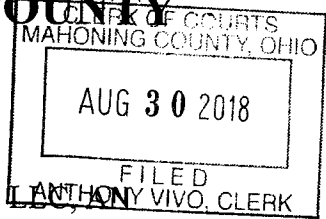


THE STATE OF OHIO, MAHONING COUNTY



DIRECT PRESENTMENT

18 CR 853

DOMINIC MARCHIONDA  
D.O.B. 10/01/1959  
S.S.# 000-00-  
7886 VIA ATILLIO  
YOUNGSTOWN, OH

DAVID BOZANICH  
D.O.B. 02/20/1957  
S.S.#000-00-  
7842 WALNUT ST, UNIT B  
YOUNGSTOWN, OH

CHARLES SAMMARONE  
D.O.B. 02/05/1943  
S.S.#000-00-  
1283 CHEROKEE DR  
YOUNGSTOWN, OH

RUBINO CONSTRUCTION, INC. AN  
OHIO FOR PROFIT CORPORATION  
(OHIO CHARTER/REG. NO. 975468)  
C/O DENISE GLINATIS BAYER, AGENT  
26 MARKET ST. STE. 1200  
YOUNGSTOWN, OH 44503

NYO PROPERTY GROUP  
DOUGLAS M. NELSON, ESQ.  
C/O DUBYJAK NELSON, LLC  
6105 PARKLAND BLVD. #230  
MAYFIELD HEIGHTS OH 44124

MCMR ENTERPRISES LLC  
C/O NINA CERIMELI, STATUTOR AGENT  
3720 TUSCANY Ct  
POLAND, OHIO 44514

LEGAL ARTS PROPERTIES LLC  
C/O DOMINIC MARCHIONDA STATUTOR  
AGENT  
7886 VIA ATILLIO  
POLAND, OHIO 44514

U.S. CAMPUS SUITES, LLC, AN  
OHIO LIMITED LIABILITY COMPANY  
(OHIO CHARTER/REG. NO. 1776659)  
C/O DOMINIC MARCHIONDA, AGENT  
7886 VIA ATILLIO  
POLAND, OH 44514

ERIE TERMINAL PLACE, LLC, AN  
OHIO LIMITED LIABILITY COMPANY  
(OHIO CHARTER/REG. NO. 2008576)  
C/O JACQUELINE MARCHIONDA,  
AGENT  
7886 VIA ATILLIO  
POLAND, OH 44514

WICK PROPERTIES, LLC, AN  
OHIO LIMITED LIABILITY COMPANY  
(OHIO CHARTER/REG. NO. 1417462)  
C/O DOMINIC MARCHIONDA, AGENT  
7886 ATILLIO  
POLAND, OH 44514

VILLA DI TUSCANY, LLC  
OHIO LIMITED LIABILITY COMPANY  
7886 VIA ATILLIO  
POLAND, OHIO 44514

MANAGEMENT PARKING LLC  
C/O ROBERT DUBYAK STATUTOR  
AGENT  
3401 ENTERPRISE PARKWAY SUITE 205  
CLEVELAND, OHIO 44122  
AND  
6105 PARKLAND BLVD SUITE 230  
MAYFIELD HEIGHTS, OHIO 44124

YOUNGSTOWN FIRST NATIONAL  
HOLDINGS  
C/O ROBERT DUBYAK STATUTOR  
AGENT  
3401 ENTERPRISE PARKWAY SUITE 205



2018 CR  
00853  
00084140084  
DP

	AND 6105 PARKLAND BLVD SUITE 230 MAYFIELD HEIGHTS, OHIO 44124
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**THE COURT OF COMMON PLEAS**

**INDICTMENT FOR:**

COUNTS ONE THROUGH TWENTY FOUR: BRIBERY, R.C. 2921.02(A) F3  
COUNTS TWENTY FIVE—COUNT TWENTY SEVEN: TAMPERING WITH RECORDS,  
R.C. 2913.42(A)(2)(B)(3)(d) F3  
COUNT TWENTY-EIGHT: FALSIFICATION, R.C. 2921.13 M1  
COUNT TWENTY-NINE: AGGRAVATED THEFT, R.C. 2913.02(A)(3) F1  
COUNT THIRTY: AGGRAVATED THEFT, R.C. 2913.02(A)(3) F2  
COUNT THIRTY-ONE: AGGRAVATED THEFT, R.C. 2913.02(A)(3) F1  
COUNT THIRTY-TWO: AGGRAVATED THEFT, R.C. 2913.02(A)(3) F1  
COUNT THIRTY-THREE: AGGRAVATED THEFT, R.C. 2913.02(A)(3) F1  
COUNTS THIRTY-FOUR: AGGRAVATED THEFT, R.C. 2913.02(A)(2) F1  
COUNT THIRTY-FIVE: AGGRAVATED THEFT, R.C. 2913.02(A)(2) F2  
COUNT THIRTY-SIX: THEFT, R.C. 2913.02(A)(2) F5  
COUNT THIRTY-SEVEN—THIRTY : RECEIVING STOLEN PROPERTY, R.C. 2913.51(A)  
F3  
COUNT THIRTY-EIGHT --- COUNT FORTY : RECEIVING STOLEN PROPERTY, R.C.  
2913.51(A) F4  
COUNT FORTY ONE: RECEIVING STOLEN PROPERTY, R.C. 2913.51(A) F3  
COUNT FORTY TWO: RECEIVING STOLEN PROPERTY, R.C. 2913.51(A) F4  
COUNT FORTY THREE: ATTEMPTED TO SECURE WRITINGS BY DECETION, R.C.  
2923.02 AND 2913.43(A)  
COUNT FORTY FOUR: ATTEMPTED THEFT, 2923.02 AND 2913.02(A)(3)  
COUNT FORTY FIVE: TAMPERING WITH RECORDS, R.C. 2913.42(A)(2)(B)(3)(d) F3  
COUNT FORTY SIX: FALSIFICATION, R.C. 2921.13(A)(9)(F)(2)  
COUNTS FORTY SEVEN TO FIFTH SIX : TAMPERING WITH RECORDS, R.C.  
2913.42(A)(2)(B)(4) F3  
COUNT FIFTY SEVENTH -SIX-ONE TELECOMMUNICATIONS FRAUD, R.C.  
2913.05(A) F2  
COUNTS SIXTY-TWO -SIXTY EIGHT: MONEY LAUNDERING, R.C. 1315.55(A)(2) F3  
COUNT SIXTY-NINE: MONEY LAUNDERING, R.C. 1315.55(A)(4) F3  
COUNTS SEVENTY—SEVENTY ONE: MONEY LAUNDERING, R.C. 1315.55(A)(2) F3  
COUNT SEVENTY TWO: MONEY LAUNDERING, R.C. 1315.55(A)(4) F3  
COUNT SEVENTY -THREE: MONEY LAUNDERING, R.C. 1315.55(A)(2) F3  
COUNTS SEVENTY- FOUR—EIGHTY- ONE : MONEY LAUNDERING, R.C.  
1315.55(A)(4) F3  
COUNT EIGHTY-TWO: MONEY LAUNDERING, R.C. 1315.55(A)(2) F3  
COUNTS EIGHTY -THREE—EIGHTY- FOUR : MONEY LAUNDERING, R.C.  
1315.55(A)(4) F3  
COUNT EIGHTY- FIVE: MONEY LAUNDERING, R.C. 1315.55(A)(2) F3

COUNTS EIGHTY- SEVEN---NINETY- ONE : MONEY LAUNDERING, R.C.  
1315.55(A)(4) F3

COUNT NINETY-TWO: MONEY LAUNDERING, R.C. 1315.55(A)(2) F3

COUNTS NINETY-THREE –ONE HUNDRED: MONEY LAUNDERING, R.C.  
1315.55(A)(4) F3

COUNT ONE HUNDRED ONE—ENGAGING IN PATTERN OF CORRUPT ACTIVITY  
2923.32 F1

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*(MAY Term in the year Two Thousand and Eighteen)*

**MAHONING COUNTY, ss.**

**BRIBERY COUNTS**

**FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **02/01/2009 to 04/01/2009** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: at least twenty thousand dollars in US Currency, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (A cash payment provided by John Doe 1 to David Bozanich, then finance director of the City of Youngstown at a restaurant in Boardman, Ohio, to ensure that the Flats at Wick Project secured City of Youngstown public funding and/or support, so that the Business John Doe 1 operated would receive work.)

**SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **12/01/2009 to 02/01/2010** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: between seven and ten thousand dollars in attorney fees being forgiven in exchange for Bozanich's assistance in securing public funding for the Flats at Wick Project, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (John Doe 2 waived a fee that David Bozanich then finance director of the City of Youngstown owed to him after David Bozanich reversed his position and decided to

support the City of Youngtown providing money to Dominic Marchionda for the Flats at Wick project. The fee was no more than \$10,000.00)

**THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **01/01/2006 to 07/31/13** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: Eighty to One Hundred Meals, and other benefits relating to a number of country clubs from an employee of a local business, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (During the above time frame John Doe 6 provided this defendant with over 80 to 100 meals and other benefits, at various country clubs and restaurants in the Mahoning Valley, so Bozanich would assist the company he worked for, secure work in the City of Youngstown, with the City of Youngstown or to promote projects in the City of Youngstown that would benefit the company he worked for.)

**FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **10/31/2006** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (A \$30,000.00 payment made to a travel agency the defendant then finance director of the City of Youngstown was part owner of, meant for the defendant, as an unlawful payment for a business building in Youngstown that the defendant in his official capacity helped secure city financing for.)

**FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **02/20/2007** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge

of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (A \$25,000.00 payment made to a travel agency the defendant then finance director of the City of Youngstown was part owner of, meant for the defendant, as an unlawful payment for a business building in Youngstown that the defendant in his official capacity helped secure city financing for.)

**SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **02/26/2008 to 09/30/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (A \$30,000.00 payment made to a travel agency the defendant then finance director of the City of Youngstown was part owner of, meant for the defendant, as an unlawful payment for a business building in Youngstown that the defendant in his official capacity helped secure city financing for.)

**SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **12/01/2008 to 09/30/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (A \$15,000.00 payment made to a travel agency the defendant then finance director of the City of Youngstown was part owner of, meant for the defendant, as an unlawful payment for a business building in Youngstown that the defendant in his official capacity helped secure city financing for.)

**EIGHTH COUNT**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **07/01/2013 to 09/30/2013** in the County of Mahoning, aforesaid, and State of Ohio, did with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for crime or to assist another to benefit from the commission of a crime, and no person, with purpose to hinder the discovery, apprehension, prosecution, destroy or conceal physical evidence of the crime or act, or induce any person to withhold testimony or information or to elude legal process summoning the person to testify or supply evidence; in violation of Section 2921.32, Obstructing Justice, a Felony of the Fifth Degree, against the peace and dignity of the State of Ohio. (The defendant, the then finance director of the City of Youngstown developed a plan to and did execute a plan to provide false and/or materially misleading evidence to the Federal Bureau of Investigation in the summer of 2013 and did conceal and/ or assist in concealing evidence of a crime, to with Bribery.)

### **BRIBERY: GOLFING**

**ON MULTIPLE OCCASIONS OVER SEVERAL YEARS DAVID BOZANICH RECEIVED FREE GOLF BENEFITS (PAID FOR ENTRY FEES TO GOLF OUTINGS IN THE HUNDREDS OF DOLLARS) FROM JOHN DOE 6 AS PART OF JOHN DOE 6'S BRIBERY OF DAVID BOZANICH TO SECURE WORK FOR THE COMPANY HE WORKED FOR. TO CONCEAL THE ARRANGEMENT DAVID BOZANICH PAID BACK THE ENTRY FEES TO GOLF OUTINGS TO JOHN DOE 6 WHO CASH THE REIMBURSEMENT CHECK AND THEN PROMPTLY GAVE THE MONEY BACK TO DAVID BOZANICH.**

#### **NINTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **06/18/2011** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (The defendant then finance director of the City of Youngstown accepted free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown, then devised a scheme to hide the benefits)

#### **TENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **07/19/2011** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for

himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (The defendant then finance director of the City of Youngstown accepted free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown,, then devised a scheme to hide the benefits)

**ELEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **08/20/2011** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Accepting free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown,, then devised a scheme to hide the benefits)

**TWELVTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **06/15/2012** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Accepting free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown, then devised a scheme to hide the benefits)

**THIRTEENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **07/18/2012**

in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Accepting free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown, then devised a scheme to hide the benefits)

**FOURTEENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **06/17/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Accepting free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown, then devised a scheme to hide the benefits)

**FIFTEENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **07/30/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: free golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Accepting free golf benefits so that the Company John Doe 6 worked for could secure work for or within the City of Youngstown, then devised a scheme to hide the benefits)

**SIXTEENTH COUNT**



AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE, then Mayor of the City of Youngstown** on or about **10/26/12** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited a \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**SEVENTEENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **12/15/2012** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE, then Mayor of the City of Youngstown** was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**EIGHTEENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **01/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio.

