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IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO
CRIMINAL DIVISION

STATE OF OHIO

Plaintiff,

vs.

John McNally, et al.

Defendants.

Case No. CR-585428

Judge Janet Burnside

**STATE'S RESPONSE TO
DEFENDANTS' REQUEST FOR
DISCOVERY**

Now comes the State of Ohio by and through its attorney, Timothy J. McGinty, the Cuyahoga County Prosecutor, and does hereby respectfully provide the defendants with discovery as requested pursuant to Crim. R. 16 as follows:

I. WRITTEN STATEMENT OF THE DEFENDANT OR CO-DEFENDANT.

The government does not possess a written statement of the defendants or of any co-defendant.

II. ORAL STATEMENT OF JOHN MCNALLY.

The government does not possess any oral statement of Defendant John McNally.

III. ORAL STATEMENTS OF MARTIN YAVORCIK.

The government does possess several oral statements of Defendant Martin Yavorcik in the form of FBI 302s made by Martin Yavorcik to the FBI on or about the following dates: (1) March 3, 2010; (2) March 11, 2010; (3) December 5, 2010; and (4) February 5, 2011. These oral statements, memorialized by an FBI agent, have been provided to these defendants as part of discovery in this matter by providing an electronic copy of the statements to the defendants.

The government also possesses additional oral statements made by Martin Yavorcik, which were recorded by a confidential informant. A summary of the statements may be found below¹. The government has, where appropriate, placed asterisks in letters of words that are not appropriate for a court pleading. There are statements below that may not be relevant to any crime for which this or any of the defendants in this matter have been charged; those statements are summarized. Relevant statements are highlighted. Where possible, names of other people have been removed or a person is referred to as John Doe. The government is summarizing statements Martin Yavorcik made on these recordings on the following dates:

A. March 1, 2008.

10:19:44—AT A RESTAURANT, MARTIN YAVORCIK INFORMS PEOPLE PRESENT THAT HE IS RUNNING AGAINST PAUL GAINS FOR PROSECUTOR “I AM A DEMOCRAT BUT I AM RUNNING AS AN INDEPENDENT” (HE TELLS A WOMAN). THE GROUP DISCUSSES A JUDICIAL RACE.

10:21:13—PEOPLE WHO ARE PRESENT ARE ASKED TO SIGN MARTIN YAVORCIK’S PETITION TO RUN FOR COUNTY PROSECUTOR.
A WOMAN TELLS ANOTHER PERSON THAT MARTY YAVORCIK IS RUNNING AS AN INDEPENDENT.
MARTIN YAVORCIK STATES, “I LIKE THAT DON’T YOU THINK YOU SHOULD VOTE FOR WHO YOU WANT AND NOT BECAUSE THEY ARE REPRESENTING SOMETHING.”

10:23:07—DISCUSSING² THE PRESIDENTIAL RACE BETWEEN HILLARY CLINTON AND OBAMA.
A WOMAN ASKS A MAN TO SIGN MARTIN YAVORCIK’S PETITION.
MARTIN YAVORCIK DISCUSSES WHERE HIS FAMILY IS FROM, THAT HE WENT TO ST. MATHIAS THAT HE USED TO DELIVER NEWSPAPERS IN THE NEIGHBORHOOD, THAT HE WENT TO CARDINAL MOONEY HIGH SCHOOL, AND THAT HE GREW UP ON DETROIT AVE.

¹ The summaries of the statements have been transcribed from the recordings and contain grammatical errors as spoken. Typographical errors in spelling have been corrected.

² Discussion or discussing refers to conversation between Martin Yavorcik and other(s) about the general topic described therein.

MARTIN YAVORCIK STATES THAT HE USED TO RIDE HIS BIKE ON MIDLOTHIAN BLVD AND TALKS ABOUT WHAT HAPPENED TO THE NEIGHBORHOOD.

THE GROUP IS TALKING ABOUT RENTAL PROPERTIES AND THE DETERIORATING NEIGHBORHOOD, WHICH THEY ARE IN.

10:29:18—MARTIN YAVORCIK STATES THAT HE HAS A GUY GETTING SIGNATURES AT THE BOARD OF ELECTIONS AND HE TELLS THE PEOPLE PRESENT THAT HE WAS JOHN DOE 1'S ATTORNEY AND THAT HE TRIED TO KEEP JOHN DOE 1 ON THE BALLOT.

10:30:05—DISCUSSING THE JOHN DOE 1'S ELECTION CHALLENGE CASE.

MARTIN YAVORCIK STATES THAT JOHN DOE 1 WAS THE HEAD OF A UNIT. HE STATES THAT SHERIFF WELLINGTON IS 83, THE SAME AGE AS DON HANNI, AND THAT THE SHERIFF AND DON HANNI WENT TO SCHOOL TOGETHER.

MARTIN YAVORCIK STATES THAT JOHN DOE 1 WAS A GOOD CANDIDATE AND THAT JOHN DOE 1 WORKED VERY HARD.

A WOMAN STATES THAT IF HE IS NOT QUALIFIED THEN HE IS NOT QUALIFIED.

MARTIN YAVORCIK STATES THAT HE (JOHN DOE 1) RAN THE VIOLENT CRIMES TASK FORCE, IN CHARGE OF 20 OFFICERS, PUT ON TACTICAL GEAR, AND WENT TO WORSE SECTIONS OF THE CITY FOR THE SHERIFF'S DEPARTMENT AND THAT HE WAS QUALIFIED.

MARTIN YAVORCIK DISCUSSES JOHN DOE 1'S QUALIFICATIONS TO RUN AND THE PROCESS THAT HE WENT THROUGH WITH THE CHALLENGE ON JOHN DOE 1'S QUALIFICATIONS.

A PATRON STATES THAT A YOUNG PERSON NEEDS THE CHANCE TO GET IN, TO LEARN TO ADMINISTER THE JOB; YOUNG PEOPLE NEED A CHANCE TO MOVE INTO THINGS.

