina Lottery Coalition"). GEDDINGS provided office space for the South Carolina Lottery Coalition in the same office suite as Geddings & Phillips Communications. GEDDINGS also formed a for-profit partnership named South Carolinians for an Effective Lottery, LLC.

5. Scientific Games International Inc. ("Scientific Games") is one of the two large operators of state lotteries in the United States.¹ In this role, Scientific Games provides game designs,

¹Gtech is the other large operator of state lotteries in the United States.

computer technology, game tickets, and consulting/marketing services to state lotteries. Due to the lucrative nature of being selected to operate a state lottery, Scientific Games hires consultants and lobbyists to advocate the creation of state lotteries.

6. On May 30, 2000, a representative of the South Carolina Lottery Coalition submitted an invoice to Scientific Games requesting the payment of \$25,000 to Geddings & Phillips Communications for a "Pro Education Lottery Independent Expenditure Radio Campaign."

7. In a memorandum dated July 25, 2000, GEDDINGS wrote as follows to the representative of the South Carolina Lottery Coalition: "Scientific Games has never paid their \$25K invoice to me that I was planning to use for TV production. Can you guys follow up with them?" On August 8, 2000, Governor Hodges, writing on behalf of the South Carolina Lottery Coalition, sent a written reminder to Scientific Games to pay its pledge of \$25,000 in support of the campaign to pass a state lottery. On August 18, 2000, Scientific Games forwarded a check in the sum of \$25,000 payable to "The South Carolina Lottery Coalition."

8. On November 7, 2000, a state lottery for South Carolina was approved in a referendum. On December 11, 2001, it was announced that Scientific Games had received the lucrative contract

to operate the South Carolina Lottery. Scientific Games' contract covered on-line games, instant tickets, and cooperative services.

9. In January of 2001, Geddings & Phillips Communications was hired by Automated Wagering International ("AWI").² AWI offered services supporting state on-line lottery systems. On January 9, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,500 for consulting services. On February 8, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

10. On February 16, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,623.01 for consulting/public relations services. On March 15, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

11. On March 1, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$10,769.17 for consulting/public relations services. The work charged for March of 2001, included meetings pertaining to the Tennessee Lottery.³ On March 29, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

²On November 6, 2003, AWI's operations were acquired by Scientific Games.

³On November 5, 2002, voters in Tennessee voted to amend the Tennessee Constitution to allow for the operation of a Tennessee State Lottery. A law was passed by the state legislature and was signed by the Tennessee Governor on July 1, 2003. The Tennessee State Lottery began operation on January 20, 2004.

12. On April 2, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$9,668.66 for consulting/public relations services. The work covered by this invoice included "Mtg w/Gov Easley re: NC Lottery." On April 26, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

13. On May 1, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,623.84 for consulting/public relations services. On May 25, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

14. On July 3, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,730.35 for consulting/public relations services. On August 2, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

15. In July of 2001, GEDDINGS submitted two proposals to Scientific Games relating to focus group studies to be conducted in order to assist Scientific Games in its operation of South Carolina Lottery. The first proposal contemplated the use of six focus groups at a total cost of \$30,000. The second proposal contemplated the use of four focus groups at a cost of \$20,000. Scientific Games authorized GEDDINGS to conduct four focus groups at a price of \$20,000.

16. In July and August of 2001, Geddings & Phillips Communications conducted four focus group studies in South Carolina pertaining to various issues relating to the operation of the South Carolina Lottery. Geddings & Phillips Communications charged Scientific Games \$20,000 for performing the studies, which was billed in two \$10,000 installments. The first invoice, which was dated July 21, 2001, was paid by a \$10,000 Scientific Games corporate check dated August 2, 2001. The second invoice, which was dated August 17, 2001, was paid by a \$10,000 Scientific Games corporate check dated August 23, 2001.

17. On August 6, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,595.08 for consulting/public relations services. On August 31, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

18. On August 30, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,679.57 for consulting/public relations services. The services described in the invoice covered issues relating to the South Carolina State Lottery and efforts to create a Tennessee State Lottery. On September 28, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

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19. On October 5, 2001, Scientific Games mailed a check in the sum of \$35,000, payable to "South Carolinians for an Effective Lottery, LLC," GEDDINGS' partnership.

20. On November 2, 2001, AWI mailed a check to Geddings & Phillips Communications in the sum of \$7,793.37.

21. In November of 2001, Geddings & Phillips Communications conducted four additional focus group studies on behalf of Scientific Games. On December 20, 2001, Scientific Games issued a check payable to Geddings & Phillips Communications, in the sum of \$20,000, in payment of such services.

22. On November 26, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,587.06 for consulting/public relations services. On December 21, 2001, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

23. On December 11, 2001, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$7,508.43 for consulting/public relations services. On January 11, 2002, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

24. On February 13, 2002, Geddings & Phillips Communications submitted an invoice to AWI requesting payment in the sum of \$1,172.64 for consulting/public relations services. The invoice covered expenses incurred in attending a meeting of the Tennessee

Lottery Referendum Board. On March 21, 2002, AWI mailed a check to Geddings & Phillips Communications in payment of the invoice.

25. In March of 2002, Geddings & Phillips Communications provided additional services to Scientific Games relating to the preparation of focus group studies in South Carolina. On April 4, 2002, Scientific Games issued a check payable to Geddings & Phillips Communications, in the sum of \$19,840, in payment of such services.

26. In response to the focus group work performed by Geddings & Phillips Communications for Scientific Games, GEDDINGS received the following communication from a representative from Scientific Games ("Scientific Games Representative"):

Scientific Games was very pleased with the quality of focus group/qualitative research you conducted for us recently. Your work helped us tailor our product to better meet the needs of lottery consumers.

We would not hesitate to use your firm for a variety of marketing products and recommend you highly to other firms needing these services.