(Solicited and received \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**NINETEENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **02/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**TWENTIETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **03/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**TWENTY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **04/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party

official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**TWENTY-SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **05/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,000.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**TWENTY-THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of the City of Youngstown** on or about **06/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: MONEY, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,500.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**TWENTY- FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE then Mayor of**

**the City of Youngstown** on or about **07/15/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: **MONEY**, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, in violation of Section 2921.02(B) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio, against the peace and dignity of the State of Ohio. (Solicited and received \$1,500.00 a month from an employee of a local business to ensure that said business would receive work in and/or for the City of Youngstown. There is no evidence that the local business President or CEO was aware of what the employee was doing. )

**TAMPERING WITH RECORDS: CHARLES SAMMARONE**

**Charles Sammarone as Mayor of the City of Youngstown was required to file ethics disclosure forms on an annual basis. During years 2011-2013 Mr. Sammarone filed his ethics disclosure forms with the Ohio Ethics Commission, in filing such forms he knowingly did not disclose at least the following:**

- 1. Gifts provided to him in excess of \$75.00, and/or**
- 2. Bribe money from an employee of a local business, and/or**
- 3. Rental income derived from owning a condo in Florida**

**TWENTY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE** on or about **03/02/2012** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: 2011 Ohio Ethics Commission Financial Disclosure Form, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: The Ohio Ethics Commission/State of Ohio, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio.

**TWENTY-SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE** on or about **02/01/2013** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: 2012 Ohio Ethics Commission Financial Disclosure Form, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and

the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: The Ohio Ethics Commission/State of Ohio, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio.

**TWENTY-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE** on or about **02/24/2014** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: 2013 Ohio Ethics Commission Financial Disclosure Form, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: The Ohio Ethics Commission/State of Ohio, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio.

**TWENTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **CHARLES SAMMARONE** on or about March 2017 unlawfully did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made with purpose to mislead a public official in performing the public official's official function, in violation of the Ohio Revised Code, Title 29, Section 2921.13, and against the peace and dignity of the State of Ohio. (Making false statements to Kevin Monnolly and/ or Chris Rudy who are public officials in the State of Ohio)

**THEFT COUNTS 2913.02**

**The following are counts of theft by deception and/or theft beyond the scope (conversion). Theft by deception was achieved by Marchionda falsifying billing records or having vendors he owned money to falsify billing records which were sent to the State of Ohio, Department of Development and/or the City of Youngstown. Conversion was achieved by Marchionda spending money outside of the express or implied consent granted by the owner of the money, to wit: the State of Ohio and/or the City of Youngstown**

**THEFT BY DECEPTION  
CITY OF YOUNGSTOWN**

**TWENTY-NINETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, DAVID BOZANICH and/or U.S. CAMPUS SUITES LLC.,** on or about **03/01/2009 to 09/05/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the State of

Ohio, the owner, of property or services, to wit: U.S. Currency, by deception, knowingly obtain or exert control over either the property or services, said property and/or services being one million dollars or more in value, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the First Degree, against the peace and dignity of the State of Ohio.(Aggregating theft conduct from the City of Youngstown Water Utility Fund and Float Loan Money Fund which occurred during the Flats at Wick, Erie Terminal and Wick Tower projects) Count One in Case Number 17 CR 1076.

## **STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT**

### **THIRTEITH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA**, and/or **RUBINO CONSTRUCTION**, on or about **08/30/2009 to 01/31/2014** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the State of Ohio/Brownfield Money, the owner, of property or services, to wit: money, Brownfield Money or services, by deception, knowingly obtain or exert control over either the property or services, said property and/or services being seven hundred fifty thousand dollars, or more, but less than one million five hundred thousand dollars in value, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Aggregating Theft conduct pertaining to State of Ohio money from the Brownfield Fund which occurred during the Flats at Wick, Erie Terminal and Wick Tower projects: theft by deception by providing false documents to secure funding) Count Four in Case Number 17 CR 1076.

### **THIRTY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA**, **RUBINO CONSTRUCTION**, and/or **WICK PROPERTIES LLC.** on or about **02/22/2015 to 10/22/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the State of Ohio, Energy Loan Fund, the owner, of property or services, to wit: \$5,000,000.00 Energy Loan Fund Money, by deception, knowingly obtain or exert control over either the property or services, said property and/or services being one million five hundred thousand dollars or more in value, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the First Degree, against the peace and dignity of the State of Ohio. (Obtaining Energy Loan fund money by providing false records to the State of Ohio, Department of Development.) Count Three in Case Number 17 CR 1076.

## **BEYOND THE SCOPE CITY OF YOUNGSTOWN**

### **THIRTY-SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA**, on or about

09/11/2009 to 08/07/2015 in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the City of Youngstown, the owner, of property or services, to wit: money, knowingly obtain or exert control over either the property or services, beyond the scope of the express or implied consent of The City of Youngstown, the owner or person authorized to give consent said property and/or services being one million five hundred thousand dollars or more in value, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the First Degree, against the peace and dignity of the State of Ohio. (Aggregating theft beyond the scope conduct pertaining to the same victim, the City of Youngstown, involving the Flats at Wick, Erie Terminal and Wick Tower projects.) Count Two in Case Number 17 CR 1076

**THIRTY-THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DAVID BOZANICH** on or about **09/11/2009 to 04/01/10** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the City of Youngstown, the owner, of property or services, to wit: money, knowingly obtain or exert control over either the property or services, beyond the scope of the express or implied consent of The City of Youngstown, the owner or person authorized to give consent said property and/or services being one million dollars or more in value, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the First Degree, against the peace and dignity of the State of Ohio. (Bozanich assisted, initiated and developing a plan with Dominic Marchionda to use City of Youngstown water utility money, beyond the express or implied scope consent provided by the City of Youngstown.)

**STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT**

**THIRTY-FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, RUBINO CONSTRUCTION and/or WICK PROPERTIES LLC.**, on or about or between **11/07/2013 to 12/14/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the State of Ohio, Department of Development, the owner, of property or services, to wit: money, knowingly obtain or exert control over either the property or services, beyond the scope of the express or implied consent of the State of Ohio, Ohio Department of Development, the owner or person authorized to give consent, said property and/or services being one million five hundred thousand dollars or more in value, in violation of Section 2913.02(A)(2) of the Revised Code, a Felony of the First Degree, against the peace and dignity of the State of Ohio.( Converting a State of Ohio, Department of Development loans to a use outside the scope of express or implied consent of the owner. )

**THIRTY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA**, and/or **LEGAL ARTS PROPERTIES LLC**, on or about or between **06/01/2015 to 02/15/2016** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive the State of Ohio, Ohio Department of Development, the owner, of property or services, to wit: money, knowingly obtain or exert control over either the property or services, beyond the scope of the express or implied consent of The State of Ohio, the owner or person authorized to give consent said property and/or services being Seven Hundred Thousand Five Hundred Dollars or more but less than One Million Five Hundred Thousand Dollars, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Aggregating theft beyond the scope conduct pertaining to the same victim, the State of Ohio pertaining to the use of insurance proceeds received due to water damage occurring at the Legal Arts Building in Downtown Youngstown, on Market Street.)

**THIRTY SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **09/30/2011** in the County of Mahoning, aforesaid, and State of Ohio, did, with purpose to deprive Rich Autism Center and/or PAR Golf Tournament, the owner, of property or services, to wit: money, knowingly obtain or exert control over said property or services beyond the scope of the express or implied consent of Rich Autism Center and/or PAR Golf Tournament, the owner or person authorized to give consent, said property or services being one thousand dollars or more, but less than seven thousand five hundred dollars in value, in violation of Section 2913.02(A)(2) of the Revised Code, a Felony of the Fifth Degree, against the peace and dignity of the State of Ohio. (The defendant took a check from the account of the Par Golf Tournament, supported by funds which are supposed to be used for the Rich Autism Center and bought his wife jewelry at a jewelry store in Warren, Trumbull County, Ohio with the money.) Count One Hundred Five in Case Number 17 CR 1076

**RECEIVING STOLEN PROPERTY COUNTS**

**The following counts refer to what Dominic Marchionda did after he and or David Bozanich and/or others stole money by deception or conversion from the City of Youngstown or the State of Ohio. Marchionda as an officer or person in control of U.S. Campus Suites, Erie Terminal LLC., or Wick Properties LLC. diverted money for his or companies he controlled use.**

**THIRTY-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **US CAMPUS SUITES LLC. and/or VILLA DI TUSCANY** on or about **10/12/2011 to 02/17/2012** in the County of Mahoning, aforesaid, and State of Ohio, did receive, retain or dispose of property of another, the City of Youngstown



(Float Loan Money), and the said **US CAMPUS SUITES LLC. and/or VILLA DI TUSCANY** at the time knowing or having reasonable cause to believe that said property has been obtained through the commission of a theft offense, and the value of said property being seven thousand five hundred dollars or more, but less than one hundred fifty thousand dollars in value, in violation of Section 2913.51(A)(C) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio. (Receiving money stolen from the City of Youngstown by Dominic Marchionda, during the Erie Terminal Project and then disposing of the money.) Count Ten in Case Number 17 CR 1076

**THIRTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **VILLA DI TUSCANY, NYO PROPERTY GROUP** on or about **08/24/2014 to 08/10/2015** in the County of Mahoning, aforesaid, and State of Ohio, did receive, retain or dispose of property of another, the City of Youngstown (Float Loan Money, Wick Tower Project money), and the said **VILLA DI TUSCANY, NYO PROPERTY GROUP** at the time knowing or having reasonable cause to believe that said property has been obtained through the commission of a theft offense, and the value of said property being more than seven thousand five hundred dollars, but less than one hundred fifty thousand dollars in value, in violation of Section 2913.51(A)(C) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio. ( Receiving money after it had been stolen by deception or conversion by Dominic Marchionda during the Wick Tower project then disposing of it.) Count Eleven (split off) in Case Number 17 CR 1076

**THIRTY-NINTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **ERIE TERMINAL PLACE LLC., VILLA DI TUSCANY, MCMR, FLATS AT WICK LLC.** on or about **11/07/2013 to 06/09/2014** in the County of Mahoning, aforesaid, and State of Ohio, did receive, retain or dispose of property of another, the State of Ohio (Brownfield Money, Wick Tower Project), and the said **ERIE TERMINAL PLACE LLC., VILLA DI TUSCANY, MCMR, FLATS AT WICK LLC.** at the time knowing or having reasonable cause to believe that said property has been obtained through the commission of a theft offense, and the value of said property being more than seven thousand five hundred dollars, but less than one hundred fifty thousand dollars in value, in violation of Section 2913.51(A)(C) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio. (Receiving money after it had been stolen from the State of Ohio by Dominic Marchionda during the Wick Tower project, by deception or conversion, then disposing of it.)

**FORTIETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **ERIE TERMINAL PLACE LLC., VILLA**

**DI TUSCANY, NYO PROPERTY GROUP, and FLATS AT WICK LLC.** on or about **03/10/2015 to 12/17/2015** in the County of Mahoning, aforesaid, and State of Ohio, did receive, retain or dispose of property of another, the State of Ohio (Energy Loan money, Wick Tower Project), and the said **ERIE TERMINAL PLACE LLC., VILLA DI TUSCANY, NYO PROPERTY GROUP, FLATS AT WICK LLC.** at the time knowing or having reasonable cause to believe that said property has been obtained through the commission of a theft offense, and the value of said property being more than seven thousand five hundred dollars, but less than one hundred fifty thousand dollars in value, in violation of Section 2913.51(A)(C) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio. (Receiving money after it had been stolen by Dominic Marchionda by conversion or deception, from the State of Ohio during the Wick Tower project and then disposing of it.)

**FORTY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINC MARCHIONDA, RUBINO CONSTRUCTION, MANAGEMENT PARKING LLC, FIRST NATIONAL HOLDINGS LCC,** on or about **06/05/2015 to 02/29/2016** in the County of Mahoning, aforesaid, and State of Ohio, did receive, retain or dispose of property of another, the State of Ohio (INSURANCE PROCEEDS), and the said **DOMINC MARCHIONDA, RUBINO CONSTRUCTION, MANAGEMETN PARKING LLC, FIRST NATIONAL HOLDINGS LCC,** knowing or having reasonable cause to believe that said property has been obtained through the commission of a theft offense, and the value of said property being more than One Hundred Fifty Thousand Dollars in value, in violation of Section 2913.51(A)(C) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Receiving money after it had been stolen from the State of Ohio by Dominic Marchionda and used for the Wick Tower Project, and other projects.)