MARTIN YAVORCIK AND THE PATRON DISCUSS THE MAHONING COUNTY TREASURER'S RACE.

10:34:37—MARTIN YAVORCIK STATES THAT "ONE OF REASON I AM RUNNING, PAUL COULD BE DOING THESE THINGS AS THE PROSECUTOR. I WILL GIVE YOU AN EXAMPLE: LET'S SAY YOU LIVE ON THE SOUTH SIDE LIKE MY PARENTS, AND SOMEONE MOVES IN NEXT DOOR AND THEY ARE OBVIOUSLY DEALING DOPE. DON'T YOU THINK THAT THERE SHOULD BE A HOT LINE THAT YOU CALL TO SAY 'LOOK I GOT A DOPE DEALER LIVING NEXT TO ME AND I WANT SOMETHING DONE ABOUT IT'? WELL I WORKED WITH THE DRUG TASK FORCE AND I WILL TELL YOU WHAT THEY DO, THEY GET A CRACK HEAD THAT THEY GOT CHARGED WITH A FELONY, THEY WIRE HIM UP AND THEY SEND HIM IN THE HOUSE THE NEXT MORNING THEY BUY THE DOPE, THEN THE NEXT AFTERNOON THEY GET A SEARCH WARRANT SIGNED BY THE JUDGE AND YOU SHUT IT DOWN."

10:35:31—THE PATRONS ARE DISCUSSING, WITH YAVORCIK THE FACT THAT THEY REPORTED A DRUG DEALER TO THE TASK FORCE THAT TASK FORCE MEMBERS WENT TO THE HOUSE OF THE DRUG DEALER AND INTERVIEWED HIM. AFTER THE TASK FORCE LEFT, THE DRUG DEALERS BURNED DOWN THEIR HOUSE TO COLLECT THE INSURANCE PROCEEDS ON IT SO THAT THEY COULD REMODEL THE HOUSE. THE PATRONS TELL MARTY YAVORCIK THAT THE DRUG DEALER GOT AWAY WITH WHAT THEY DID. MARTIN YAVORCIK STATES THIS IS THE KIND OF STUFF THAT HAS TO STOP.

10:37:54—MARTIN YAVORCIK STATES, "THE WAY YOU COMBAT CRIME ON THE SOUTH SIDE IS NOT THAT DIFFICULT, YOU GO NEIGHBORHOOD, STREET, HOUSE, NEIGHBORHOOD, STREET, HOUSE, ALL THE WAY DOWN. EACH WEEK COULD BE WORKING A DIFFERENT STREET, IS THERE A DRUG HOUSE, NARCOTICS, YOU COULD DO IT STREET BY STREET." MARTIN YAVORCIK STATES, "THAT SUBWAY RESTAURANT HAS BEEN ROBBED THREE TIMES, THIS ONE HERE, THE DOLLAR GENERAL, JUST GOT ROBBED." MARTIN YAVORCIK TALKS ABOUT ROBBERY, THE ELECTIONS AND PLEA BARGAINING.

10:39:20—A DISCUSSION IS HAD ABOUT PRISON AND NEEDING A GOOD SHERIFF AND PROSECUTOR. MARTIN YAVORCIK DISCUSSES PLEA BARGAINING IN THE MAHONING COUNTY PROSECUTOR'S OFFICE, SECURING CONVICTIONS, AND REMAINING SILENT AT SENTENCING. MARTIN YAVORCIK CONTINUES TO DISCUSS GAINS' PLEA DEALING AND HOW SENTENCING A DEFENDANT WORKS IN COURT. DISCUSSING DENNIS WATKINS GOING TO PAROLE HEARINGS, WHEN, ACCORDING TO YAVORCIK, PROSECUTOR GAINS DOESN'T SEND ANYONE.

10:42; 34—DISCUSSING THE PAROLE BOARD AND NEIGHBORHOOD CRIME.

10:44:11—A GENERAL DISCUSSION IS HAD ON MANY TOPICS.

10:49:46—MARTIN YAVORCIK SPEAKS ABOUT THE NUMBER OF SIGNATURES HE HAS ON HIS PETITIONS, THE PEOPLE WHO ARE CIRCULATING HIS PETITIONS AND WHERE HE IS GETTING THEM SIGNED.

11:01:20—MARTIN YAVORCIK STATES THAT HE IS GOING TO ANNOUNCE ON MONDAY, MARCH 3, 2008 THAT HE IS RUNNING FOR MAHONING COUNTY PROSECUTOR AND THAT HE WILL MAKE A STATEMENT.

11:01:35—THE GROUP IS DISCUSSING THE PRESIDENTIAL ELECTIONS, THE MAN AND WOMAN ARE LEAVING.

11:07:57—MARTIN YAVORCIK DISCUSSING HEIDI HANNI, HER RACE AGAINST PAUL GAINS IN THE DEMOCRATIC PRIMARY, HER CHANCES OF WINNING,

AND THAT SHE SHOULD NOT USE THE NAME HANNI.
MARTIN YAVORCIK STATES THAT HE NEEDS HER TO DO WELL TO SHOW
THAT PAUL GAINS IS VULNERABLE.
MARTIN YAVORCIK AND THE SPEAKER ARE DISCUSSING INDEPENDENT
CANDIDATES, HOW DEMOCRATS WHO VOTE FOR HEIDI HANNI WON'T VOTE
FOR PAUL GAINS IN THE FALL, AND WHAT PERCENTAGE OF DEMOCRATS
YAVORCIK NEEDS TO VOTE FOR HIM.

11:08:56—MARTIN YAVORCIK BEGINS TO TALK ABOUT TH DIRECTOR
AT THE MAHONING COUNTY BOARD OF ELECTIONS.