II. GEDDINGS' involvement with the passage of the North Carolina lottery.

27. In mid-2002, GEDDINGS began to assist Scientific Games with strategies relating to its efforts to facilitate the passage of a law creating a lottery in North Carolina. On June 28, 2002, Geddings & Phillips Communications submitted an invoice to Scientific Games requesting payment in the sum of \$10,505.

According to the invoice, the amount due related to the following work: "FILM SHOOT AND PRODUCTION OF 'BUBBALICIOUS' TV AD FOR NC LOTTERY." On July 16, 2002, Scientific Games mailed a check to Geddings & Phillips Communications in payment of the invoice.

28. In 2003, GEDDINGS moved the main corporate office of Geddings & Phillips Communications to Charlotte, North Carolina. During this time period, GEDDINGS also purchased two radio stations in the Charlotte area, which he and his wife operated under the name Geddings & Phillips Broadcasting Corporation.

29. On October 3, 2003, Geddings & Phillips Communications submitted an invoice to Scientific Games requesting payment in the sum of \$1,200. According to the invoice, the amount due related to work performed on behalf on Scientific Games in connection with efforts to facilitate the passage of a law creating a lottery in Oklahoma.⁴ On November 20, 2003, Scientific Games mailed a check to Geddings & Phillips Communications in payment of the invoice.

30. On April 15, 2004, Geddings & Phillips Communications submitted an invoice to Scientific Games requesting payment in the sum of \$7,500. According to the invoice, the amount due related to the following work: "NC Video Production Services." On May 20,

⁴A state referendum creating the Oklahoma State Lottery passed on November 2, 2004. In August of 2005, Scientific Games was selected as the full-service "games and related services provider" for the Oklahoma State Lottery. Scientific Games' contract covered on-line games, instant tickets, and cooperative services.

2004, Scientific Games mailed a check to Geddings & Phillips Communications in payment of the invoice.

31. On September 23, 2004, GEDDINGS sent an e-mail to the Scientific Games Representative attaching a copy of an article from *The News & Observer* that discussed the prospect of the North Carolina legislature enacting a state lottery.

32. On September 24, 2004, GEDDINGS sent an e-mail to the Scientific Games Representative stating as follows:

. . . I have a request from the NC Senate Caucus for a good number or authoritative cite on what a NC Lottery would generate in net proceeds for the State . . . they would use this number in campaigns all across the state . . . can't be from a vested interest like you guys . . . is there any other group or newspaper that's made a guess that we can cite? I think it is \$600 mil, but what good is that. . . .

Kev

33. On March 30, 2005, Scientific Games hired a North Carolina lobbyist with ties to the leadership of the North Carolina legislature to assist Scientific Games in its efforts to facilitate the passage of a state lottery in North Carolina. The contract covered the period from March 1, 2005, through December 31, 2005, at a rate of \$5,000 per month.

34. On April 6, 2005, the North Carolina House of Representatives passed the North Carolina State Lottery Act by a

vote of 61 to 59. The Lottery Act was then sent to the North Carolina Senate for its consideration.⁵

35. On May 2, 2005, a subcontractor billed Geddings & Phillips Communications \$1,000 for work which included "proofing and editing G&P Op-Ed re: NC Lottery."

36. In early May of 2005, it was announced by The Cumberland County League of Women Voters that a debate would be held in Fayetteville at 7:00 p.m., on May 26, 2005, between State Senator Tony Rand (a supporter of a state lottery) and a commentator from the North Carolina Policy Watch who opposed the creation of a state lottery. On May 12, 2005, the Scientific Games Representative forwarded a copy of the debate announcement to GEDDINGS and inquired as to whether GEDDINGS "would . . . be interested in 3-5k to do debate prep for Rand? I talked to him tonight re below [debate announcement] call me on the morrow."

37. GEDDINGS accepted the offer and proposed to travel to Fayetteville on the day of the debate and prepare Senator Rand. GEDDINGS and the Scientific Games Representative met with Senator Rand in Fayetteville on the afternoon of May 26, 2005, and helped prepare Senator Rand for the debate.

⁵Under the North Carolina Constitution, the passage of a law requires at least a majority vote of a quorum of both the North Carolina House of Representatives and the North Carolina Senate. The law comes into existence once it is signed by the Governor or, in the event the Governor vetoes the legislation, if the legislature overrides the veto.

38. On May 31, 2005, GEDDINGS sent an e-mail communication to the Scientific Games Representative and inquired as to the likelihood of Scientific Games agreeing to retain GEDDINGS for consulting services on a monthly basis. The e-mail proposed a consulting contract pertaining to public affairs issues in North Carolina and South Carolina at a rate of \$5,000 per month. The Scientific Games Representative replied that GEDDINGS would have his support.

39. On June 2, 2005, the Scientific Games Representative e-mailed GEDDINGS regarding the amount owed to GEDDINGS for his preparation of Senator Rand for the debate and made the following inquiry: "By the way, have you gotten a 5k invoice in the mail to me yet? I know u aint hurtin fo mo but there is madness in my method.. . ." On June 10, 2005, Scientific Games received an invoice from Geddings & Phillips Communications requesting payment of \$5,000. According to the invoice, the amount due related to the following work: "North Carolina Lottery Debate prep. for Tony Rand in Fayetteville, NC." On June 23, 2005, Scientific Games mailed a check to Geddings & Phillips Communications in payment of the invoice.

40. On July 12, 2005, GEDDINGS provided the following instruction to his executive assistant regarding Scientific Games: "OK . . . this month we get to bill another \$5,000 for public affairs services in NC and SC" On July 15, 2005, Geddings

& Phillips Communications submitted an invoice to Scientific Games requesting payment in the sum of \$5,000. According to the invoice, the amount due related to the following work: "Public Affairs Services in North Carolina and South Carolina - June 2005."

41. On July 28, 2005, GEDDINGS' executive assistant provided GEDDINGS with the following e-mail message:

Hello. [A person] from Scientific games [sic] called. She is from the legal department. . . . [The Scientific Games Representative] had notified her that we will be working for them for, I think she said 16 to 18 months. She wanted to know if we have a contract with them and if so, she would like a copy. Any clues?