**FORTY-SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **VILLAS DI TUSCANY, NYO PROPERTY GROUP, ERIE TERMINAL LLC** did on or about **02/25/2016 to 05/01/2016** in the County of Mahoning, aforesaid, and State of Ohio, did receive, retain or dispose of property of another, the State of Ohio (Energy Loan money, Wick Tower Project), and the said **VILLAS DI TUSCANY, NYO PROPERTY GROUP, ERIE TERMINAL LLC** at the time knowing or having reasonable cause to believe that said property has been obtained through the commission of a theft offense, and the value of said property being more than seven thousand five hundred dollars, but less than one hundred fifty thousand dollars in value, in violation of Section 2913.51(A)(C) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio.

## KEY BANK CRIMINAL MATTER CRIMES

The following counts pertaining to Dominic Marchionda lying to Key bank in attempt to trick Key bank out of more than \$500,000.00 and then attempting to trick Key bank into providing a loan to him based upon false information. Marchionda lied to Key bank about the identity of a refinance lender, the amount of the loan he was securing to refinance the Key Bank loan, and how the refinance loan money was spent.

### FORTY—THIRD COUNT

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: DOMINIC MARCHIONDA on or between 06/12/2012 to 01/12/2013 in the County of Mahoning and Cuyahoga, and State of Ohio, did by deception, attempt to cause another, to wit: Key Bank to execute any writing that disposes of or encumbers property, or by which a pecuniary obligation is incurred. When the value of the property or the obligation involved is one hundred fifty thousand dollars or more, in violation of Section 2913.43(A) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio.

### FORTY-FORTH COUNT:

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **06/12/2012 to 01/13/2013** in the County of Mahoning, aforesaid, and State of Ohio, did purposely or knowingly, and when purpose or knowledge is sufficient culpability for the commission of an offense, engage in conduct which if successful, would constitute or result in a violation of Section 2913.02(A) of the Revised Code, Aggravated Theft, to wit: did, with purpose to deprive Key Bank, the owner, of property or services, to wit: money, by deception, knowingly attempt to obtain or exert control over either the property or services, said property and/or services being one hundred fifty thousand dollars or more, in violation of Section 2913.02(A)(3) of the Revised Code, a Felony of the Fourth Degree, against the peace and dignity of the State of Ohio. (Marchionda lied to Key bank by: lying about the identity of a refinance lender, lying about the amount of a refinance loan, lying about providing Key bank with documents, lying about the value of two assets: an insurance policy and bonds.) Count Twelve in Case Number 17 CR 1076

### FORTY -FIFTH COUNT:

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **11/01/2012 to 03/01/2013** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: Finance statement, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the value of the date or

computer software involved in the offense or the loss to the victim is one hundred fifty thousand dollars or more and/or the offense was committed for the purpose of devising or executing a scheme to defraud or to obtain property or services and the value of the property or services or the loss to KEY BANK is seven thousand five hundred dollars or more, in violation of Section 2913.42(A)(2)(B)(3)(d) a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Provided Key bank with a second finance statement with false information on it.)

**FORTY-SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **11/01/2012 to 03/01/2013** in the County of Mahoning, aforesaid, and State of Ohio, did knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement was made with purpose to commit or facilitate the commission of a theft offense, and the value of the property or services stolen is one hundred fifty thousand dollars or more, in violation of Section 2921.13(A)(9)(F)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda lied to Key bank by: lying about the identity of a refinance lender, lying about the amount of a refinance loan, lying about providing Key bank with documents, lying about the value of two assets: an insurance policy and bonds.) Count Fifteen in Case Number 17 CR 1076

**TAMPERING WITH RECORDS COUNTS**

**FORTH-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **10/06/2011** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: a billing record, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the City of Youngstown, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda owed Company 1 \$90,000.000 for work it had done on the Flats at Wick project. He and John Doe 1, Company 1's attorney and others agreed to use Erie Terminal money to pay for the Flats at Wick debt to Company 1. John Doe 3 at Company 1 falsified AIA G 702 Application 1 stating that \$90,000.00 worth of Demolition work had been provided by Company 1 on the Erie Terminal project when in fact NONE was provided. The fraudulent billing form was uttered to the City of Youngstown, who unwittingly paid the \$90,000.00 to Rubino Construction through the first float loan draw on the Erie Terminal Project.) Count Eighteen in Case Number 17 CR 1076

**FORTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **10/06/2011** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: a billing record, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the City of Youngstown, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda owed Company 2 over \$170,000.00 for work it had done on the Flats at Wick project. He had an employee of Company 2; create an invoice asserting that it was billing Marchionda/Erie Terminal LLC. for work it had done at the Erie Terminal Project in the amount of \$105,000.00, when such was false. In fact Company 2 performed less than \$10,000.00 work at the Erie Terminal Project. The fraudulent billing form was uttered to the City of Youngstown, who unwittingly paid the \$105,000.00 through the first float loan draw on the Erie Terminal project. There is no evidence that anyone at Company 2 other than this employee was aware that this invoice was false.)

**FORTY-NINTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **10/06/2011** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: a billing record, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the City of Youngstown, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda owed Company 3 over \$200,000.00 for work it had done on the Flats at Wick project. He had Company 3, create an invoice asserting that it was billing Marchionda/Erie Terminal LLC. for work it had done at the Erie Terminal Project in the amount of \$35,500.00, when such was false. In fact company 3 performed less than \$5,000.00 work at the Erie Terminal Project. The fraudulent billing form was uttered to the City of Youngstown, who unwittingly paid the \$35,500.00 through the first float loan draw on the Erie Terminal project. )

**FIFEITH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **10/06/2011** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: a billing record, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or

record is kept by or belongs to a local, state, or federal governmental entity, to wit: the City of Youngstown, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda owed Company 4 money for work it had done on the Flats at Wick project, for Marchionda personally, and other work. Marchionda received an invoice from Company 4 and forwarded it to the City of Youngstown asserting that the bill was for work done at the Erie terminal project when little if any work was so performed at the Erie Terminal project. The fraudulent billing form was uttered to the City of Youngstown, who unwittingly paid the \$30,125.00 bill through the first float loan draw on the Erie Terminal project. )

**FIFTY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **01/29/2012 to 03/15/2012** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: a billing record, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the City of Youngstown, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Dominic Marchionda secured a \$350,000.00 Water Utility Grant from the City of Youngstown. In need of cash Marchionda together with John Doe 3 falsely asserted in AIA G 702 billing application 6 that 96% of the plumbing/water work had been finished on the Erie Terminal Project when in fact approximately 56% of the work had been finished. Marchionda emailed the false billing records to the City of Youngstown who unwittingly authorized a \$350,000.00 water utility grant payment. A short time later Marchionda emailed the correct AIA G702 Application 6 to the Architect and Bank on the project asserting that 56% of the plumbing/water work on the project had been completed.) Count Nineteen in Case Number 17 CR 1076

**FIFTH -SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **10/18/2012** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: a billing record, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the City of Youngstown, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda convinced the City of Youngtown that he needed an additional \$220,000.00 grant from the City of Youngstown Water Utility Fund near the end of the Erie Terminal Project. Dominic Marchionda, John Doe 3

and others at Company 1 inflated the amount of work related to Water and Sewer work on the Erie Terminal project near the end of the project so that Marchionda could receive the full \$220,000.00 water grant money and use it to pay Company 1 for work not related to Water and Sewer. Count Twenty in Case Number 17 CR 1076

**FIFTY-THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or WICK PROPERTIES LLC.** on or about **02/11/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: Affiliated Entities Certification for an Energy Loan, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the State of Ohio, Ohio Department of Development, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda hid from the Ohio Department of Development that fact that he owned, controlled or managed Rubino Construction by falsely filling out the State of Ohio Department of Development Affiliated Entities form as part of the disbursement process for a \$5,000,000.00 Energy Loan. Count Twenty-Two in Case Number 17 CR 1076

**FIFTH –FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or WICK PROPERTIES LLC.** on or about **04/02/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: Draw 2 Borrower's Certificate Energy Loan, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the State of Ohio, Ohio Department of Development, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda falsely filled out and uttered to the Ohio Department of Development a Borrower's Certificate as part of the second draw request to the State of Ohio Department of Development as part of the disbursement process for a \$5,000,000.00 Energy Loan.) Count Twenty-Four in Case Number 17 CR 1076

**FIFTY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or WICK PROPERTIES LLC.** on or about **06/16/2015** in the County of Mahoning, aforesaid, and State

of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: Draw 3 Borrower's Certificate Energy Loan, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the State of Ohio, Ohio Department of Development, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda falsely filled out and uttered to the Ohio Department of Development a Borrower's Certificate as part of the third draw request to the State of Ohio Department of Development as part of the disbursement process for a \$5,000,000.00 Energy Loan.) Count Twenty-Five in Case Number 17 CR 1076.

**FIFTH SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or WICK PROPERTIES LLC.** on or about **07/27/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, knowing he had no privilege to do so, and with purpose to defraud or knowing he was facilitating a fraud utter a writing or record, to wit: Draw 4 Borrower's Certificate Energy Loan, knowing it to have been tampered with as provided in division (A)(1) of 2913.42 of the Revised Code, and the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity, to wit: the State of Ohio, Ohio Department of Development, in violation of Section 2913.42(A)(2)(B)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (Marchionda falsely filled out and uttered to the Ohio Department of Development a Borrower's Certificate as part of the fourth draw request to the State of Ohio Department of Development as part of the disbursement process for a \$5,000,000.00 Energy Loan.) Count Twenty-Six in Case Number 17 CR 1076

**TELECOMMUNICATION FRAUD COUNTS**

**These counts pertain to Dominic Marchionda faxing or emailing documents to the Ohio Department of Development or the City of Youngstown documents containing fraudulent information to secure money from the State of Ohio, Department of Development or the City of Youngstown or to Key Bank in an attempt to secure some sort of a refinance loan with Key bank.**

**FIFTH-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **10/08/2013** in the County of Mahoning, aforesaid, and State of Ohio, did, having devised a scheme to defraud, knowingly disseminate, transmit, or cause to be disseminated or transmitted by means of a wire, radio, satellite, telecommunication, telecommunications device, or telecommunications service any writing, date, sign, signal, picture, sound, or image with purpose



to execute or otherwise further the scheme to defraud, and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of Section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, and the value of such being one hundred fifty thousand dollars or more, but less than one million dollars, in violation of Section 2913.05(A)(B) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Disbursement 1, Wick Brownfield loan, false information provided to the State of Ohio as part of the draw application process, false payroll records ) Count Thirty-Three in Case Number 17 CR 1076

**FIFTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **11/13/2013** in the County of Mahoning, aforesaid, and State of Ohio, did, having devised a scheme to defraud, knowingly disseminate, transmit, or cause to be disseminated or transmitted by means of a wire, radio, satellite, telecommunication, telecommunications device, or telecommunications service any writing, date, sign, signal, picture, sound, or image with purpose to execute or otherwise further the scheme to defraud, and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of Section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, and the value of such being one hundred fifty thousand dollars or more, but less than one million dollars, in violation of Section 2913.05(A)(B) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Disbursement 2, Wick Brownfield loan, false information provided to the State of Ohio as part of the draw application process, false payroll records.) Count Thirty-Four in Case Number 17 CR 1076

**FIFTY-NINETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **12/19/2013** in the County of Mahoning, aforesaid, and State of Ohio, did, having devised a scheme to defraud, knowingly disseminate, transmit, or cause to be disseminated or transmitted by means of a wire, radio, satellite, telecommunication, telecommunications device, or telecommunications service any writing, date, sign, signal, picture, sound, or image with purpose to execute or otherwise further the scheme to defraud, and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of Section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, and the value of such being one hundred fifty thousand dollars or more, but less than one million dollars, in violation of Section 2913.05(A)(B) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Disbursement 3, Wick Brownfield loan, false

information provided to the State of Ohio as part of the draw application process, false payroll records.) Count Thirty-Five in Case Number 17 CR 1076

**SIXEITH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **03/17/2014** in the County of Mahoning, aforesaid, and State of Ohio, did, having devised a scheme to defraud, knowingly disseminate, transmit, or cause to be disseminated or transmitted by means of a wire, radio, satellite, telecommunication, telecommunications device, or telecommunications service any writing, date, sign, signal, picture, sound, or image with purpose to execute or otherwise further the scheme to defraud, and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of Section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, and the value of such being one hundred fifty thousand dollars or more, but less than one million dollars, in violation of Section 2913.05(A)(B) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Disbursement 4, Wick Brownfield loan, false information provided to the State of Ohio as part of the draw application process, false payroll records.) Count Thirty-Six in Case Number 17 CR 1076