11:09:03—SPEAKER STATES THAT, "HE IS BEING LEGITIMATE WITH YOU; AT THE
OAKS YESTERDAY HE SAID HE WAS GOING TO BACK YOU."
MARTIN YAVORCIK STATES THAT, "YEP HE TOLD ME, I KNOW THAT HE IS.
HE SAID THAT THERE ARE ABOUT 18,000 REGISTERED REPUBLICANS; THEY
WILL DO A DIRECT MAILING. HE IS WILLING TO DO IT, AND TO GET ALL
THE REPUBLICAN MONEY WE CAN RAISE, JOHN DOE 8 IS GONNA
HELP."
SPEAKER SAYS, "UH HUH."
MARTIN YAVORCIK STATES, "BUT THEY WANNA DO A 527P, A PAC."
SPEAKER, "OH."
MARTIN YAVORCIK, "I'D RATHER THAN JUST."
SPEAKER, "HIDE IT, HIDE IT THAT WAY."
MARTIN YAVORCIK STATES, "YEAH, THEN THEY CAN RAISE AS MUCH
MONEY AS THEY WANT FROM THEIR SIDE FIRST OFF."
SPEAKER STATES, "THEN NOBODY WILL KNOW, THEN NOBODY WILL
KNOW THE NAMES."
MARTIN YAVORCIK STATES, "THAT NOBODY KNOWS WHERE IT CAME
FROM. I CAN HAVE NO AFFILIATION WITH IT, AND THEN IT DOES JUST
COMPARISON ADS, AND THEN THEY F***ING BLAST HIM."
SPEAKER STATES "WOW, YEAH 'BECAUSE THEY, THEY CAN HIDE
MONEY BIG IN THERE."
MARTIN YAVORCIK STATES THAT "YEAH, SO LIKE IF
BUSINESSMAN 1 WANTS TO GIVE ME MONEY, HE'LL GIVE IT TO THIS 527,
SO IT DOESN'T LOOK LIKE I HAVE ANY ASSOCIATION WITH BUSINESSMAN
1 AT ALL."
SPEAKER STATES, "THAT'S PRETTY ... THAT'S GENIUS."
MARTIN YAVORCIK STATES, "SO, THEY CAN RAISE YOU KNOW, \$50,000,
\$60,000 IN THIS 527, BLAST THEM WITH MEDIA, SEND IT. I MEAN DIRECT
MAIL."
SPEAKER STATES, "THEN ON THE OTHER SIDE YOU COULD BE DOING
LEGITIMATE FUND RAISING."
MARTIN YAVORCIK STATES, "LEGITIMATE FUNDRAISERS, ARE VERY YOU
KNOW, POLISHED, SPIT AND POLISHED CAMPAIGN, POSITIVE THEN THEY
START F***ING NAILING HIM WITH THE 527."
SPEAKER STATES, "AND ALL THE HIDDEN MONEY."
MARTIN YAVORCIK STATES, "AND ALL THE HIDDEN MONEY." DISCUSSING

HOW THE CAMPAIGN WILL AFFECT PAUL GAINS DISCUSSING PAUL GAINS.
DISCUSSING JIM PHILOMENA, FORMER MAHONING COUNTY PROSECUTOR.

11:12:41 -MARTIN YAVORCIK, "WANT DO YOU THINK ARE? WHEN WERE YOU AT THE OAKS WHEN TOM SAID THAT?"

SPEAKER STATES, "UH...YESTERDAY AT LUNCH."

MARTIN YAVORCIK STATES, "GOOD."

SPEAKER: "AND HE DIDN'T KNOW ME AND I JUST LISTENED TO HIM TALK, SO LISA SAID WE GOTTA GET BEHIND YOU, ALL THE WAY."

MARTIN YAVORCIK: "HE SAID THAT TO HER?"

SPEAKER: "YEAH."

MARTIN YAVORCIK: "WHAT SHE SAY?"

SPEAKER REPLIES: "OH YES. WELL, SHE, SHE, SHE'S VERY HAPPY BECAUSE YOU KNOW PAUL'S GONNA MAYBE COME DOWN ON ALL OF THEM. TRY TO COME AFTER THEM, SO SHE SAID, YOU KNOW, YOU PROMISED THAT YOU'D WATCH OUT FOR THEM ON THAT BECAUSE..." MARTIN YAVORCIK REPLIES, "WELL OF COURSE."

SPEAKER: "YEAH, SO SHE IS, SHE SAYS I KNOW I CAN COUNT ON MARTY YAVORCIK ON THAT, SO. CAUSE THAT'S SCIORTINO, THAT'S REARDON, THAT'S MCNALLY..."

MARTIN YAVORCIK: "THAT'S THE WHOLE CREW."

SPEAKER: "THAT'S EVERY ONE OF HER PEOPLE. ALL IN THE NEST."

MARTIN YAVORCIK: "I KNOW. I KNOW."

SPEAKER STATES, "AND SHE SAID SHE SERVED IT WAS SORT OF, IN ONE WAY IT'S PROVOCATIVE BY HIM KNOWING SHE'S GONNA BE FOR YOU. ON THE OTHER SIDE, HE'S (MAHONING COUNTY PROSECUTOR PAUL GAINS) COMING AFTER HER ANYWAY."

MARTIN YAVORCIK REPLIES, "BUT SHE'S MADE IT PERFECTLY CLEAR."

SPEAKER STATES, "OH, YEAH."

MARTIN YAVORCIK STATES, "YOU KNOW, I DON'T THINK THAT'S, YOU KNOW. SO, WE'VE GOT TO PUT THIS TOGETHER. I'VE GOT TO, YOU KNOW, MAKING SURE I GET THESE SIGNATURES. I'VE BEEN SICK AS A DOG."

SPEAKER STATES, "NOW, WHEN YOU HAVE PEOPLE TALKING ABOUT BEING ABLE TO PUT IN THIS \$100,000 FOR YOU THAT'S POWERFUL, ISN'T IT?"