42. On August 1, 2005, Geddings & Phillips Communications submitted an invoice to Scientific Games requesting payment of \$5,000. According to the invoice, the amount due related to the following work: "Public Affairs Services in North Carolina and South Carolina - July 2005."

43. In mid-August of 2005, the North Carolina Association of Educators, a group supporting the passage of a state lottery, hired Geddings & Phillips Communications to produce political radio advertisements targeting three state senators who opposed the passage of a state lottery. The radio advertisements were played in the geographical areas represented by the three senators.

44. On August 17, 2005, GEDDINGS provided the following instruction to his executive assistant regarding Scientific Games' account: ". . . please make a note on your calendar that when we

bill Sci Games in Sept for August work, we get to do a one time add of [sic] \$4,500 for 'media production' . . . it'll be 5k plus \$4500 for Aug."

45. During the early morning hours of August 24, 2005, the President Pro Tempore of the North Carolina Senate announced that the Senate would adjourn for the session without voting on the proposed North Carolina State Lottery Act. At this time, it appeared that 24 senators supported the bill and 26 were opposed. Later that week, the President Pro Tempore reconvened the Senate.

46. On August 30, 2005, in the absence of two of the lottery opponents targeted by Geddings & Phillips Communications' radio advertisements, the North Carolina State Lottery Act was brought to a vote in the Senate. After the vote resulted in a deadlock of 24 in favor and 24 opposed to the North Carolina State Lottery Act, the Lieutenant Governor broke the tie by casting her vote in favor of the lottery.⁶

47. At 2:29 p.m., on August 30, 2005, the Scientific Games Representative e-mailed his supervisors as follows: "We have a lottery boys in NC. Sorry the email list is incomplete. Lots going on." The Scientific Games Representative received the following response from his superiors at Scientific Games: "It says all it needs to say! Congratulations!"

⁶According to Article II, Section 13, of the North Carolina Constitution, the Lieutenant Governor is authorized to vote if the Senate is equally divided.

48. Governor Michael F. Easley signed the North Carolina State Lottery Act on August 31, 2005, creating a state lottery in North Carolina. On that same date, GEDDINGS e-mailed the Scientific Games Lobbyist and stated as follows: ". . . congratulations on your lottery success! I know [the Scientific Games Representative] is thrilled with your work."

49. At 12:02 p.m., on September 6, 2005, the Scientific Games Representative transmitted the following e-mail to GEDDINGS:

By the way, when I was in GA on Thurs eve I hadnt [sic] as of then received \$9500 invoice you talked about the other day. Your \$10k thing got processed and likely will be there by Fri. So send to me the \$9500 thing electronically.

Later that same day, GEDDINGS sent an e-mail to the Scientific Games Lobbyist stating as follows: "I know you are having to beg to get folks to serve on the Lottery Board... :) However, if you want a foot soldier to serve who will be loyal to the Speaker, keep me in mind."

50. On September 10, 2005, an article in *The News & Observer* reported that a top political aid to the North Carolina Speaker of the House had been hired as a lobbyist by Scientific Games ("Scientific Games Lobbyist"), but had failed to register as a lobbyist.

51. On September 14, 2005, GEDDINGS e-mailed the Scientific Games Representative and stated as follows: "Still no money from Sci Games as of Wed mail"

52. On September 20, 2005, GEDDINGS' executive assistant informed him that the Scientific Games Representative had called and "[h]e is putting our check into an overnight. Evidentially [sic] it came back to them in the mail for some reason. He wasn't sure of the reason." GEDDINGS responded as follows: "Pls make sure they have the correct address and suite # for us."

53. On September 21, 2005, Geddings & Phillips Communications received a \$10,000 check from Scientific Games in payment of its consulting fee for June and July. GEDDINGS and his executive assistant exchanged a total of seven e-mail messages on September 21, 2005, regarding how to process the \$10,000 payment.

III. Creation of North Carolina State Lottery Commission.

54. The North Carolina State Lottery Act "created the North Carolina State Lottery Commission to establish and oversee the operation of a Lottery." Lottery Act at § 18C-110. The North Carolina State Lottery Commission ("NC Lottery Commission") consists of three members appointed by the Governor, three members appointed by the General Assembly at the recommendation of the President Pro Tempore of the Senate, and three members appointed by the General Assembly at the recommendation of the Speaker of the House of Representatives. Id. at 18C-111(a).

55. "Members of the Commission shall receive per diem, subsistence, and travel as provided in G.S. 138-5 and G.S. 138-6." Id. at 18C-111(e). The Lottery Commissioners are charged with the

responsibility of selecting the North Carolina State Lottery Director and with the general operation of the North Carolina State Lottery.

56. Pursuant to State Executive Order No. 76 ("Executive Order"), dated June 16, 2005, the NC Lottery Commission is subject to the jurisdiction of The North Carolina Board of Ethics ("Board of Ethics"). As noted in the Executive Order, "the people of North Carolina entrust public power to elected and appointed officials for the purpose of furthering the public, not private or personal, interest." The Executive Order further states that "acceptance of authority granted by the people to elected and appointed officials imposes a commitment of fidelity to the public interest and such power cannot be used to advance narrow interest for oneself, other persons, or groups." . Consequently, Section 7 of the Executive Order imposes a set of Rules of Conduct for Public Officials which is aimed at avoiding situations resulting in either a conflict of interest or the mere appearance of conflict. According to Section 7(b) (1):

A Public Official shall make every effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person would conclude from the circumstances that the Public Official's ability to protect the public interest, or perform public duties, is compromised by familial, personal, or financial interests. An appearance of conflict could exist even in the absence of a true conflict of interest.

57. With regard to disclosure requirements, Section 9 of the Executive Order makes it clear that the filing of the Statement of Economic Interest "shall provide . . . any other information which a reasonable person would conclude is necessary either to carry out the purposes of this Order or to fully disclose any potential conflict of interest or appearance of conflict."