**SIXTY- FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **09/22/2015** in the County of Mahoning, aforesaid, and State of Ohio, did, having devised a scheme to defraud, knowingly disseminate, transmit, or cause to be disseminated or transmitted by means of a wire, radio, satellite, telecommunication, telecommunications device, or telecommunications service any writing, date, sign, signal, picture, sound, or image with purpose to execute or otherwise further the scheme to defraud, and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of Section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code, and the value of such being one hundred fifty thousand dollars or more, but less than one million dollars, in violation of Section 2913.05(A)(B) of the Revised Code, a Felony of the Second Degree, against the peace and dignity of the State of Ohio. (Disbursement 5, Wick Energy loan, false information provided to the State of Ohio as part of the draw application process, Completion Certificate, certifying that all cost associated with the Wick Tower had been paid when in fact they were not and in some cases still are not.) Count Thirty-Seven in Case Number 17 CR 1076

**MONEY LAUNDERING COUNTS  
FLATS AT WICK MONEY**

(The unlawful activity charged in any money laundering count in this charging instrument are either, theft by deception, theft beyond the scope, tampering with records or telecommunication fraud. )

**SIXTY-SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **12/07/2009** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Thirty-Nine in Case Number 17 CR 1076. (\$45,000.00 from DJM Rentals then to Dominic Marchionda)

**SIXTY-THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **03/09/2010** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Forty-One in Case Number 17 CR 1076 (\$8080.32 to Dominic Marchionda from U.S. Campus Suites)

**The following transactions are from City of Youngstown Float Loan Money for the Flats at Wick Project.**

**SIXTY-FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **01/26/2010** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Forty-Eight in Case Number 17 CR 1076. (\$25,000.00 transaction from DJM Rental to Dominic Marchionda)

**SIXTY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **03/03/2010** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Fifty in Case Number 17 CR 1076 (10,000.00 transaction to Dominic Marchionda)

**ERIE TERMINAL PROJECT MONEY LAUNDERING COUNTS**

**SIXTY-SIXTHCOUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **11/16/2011** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Fifty-Seven in Case Number 17 CR 1076. (\$20,000.00 to Dominic Marchionda)

**SIXTY-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **02/08/2012 to 02/17/2012** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Sixty-One in Case Number 17 CR 1076. (\$15,000.00 transaction to Dominic Marchionda)

**SIXTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or VILLAS**

**DI TUSCANY** on or about **03/16/2012** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Sixty-Two in Case Number 17 CR 1076

**WICK TOWER PROJECT: STATE OF OHIO ODOD BROWNFIELD MONEY**

**SIXTY-NINETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, RUBINO CONSTRUCTION and/or MCMR ENTERPRISES** on or about **11/07/2013** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$20,000.00 transfer among these persons or entities directed by Dominic Marchionda)

**SEVENEITH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, RUBINO CONSTRUCTION and/or VILLAS DI TUSCANY** on or about **12/10/2013** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$9,000.00 transfer)

**SEVENTY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or ERIE TERMINAL PLACE LLC.** on or about **12/11/2013** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in

violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio.

**SEVENTY-SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **12/26/2013 to 12/31/2013** did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$12,500.00 transaction)

**SEVENTY-THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, and/or VILLAS DI TUSCANY** on or about **02/10/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$7,000.00 transaction)

**SEVENTY-FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **03/05/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$15,000.00 transfer)

**CITY OF YOUNGSTOWN FLOAT LOAN**

**SEVENTY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or VILLAS DI TUSCANY** on or about **08/25/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section

1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$15,000.00 transaction)

**SEVENTY-SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **08/26/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$20,000.00 transaction)

**SEVENTY-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **09/04/2014** in the County of Mahoning, aforesaid, and State of Ohio, in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$20,000.00 transaction)

**SEVENTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, YOUNGSTOWN FIRST NATIONAL HOLDINGS** on or about or between **09/16/14** in the County of Mahoning, aforesaid, and State of Ohio, in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio.

**SEVENTY-NINETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA**, on or about or between **09/25/2014** in the County of Mahoning, aforesaid, and State of Ohio, in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of

corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$25,000.00 transaction)

**EIGHTEITH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or NYO PROPERTY GROUP**, on or about or between **10/15/2014** in the County of Mahoning, aforesaid, and State of Ohio, in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$13,500.00 in three separate transactions)

**EIGHTY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **11/06/2014** did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$20,000.00 transaction)

**EIGHTY SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or VILLAS DI TUSCANY** on or about **11/13/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Eighty in Case Number 17 CR 1076. (\$3,500.00 transaction)

**EIGHTY THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **11/24/2014**, in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the



transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$15,000.00 transaction)

**EIGHTY-FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **11/28/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$25,000.00 transaction)

**EIGHTY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or NYO PROPERTY GROUP** on or about **12/12/2014** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. Count Ninety-Six in Case Number 17 CR 1076. (\$10,000.00 transaction)

**EIGHTY-SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **12/22/2014 to 01/29/2015** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$80,000.00 transaction)

**EIGHTY-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about or between **01/05/2015 to 01/16/2015** in the County of Mahoning, aforesaid, and State of Ohio, did

conduct or attempt to conduct a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$20,000.00 transaction)

**EIGHTY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **03/23/2015** in the County of Mahoning, aforesaid, and State of Ohio, conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$15,000.00 transaction)

**EIGHTY-NINETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **04/29/2015** in the County of Mahoning, in the County of Mahoning, aforesaid, and State of Ohio, conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$10,000.00 transaction)

**NINEITH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **05/15/2015** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$25,000.00 transaction)

**NINETY-FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about

10/27/2015 to 10/28/2015 in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (A \$5,300.00 transaction on 10/27/2015 structured with a \$10,000.00 transaction on 10/28/2015)

**NINETH-SECOND COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and/or VILLAS DI TUSCANY** on or about **11/12/2015** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or attempt to conduct a transaction knowing that the property involved in the transaction is the proceeds of some form of unlawful activity with the conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under Section 1315.53 of the Revised Code or federal law, in violation of Section 1315.55(A)(2) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$5,500.00 transaction)

**LEGAL ARTS BUILDING**

THE LEGAL ARTS BUILDING LOCATED AT 101 MARKET STREET YOUNGSTOWN, OHIO WAS PURCHASED BY DOMINIC MARCHIONDA/LEGAL ARTS PROPERTIES LLC FOR 175,000 IN MARCH OF 2012. IT WAS INSURED FOR OVER TWO MILLION DOLLARS. DURING THE TIME THAT THE WICK TOWER PROJECT WAS GOING ON A WATER FLOOD OCCURRED AT THE LEGAL ARTS BUILDING LOCATED AT 101 MARKET STREET, YOUNSTOWN, OHIO CAUSING CONSIDERABLE DAMAGE. AN INSURANCE SETTLEMENT WAS REACHED BY MARCHIONDA, THE STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT AND THE INSURER FOR THE SUM OF \$1,700,000.00. INSURANCE FUNDS. THE FUNDS WERE RELEASED BY THE STATE OF OHIO UNDER THE CONDITION THAT ALL FUNDS BE USED TO REHAB, REPAIR OR PUT BACK INTO LEGAL ARTS BUILDING. THAT DID NOT OCCUR. INSTEAD MONEY WAS DIVERTED BY MARCHIONDA TO PAY FOR THE WICK TOWER PROJECT LOCATED AT 34 WEST FEDERAL PLAZA BETWEEN NOVEMBER 2014 AND FEBRUARY 2016 THEREBY PAYING FOR THE COMPLETION OF THE WICK TOWER PROJECT.

**NINETY-THIRD COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, RUBINO CONSTRUCTION**, on or about **06/04/2015** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the

proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$240,000.00 transaction)

**NINETY-FOURTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA and ERIE TERMINAL LLC** on or about **10/26/2015** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$12,500.00)

**NINETY-FIFTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, MANAGEMENT PARKING,** on or about **11/18/2015** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$342,593.60 transaction)

**NINETY-SIXTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA** on or about **02/25/2016** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$50,000.00)

**NINETY-SEVENTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, YOUNGSTOWN FIRST NATIONAL HOLDINGS, AND/OR RUBINO CONSTRUCTION** on or about **02/29/2016** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the

proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$317,430.00 transaction)

**NINETY-EIGHTH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, and MANAGEMENT PARKING** on or about **03/03/2016** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. \$30,000.00)

**NINETH-NINETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA**, on or about **03/07/2016** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. (\$20,000.00 transaction)

**ONE HUNDRETH COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, and NYO PROPERTY GROUP** on or about **03/14/2016** in the County of Mahoning, aforesaid, and State of Ohio, did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity in violation of Section 1315.55(A)(4) of the Revised Code, a Felony of the Third Degree, against the peace and dignity of the State of Ohio. \$15,000.00)

**ONE HUNDRED FIRST COUNT:**

AND the grand jurors of this County, in the name and by the authority of the State of Ohio, upon their oaths, do find and present that: **DOMINIC MARCHIONDA, DAVID BOZANICH, CHARLES SAMMARONE, RUBINO CONSTRUCTION INC., U.S. CAMPUS SUITES LLC., ERIE TERMINAL PLACE LLC., WICK PROPERTIES LLC., NYO PROPERTY GROUP, and others** on or about **January , 2006 to January 1, 2017** in the County of Mahoning, Franklin and Cuyahoga and State of Ohio, did, unlawfully while

employed by, or associated with, any enterprise did conduct or participate in, directly or indirectly, the affairs of the enterprise through a pattern of corrupt activity. FURTHERMORE, at least one of the incidents of corrupt activity was a felony of the first, second, or third degree to wit: Bribery, Money Laundering, Theft, Receiving Stolen Property, Telecommunications Fraud and/or Theft in Office AND at least one of the incidents of corrupt activity was a felony of the first degree to with: Theft.

### **THE ENTERPRISE**

**This Enterprise is an association and/or organization and/or a group of persons and/or companies associated in fact, although not a legal entity, including but not limited to Dominic Marchionda, David Bozanich, Charles Sammarone, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 5, John Doe 6, John Doe 7, John Doe 8, John Doe 9, Company 1, Company 2, Company 3, Company 4, and Company 5, Rubino Construction Inc. U.S. Campus Suites, Erie Terminal Place LLC., NYO Property Group, Wick Properties LLC., Legal Arts Properties LLC, and/or other companies or entities owned by or associated with Dominic Marchionda, and others known and unknown, all of whom are persons associated with the Enterprise (collectively, “Persons associated with the Enterprise” or “Persons”). The enterprise may consist of additional businesses, entities and person who are not yet named in this indictment.**

**This Enterprise existed as an “Association in Fact Enterprise” under Ohio Revised Code Section 2932.32 because it: (1) was an ongoing organization with a commonality of purpose or a guiding mechanism to direct the organization or (2) was a continuing unit with an ascertainable structure. A more detailed description of the Enterprise is stated in below.**

### **THE PARTIES**

**Dominic Marchionda**—Marchionda owns, controls, or is the managing member of Erie Terminal Place LLC., Wick Properties LLC. U.S. Campus Suites LLC. , NYO Property Group has been the President and in full control of Rubino Construction since at least 2005 and is associated with and or controls scores of other companies including Stambaugh Holding Company LLC., Villas Di Tuscany LLC. , DJD& C Development Company , MCMR Enterprises and many others. Marchionda is affiliated with more than 50 companies in the Youngstown Area including, Youngstown First Acquisitions, Management Parking llc.

**Charles Sammarone**—former Youngstown City Council President who in August of 2011 ascended to the position of Mayor of the City of Youngstown upon the resignation of Mayor Jay Williams. Sammarone held that position until John McNally became Mayor in January of 2014. Sammarone solicited and then received cash from John Doe 6 in return for steering city projects to the company John Doe 6 worked for. John Doe 6’s supervisors had no idea that such conduct was occurring or had occurred. Sammarone is heard in a 2014 recording repeatedly stating that he is “old school” and that “one hand washes the other” or “I am with the old school, one hand washes the other”, and that “anything is legal if no one else knows about it, I have been around a long time”

**David Bozanich**—Finance Director for the City of Youngstown during the time period of this indictment and the person who was ran Economic Development in the City of Youngstown until 2014. During this period of time Bozanich with city council approval instituted a lending and grant program using city money which had little or no oversight as to how the money was spent. Bozanich received benefits from John Doe 1 and John Doe 2, John Doe 6 and John Doe 8 and in return for agreed to assist in the securing of public funding from the city of Youngstown for economic development projects including Dominic Marchionda's Flats at Wick Project.

**John Doe 1**—ran a business located in Mahoning County, Ohio. When his business was financially destitute and needed work/, he provided a cash benefit to David Bozanich the Youngstown, Ohio Finance Director to obtain approval or a commitment from the Finance Director who was also the defacto head of the Economic Development Department for the City of Youngstown to assist and secure public financing for the Flats at Wick project at the intersection of Elm and Madison in Youngstown, Mahoning County, Ohio.

**John Doe 2--** An attorney licensed to practice law in the State of Ohio who represented Dominic Marchionda, and other persons both natural and legal, listed in this indictment and count.

**John Doe 3**—Assisted the business run by John Doe 1 and in addition assisted Dominic Marchionda is securing funding for the following projects:

Flats at Wick  
Erie Terminal

and in other business matters.