MARTIN YAVORCIK REPLIES, "YEAH."

11:14:08—DISCUSSING PAUL GAINS AND HOW MUCH MONEY HE WILL HAVE IN HIS CAMPAIGN AFTER THE PRIMARY.

11:14:58—DISCUSSING PUTTING YAVORCIK CAMPAIGN COMMITTEE TOGETHER AND FILING YAVORCIK CAMPAIGN PAPERWORK.

11:17:31—DISCUSSING MARTIN YAVORCIK COMMERCIALS AND A THEME OF INDEPENDENCE.

11:21:11—DISCUSSING PAUL GAINS GETTING A SHOT WITH PEOPLE IN THE RESTAURANT.

11:22:51—DISCUSSING TALK RADIO GUEST.

11:23:46—DISCUSSING GAMBLING AND NON PROFIT GAMBLING.

11:26:04—DISCUSSING PAUL GAINS WITH A PATRON OF THE ESTABLISHMENT.

11:32:19—DISCUSSING PEOPLE WHO SIGNED MARTIN YAVORCIK' S PETITION.

11:33:44—DISCUSSING THE PRESIDENTIAL ELECTION.

11:36:17—DISCUSSING A STATE RACE AND FUNDRAISING FOR THE PROSECUTOR.

11:36:54—DISCUSSING FUNDRAISING, HOW MUCH TO CHARGE, AND WHO TO ASK FOR DONATIONS TO FUND MARTIN YAVORCIK' S CAMPAIGN.

11:40:59—MARTIN YAVORCIK STATES, "I AM CLOSE WITH BUSINESSMAN 1" SPEAKER REPLIES, "HE HAS TO BE EXCITED ABOUT THIS."

MARTIN YAVORCIK: "THAT I FILE AND THAT IT GETS, YOU KNOW, I THINK HE IS, JOHN DOE 6 TALKED TO HIM FOR ME. YOU KNOW BUSINESSMAN 1 IS VERY, I DON'T KNOW IF YOU KNOW HIM, HE IS VERY LIKE ... BUSINESS. ALL I CAN SAY IS, LIKE, YOU KNOW HE DOESN'T REALLY SHOW A LOT OF EMOTION, IT'S JUST SIMPLY, YOU KNOW BY HIS GESTURES YOU KNOW." SPEAKER, "WELL, PAUL SURE HAS BEEN MEAN ABOUT THEIR FAMILY. I MEAN HE'S MADE ALLEGATIONS ABOUT THEIR PARENTS."

MARTIN YAVORCIK: "BUSINESS MAN 1 GOT F***ING TRANSCRIPTS ON OAKHILL THAT IS NO LIE. BUSINESSMAN1 HAD IT IN HIS OFFICE AND HE SHOWED IT TO ME. HE HAD IT IN HIS HANDS. I KNOW IF I CAN SHOW BUSINESSMAN 1 THAT THIS GUY CAN BE KNOCKED OUT. WHAT I THINK I WANT TO DO IS. IF I CAN GET ENOUGH MONEY, UP FRONT AND DO A POLL. THERE IS ENOUGH TIME, THERE IS NINE MONTHS TILL THE ELECTION. IF I CAN GET A POLL, A GOOD POLL AND SHOW HIM HOW TO BEAT F***ING PAUL, I WILL TAKE IT RIGHT TO BUSINESSMAN 1 AND SAY LOOK, HERE IS THE POLL. BUT I HERE IS HIS VULNERABILITY; HERE IS HOW IT'S GOING TO BE, HERE IS THE KIND OF MONEY ID LIKE TO RAISE. CAN YOU FUND IT?"

11: 42:55-DISCUSSING WHERE TO GET DONATIONS FROM AND WHO IS HELPING YAVORCIK.

11:44:12—DISCUSSING A PAST YOUNGSTOWN MAYOR ELECTION.

11:45:58—MARTIN YAVORCIK DISCUSSING PAUL GAINS AND RUNNING AGAINST HIM.

11:47:42—DISCUSSING CAMPAIGNING AND PEOPLE YAVORCIK WOULD HIRE AS A COUNTY PROSECUTOR.

11:50:54—DISCUSSING CAMPAIGNING AND YARD SIGN LOCATIONS.

11:52:20—DISCUSSING COUNTY ELECTIONS AND THE PRIMARY ELECTION.

B. March 13, 2008

8:57:40—MARTIN YAVORCIK AND TWO OTHERS ARE DISCUSSING PAUL GAINS, THE PRIMARY RESULTS IN THE MAHONING COUNTY PROSECUTOR'S RACE, AND HOW TO BEST RUN AGAINST PAUL GAINS.

9:04—MARTIN YAVORCIK STATES THAT HE IS GOING TO BE MEETING UNION OFFICIALS ABOUT RECEIVING AN ENDORSEMENT, WHILE A DISCUSSION IS BEING HAD ON CAMPAIGN STRATEGY.

9:05:50—MARTIN YAVORCIK SAYS THAT JOHN DOE 6 WANTS TO HOLD A FUNDRAISER FOR HIM IN COLUMBIANA COUNTY.
MARTIN YAVORCIK DISCUSSING THE POSITIVE RECEPTION HE HAS BEEN GETTING AND FUNDRAISING.

9:08:46—SPEAKER STATES THAT THE STATE IS GOING TO FORECLOSE ON THE \$500,000 LOAN ON OAKHILL.
MARTIN YAVORCIK, "HAHAHA."
SPEAKER STATES, "GAINS JUST WENT ALONG WITH THE PLAN; STATE WANTS ITS \$500,000."
SOME DISCUSSION CANNOT BE HEARD.

9:11:38—MARTIN YAVORCIK TALKING ABOUT PAUL GAINS BEING THE COUNTY TREASURER'S ATTORNEY BY STATUTE.

9:12:12—DISCUSSING POLITICAL RACES.