58. At 9:42 p.m., on September 21, 2006, the Scientific Games Lobbyist transmitted the following e-mail to GEDDINGS: "Hi Kevin: please call [Scientific Games Representative] - very important." At 12:57 p.m., on September 22, 2005, the Scientific Games Lobbyist e-mailed the Scientific Games Representative and stated as follows: "he is just calling to give K the good news. getting ready to make announcement." At 1:26 p.m., on September 22, 2005, the Scientific Games Lobbyist e-mailed GEDDINGS and stated as follows: "Hey Kevin! [The Scientific Games Representative] and I just wanted to make sure that the Speaker got up with you a short while ago. . . he called me to ask for your mobile number. If for some reason he didn't get you, please call him. . . ." At 1:38 p.m., GEDDINGS sent an e-mail referring the Office of N.C. Speaker of the House to the "bio" on his website and responding to the request for "some highlights on my bio that support his appointment."

59. At 2:53 p.m., on September 22, 2005, GEDDINGS e-mailed to his executive assistant a copy of a press release entitled "House Speaker Jim Black Announces Lottery Commission Appointments,"

announcing the appointment of GEDDINGS to the North Carolina Lottery Commission. On this same day, Geddings & Phillips Communications deposited the \$10,000 Scientific Games check into its bank account.

60. On Friday, September 23, 2005, the Speaker of the House, in a letter to the Governor, formally recommended GEDDINGS be appointed to serve as a member of the North Carolina Lottery Commission. The Speaker noted that Geddings had made notable contributions to the State in public service and "will serve the State of North Carolina and the North Carolina State Lottery Commission with distinction."

61. On September 23, 2005, the Governor mailed an appointment letter to GEDDINGS which thanked GEDDINGS for his "willingness to serve the State of North Carolina." The Governor's letter enclosed an oath of office which was to be executed and returned to "Governor's Office of Boards and Commissions, 20301 Mail Service Center, Raleigh, NC 27699-0301."

62. Later that same day, GEDDINGS received the following e-mail message from his executive assistant:

I just got off the phone with . . . He just spoke with Speaker Black's office they suggested he call you. This is what he told me. He has a partner who runs a business that works with Scientific Games in SC. He would like to get involved with the lottery. If you have time Monday or Tuesday he would like to meeting [sic] with you.

In response to this e-mail, GEDDINGS met with persons seeking lottery contracts in his office prior to the first meeting of the NC Lottery Commission on October 6, 2005.

63. On that same day, *The News & Observer* reported that GEDDINGS had acknowledged a friendship with a key executive at Scientific Games. The article also noted GEDDINGS' disclosure that he had leased office space to him. Also on this day, Scientific Games issued a check payable to Geddings & Phillips Communications in the sum of \$9,500.

64. On Monday, September 26, 2005, GEDDINGS sent an e-mail to his executive assistant stating as follows: "Pls never acknowledge by phone that sci games is a client"

65. On September 27, 2005, GEDDINGS received an e-mail communication from the office of the Chairman of the North Carolina State Lottery Commission ("Chairman") proposing potential dates for the initial meeting of the NC Lottery Commission. On September 28, 2005, GEDDINGS forwarded information regarding a potential candidate for the position of NC Lottery Director to the Chairman's assistant. The first meeting of the NC Lottery Commission was scheduled for Thursday, October 6, 2005, at the State Administration Building, in Raleigh, North Carolina.

66. On Monday, October 3, 2005, GEDDINGS received the following e-mail communication from a member of the Governor's Office of Boards and Commissions:

Hi Kevin,

Per the voice message I left for you this morning, I'm sending you the link to the Board of Ethics website. You will need to complete the Statement of Economic Interest form. Please call me if you have any questions, especially since I have not spoken with you about this. Thanks!

GEDDINGS quickly responded to this e-mail message by stating as follows: "I will get this completed asap. When is my deadline for submission? (I need to get info from my stockbroker)." In response to a suggestion that he bring the completed form to the first NC Lottery Commission meeting on October 6, 2005, GEDDINGS stated: "I doubt I'll have form completed by then." The representative of the Office of Boards and Commissions then proposed that GEDDINGS "[j]ust send it in via US mail." GEDDINGS agreed and also noted that he would also send a copy of his filing to the Office of Boards and Commissions.

67. On October 4, 2005, GEDDINGS received an e-mail from the Chairman inviting him to sit on the three-person Personnel Committee. Later that day GEDDINGS e-mailed the Chairman's assistant to accept the appointment and also forwarded a newspaper article for the Chairman's review.

68. On the morning of Thursday, October 6, 2005, an article in *The News & Observer* reported as follows:

Records show that lottery commissioner Kevin Geddings of Charlotte employed . . . [the Scientific Games Representative], now a vice president for Scientific Games, several years

ago on public relations projects. Geddings and [the Scientific Games Representative] had previously acknowledged a longstanding friendship, but both had denied in interviews last month that a business relationship existed. On Wednesday, Geddings said he might have misunderstood the questions asked of him. He then pledged to avoid any question of improper relationships on the lottery - and promised to remove himself from any decisions involving potential lottery vendors.

The article further stated that prior to joining Scientific Games, the Scientific Games Representative "had a public relations firm in South Carolina," rented office space from GEDDINGS, and was sometimes hired to work as an independent contractor by GEDDINGS at a rate of \$125 per hour.

69. The first meeting of the NC Lottery Commission commenced at 10:00 a.m. on October 6, 2005. At the outset of the meeting, the Chairman noted that "the lottery was the people's business and reiterated the need for transparency and a clear code of ethical conduct." As each of the members of the NC Lottery Commission briefly introduced themselves, GEDDINGS "noted that he would recuse himself from any **final** votes on vendor selections." (Emphasis added.)