**John Doe 4**—an officer of one of the businesses Dominic Marchionda owns, controls or manages.

**John Doe 5---**owns a business which performed services for the Flats at Wick, Erie Terminal and Wick Tower project.

**John Doe 6**—an employee of a Company 2, who provided benefits to David Bozanich, Charles Sammarone and others over at least a 10 year period of time and to Dominic Marchionda. The employee provided the benefits which were paid for by the company without the knowledge or consent of anyone else in the company. Company officials were unaware that John Doe 6 was acting in such a manner. This person also provided benefits to Charles Sammarone to secure work in or with the City of Youngstown without the knowledge of consent of anyone else in the company.

**John Doe 7**—a officer in a Company 4 who does business in Mahoning County, Ohio.

**John Doe 8**—an past employee and or officer in Company 1. He provided benefits to David Bozanich.

**John Doe 9**—an officer in Company 5 who provided a false invoice in excess of \$58,000.00 to Dominic Marchionda at the time the Wick Tower project was being constructed. Work listed on the invoice was never performed.

**Company 1**—a company doing business in the Mahoning Valley and elsewhere across the country.

**Company 2**—a company doing business in the Mahoning Valley, and elsewhere across the country.

**Company 3**—An entity doing business in the State of Ohio

**Company 4**—An entity doing business in the State of Ohio.

**Company 5**—A company doing business in the State of Ohio and who worked on the Erie Terminal Project and the Wick Tower project.

**Company 6**—A company which works in the real estate field and which is located in Mahoning County, Ohio.

**ODOD**—The Ohio Department of Development an executive Branch agency for the State of Ohio which provided loan funds for the projects which are the subject of this indictment and part of this enterprise.

**City of Youngstown**-A political subdivision under the State of Ohio organized under the laws of the State of Ohio with a Mayor/City Council for of Government.

**U.S. Campus Suites LLC.** —a company managed by Dominic Marchionda which was involved in the Flats at Wick project and the Erie Terminal Project

**Erie Terminal Place LLC.** —a company managed, owned and or controlled by Dominic Marchionda which was/is the owner of the Erie Terminal located on Commerce Street in Youngstown, Ohio.

**Wick Properties LLC.** -- a company managed, controlled and/or part owned by Dominic Marchionda which was involved in the Wick Tower Project located on West Federal Plaza in Youngstown, Ohio.

**Flats at Wick** —a project developed, created and ran by Dominic Marchionda at the intersection of Madison Ave and Elm Street in Youngstown, Ohio. This project received State of Ohio/Federal Brownfield loan money to clean up certain land located at the intersection of Elm Street and Madison Ave. in the City of Youngstown. It also received a 1.2 million dollar water and sewer grant from the City of Youngstown to be used for water/ sewer related purposes. It also received a float loan from the City of Youngstown whose proceeds by the terms of the loan were to be used for the project and project related cost. Key bank provided a construction /permanent loan for the project. The use of all City money was restricted the ordinance authorizing said use and the terms of the agreement.



**Erie Terminal**--a project which converted a railroad station and office building into student housing. The project was run by Dominic Marchionda who in effect had two general contractors on the project, one being Rubino Construction LLC. . This project received \$570,000 in City of Youngstown Water Grant money from the City of Youngstown for water/sewer related items and a Float loan from the City of Youngstown which by its terms required all loan proceeds to be spent on the project. The use of all City money was restricted the ordinance authorizing said use and the terms of the agreement. This project also received Brownfield Money from ODOD.

**Wick Tower**----a project developed, created and/or run by Dominic Marchionda located on West Federal Plaza in Youngstown, Ohio. This project received City of Youngstown Water Grant money from the City of Youngstown for water/sewer related items and a Float loan from the City of Youngstown which by its terms required all loan proceeds to be spent on the project. The use of all City money was restricted the ordinance authorizing said use and the terms of the agreement. This project also received Brownfield Money from ODOD and Energy Loan money from ODOD passed to it from the United States of America through the American Recovery Act.

**Villas Di Tuscany LLC.** --a company owned, managed and/or controlled by Dominic Marchionda involved with residential real estate development and sale.

**Rubino Construction Inc.** --a company managed, partially owned and run by Dominic Marchionda who since 2005 has been its President. Marchionda was the President of Rubino Construction Inc., during all time within this indictment, ran the financial affairs of Rubino Construction and transferred a lot of money out of Rubino Construction Inc. to him for personal use and other entities Marchionda owned or controlled.

**DJD & C Development Company**--a company managed, owned and or controlled by Dominic Marchionda.

**DJM Rental Properties LLC.** --a company managed, owned and or controlled by Dominic Marchionda

**NYO Property Group**-a real estate related company managing properties in Youngstown Ohio owned, partially owned and or controlled or partially controlled by Dominic Marchionda along partners.

**MCMR Enterprises**---a company owned, managed or controlled by Dominic Marchionda

**Exal Leasing LLC**---A company formed by John Doe 6, John Doe 1 and John Doe 8 to construct a building for development purposes near Poland Avenue in Youngstown, Ohio but not owned by Exal Corporation. The owners of Exal Leasing Llc worked in conjunction with David Bozanich with at least one of the owners, paying David Bozanich a \$100,000.00 bribe or kick back for the economic development project.

## **B. THE SCHEME OR PHASES OF THE ENTERPRISE'S EXISTENCE**

Within the scope of the enterprise and to further its affairs, David Bozanich had been receiving

benefits for years as a public employee of the City of Youngstown from companies or from people who worked at companies who did business with or in the City of Youngstown or who were seeking to do business with or in the City of Youngstown. These benefits came in the form of cash, golf fees, meals, trips and other benefits provided to Bozanich over the years. The amount of the benefits received over a ten year period of time exceeds \$125,000.00. Benefits were at times provided to a travel agency Bozanich was a part of –Village Traveler, with Bozanich taking the money once provided to Village Traveler by the other party to the corrupt bargain.

Within the scope of this enterprise and to further its affairs, John Doe 8 provided benefits or a benefit to David Bozanich while Bozanich was employed with the City of Youngstown while Company 1 was doing business or seeking to do business in of with the City of Youngstown.

Within the scope of this enterprise and to further its affairs, John Doe 6 provided benefits or a benefit to David Bozanich while Bozanich was employed with the City of Youngstown while Company 2 was doing business or seeking to do business in of with the City of Youngstown. Company 2 senior officials were not aware of John Doe 6's activities. Benefits started going to Bozanich's by the mid-2000s. The first project, the EXAL can development project personally benefited Bozanich by at least \$100,000.00 in kickbacks or bribes paid to him by John Doe 6. John Doe 6 continued to provide Bozanich with benefits up until mid-2013.

Within the scope of this enterprise and to further its affairs Bozanich and Sammarone stopped receiving benefits from John Doe 6 after a federal investigation into the conduct of Bozanich came to light. In fact \$45,000.00 of bribe money was returned by Bozanich through his travel agency to John Doe 6 to obstruct or hide from the federal investigation into his conduct.

Within the scope of the enterprise and to further its affairs, David Bozanich while being the Finance Director of the City of Youngstown, Ohio was the head of economic development who according to officials with the City of Youngstown held enormous economic development power until 2014 when John McNally as Mayor of Youngtown allowed the Economic Development Director to be the actual head of economic development in Youngstown, Ohio. The City of Youngstown implemented a grant program using excess City water revenues. The program which was controlled or managed by Bozanich lacked the proper oversight to ensure that the money granted was spent consistent with its purpose.

Within the scope of the enterprise and to further its affairs in 2008 Dominic Marchionda approached the City of Youngstown with a development proposal to redevelop the intersection of Madison and Elm Street for University Housing for Youngstown State University.

Within the scope of the enterprise and to further its affairs Dominic Marchionda secured a loan for the State of Ohio, Ohio Department of Development to clean up environmental issues at this site, and a construction loan from Key bank but were short of cash necessary to make the project a go.

Within the scope of this enterprise and to further its affairs Marchionda approach Bozanich about securing City of Youngstown funding for the Flats at Wick project and was told no, by David Bozanich.

Within the scope of this enterprise and to further its affairs Marchionda met with John Doe 2 an attorney and good friend of David Bozanich and asked him to assist in securing City money from David Bozanich and to do whatever it took, to get David Bozanich to agree to support the Flat at Wick project and to secure City of Youngstown funding in the project. Marchionda was fearful he would lose large sums of money if the Flats at Wick project did not proceed.

Within the scope of this enterprise and to further its affairs, John Doe 2 met with John Doe 1 over the topic of 'making Dave happy' or "taking care of Dave". John Doe 1 ran Company 1 and Company 1 was in need of work during the "Great Recession" to remain in business. John Doe 1 was aware that David Bozanich in the past had illegally taken money or benefits to secure city approval for a particular project.

Within the scope of the enterprise and to further its affairs John Doe 1 met with Bozanich at a restaurant in Boardman, Ohio and provided Bozanich between \$20,000.00 to \$25,000.00 in cash so that City of Youngstown would provide needed financing to Dominic Marchionda so that the Flats at Wick projects would proceed. Bozanich without hesitating at the restaurant took the money which was in an envelope and put it into his pocket.

Within the scope of the enterprise and to further its affairs Bozanich contacted John Doe 2 after John Doe 1 provided him with thousands of dollars of cash and told John Doe 2 that that Bozanich would now support the Flats at Wick project and would support the City of Youngstown becoming financially involved with the project. A short time later a development agreement was drafted for the Marchionda and the parties to sign..

Within the scope of the enterprise and to further its affairs John Doe 2 then also waived legal fees that Bozanich owed to him in the amount between \$7,000.00 and \$10,000.00 and stated such to Bozanich, who was fully aware that the fees were being waived and why. The fees were waived as an illegal benefit because Bozanich was now supporting the Flats at Wick project.

Within the scope of the enterprise and to further its affairs John Doe 2 communicated to Marchionda a message from Bozanich that the City of Youngstown would financially support the Flats at Wick project, thereby making the project go forward.

Within the scope of this enterprise and to further its affairs Bozanich communicated to John Doe 2 and Marchionda that the City of Youngstown would provide Marchionda with \$1,200,000.00 in water utility money and that Marchionda would immediately use 1,000,000.00 of such funds to purchase land upon which a City fire station was built and being used. The fire station would then be leased back to the City of Youngstown. Bozanich planned on taking 1,000,000.00 of water utility funds, an enterprise fund and put the \$1,000,000.00 into the City of Youngstown's general fund which was contrary to law.

Within the scope of this enterprise and to further its affairs Bozanich permitted Marchionda to keep the remaining \$200,000.00. The use of those funds was never audited by Bozanich or the City of Youngstown.

Within the scope of the enterprise and to further its affairs David Bozanich on or about May 7, 2009 declared that property owned by the City of Youngstown which was being used as a fire station was surplus City property no longer needed for governmental purposes and should be sold for economic development purposes to DJM Rental Properties LLC. for \$10.00. Acting upon the compromised advice of its Finance Director, Youngstown City Council declared such real estate property no longer needed for City purpose and permitted its sale for \$10.00 in May of 2009 to a company Marchionda owned, controlled and/or managed.

Within the scope of the enterprise and to further its affairs David Bozanich authorize the sale of property no longer needed for a City purpose to DJM Rental Properties LLC. for \$1,000,000.00 less than two months after Bozanich and Youngstown City Council declared such property surplus property and had City Council authorize its sale for \$10.00. Youngstown Ohio City Council acting upon the advice of its Finance Director authorized the sale of this property for \$1,000,000.00 after it has authorized the sale for \$10.00 6 weeks earlier. A few weeks later the sale terms were amended by ordinance authorizing the sale to U.S. Campus Suites LLC.

Within the scope of the enterprise and to further its affairs A development agreement entered between the City of Youngstown and U.S. CAMPUS SUITES LLC. for the construction of student apartments at the intersection of Madison Ave. and Elm Street in Youngstown, Ohio where by the City of Youngstown would provide 1.2 million dollars in water /sewer fund monies to Dominic Marchionda and/or a company he owned or controlled to be used for Water/Sewer purposes and an \$2,000,000.00 float loan to be used for construction of the Apartments. The development agreement was properly passed by the appropriate City of Youngstown, Ohio boards. The Terms of the Agreement provided that:

**Section 1 - City's Obligations**

1.1. Grant: The City agrees to provider to Developer, a One-Million Two Hundred Thousand (\$1,200,000.00) Grant for purposes of assisting in certain site preparation. The Grant shall be used by the Developer for installation of a water line and water-related, a waste water line and water water-related, and any associated site remediation and grading as well as any improvements, enhancements, and/or upgrades to the water system that may be necessary for Developer to complete the project as planned.