9:15:45—DISCUSSING POLLS.

9:17:50—MARTIN YAVORCIK TALKING ABOUT SOMEONE HE THINKS CAN BE A PRESIDENT.
SPEAKER IS TELLING MARTIN YAVORCIK THAT HE NEEDS THE CITY VOTERS.
DISCUSSION ABOUT GETTING SOMEONE TO HELP YAVORCIK GET VOTES.

9:21:39—A DISCUSSION IS HAD CONCERNING PAST ELECTIONS IN YOUNGSTOWN, DISCUSSING CONVENTIONAL WISDOM BEING WRONG IN AN ELECTION.

9:28:27—MARTIN YAVORCIK IS TALKING, BUT CAN'T ASCERTAIN WHAT HE IS SAYING. MAY BE DISCUSSING PAST RACES.

9:32:14—TALKING ABOUT NEWS STORY ABOUT MARTIN YAVORCIK RUNNING FOR COUNTY PROSECUTOR AND HOW POSITIVE THE STORY WAS.

9:35:42—MARTIN YAVORCIK IS DISCUSSING A YOUNGSTOWN MAYOR.

MARTIN YAVORCIK IS DISCUSSING THE CAMPAIGN AND WHERE HE WILL
CAMPAIGN, LIKE THE WESTSIDE COALITION.

9:40:00—DISCUSSING CAMPAIGN STRATEGIES.

9:56:50—MARTIN YAVORCIK IS DISCUSSING THE GOVERNOR WHEN A FORMER
YOUNGSTOWN CITY COUNCILMAN ENTERS THE CONVERSATION.

9:57:30—DISCUSSING A PAST YOUNGSTOWN CITY RACE WITH A FORMER
YOUNGSTOWN CITY COUNCILMAN AND MARTIN YAVORCIK.

9:59:25—MARTIN YAVORCIK IS DISCUSSING REPUBLICANS GETTING ELECTED IN
MAHONING COUNTY.

10:00:24—DISCUSSING PAUL GAINS AND HIS NEGATIVES; HEIDI HANNI,
GETTING VOTES, AND HER NOT BEING QUALIFIED.
THE FORMER YOUNGSTOWN COUNCILMAN IS TALKING ABOUT GAINS
AND THE PARTY ENDORSEMENT.

10:01:30—YAVORCIK AND MCNALLY TALKING ABOUT A MASS MURDER AND
REPRESENTING A KILLER.
THE YOUNGSTOWN CITY COUNCILMAN IS TALKING ABOUT SOMEONE
HE KNEW WHO GOT IN TROUBLE FOR FIREBOMBING A HOUSE AND
WHAT HAPPENED TO HIM.

10:04:46—DISCUSSION OF RACES IN 2008.

C. March 28, 2008

11:06:45—RECORDING BEGINS; PARTIES TO THIS CONVERSATION INCLUDE LISA
ANTONINI AND STATE REP. 1.
(DISCUSSING THE OAK HILL INVESTIGATION) LISA STATES, "WELL, IT IS,
BUT, AND THE LEGAL STUFF, GONNA LEAVE THE LEGAL STUFF TO THE
ATTORNEYS AND WE'VE GOT GOOD ONES. ATTORNEY 8 AND ATTORNEY 9
IS GOING TO SERVE MCNALLY AND ATTORNEY 10 IS GOING TO BE WITH
SCIORTINO... GOTTA MAKE SURE WE'RE TAKING CARE OF MARTY
YAVORCIK THROUGH THE WHOLE THING."

11:22:00-- MARTIN YAVORCIK JOINS THE CONVERSATION.

11:22:40 --A DISCUSSION IS HAD PERTAINING TO PEOPLE ASSISTING THE
YAVORCIK CAMPAIGN. LISA IS TELLING YAVORCIK THAT SCIORTINO AND
MCNALLY WILL SUPPORT HIM.

11:32:35-- MARTIN YAVORCIK IS DISCUSSING THE CAMPAIGN AND ADVERTISING
FOR HIS LAW PRACTICE.

11:34:10 – LISA STATES THAT, “THIS IS WHAT I LIKE, TELLING SOMEONE WHAT TO DO.”

MARTIN YAVORCIK COMMENTS, “AND YOU'RE GOOD AT IT.”

MARTIN YAVORCIK STATES, “I WANNA DO THIS PRESS CONFERENCE; I THINK IT'S A GOOD IDEA.”

11:39:25 - LISA STATES, “I'LL TELL YOU RIGHT NOW, I'M NOT F****ING AROUND WITH THESE PEOPLE. THEY'RE TRYING TO PUT ME IN JAIL.”

MARTIN YAVORCIK STATES THAT HE WANTS TO HIRE A PRIVATE INVESTIGATOR TO FOLLOW PAUL GAINS DURING THE CAMPAIGN SEASON.

11:47:45 LISA STATES, “I THINK IN 2005, THE AUDIT FINDING WAS ABOUT OWING DEBT TO OURSELVES”.

THE GROUP DISCUSSES OAKHILL AND ITS COSTS.

MARTIN YAVORCIK MAKES A COMMENT ABOUT WORKING WITH A CONTRACTOR AND THAT HE IS GOOD FRIENDS WITH HIS SON. YAVORCIK COMMENTS, “NEVER BUY OLD AND RENOVATE.”

11:51:20 –STATE REP. 1 STATES, “WHAT DO THEY THINK, YOU'RE NOT GOING TO INCRIMINATE YOURSELF, LISA? OBVIOUSLY, IT'S WHAT THEY'RE GOING AFTER?”

LISA STATES, “ANYTHING...”

11:51:35—“LISA STATES, “YEAH, THAT'S ALL IT IS. (POLITICAL)”

STATE REP. 1 ASKS IF ANY ETHICS VIOLATIONS?

LISA STATES, “I DIDN'T DO ANYTHING WRONG.”