70. According to the minutes from the meeting, following the introduction of each commissioner, "Mr. Geddings motioned that the board officially name the lottery The North Carolina Education Lottery. The motion was seconded . . . and passed by a unanimous vote of the members." The next item of business was a presentation

by the Executive Director of the Board of Ethics regarding the ethical obligations of public servants and the need to develop a Code of Ethics. The members of the NC Lottery Commission were also instructed "to pay close attention to Section 7 of the Executive Order which pertains to conflicts of interest and the appearance of conflict of interest."

71. During the meeting, GEDDINGS was formally appointed to the Personnel Committee, which was charged with selecting finalists for the position of NC Lottery Director. According to the minutes of the meeting, GEDDINGS also made the following statement regarding the goals and work plan for the NC Lottery Commission: "Mr. Geddings communicated the urgency of giving the public a realistic timetable and also noted that if there is ever a question of the Lottery's integrity, it will crumble."

72. Following the meeting, an advisor from the Governor's Office provided members of the Personnel Committee with a confidential salary survey, prepared by the National Association of State and Provincial Lotteries, regarding the salaries of current lottery directors.

IV. GEDDINGS' concealment of his relationship with Scientific Games.

73. Following the October 6, 2005, meeting of the NC Lottery Commission, GEDDINGS met with the Chairman and apologized for the media attention that had resulted from his friendship with the Scientific Games Representative and stated that he would resign if

necessary. The Chairman noted that if the relationship was solely in the nature of a friendship and no other "shoe was about to drop," it would not be a problem.

74. At 5:25 p.m., on Thursday, October 6, 2005, GEDDINGS sent an e-mail to the Chairman of the NC Lottery Commission stating as follows:

Mr. Chairman . . . congratulations on a great first meeting. You sent a clear message to the State that this lottery will be ethically above reproach and run "like a good business." You also made your commissioners feel 100% a part of the process. Thank you.

I apologize that I had to consume much of the "media air" of this first meeting. There shouldn't be any other "shoes that drop" about my friendship with [the Scientific Games Representative]. Most importantly, I have no conflicts of interest with any gaming entity or individual. I'll look forward to fading back into the woodwork.

Please consider me when you assemble the marketing and advertising subcommittee. Prior to our having a communications person on staff, I'll be pleased to draft news releases for you . . . pro bono.

Take care.

-Kevin

75. At 6:33 p.m., on Thursday, October 6, 2005, GEDDINGS sent an e-mail to his executive assistant instructing her to get his Statement of Economic Interest finalized by the end of the work week.

76. On or about October 6, 2005, Geddings & Phillips Communication deposited a Scientific Games check in the sum of \$9,500 into its bank account.

77. On Friday, October 7, 2005, GEDDINGS completed and verified a Statement of Economic Interest ("Ethics Statement") which was then mailed to the following address: "Board of Ethics, 1324 Mail Service Center, Raleigh, N.C. 27699-1324." The Ethics Statement makes no mention of the fact that during the four years and eight months leading up to October 7, 2005, GEDDINGS' businesses⁷ had received a total of \$138,545 from Scientific Games and \$90,251.18 from AWI, now a part of Scientific Games.

78. In response to Question 5 of his Ethics Statement, which requires a good faith effort to identify any financial or personal relationship that would present a conflict of interest or the appearance of a conflict of interest, GEDDINGS answered "None."

79. In response to Question 11 of his Ethics Statement, which requires a listing of the identity of any source of income exceeding \$10,000, GEDDINGS answered "None." GEDDINGS also answered "None" to Question 16 of his Ethics Statement, which reads as follows:

Having read the Order [Governor's Executive Order Number One] in general and the "Rules of Conduct for Public Officials" in particular, provide **any other information** which a

⁷Geddings & Phillips Communications received \$193,796.18 and South Carolinians for an Effective Lottery, LLC, received \$35,000.

reasonable person would conclude is necessary or helpful either to carry out the purposes of the Order or to fully disclose any potential conflict of interest or appearance of conflict of interest or appearance of conflict. Identify any conflicts or potential conflicts you may have that are not fully or adequately covered elsewhere in this form. Include an explanation of how you would propose to resolve any conflicts or potential conflicts.

(Emphasis in original.)

80. In his verification of the Ethics Statement, GEDDINGS certified as follows:

. . . that I have read the Order and this Statement of Economic Interest and to the best of my knowledge and belief this Statement is true, correct, and complete. . . . I acknowledge that I am under a continuing obligation to avoid conflicts of interest and the appearance of conflicts of interest. If I believe a potential for conflict exists, I will inquire of the Board of Ethics as to that potential conflict.

81. On October 7, 2005, GEDDINGS e-mailed the Chairman's assistant and proposed having former South Carolina Governor Jim Hodges speak to the NC Lottery Commission regarding how to operate a lottery.

82. On October 9, 2005, GEDDINGS e-mailed the Chairman a draft of a job posting for the position of NC Lottery Director. GEDDINGS also e-mailed the Chairman a copy of an article pertaining to the favorable impact of the Oklahoma lottery on retail stores. Later that same day, GEDDINGS provided the Chairman a copy of a job

announcement for the position of Executive Director of the Texas State Lottery.

83. On October 10, 2005, GEDDINGS e-mailed the Chairman that he would like to serve on the "Advertising & Marketing Subcommittee." GEDDINGS also e-mailed the Chairman a copy of an article pertaining to the salary received by the head of the Tennessee State Lottery, along with a comment that the Commission "may want to reflect upon [the article] as we consider salary and benefit structures. . . ." On this date, GEDDINGS also forwarded the telephone number of an acquaintance at the South Carolina Lottery who "[v]ery much wants to be Ex Dir or senior staffer here."

84. GEDDINGS' Ethics Statement was received in the mail by the Board of Ethics on Monday, October 10, 2005. On this same date, GEDDINGS received an e-mail from his executive assistant transmitting four attached files and stating as follows: "Here are this months [sic] invoices. Let me know what changes you would like made." One of the referenced files is entitled "Scientific Games.pdf."