Further the City of Youngstown entered into a Float loan agreement with U.S. Campus Suites LLC. which provide for a \$2,000,000.00 float loan with an 18 month term. The agreement restricted the use of the funds as follows:

## ARTICLE I. Terms of Loan

**This Loan is only for commercial purposes and is not a consumer transaction. Borrower has not and is not acquiring from the proceeds of the Loan any property for personal, family or household purposes.**

1.01 Promissory Note: On the terms and conditions of this Loan Agreement, Lender agrees to loan to Borrower and Borrower agrees to borrow from Lender the sum of Two Million Dollars and No Cents (\$2,000,000.00) which shall be evidenced by a Cognovit Promissory Note (hereinafter referred to as the "Note") bearing interest at the rate of Zero percent (0.00%) per annum, for a term expiring October 12, 2010, at which time the entire unpaid balance shall be due and payable, or at any extended date that may be agreed to in writing, between Borrower and Lender, or between Borrower and the Assignee of Lender, in the event Lender assigns this note subsequent to the date of issue; provided, however, that Lender, or the Assignee of Lender, may by written notice to Borrower, declare the entire principal, plus accrued interest, if any, payable prior to the expiration date set forth above.

1.02 Use of Funds: Borrower agrees that it shall use the funds received by it under this Agreement in accordance with the use of the loan proceeds as specified above, and under

Borrower's application documenting the use of the loan proceeds which application shall be submitted to the Lender in a form satisfactory to Lender, for Lender's review and approval. Borrower further agrees that no application of any funds received from the Lender hereunder shall be made for any other purpose, other than in accordance with the above described eligible project.

Within the scope of the enterprise and to further its affairs upon receipt of the \$1,200,000 from the City of Youngstown in the form of a water and sewer grant from the City's water fund, Dominic Marchionda sent \$1,000,000.00 of such funds back to the City of Youngstown to buy land described above in complete contravention of the express or implied use of such funds. Once such funds were received by the City such funds were placed into the General Fund of the City of Youngstown in violation of Ohio law under the direction of David Bozanich.

Within the scope of the enterprise and to further its affairs \$70,000.00 of the \$200,000.00 of water utility fund money from the City of Youngstown was used by Marchionda for personal debt, bills, reasons like his medical expenses, the Poland Swim Club, personal bounced check fees, the Holy Family Facilities fund, real estate taxes, dental bills and other personal bills, person debt and investment purposes. The funds were not spent on water or sewer related issues. and not used for a water related purpose.

Within the scope of the enterprise and to further its affairs the lax oversight of the use of this money, by Bozanich, the Director of Finance for the City of Youngstown made it easier for Marchionda to use the money the way he used it contrary to the express or implied consent of the owner of the money.

Within the scope of this enterprise and to further its affairs Marchionda secured from Key bank a construction loan which after Key bank paid-off the float loan Marchionda had with the City of Youngstown became a permanent loan in the amount of approximately \$5,500,000.00

Within the scope of this enterprise and to further its affairs, Dominic Marchionda/U.S. Campus Suites LLC. defaulted on the Key bank permanent loan used to construct the Flats at Wick

Within the scope of this enterprise and to further its affairs in June of 2012 Marchionda through his attorneys began to discuss a refinance loan with Morgan Stanley, upon which Morgan Stanley would refinance the full Key Bank loan which was by that time in the neighborhood of \$5,300,000.00.

Within the scope of this enterprise and to further its affairs, Dominic Marchionda discussed the refinance process with Key bank, after the construction loan had been placed in Key Bank's asset recovery section. Marchionda lied to Key Bank in an attempted to obtain a \$500,000.00 benefit from Key Bank. Marchionda lied to Key Bank about the identity of the refinance lender, the amount of the refinance loan, who Marchionda owed money to, how the proceeds of the refinance loan were used, and submitted false financial records in the process.

Within the scope of the enterprise and to further its affairs Marchionda lied to Key bank as described above from September of 2012 until his attorney instructed him to be honest with Key Bank in January of 2013.

Within the scope of this enterprise and to further its affairs when Marchionda received the refinance loan proceeds from Morgan Stanley through Company 6. Marchionda used part of the money to pay debts to people who live in New York hiding such from Key Bank and to make such payment Marchionda moved at least \$150,000.00 from multiple accounts until it reached its final destination in New York state.

Within the scope of this enterprise and to further its affairs at the end of the Flats at Wick project Marchionda owed the following entities the following sums of money:

- Company 1—90,000.00
- Company 2—170,000.00
- Company 3—at least 200,000.00
- Company 4—30,000.00

Within the scope of this enterprise and to further its affairs, Marchionda/Erie Terminal Place/ U.S. Campus Suites received a \$2,000,000.00 float loan from the City of Youngstown as authorized by Youngstown City Council. The float loan agreement contained the same language and restrictions within it as the float loan for the Flats at Wick project. The money's use was restricted to the project—the Erie Terminal project.

Within the scope of this enterprise and to further its affairs Marchionda instructed or was involved in instructing companies 1, 2 and 3 to submit false invoices so that Marchionda could present the same to the City of Youngstown for payment as a debt related to the Erie Terminal Project when in fact the debt did not relate to the Erie Terminal project.

Within the scope of this enterprise and to further its affairs officials from companies 1, 2 and 3 submitted false invoices to Marchionda as requested who passed said invoices to the City of Youngstown Economic Development department via email or otherwise, who approved the payment from the Erie Terminal project's float loan, first draw.

Within the scope of this enterprise and to further its affairs Marchionda simply lied to City officials about Company 4's work. Company 4 was not involved in creating or sending any false invoices.

Within the scope of this enterprise and to further its affairs John Doe 6 was then provided with a benefit by Marchionda once a portion of Company 2's \$170,000.00 debt was paid.

Within the scope of this enterprise and to further its affairs Company 1, 2 and 3 all received Erie Terminal Float loan money in contravention of the express or implied consent of the City of Youngstown.

Within the scope of the enterprise and to further its affairs Marchionda used or caused to be used City float loan money provided to him for the Flats at Wick project for personal purposes and or uses not permitted by the loan agreement with the City of Youngstown. This trend continued with float loans received by Erie Terminal Place LLC., and Wick Properties LLC. when each company received its float loan money for the respective projects. Typically monies were deposited into the account of U.S. Campus Suites, Erie Terminal Place LLC., or Wick Properties LLC. Then transferred by phone call, wire, or email by Dominic Marchionda to Rubino Construction Inc., who then distributed funds for lawful purposes and unlawful purposes transferring hundreds of thousands of dollars to Dominic Marchionda for him to spend on personal items and to additional companies Marchionda owned, controlled or managed.

Within the scope of the Enterprise and to further its affairs Dominic Marchionda received in his joint bank account at least \$600,000.00 from City of Youngstown funds and spent it on personal items. This amount does not include State of Ohio/United States Government monies Marchionda also receive and spent or monies that Marchionda wrongfully exercised control over transferring to other companies for the benefit of these other companies.

Within the scope of this enterprise and to further its affairs, Marchionda secured two grants from the City of Youngstown for water and sewer purposes for the Erie Terminal Project just like he received for the Flats at Wick project. The first grant was a \$350,000.00 grant received as part of

the development agreement with the City of Youngstown for the Erie Terminal project. The second, a \$220,000.00 grant was received toward the end of the Erie Terminal project. As with the Flats at Wick water utility grant, the grant money had to be used for water or sewer purposes and again there was minimal auditing conducted by Bozanich as to how the water fund money was actually used.

Within the scope of the enterprise and to further its affairs Marchionda submitted invoices to the City of Youngstown which were false on the Erie Terminal project to receive City water fund money and City Float Loan money. Marchionda for example sent a correct billing record, AIA G 702 Application 6 in the winter of 2012 to First National Bank and the Architect in charge of the Erie Terminal project asserting that 59 % of the plumbing work had been done, but he emailed a fake AIA G 702 Application 6 billing record with elevated plumbing numbers to the City of Youngstown asserting that 96% of the plumbing work had been done, to receive money/ all of the water grant monies from the City of Youngstown Water fund. Once the City of Youngstown received the billing record with the false information it unwittingly authorized payment of \$350,000.00 from the City Water Fund to Erie Terminal Place LLC. The money was spent on matters not related to the project and/or not related to water or sewer with some of the money going towards real estate in South Carolina Marchionda partially owned and to pay Marchionda's credit card.

Within the scope of the enterprise and to further its affairs Marchionda concealed his relationship with Rubino Construction Inc. from Lenders.

Within the scope of the enterprise and to further its affairs Dominic Marchionda used City of Youngstown monies beyond the express or implied consent to pay personal debt, to pay cost unrelated to the purpose for which the funds were provided to Marchionda and in doing so provided false billing records to City of Youngstown Officials.

Within the scope of the enterprise and to further its affairs Dominic Marchionda used Brownfield Loan monies and Energy Fund Loan monies beyond the express or implied consent to pay personal debt, to pay cost unrelated to the purpose for which the funds were provided to Marchionda and in doing so provided false billing records to the State of Ohio /ODOD.

Within the scope of the enterprise and to further its affairs Dominic Marchionda, and Rubino Construction Inc. submitted false records to ODOD during the Flats at Wick, Erie Terminal and Wick Tower projects.

Within the Scope of the Enterprise and to further its affairs Dominic Marchionda and Rubino Construction Inc. upon receipt of the proceeds of theft performed transactions transferring money into Dominic Marchionda's personal bank account and/or other bank accounts Marchionda controlled.



Within the scope of this enterprise and to further its affairs Marchionda used government money to: (1) pay his sister for work not related to the source of the funds, (2) pay off a gambling debt, (3) remodel a friends basement, (4) remodel a friend's daughter condo in Canfield Ohio, (5) make improvements on his residences in Poland Ohio, (6) make improvements to real estate he owns or controls in Cuyahoga County, Ohio. (7) make payroll for NYO Property Group, (8) pay personal debts, (9) pay debts on older projects or projects not related to the reason government money was received, (10) pay off a debt regarding Carolina property, (11) make political contributions, (12) do work on family members property, and (13) spend money for other uses contrary to the express or implied consent of the owner who provided Marchionda or a company he owns, controls or manages with the money.

Within the scope of the enterprise and to further its affairs John Doe 9 provided to Marchionda at Marchionda's request in November of 2013 an invoice claiming his company, Company 5 did work on the Wick Tower project relating to Asbestos removal and Brownfield money when no such work had ever been done by Company 5.

Within the scope of this enterprise and to further its affairs, John Doe 1 received from John Doe 5 money to secure work from John Doe 1 for John Doe 5. John Doe 5 then put the cost of paying John Doe 1 into the work or his company performed on the specific project.

Within the scope of the enterprise and to further its affairs Marchionda used subsequent project money to pay the cost of a prior project contrary to the express or implied consent of the owner of the funds.

Dominic Marchionda shared a bank account with his wife. Whenever money is listed as being transferred into a bank account with his name on it the account is actually a joint bank account at First National Bank belonging to Dominic Marchionda and his wife.

Within the scope of this enterprise and to further its affairs as Mayor of the City of Youngtown Charles Sammarone solicited and then received \$1,000.00 a month for up to 23 months to secure work for a company in or with the City of Youngstown. Sammarone hid the payments and other sources of income on his ethics disclosure forms.

### **C. COMMON PURPOSE OF THE ENTERPRISE**

This Enterprise functioned as an ongoing organization with commonality of purpose or a guiding mechanism to direct the organization. The function of this enterprise was to personal enrich David Bozanich and at least one other City of Youngstown official and others with money while allowing economic development to occur in the City of Youngtown and to secure work for companies/companies located in the City of Youngtown and/or Mahoning County, Ohio in return for receipt of those payments on development/construction projects. Payments and benefits were provided from at least 2006 until the middle of 2013.

This is a criminal enterprise which began functioning earlier than the spring of 2006 when an agreement engineered by Bozanich was executed that would provide at least a \$100,000.00 benefit to Bozanich. Bozanich was provided with benefits by more employees of more than once company.

Continuing with the economic development them to enrich him in early 2009 a large cash benefit was provided to David Bozanich so that Marchionda's Flats at Wick project would receive City of Youngstown money and continued to operate until at least January of 2016. Once economic development occurred as in the three projects run by Dominic Marchionda lax City oversight lead to pilfering by Marchionda without much effort so that Marchionda could maintain to live his lavish life style and enrich himself. Further through the concealing of relationships between a number of companies Marchionda owned, managed and/or controlled and Rubino Construction, Marchionda could and did receive government funds to further funnel to himself with Rubino Construction being the conduit to funnel stolen proceeds/government funds to Dominic Marchionda for personal use. Subsequent projects are needed to pay the bills of prior projects.

Persons who acted within this criminal enterprise are listed in the beginning of this count and described as well as Rubino Construction Inc., U.S. Campus Suites. LLC., Erie Terminal Place LLC., Wick Properties LLC., Villas Di Tuscany LLC., NYO Property Group and other companies owned, managed, and/or controlled by Dominic Marchionda.