STATE REP. 1 STATES, DON'T KNOW OF ANYTHING.

LISA COMMENTS, “FIRST OF ALL, I WASN'T EVEN IN OFFICE.”

STATE REP. 1 STATES, “I KNOW YOU WEREN'T.”

MARTIN YAVORCIK STATES, (U).

STATE REP. 1 COMMENTS, “I DON'T GET IT.”

MARTIN YAVORCIK STATES, “TO CUT OFF THE DOLLARS FROM [REDACTED] AVENUE 'CAUSE THEY THINK THAT'S WHERE ALL THE JUICE COMES FROM. SO EVERYBODY THAT'S...”

LISA COMMENTS, “GOOD FRIENDS.”

MARTIN YAVORCIK, STATES, “...[REDACTED] IF THEY CAN CUT THAT FUNDRAISING TOOL THAT, THAT'S THEIR PLAY I'M TELLING YOU. THEY WANT THE [REDACTED] (FAMILY OF BUSINESSMAN 1) TO STAY OUT OF POLITICS (U).”

MARTIN YAVORCIK STATES, “THAT'S MY GUESS.”

12:03:15-- A DISCUSSION IS HAD BETWEEN THE PARTIES ON WHICH ASSISTANT MAHONING COUNTY PROSECUTORS MARTIN YAVORCIK WILL FIRE AND WHICH ONES HE WILL KEEP IF HE GETS ELECTED.

12:26:10 –SPEAKER, “NOW YOUR CONTACT WITH JOHN DOE 6 AND THE BUSINESSWOMAN 1?”

MARTIN YAVORCIK STATES, "BUSINESSWOMAN 1, BUSINESSWOMAN1 IS HUGE BECAUSE." SPEAKER COMMENTS, "AND YOU'RE LUCKY YOU GOT THE OTHER TWO RATHER THAN BUSINESSMAN2."

MARTIN YAVORCIK STATES, "I DON'T REALLY KNOW BUSINESSMAN2."

SPEAKER: "YEAH, BUT YOU'RE BETTER OFF BECAUSE WHEN THEY TALK, PEOPLE LISTEN."

MARTIN YAVORCIK STATES, "I NEED TO KNOW WHETHER TAKING MONEY FROM THE BUSINESSMAN1, BUSINESSMAN2 AND BUSINESSWOMAN 1 IN THIS ELECTION IS GOING TO HURT ME OR NOT."

SPEAKER: "WELL, YOU SAID THEY WERE GOING TO HIDE IT ANYWAY, RIGHT?"

MARTIN YAVORCIK STATES, "DO WE NEED TO DO THIS?"

SPEAKER: "WELL, IT DEPENDS ON HOW MUCH THEY WOULD GIVE YOU I GUESS. WELL YOU, THAT'S YOUR CALL, YOU KNOW. YOU GOTTA MAKE YOUR CALL."

MARTIN YAVORCIK: (UI).

SPEAKER: "YOU SAID, FIRST YOU THOUGHT THEY WOULD DO IT 527."

MARTIN YAVORCIK, STATES "WELL, I THINK THEY WOULD DO THAT. I THINK THEY WOULD."

12:29:40 A DISCUSSION IS HAD REGARDING GETTING MARTIN YAVORCIK' S NAME BETTER KNOWN THROUGH ADVERTISING HIS LAW FIRM.

12:49:15 – MARTIN YAVORCIK STATES, "I'VE GOT MY SECRET WEAPON FOR PERSONAL INJURY CASES: JOHN DOE 6. HE CAN GET MONEY OUT OF INSURANCE COMPANY."

MARTIN YAVORCIK THEN TELLS A STORY ABOUT HAVING A LEGALLY BLIND CLIENT WITH NO DRIVER'S LICENSE, AND JOHN DOE 6 SETTLED IT FOR \$19,000.

MARTIN YAVORCIK STATES, "MY MAN SETTLED CASE JUST LIKE THAT."

MARTIN YAVORCIK LIKES THE IDEA OF MEETING AT THE TANGIER'S. IT'S A NICE PLACE TO MEET.

D. April 2, 2008

17:43:30—SPEAKER AND MARTIN YAVORCIK DISCUSSING FORMER CONGRESSMAN JAMES TRAFICANT AND MARTIN YAVORCIK REPRESENTING HIM.

SPEAKER AND MARTIN YAVORCIK DISCUSSING WHO MAY BE SUPPORTING MARTIN YAVORCIK.

17:52:08—SPEAKER: "HOW DID YOU GET TO KNOW THAT BUSINESSWOMAN 1, SHE IS BIG FOR YOU, SO HOW DID YOU GET TO KNOW HER?"

MARTIN YAVORCIK: "UMM A DEPUTY SHERIFF WENT TO HIGH SCHOOL WITH IS REALLY GOOD FRIENDS WITH HER COUSIN."

SPEAKER: "CAUSE SHE IS REALLY MAD ABOUT WHAT THEY SAID ABOUT THE FAMILY."

MARTIN YAVORCIK: "OH YES EXTREMELY AND IT KEEPS GETTING WORSE EVERY DAY YOU KNOW, WITH THESE EDITORIALS IN THE PAPER, I MEAN THAT IS SEE THAT IS ONE OF THE AT THEY, I LIKE WHAT YOU SAID ABOUT THE 527."

MARTIN YAVORCIK: "THAT IS BRILLIANT, I LIKE THAT."

SPEAKER: "WHEN YOU TOLD ME A GOOD IDEA THERE."

MARTIN YAVORCIK: "THEN THEY COULD PUT AS MUCH MONEY IN IT AS THEY WANT AND NO ONE IS ENTITLED TO KNOW HOW MUCH MONEY IS IN IT, NO ONE IS ENTITLED TO KNOW, AND RUN A 527 THAT JUST BLASTS THEM AND I DON'T HAVE TO DO IT"

17:56:12—SPEAKER: "I THINK THAT IS WHAT LISA IS DOING WITH IT RIGHT NOW."