85. A staff employee of the Board of Ethics quickly determined, based on information that had been reported in *The News & Observer* and other media outlets, that GEDDINGS had failed to include any explanation of his personal and business relationship with the Scientific Games Representative. Consequently, the

Executive Director of the Board of Ethics called GEDDINGS and requested that he modify his Ethics Statements. After a brief discussion in which GEDDINGS initially took the position that an amendment was not necessary, GEDDINGS agreed to amend his Ethics Statement.

86. At 4:57 p.m., on October 10, 2005, GEDDINGS transmitted an e-mail to his executive assistant entitled "Revise Statement of Econ Interest." The e-mail contained the followed revision to Question 16, which had been answered "None":

I have a longstanding friendship and previous business relationship with [the Scientific Games Representative], a vice president with Scientific Games Corp. a potential N.C. Education Lottery vendor. [The Scientific Games Representative] and I have been friends since 1987. Between 2000 and 2001 [the Scientific Games Representative's] company, Carolina Public Affairs sublet office space from me. In 2002, he joined Scientific Games. I currently have no business relationship with [the Scientific Games Representative], although he remains a friend.

I should note as well, that as former chief of staff to the Governor of South Carolina, I helped with that state's lottery start-up and enjoyed several opportunities to meet privately with GTech staff and representatives I have learned much from listening to the "lessons learned" by executives from both major lottery system companies.

In 2000, my company, Geddings & Phillips Communications, LLC also conducted focus groups of potential lottery customers in South Carolina for a lottery vendor company known then as IGT-Anchor Gaming. IGT-Anchor Gaming was later purchased by Scientific Games.

My company, Geddings & Phillips Communications, along with my two radio stations WXNC-AM in Monroe, NC and WKMT-AM in Kings Mountain, NC have no current business relationships with any lottery vendor. Although I am in the process of selling my two radio stations, I pledge to not accept any lottery advertising contracts for these stations or any others I may own during my term on the Education Lottery Commission.

In addition, to avoid even the "appearance" of unfair vendor consideration, I will not vote on any final vendor contract award that involves Scientific Games or GTech.

87. At 1:42 p.m., on October 11, 2005, the revision to Question 16 of the Ethics Statement was telefaxed by GEDDINGS' executive assistant to the Board of Ethics.

88. On October 12, 2005, the Executive Director of the Board of Ethics submitted his final evaluation of GEDDINGS' Ethics Statement to the Speaker of the House, with copies mailed to GEDDINGS and the Chairman. Based on the information provided by GEDDINGS, the Board of Ethics found no "actual conflict of interest," but concluded that GEDDINGS "has the potential for conflict of interest and must exercise appropriate caution in the performance of his official duties."

89. On October 12, 2005, GEDDINGS e-mailed the Chairman a copy of an article critical of GTech's award of the vendor contract for the Pennsylvania lottery due to GTech's financial ties with an attorney with close ties to the Governor, along with the following personal comment: "THE PRESS EVERYWHERE LOVES THESE STORIES... ."

On this same day, GEDDINGS forwarded to the Chairman and a representative of the Governor's office copies of lottery logos that his firm had created. GEDDINGS proposed that his firm donate the logos to the Lottery Commission and that "an ad agency we hire may [decide to] re-design."

90. On October 12, 2005, GEDDINGS received an e-mail from his executive assistant regarding an inquiry from a media company "to see if an Ad Agency has been picked yet for the Lottery." GEDDINGS responded as follows: "You can tell her 'no' and an RFP for an ad agency is not even in development... Check back after Jan 1."

91. On October 13, 2005, GEDDINGS e-mailed the Chairman's assistant and inquired as to the Chairman's reaction to the logos. GEDDINGS also forwarded an additional article regarding the successful opening of the Oklahoma State Lottery, a lottery operated by Scientific Games. Above the attached article, GEDDINGS wrote "One day next year, this will be us"

92. On October 14, 2005, GEDDINGS e-mailed the Chairman and recommended reserving the domain name "www.Lotterycarolina.com". GEDDINGS also provided a comprehensive outline as to how to proceed with the creation of the North Carolina State Lottery. GEDDINGS recommended obtaining a \$10 million line of credit and immediately beginning the retailer application process. GEDDINGS also recommended the following as to the hiring of a vendor to operate the lottery:

Begin the RFP process as soon as possible. Build separate RFPs for instant ticket and online operations with industry best practices in mind. Follow the models of Georgia and Oklahoma. Oklahoma was almost a vendor turn key startup. This allows for less staff on state payrolls but still allows for in-state jobs.

93. On October 18, 2005, an editorial in *The News & Observer* called for the resignation of GEDDINGS from the North Carolina Lottery Commission. On October 19, 2005, *The News & Observer* published a letter from GEDDINGS in which he responded as follows:

Memo to the anti-education lottery zealots at
The N&O editorial board: I will not resign.

* * *

You maintain that my decades-long friendship and previous business relationship with a lottery services company worker is reason for me to no longer volunteer on the commission.

* * *

On the day I was appointed to the lottery commission I openly acknowledged my friendship and previous business dealings with a lottery company worker. I stated to this newspaper that I had even subleased office space to this person years before he went to work in the lottery services industry.

* * *

94. On October 19, 2005, GEDDINGS executed a written oath which was submitted to the Governor's Boards and Commissions Office by United States mail to: "20301 Mail Service Center, Raleigh, N.C. 27699-0301." In his oath, GEDDINGS swears that he "will well and truly execute the duties of my office as a member of the North

Carolina State Lottery Commission according to the best of my skill and ability, according to law, so help me God."