As stated above, each Person Associated with the Enterprise performed separate acts on behalf of and in furtherance of the Enterprise. The persons associated with this enterprise acted in a structured and organized manner to enable the overall organization to successfully complete these schemes and to engage in a pattern of corrupt activity. Likewise, this occurred with the knowledge and/or support of other persons associated with the Enterprise so that this Enterprise, as an association in fact, could continue and thrive because of the activities of each of the persons of the Enterprise.

This Enterprise functioned as a continuing unit with an ascertainable structure while it was engaging in the diverse forms of illegal activities. In doing so from the time stated herein, the persons associated with the Enterprise participated in and/or managed the affairs of the Enterprise as previously stated. As such, these persons provided continuity and structure to the Enterprise in order to accomplish its illegal purposes—the pattern of corrupt activity as set forth in this count. This enterprise and the Persons associated with the Enterprise were joined in purpose over a period, with various roles that were different, and with methods that changed in order to accomplish the main purpose of the Enterprise.

#### **D. AFFAIRS OF THE ENTERPRISE**

The affairs of the Enterprise involve the jurisdiction of the State of Ohio and took place in Mahoning County and include but are not limited to:

1. BRIBERY, R.C. 2921.02: unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: cash and or services, to corrupt or improperly influence him or another public servant or party official with respect to the discharge

of him or the other public servant's or party official's duty, either before or after he was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

2. TAMPERING WITH RECORDS, R.C. SECTION 2903.42: (A) No person, knowing the person has no privilege to do so, and with purpose to defraud or knowing that the person is facilitating a fraud, shall do any of the following: (1) Falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record; (2) Utter any writing or record, knowing it to have been tampered with as provided in division (A)(1) of this section when the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity.
3. THEFT, R.C. 2913.02(A)(3): did, with purpose to deprive the owner, knowingly obtain or exert control over either the property or services by deception when the amount involved exceeded \$1,000,000.00
4. THEFT, R.C. 2013.02(A) (2): did knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent when the amount involved exceeded \$1,000,000.00
5. TELECOMMUNICATIONS FRAUD R.C. 2913.05 : did unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.
6. MONEY LAUNDERING R.C 1315.55 (A) (2) unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.
7. RECEIVING STOLEN PROPERTY RC 2913.51, unlawfully did receive, retain, or dispose of Money, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was one hundred fifty thousand dollars or more.
8. MONEY LAUNDERING R.C 1315.55 (4) did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

9. OBSTRUCTION OF JUSTICE R.C. 2921.32, did with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for crime or to assist another to benefit from the commission of a crime, did destroy or conceal physical evidence of the crime or act, or induce any person to withhold testimony or information or to elude legal process summoning the person to testify or supply evidence.

#### **E. THE PATTERN OF CORRUPT ACTIVITY FROM SPRING OF 2009 TO JANUARY 2016**

A "Pattern of corrupt activity" means two or more incidents of corrupt activity, whether or not there has been a prior conviction, that are related to the affairs of the same enterprise, are not isolated, and are not so closely related to each other and connected in time and place that they constitute a single event. On two or more occasions, person associated with the Enterprise directly or indirectly committed one or more of the following:

1. BRIBERY, R.C. 2921.02: unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: cash and or services, to corrupt or improperly influence him or another public servant or party official with respect to the discharge of him or the other public servant's or party official's duty, either before or after he was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.
2. TAMPERING WITH RECORDS, R.C. SECTION 2903.42: (A) No person, knowing the person has no privilege to do so, and with purpose to defraud or knowing that the person is facilitating a fraud, shall do any of the following: (1) Falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record; (2) Utter any writing or record, knowing it to have been tampered with as provided in division (A)(1) of this section when the writing, data, computer software, or record is kept by or belongs to a local, state, or federal governmental entity.
3. THEFT, R.C. 2913.02(A)(3): did, with purpose to deprive the owner, knowingly obtain or exert control over either the property or services by deception when the amount involved exceeded \$1,000,000.00
4. THEFT, R.C. 2913.02(A) (2): did knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent when the amount involved exceeded \$1,000,000.00
5. TELECOMMUNICATIONS FRAUD R.C. 2913.05 : did unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to be disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

6. MONEY LAUNDERING R.C 1315.55 (A) (2) unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

7. RECEIVING STOLEN PROPERTY RC 2913.51, unlawfully did receive, retain, or dispose of Money, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was one hundred fifty thousand dollars or more.

8. MONEY LAUNDERING R.C 1315.55 (4) did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

9. OBSTRUCTION OF JUSTICE R.C. 2921.32, did with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for crime or to assist another to benefit from the commission of a crime, did destroy or conceal physical evidence of the crime or act, or induce any person to withhold testimony or information or to elude legal process summoning the person to testify or supply evidence.

## F. INCIDENTS OF CORRUPT ACTIVITY

The Grand Jurors find that at least two incidents of corrupt activity occurred involving Dominic Marchionda, David Bozanich, Charles Sammarone, John Doe 1, 2, 6 and John Doe 8, Rubino Construction Inc., Erie Terminal Place LLC., U.S. Campus Suites LLC. Wick Properties LLC., NYO Property Group and others listed as such is defined by Ohio Law occurred and are found below. The Grand Jury finds that incidents of corrupt activity involved Receiving Stolen Property, Money Laundering, Telecommunications Fraud, and Tampering with Records, Theft, and Bribery. The grand jurors find that these incidents of corrupt activity include but are not limited to the following conduct occurring on the following dates during the time frame specified in this count:

- 1. Bribery, §2921.02(B), F3**  
**Defendants** David Bozanich  
**Date of Offense** On or about February 1, 2009 through April 1, 2009

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: at least twenty thousand dollars in US Currency, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (\$20,000.00 to \$25,000.00)

**2. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about December 1, 2009 to February 1, 2010

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (\$7,000.00 to \$10,000.00 in legal fees)

**3. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about January 1, 2006 to July 31, 2014

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: 80 to 100 meals at country clubs to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (80 to 100 meals, outings and other benefits at a number of country clubs)

**4. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about October 31, 2006

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (\$30,000.00)

**5. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about February 20, 2007

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (\$25,000.00)

**6. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about February 26, 2008 to September 30, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public

servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (\$30,000.00)

**7. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about December 1, 2008 to September 30, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (\$15,000.00)

**8. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about July 19, 2011

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: Golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (Hundreds of dollars in Golf benefits)

**9. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about August 20, 2011

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: Golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (Hundreds of dollars in Golf benefits)

**10. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about June 15, 2012

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (Hundreds of dollars in Golf benefits)

**11. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about July 18, 2012

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (Hundreds of dollars in Golf benefits)

**12. Bribery, §2921.02(B), F3**

**Defendants** David Bozanich

**Date of Offense** On or about July 30, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: golf benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **DAVID BOZANICH**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official. (Hundreds of dollars in Golf benefits)

**13. Obstruction of Justice § 2921.32**

**Defendant:** David Bozanich

**Date of Offense:** July 1, 2013 to September 30, 2013  
unlawfully did with purpose to hinder the discovery, apprehension, prosecution, conviction, or punishment of another for crime or to assist another to benefit from the commission of a crime, and no person, with purpose to hinder the discovery, apprehension, prosecution, destroy or conceal physical evidence of the crime or act, or induce any person to withhold testimony or information or to elude legal process summoning the person to testify or supply evidence. (Developed a plan to and did execute a plan to provide false, misleading evidence to the Federal Bureau of Investigation in the Summer of 2013 and did conceal or assist in concealing evidence of a crime, to with Bribery.)

**14. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about October 26, 2012

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**15. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about December 15, 2012



unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**16. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about January 15, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**17. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about February 15, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**18. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about March 15, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**19. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about April 15, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or part official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**20. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about June 15, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: at least money or other benefits, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

**21. Bribery, §2921.02(B), F3**

**Defendants** Charles Sammarone

**Date of Offense** On or about July 15, 2013

unlawfully did knowingly solicit or accept for himself or another person any valuable thing or valuable benefit, to wit: money, to corrupt or improperly influence him or another public servant or party official, with respect to the discharge of his or the other public servant's or party official's duty, either before or after the said **CHARLES SAMMARONE**, was elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official.

#### THEFT COUNTS

**22. Aggravated Theft, §2913.02, F1**

**Defendants** Dominic Marchionda, David Bozanich

**Date of Offense** On or about March 1, 2009 to August 7, 2015

unlawfully did with purpose to deprive the owner, City of Youngstown, of Money or services, knowingly obtain or exert control over either the property or services by deception. FURTHERMORE, the property or services stolen is valued at \$1,000,000 or more.

**23. Aggravated Theft, §2913.02, F1**

**Defendants** Dominic Marchionda, David Bozanich

**Date of Offense** On or about September 11, 2009 to August 7, 2015

unlawfully did with purpose to deprive the owner, City of Youngstown, of Money or services, knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent. FURTHERMORE, the property or services stolen is valued at \$1,000,000 or more.

**24. Aggravated Theft, §2913.02, F3**

**Defendants** Erie Terminal Place LLC.

**Date of Offense** On or about October 7, 2011 to February 28, 2013

unlawfully did with purpose to deprive the owner, City of Youngstown, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services by deception. FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**25. Aggravated Theft, §2913.02, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 30, 2009 to January 31, 2010

unlawfully did with purpose to deprive the owner, State of Ohio, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services by deception. FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**26. Aggravated Theft, §2913.02, F3**

**Defendants** Dominic Marchionda, Rubino Construction and Wick Properties LLC

**Date of Offense** On or about February 22, 2015 to October 22, 2015

unlawfully did with purpose to deprive the owner, State of Ohio, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services by deception. FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**27. Aggravated Theft, §2913.02, F3**

**Defendants** Erie Terminal Place LLC.

**Date of Offense** On or about October 7, 2011 to January 23, 2015

unlawfully did with purpose to deprive the owner, City of Youngstown, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services by deception. FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**28. Aggravated Theft, §2913.02, F3**

**Defendants** Wick Properties LLC.

**Date of Offense** On or about August 22, 2014

unlawfully did with purpose to deprive the owner, City of Youngstown, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent. FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**29. Aggravated Theft, §2913.02, F3**

**Defendants** Dominic Marchionda, Rubino Construction. Wick Properties LLC

**Date of Offense** On or about August 22, 2014

unlawfully did with purpose to deprive the owner, State of Ohio of property or services, to wit: Money, knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent. FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**30. Aggravated Theft, §2913.02, F3**

**Defendants** Rubino Construction

**Date of Offense** On or about March 10, 2015 to December 14, 2015

unlawfully did with purpose to deprive the owner, State of Ohio, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent.

FURTHERMORE, the property or services stolen is valued at one hundred fifty thousand dollars or more and less than seven hundred fifty thousand dollars.

**31. Aggravated Theft, §2913.02, F1**  
**Defendants** Dominic Marchionda and Wick Properties LLC.

**Date of Offense** On or about August 22, 2014

unlawfully did with purpose to deprive the owner, State of Ohio, of property or services, to wit: Money, knowingly obtain or exert control over either the property or services beyond the scope of the express or implied consent of the owner or person authorized to give consent.

FURTHERMORE, the property or services stolen is valued at one million five hundred thousand dollars or more.

### RECEIVING STOLEN PROPERTY INCIDENTS

The following is a non-exclusive list of Receiving Stolen Property Incidents of Corrupt Activity

**32. Receiving Stolen Property, §2913.51, F4**

**Defendants** Dominic Marchionda

**Date of Offense** On or about December 2, 2009

unlawfully did receive, retain, or dispose of Money, the property of The City of Youngstown, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was \$5,000 or more and was less than \$100,000.

**33. Receiving Stolen Property, §2913.51, F4**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 2, 2010

unlawfully did receive, retain, or dispose of Money, the property of The City of Youngstown, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was \$5,000 or more and was less than \$100,000.

**34. Receiving Stolen Property, §2913.51, F4**

**Defendants** Dominic Marchionda, Rubino Construction Inc., U.S. Campus Suites LLC.

**Date of Offense** On or about September 9, 2011 to October 19, 2011

unlawfully did receive, retain, or dispose of Money, the property of State of Ohio and or United States of America (Brownfield Money), knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was \$5,000 or more and was less than \$100,000.

**35. Receiving Stolen Property, §2913.51, F3**

**Defendants** Dominic Marchionda, Rubino Construction Inc.

**Date of Offense** On or about October 12, 2011 to February 17, 2012

unlawfully did receive, retain, or dispose of money, the property of City of Youngstown, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was one hundred fifty thousand dollars or more.

**36. Receiving Stolen Property, §2913.51, F4**  
**Defendants** U.S. Campus Suites LLC., Villa di Tuscany LLC.  
**Date of Offense** On or about October 12, 2011 to February 17, 2012  
unlawfully did receive, retain, or dispose of Money, the property of City of Youngstown, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was seven thousand five hundred dollars or more and was less than one hundred fifty thousand dollars.