MARTIN YAVORCIK: "WHAT DO YOU THINK ABOUT THAT."

SPEAKER SAYS, "WELL?"

MARTIN YAVORCIK: "FROM YOUR STANDPOINT"

SPEAKER: "WHAT DID THEY DO, I MEAN YOU MAY SAY THAT THEY USED BAD JUDGMENT BUT WHAT DID THEY DO, YOU ARE IN THIS BUSINESS WHAT DID THEY DO?"

MARTIN YAVORCIK: "I DON'T SEE THAT THEY DID ANYTHING, EVERYTHING CAME OUT SO THEY MET WITH THE BUSINESSMAN 1, BUSINESSMAN 2 AND BUSINESSWOMAN 1, I TALKED TO JOHN DOE 2, THEY MET WITH HIM, SO WHAT? HOW IS THAT A CRIME? THEY WERE TELLING US WHAT TO DO, THAT IS WHAT THE ALLEGATION IS. YOU ARE YOUR OWN PERSON, YOU DO WHAT YOU WANT TO DO, BAD DEAL FOR COUNTY."

SPEAKER: "HOW MANY PEOPLE HAVE TOLD YOU TO DO THINGS, YOU DO IT BECAUSE YOU WANT TO DO IT OR YOU DON'T—RIGHT?"

MARTIN YAVORCIK: "THAT IS WHAT I SAY TO JOHN DOE 2, YOU KNOW JOHN DOE 2 IS CRAZY, I THINK THE WEAK LINK IS JOHN DOE 2, HE DOESN'T HAVE THE STOMACH FOR THIS STUFF."

SPEAKER: "MCNALLY?"

MARTIN YAVORCIK: "NO, JOHN DOE 2."

SPEAKER STATES, "JOHN DOE 2, YOU THINK WE WILL BACK OFF."

MARTIN YAVORCIK: "HE IS THE WORST, HE GETS, HE GETS REAL I DEAL WITH CRIMINAL CASES EVERY DAY, YOU WALK INTO A COURT ROOM CHARGED WITH A CRIME OR ALLEGATION YOU GOT TO BE STRONG"

17:57:31—SPEAKER STATES, "HEY, HEY, THERE SHE IS"

LISA ENTERS THE ROOM AND A DISCUSSION IS HAD ON WHO IS COMING TO THE MEETING.

18:03:29—JOHN DOE 4 ENTERS THE ROOM.

LISA: "WHAT IS GOING ON, LITTLE STAFF MEETING."

JOHN DOE 4: "GOT A LOT OF CALLS ON TRAFICANT THING, THANK YOU FOR FIGHTING FOR JIM."

MARTIN YAVORCIK: "HE CALLED ME."

JOHN DOE 4: "IT MIGHT BE SEEN BY THE INDEPENDENT AND REPUBLICANS ITS TRAFICANT BAD GUY, WE TALKED FOR A WHILE, HE CAME AROUND, HE IS A LAWYER PR AND GETTING NAME OUT A GOOD IDEA, DON'T WANT TO BE THE FACE OF JIM TRAFICANT."

MARTIN YAVORCIK STATES, "I WONDERED BEFORE I TOOK IT, GOOD" RELATIONSHIP WITH WELLS AND THAT IS WHY HE CALLED ME.

18:05:12—JOHN DOE 4 AND LISA ARE DISCUSSING JAMES TRAFICANT, DISCUSSING PAUL GAINS, AND THE ETHICS COMMISSION INVESTIGATION.

18:13:19—LISA: "WE BELIEVE THAT WHAT GAINS SENT AN EIGHT PAGE LETTER TO THE ETHICS COMMISSION IN LATE OCTOBER REQUESTING THE INVESTIGATION AND THE ETHICS COMMISSION GENERALLY JUST SAYS DO WHAT YOU WANT WITH IT."

JOHN DOE 4 COMMENTS, "YEA"

LISA REPLIES, "SO HE WENT FORWARD WITH AN INVESTIGATION AND HE IS DENYING THAT, AND THE WAY THAT BERTRAM (YOUNGSTOWN VINDICATOR WRITER) LAID IT OUT TODAY WAS 'NO, THIS ISN'T GAINS, THIS IS ALL THE ETHICS COMMISSION'"

MARTIN YAVORCIK STATES, "I STILL DON'T SEE HOW YOU GET AROUND THE FACT THAT HE IS INVESTIGATING HIS OWN CLIENTS —I AM SORRY I DON'T AGREE WITH THAT, IT'S NOT APPROPRIATE, AND THAT IS WHAT I SAID, IT IS NOT APPROPRIATE. CAN'T GET AROUND IT, HOW DO YOU GET AROUND IT (JOHN DOE 4)?"

LISA STATES, "I THINK THAT IS SOMETHING YOU LET THE ATTORNEYS, 10, 9 AND 8 DEAL WITH."

JOHN DOE 4 STATES, "AND YOU KNOW IF ITS COMING OUT OF COLUMBUS I DON'T THINK IT IS A BAD IDEA TO GET LIKE A ATTORNEY 11 OR SOMEONE LIKE THAT AND EVERYBODY THROWS IN 3 GRAND AND HIRE HIM TO DEFEND."

LISA: "JESUS GOD GOING TO BE THE ANTONINI DEFENSE FUND."

JOHN DOE 4 STATES THAT, "THIS IS CRUSHING IF IT GOES TOO FAR."

MARTIN YAVORCIK: "RIGHT"

18:15:00— DISCUSSING MARTIN YAVORCIK ADVERTISING AND THE FOCUS OF THE CAMPAIGN.

18:25:55—LISA: "WHAT SHOULD WE BE FOCUSED ON, I MEAN I HAVE SOME IDEAS, I DON'T KNOW IF YOU KNOW THIS UMM YOU (MARTIN YAVORCIK) WANNA TELL HIM WHAT YOU CAME UP WITH , WHAT YOU ARE DOING RIGHT NOW IN THE FIELD."