95. On October 20, 2005, GEDDINGS forwarded to the Chairman's assistant the resume of a person seeking any position ultimately created to handle public information/communications. Later in the day, GEDDINGS e-mailed the Chairman's assistant inquiring as to whether the Personnel Committee had any plans to meet. At 9:04 p.m. on October 20, 2005, GEDDINGS e-mailed the following proposal directly to the Chairman:

You may want to consider appointing a Marketing subcommittee to begin developing RFP's for TV drawing market exclusivity, Overall ad creation/point of sale/media buying (likely to be won by a large ad agency in NC), and PR services. Most states roll PR services into the advertising RFP, but we'll get more "free" media exposure for our dollar if we separate out the PR RFP. It may only be a \$250K annual contract (small dollars for a large ad agency) but a major account for one of our state's leading PR shops.

96. On October 21, 2005, GEDDINGS transmitted the following e-mail to the Chairman's assistant: "The Boss probably knows this, but I would like to serve and Chair the marketing subcommittee."

97. On October 23, 2005, the Chairman forwarded an agenda of the next meeting and a draft Code of Ethics to each of the commissioners, including GEDDINGS, requesting that each commissioner review the Code and provide any comments. Later in the day, GEDDINGS responded to the Chairman's assistant that the Code looked fine to GEDDINGS.

98. On October 26, 2005, GEDDINGS attended the second meeting of the NC Lottery Commission at the State Administration Building in Raleigh, North Carolina. According to the minutes from the meeting, the Personnel Committee reported the receipt of over 200 applications for Lottery Director, of which about 15 seemed to be worth considering. The Chairman noted that the Personnel Committee would make recommendation as to which of the 15 applicants should be interviewed. GEDDINGS recommended a separate RFP for advertising and public relations. Finally, the Commission unanimously adopted a Code of Ethics.

99. The Code of Ethics contains the following rules regarding conflicts of interest:

Members of the Commission shall exercise the utmost good faith in conducting the business of the Commission. Members shall not knowingly engage in any activity that creates a conflict between their personal financial interest, the financial interest of any family member, or the interests of any business organization or group with which the member is associated, and their duties as a Commissioner. Members shall make every effort to avoid the appearance of a conflict of interest. Commission members shall inform the Chairman of any situation that may raise a conflict of interest or the appearance of a conflict of interest, and where conflict may exist, recuse themselves from voting on such matters.

100. At 11:25 a.m., on October 27, 2005, GEDDINGS received an e-mail communication from the Chairman's assistant attempting to arrange for a meeting of the Personnel Committee to discuss job

applications. At approximately 4:05 p.m., on October 27, 2005, GEDDINGS was contacted by two representatives from Scientific Games and informed that Scientific Games had gathered records pertaining to payments made to GEDDINGS in 2005, and that such documents would be turned over to federal and state authorities. The representatives asked GEDDINGS if he made required disclosures of the work he had done for Scientific Games in 2005 in connection with obtaining his position on the Lottery Commission. GEDDINGS stated that he had disclosed some work for IGT, but not the most recent work for Scientific Games. GEDDINGS stated that if he had turned over the recent payments from Scientific Games, he would not have been appointed Commissioner. GEDDINGS inquired as to whether the information was required by a subpoena and, when informed it was not, inquired as to why Scientific Games was turning over the information. GEDDINGS was informed that simply because it had not been subpoenaed did not mean the authorities had not requested such information. GEDDINGS then stated that he would be "done" as a Commissioner and inquired as to when the information would be turned over. The representatives from Scientific Games informed GEDDINGS that the information would be turned over within the week.

101. On November 1, 2005, GEDDINGS submitted his resignation from the NC Lottery Commission stating that "[t]he persistent negative publicity surrounding my decades-long friendship with a lottery company vendor worker continues to detract from the

positive work of the Education Lottery." GEDDINGS made no mention of the \$228,796.16 received from Scientific Games and related entities.

102. The allegations set forth in the foregoing Introduction are hereby incorporated by reference into each count of this Indictment and re-alleged therein.

COUNTS ONE through NINE

[Scheme and Artifice to Deprive Others of
Right of Honest Services through Mail and Wire Fraud;
18 U.S.C. §§ 1341, 1343, 1346, and 2]

A. The Duty of Honest Services

1. As a person seeking appointment to the North Carolina Lottery Commission, KEVIN L. GEDDINGS, defendant herein ("GEDDINGS"), placed himself in a position of trust with the public and owed a duty of honest services to the State of North Carolina and its citizens. This duty of honest services included an obligation to conduct his efforts to attain this appointment openly and free from fraud and dishonesty. This duty of honest services also required GEDDINGS to abide by the laws and regulations of the United States and the State of North Carolina, including those summarized in paragraphs 56-57 and 99 of the Introduction to this Indictment. The public, and the appointing authorities, had a right to know what payments had been made to, or for the benefit of, GEDDINGS that might affect his impartiality as member of the lottery commission.

2. As a member of the North Carolina Lottery Commission beginning on September 23, 2005, GEDDINGS had a duty to provide honest services to the public. As a public official, he had a fiduciary duty to ensure that the public received honest services free of improper influence or corruption. GEDDINGS had a duty not to be improperly influenced or affected in the performance of his duties. GEDDINGS had a duty to disclose material information regarding conflicts of interest or personal gain.

B. The Scheme and Artifice

3. Beginning in 2000 and continuing through on or about November 1, 2005, in the Eastern District of North Carolina and elsewhere, GEDDINGS devised and intended to devise a scheme and artifice to defraud, as defined in Title 18, United States Code, Section 1346, specifically, a scheme and artifice to deprive the State of North Carolina and its citizens, the North Carolina Lottery Commission, and the North Carolina Board of Ethics of the intangible right of honest services. The objects of this scheme and artifice to defraud were as follows:

- a. To deprive the State of North Carolina and its citizens, the North Carolina Lottery Commission, and the North Carolina Board of Ethics of their right to be informed of all material facts and circumstances concerning potential sources of influence on GEDDINGS, as one seeking appointment

to the North Carolina Lottery Commission and while serving on said Commission;

- b. To materially deprive the State of North Carolina and its citizens of their right to have public officials perform their duties free from improper influence, corruption, and conflicts of interest; and
- c. To deprive the State of North Carolina and its citizens of their right to disclosure of material information concerning the personal financial interests of public officials which may affect their decisions and the discharge of their duties.