**37. Receiving Stolen Property, §2913.51, F3**  
**Defendants** Dominic Marchionda, Rubino Construction Inc.  
**Date of Offense** On or about March 13, 2012 to February 3, 2013  
unlawfully did receive, retain, or dispose of Money, the property of City of Youngstown, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was one hundred fifty thousand dollars or more.

**38. Receiving Stolen Property, §2913.51, F4**  
**Defendants** Dominic Marchionda, Erie Terminal Place LLC., Villa di Tuscany LLC.  
**Date of Offense** On or about November 7, 2013 to January 1, 2014  
unlawfully did receive, retain, or dispose of Money, the property of State of Ohio and or United States of America, knowing or having reasonable cause to believe that the property had been obtained through commission of a theft offense and the value of the property involved was seven thousand five hundred dollars or more and was less than one hundred fifty thousand dollars.

#### **TAMPERING WITH RECORDS**

**39. Tampering with Records, §2913.42, F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about November 1, 2012 to March 1, 2013  
unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on Key Bank utter a writing or record, to wit: Personal Finance Statement submitted as part of a loan request, knowing it to have been tampered with as provided in division (A)(1) of this section and the value of the data or computer software involved in the offense or the loss to the victim was one hundred fifty thousand dollars or more and/or the offense was committed for the purpose of devising or executing a scheme to defraud or to obtain property or services and the value of the property or services or the loss to the victim was seven thousand five hundred dollars or more.

**40. Tampering with Records, §2913.42, F3**  
**Defendants** Dominic Marchionda, Rubino Construction  
**Date of Offense** On or about August 30, 2009 to January 13, 2010  
unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America utter a writing or record, to wit: Payroll sheets/reports to secure government money, knowing it to have been tampered with as provided in division (A)(1) of this section and the

writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**41. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 6, 2011

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on the City of Youngstown utter a writing or record, to wit: AIA G 702 First Billing record Erie Terminal Construction, knowing it to have been tampered with as provided in division (A) (1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**42. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 6, 2011

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on the City of Youngstown utter a writing or record, to wit: an invoice for the Erie Terminal project, knowing it to have been tampered with as provided in division (A) (1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**43. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 6, 2011

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on the City of Youngstown utter a writing or record, to wit: an invoice for the Erie Terminal project knowing it to have been tampered with as provided in division (A) (1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**44. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 6, 2011

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on the City of Youngstown utter a writing or record, to wit: an invoice for the Erie Terminal project, knowing it to have been tampered with as provided in division (A) (1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**45. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda, Rubino Construction, Erie Terminal Place LLC.

**Date of Offense** On or about January 29, 2012 to March 15, 2012

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on City of Youngstown utter a writing or record, to wit: AIA G702 Billing record #6 Plumbing portion, knowing it to have been

tampered with as provided in division (A) (1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**46. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda, Erie Terminal Place LLC.

**Date of Offense** On or about October 18, 2012

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on the City of Youngstown utter a writing or record, to wit: Invoice totaling \$378,000, knowing it to have been tampered with as provided in division (A) (1) of this section and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**47. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda, Wick Properties LLC.

**Date of Offense** On or about February 10, 2015

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: Disclosure of Use of Affiliated Entities and Certificate of Competitive Price Energy Loan 1 and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**48. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda, Wick Properties LLC.

**Date of Offense** On or about April 2, 2015

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: Borrower's Certificate Energy Loan Fund 2 and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**49. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda, Wick Properties LLC.

**Date of Offense** On or about June 16, 2015

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: Borrower's Certificate and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**50. Tampering with Records, §2913.42, F3**

**Defendants** Dominic Marchionda, Wick Properties LLC.

**Date of Offense** On or about July 27, 2015

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer

software, data, or record, to wit: Borrower's Certificate and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**51. Tampering with Records, §2913.42, F3**  
**Defendants** Dominic Marchionda, Wick Properties LLC.

**Date of Offense** On or about September 22, 2015

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: Borrower's Certificate and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

**52. Tampering with Records, §2913.42, F3**  
**Defendants** Dominic Marchionda, Wick Properties LLC.

**Date of Offense** On or about September 22, 2015 to October 15, 2015

unlawfully did, knowing The Defendant had no privilege to do so, and with purpose to defraud or knowing The Defendant was facilitating a fraud on State of Ohio/ODOD, United States of America falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record, to wit: Completion Certificate and the writing, data, computer software, or record was kept by or belonged to a local, state, or federal governmental entity.

#### **TELECOMMUNICATIONS FRAUD**

**53. Telecommunications Fraud, §2913.05, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about December 14, 2011

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred thousand dollars or more.

**54. Telecommunications Fraud, §2913.05, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 27, 2012

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred thousand dollars or more.

**55. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 8, 2013



unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**56. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about November 13, 2013

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**57. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about December 16, 2013

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**58. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about March 17, 2014

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminated or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A)

of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**59. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 15, 2015

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminate or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**60. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about August 4, 2015

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminate or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**61. Telecommunications Fraud, §2913.05, F2**

**Defendants** Dominic Marchionda

**Date of Offense** On or about July 27, 2015

unlawfully having devised a scheme to defraud, did knowingly disseminate, transmit, or caused to disseminate or transmitted by means of wire, radio, satellite, telecommunication, telecommunications device, or telecommunication services any writing, data, sign, signal, picture, sound, image with purpose to execute or otherwise further the scheme to defraud and the violation occurred as part of a course of conduct involving other violations of division (A) of this section or violations of, attempts to violate, conspiracies to violate, or complicity in violations of section 2913.02, 2913.04, 2913.11, 2913.21, 2913.31, 2913.42, 2913.43, or 2921.13 of the Revised Code and the value of the benefit obtained by the offender or of the detriment to the victim of the fraud is one hundred fifty thousand dollars or more but less than one million dollars.

**MONEY LAUNDERING: THE FOLLOWING IS A NON-EXCLUSIVE LIST OF INCIDENTS OF CORRUPT ACTIVIT OF MONEY LAUNDERING**

**62. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda,

**Date of Offense** On or about December 7, 2009

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**63. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 2, 2010

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**64. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about March 9, 2010

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**65. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, Villas Di Tuscany

**Date of Offense** On or about March 16, 2010

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**CITY OF YOUNGSTOWN FLOAT LOAN MONEY**

**66 Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 2, 2009

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to

avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**67. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 27, 2009

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**68. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, U.S. Campus Suites LLC.

**Date of Offense** On or about December 1, 2009

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**69. Money Laundering, §1315.55 (4) f3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about January 26, 2010

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity

**70. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 26, 2010

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**71. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about March 5, 2010

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**72. Money Laundering, §1315.55(a) (4), F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about March 16, 2010 to April 1, 2010  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

#### ERIE TERMINAL MONEY

**73. Money Laundering, §1315.55(a) (4) F3**  
**Defendants** Dominic Marchionda, U.S. Campus Suites LLC.  
**Date of Offense** On or about October 24, 2011  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**74. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda, MCMR Enterprises  
**Date of Offense** On or about October 27, 2011  
unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**75. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda, U.S. Campus Suites LLC.  
**Date of Offense** On or about October 28, 2011  
unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**76. Money Laundering, §1315.55(a) (4), F3**  
**Defendants** Dominic Marchionda, Rubino Construction Inc.  
**Date of Offense** On or about November 16, 2011  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**77. Money Laundering, §1315.55(a) (4), F3**  
**Defendants** Dominic Marchionda, U.S. Campus Suites LLC.  
**Date of Offense** On or about November 22, 2011

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**78. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about January 3, 2012

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**79. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda and Villas Di Tuscany

**Date of Offense** On or about January 10, 2012

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**80. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 8, 2012

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**81. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, Rubino Construction Inc., Villa di Tuscany LLC.

**Date of Offense** On or about March 16, 2012

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**WICK TERMINAL:**

**THE FOLLOWING IS A NON-EXCLUSIVE LIST OF TRANSACTIONS UNDER THE MONEY LAUNDERING STATUTORY SECTION FOR THE WICK TERMINAL PROJECT**

**82. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda, MCMR Enterprises

**Date of Offense** On or about November 7, 2013

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**83. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda Flats at Wick LLC

**Date of Offense** On or about December 9, 2013

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**84. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, U.S. Campus Suites LLC.

**Date of Offense** On or about December 10, 2013

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**85. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, Erie Terminal Place LLC

**Date of Offense** On or about December 11, 2013

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**86. Money Laundering, §1315.55(A) (4), F3**

**Defendants** Dominic Marchionda, Rubino Construction Inc. and Wick Properties LLC.

**Date of Offense** On or about December 26, 2013

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**87. Money Laundering, §1315.55(A) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 7, 2014

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**88. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda, Villas Di Tuscany  
**Date of Offense** On or about February 10, 2014  
unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**89. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about February 19, 2014  
unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**90. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about March 5, 2014  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

#### **CITY OF YOUNGSTOWN FLOAT LOAN MONEY**

**91. Money Laundering, §1315.55(a) (4), F3**  
**Defendants** Dominic Marchionda, Rubino Construction Inc., and Villas Di Tuscany LLC.  
**Date of Offense** On or about August 25, 2014  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**92. Money Laundering, §1315.55(a) (4), F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about September 4, 2014 to September 24, 2014  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**93. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda, NYO Property Group  
**Date of Offense** On or about October 15, 2014



unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**94 Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda and Villas Di Tuscany LLC.

**Date of Offense** On or about October 29, 2014

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**95. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, NYO Property Group

**Date of Offense** On or about November 14, 2014

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**96. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about November 24, 2014

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**97. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about November 28, 2014

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**98. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda and NYO Property Group.

**Date of Offense** On or about December 12, 2014

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to

avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**99. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about December 26, 2014

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**100. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about January 5-February 2, 2015

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**101. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, NYO Property Group

**Date of Offense** On or about February 23-26, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**102. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about February 27, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**WICK TOWER PROJECT: ENERGY LOAN MONEY**

**103. Money Laundering, §1315.55(A) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about March 23, 2015

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**104. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about April 6 to April 7, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**105. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about April 29, 2015 to May 4, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**106. Money Laundering, §1315.55(A) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about April 29, 2015

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**107. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda, Villas Di Tuscany

**Date of Offense** On or about May 5, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**108. Money Laundering, §1315.55(a) (4), F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about May 15, 2015

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**109. Money Laundering, §1315.55, F3**

**Defendants** Dominic Marchionda

**Date of Offense** On or about October 27-28, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal

or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**110. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda and Villas Di Tuscany  
**Date of Offense** On or about October 27, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

**111. Money Laundering, §1315.55, F3**  
**Defendants** Dominic Marchionda and Erie Terminal LLC.  
**Date of Offense** On or about November 3, 2015

unlawfully did conduct or attempt to conduct a transaction knowing that the property involved in the transaction was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property or the intent to avoid a transaction reporting requirement under section 1315.53 of the Revised Code or federal law.

#### LEGAL ARTS BUILDING MONETARY TRANSACTIONS

**112. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about April 29, 2015

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**113. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda and Rubino Construction  
**Date of Offense** On or about May 29, 2015

unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**114. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about June 5, 2015


unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

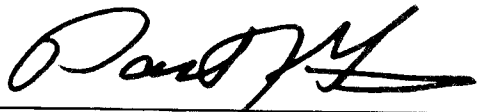
- 115. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda and Erie Terminal Place Llc  
**Date of Offense** On or about October 26, 2015  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.
- 116. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda  
**Date of Offense** On or about February 25, 2016  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.
- 117. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda, Rubino Construction and Youngstown First National Holdings  
**Date of Offense** On or about February 29, 2016  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.
- 118. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda, and Management Parking, Wick Properties, and/or Rubino Construction  
**Date of Offense** On or about November 18, 2015  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.
- 119. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda, and Management Parking, Wick Properties, and/or Rubino Construction  
**Date of Offense** On or about March 11, 2016  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.
- 120. Money Laundering, §1315.55(A) (4), F3**  
**Defendants** Dominic Marchionda, and Management Parking, Wick Properties, and/or Rubino Construction

**Date of Offense** On or about March 14, 2016  
unlawfully did conduct or structure or attempt to conduct or structure a transaction that involves the proceeds of corrupt activity that is of a value greater than ten thousand dollars if the person knows or has reasonable cause to know that the transaction involves the proceeds of corrupt activity.

**FURTHERMORE, at least one of the incidents of corrupt activity was a felony of the first degree.** The offense of Engaging in Pattern of Corrupt Activity, in Violation of R. C. Section 2923.32 being a Felony of the First Degree, is contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

ENDORSED A TRUE BILL:

  
FOREMAN

  
PAUL J. GAINS  
Prosecuting Attorney, Mahoning County, Ohio

\_\_\_\_\_  
DATE