4. The scheme and artifice by GEDDINGS and others used the following means and methods, among others:

- a. From 2000 to 2005, entities controlled by GEDDINGS received thousands of dollars in payments from Scientific Games, a company which contracts with states to operate lotteries, and a company which became part of Scientific Games.
- b. From 1998 to 2002, GEDDINGS and Scientific Games worked to achieve enactment of a state lottery for South Carolina, to obtain a contract from the State of South Carolina for Scientific Games to operate the South Carolina Lottery, and to operate the

Lottery pursuant to said contract. For such assistance, Scientific Games paid entities controlled by GEDDINGS thousands of dollars.

- c. From 2001 to 2005, GEDDINGS and Scientific Games worked to achieve enactment of a state lottery for North Carolina to enable Scientific Games to obtain a contract from the State of North Carolina to operate the North Carolina Lottery. For such assistance, Scientific Games paid entities controlled by GEDDINGS thousands of dollars.
- d. GEDDINGS actively concealed and failed to disclose payments from Scientific Games by (1) failing to disclose them on the financial disclosure form he was required to file with the North Carolina Board of Ethics, pursuant to the Governor's Executive Order No. 76, even after the Director of the Board of Ethics had requested further information; and (2) misleading the Chairman of the North Carolina Lottery Commission and other state officials, regarding his business relationship with Scientific Games.

C. Mailings

5. On or about the dates hereinafter set forth, in the Eastern District of North Carolina and elsewhere, GEDDINGS, aiding

and abetting others, having devised and intended to devise the above-described scheme and artifice, for the purpose of executing and attempting to execute said scheme and artifice, caused to be deposited matters and things to be delivered by mail and private and commercial interstate carrier according to the direction thereon, and did take and receive therefrom such matters and things, that is, mailings described in the chart below, in violation of Title 18, United States Code, Sections 1341 and 2.

6. The allegations of paragraphs 1 through 5 are repeated and re-alleged in COUNTS ONE through FIVE of this Indictment, as though fully set forth therein:

COUNT	TIME PERIOD	PARTIES TO MAILINGS OR COMMERCIAL CARRIER DELIVERIES	ENCLOSURES
ONE	On or about September 23, 2005	North Carolina Governor to GEDDINGS	Letter appointing GEDDINGS to Lottery Commission and enclosing oath of office
TWO	On or about October 7, 2005	GEDDINGS to N.C. Board of Ethics	"Long Form" Statement of Economic Interest
THREE	On or about October 12, 2005	N.C. Board of Ethics to Chairman of N.C. Lottery Commission	Copy of letter from Executive Director of N.C. Board of Ethics to Speaker of the House with finding of no actual conflict of interest

FOUR	On or about October 12, 2005	N.C. Board of Ethics to GEDDINGS	Copy of letter from Executive Director of N.C. Board of Ethics to Speaker of the House with finding of no actual conflict of interest
FIVE	On or about October 19, 2005	GEDDINGS to Governor's Office of Boards and Commissions	Oath of office executed by GEDDINGS

Each of the above counts constituting a separate violation of Title 18, United States Code, Sections 1341 and 2.

D. Wire Communications

7. On or about the dates hereinafter set forth, in the Eastern District of North Carolina and elsewhere, GEDDINGS, aiding and abetting others, having devised and intended to devise the above-described scheme and artifice, for the purpose of executing and attempting to execute said scheme and artifice, transmitted and caused to be transmitted, by wire and radio communications, in interstate and foreign commerce, the writings, signs, signals, pictures, and sounds described below, in violation of Title 18, United States Code, Sections 1343 and 2.

8. The allegations of paragraphs 1 through 4 and 7 are repeated and re-alleged in COUNTS SIX through NINE of this Indictment, as though fully set forth therein:

COUNT	TIME PERIOD	FORM OF COMMUNICATION	PARTIES
SIX	On or about September 6, 2005	E-mail exchange via Internet regarding GEDDINGS seeking appointment to the N.C. Lottery Commission	GEDDINGS to Scientific Games Lobbyist
SEVEN	On or about September 22, 2005	E-mail exchange via Internet regarding press inquiries on GEDDINGS' appointment to the N.C. Lottery Commission	GEDDINGS to Office of the North Carolina Speaker of the House
EIGHT	On or about October 11, 2005	Facsimile transmission via interstate telephone lines of substitute pages to "Long Form" Statement of Economic Interest	GEDDINGS to N.C. Board of Ethics
NINE	On or about October 13, 2005	E-mail transmission via Internet transmitting copy of article regarding successful operation of Oklahoma state lottery	GEDDINGS to members of the N.C. Lottery Commission

Each of the above counts constituting a separate violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE NOTICE

Defendant KEVIN L. GEDDINGS is hereby given notice of the provisions of Title 18, United States Code, Section 981 (a) (1) (C), as made applicable herein by Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(a) (7), that all the defendant's interest in all property specified herein is subject to forfeiture. As a result of the foregoing offenses in Counts 1-9 of the Indictment, the defendant shall forfeit to the

United States any and all property constituting, or derived from, any proceeds the said defendant obtained directly or indirectly as a result of the said offense.

If any of the above described forfeitable property, as a result of any act or omission of the defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL


FOREPERSON

Date

5/18/06


FRANK D. WHITNEY
United States Attorney

BY: 
DENNIS M. DUFFY
Assistant United States Attorney

BY: 
JOHN STUART BRUCE
Executive Assistant United States Attorney

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A TRUE BILL


FOREPERSON

Date

5/18/06


FRANK D. WHITNEY
United States Attorney

BY: 
DENNIS M. DUFFY
Assistant United States Attorney

BY: 
JOHN STUART BRUCE
Executive Assistant United States Attorney