JOHN DOE 4 STATES, "YEA LET ME HEAR IT."

LISA COMMENTS, "HE IS, HE'S PAID FOR A PROFESSIONAL POLL TO BE DONE."

JOHN DOE 4 STATES, "OK GOOD—GOOD."

LISA STATES, "HE IS NOT PLAYING AROUND LETS SEE WHERE HE IS AT..."
JOHN DOE 4 COMMENTS, "WE EITHER GO FOR THIS OR NOT."
LISA SAYS, "5,000 BUCKS!"
MARTIN YAVORCIK COMMENTS, "I PAID 15,000 DOLLARS OUT OF MY OWN POCKET,"
LISA STATES, "IT IS A PROFESSIONAL COMPANY."
MARTIN YAVORCIK STATES, "THAT IS HOW SERIOUS I AM, THIS IS NOT A JOKE"
DISCUSSING THE ACTUAL POLL.

18:31:54—DISCUSSING THE PRIMARY ELECTION CONTEST BETWEEN PAUL GAINS AND HEIDI HANNI, AND DISCUSSING THE CAMPAIGN AGAINST PAUL GAINS, AND THE FBI RIDDING THE COMMUNITY OF ORGANIZED CRIME.

18:42:41—MARTIN YAVORCIK DISCUSSING HIS LUNCH WITH JOHN DOE 7 IN COLUMBIANA COUNTY AND THAT JOHN DOE 7 KEPT TALKING ABOUT THE MOB STILL BEING IN YOUNGSTOWN.

18:52:40—MARTIN YAVORCIK DISCUSSING HIS CALENDAR IN SEPTEMBER AND OCTOBER OF 2008.

18.52.48—MARTIN YAVORCIK (FROM THE POLL): "I NEEDED TO KNOW THE EXACT MESSAGE. I NEEDED TO KNOW WHAT THEY ARE GOING TO BE ABLE TO TELL ME , FUNDRAISING, WHAT THE FUNDRAISING GOAL IS TO GET THAT MESSAGE OUT QUICK. THAT WAS MORE THE RATIONALE FOR THE POLL. IT WASN'T THAT I DON'T WANT TO DO THIS, IT WAS SIMPLY, I DON'T WANT TO DO THIS WITH AN EYE PATCH ON. ONE EYE OPEN AND ONE CLOSED. I NEEDED TO KNOW IF I AM GOING TO SPEND 15 GRAND, WHICH IS A LOT OF MONEY OUT OF MY POCKET. YOU KNOW I NEED TO KNOW, WE ARE LAWYERS YOU DON'T GO INTO A LAWSUIT WITHOUT DOING YOUR DEPOSITION AND TALKING TO YOUR DOCTORS YOU KNOW, DOING THE THINGS THAT YOU DO."
JOHN DOE 4 ASKS, "WHAT [DO] YOU NEED TO DO TO PREPARE."
MARTIN YAVORCIK STATES, "IT WAS NECESSARY."

18:54—DISCUSSING THE USE OF POLLS IN AN OTHER RACE.

18:54:14—MARTIN YAVORCIK DISCUSSING ENCOURAGEMENT THAT HE RECEIVED DISCUSSING OBTAINING ENDORSEMENTS.

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12:39—MARTIN YAVORCIK ARRIVES, THEY ARE DISCUSSING SPORTS.

12:40:50—DISCUSSING AN AD YAVORCIK CAN RUN TO GET RECOGNITION

12:42:26—DISCUSSING COMMERCIALS THAT CAN BE RUN.

12:47:30—DISCUSSING RUNNING COMMERCIALS AS AN ATTORNEY, NOT A CANDIDATE.

- 12:48:38—DISCUSSING ADVERTISING YAVORCIK' S CRIMINAL PRACTICE.
- 12:51:00—DISCUSSING ADS AND GETTING YAVORCIK' S NAME OUT IN PUBLIC
- 12:53:20—DISCUSSING POLLS.
- 12:54:12—DISCUSSING GETTING YAVORCIK' S NAME RECOGNIZED BY
PUBLIC THROUGH ADVERTISING AND POLLS.
- 12:55:50--MARTIN YAVORCIK DISCUSSING A DEMOCRATIC DATABASE HE CAN
GET FROM LISA ANTONINI, THEN DISCUSSING POLLS AGAIN AND
ADVERTISING YAVORCIK AS AN ATTORNEY, CAMPAIGN THEME.
- 12:57:20—MARTIN YAVORCIK DISCUSSING JOHN DOE 4, A PERSON HE HAS
KNOWN A LONG TIME, THAT HE GIVES GOOD ADVICE, AND THAT HE WILL
BE HELPING YAVORCIK.
- 12:58:32—MARTIN YAVORCIK TALKING ABOUT HOW THE LAWYER ADS WILL
HELP HIM WITH HIS CAMPAIGN.
- 13:03—DISCUSSING YAVORCIK PICKING HIS TEAM AND TEAM MEMBERS CAN'T
BE AFRAID.
MARTIN YAVORCIK SAYS HE WILL BE "BANGING THESE PEOPLE EVERY
DAY"
DISCUSSING PUTTING TOGETHER AN ORGANIZATIONAL PLAN.
- 13:04:51—MARTIN YAVORCIK TELLING SPEAKER ABOUT THE CONVERSATION HE
HAD WITH A BOARD OF ELECTION'S EMPLOYEE THE DAY BEFORE.
DISCUSSING THE HANNI FAMILY.
DISCUSSING THE YOUNGSTOWN VINDICATOR NOT LIKING PAUL GAINS
AND GAINS ASKING THE ETHICS COMMISSION TO INVESTIGATE THE
ELECTED OFFICIALS. THEY THEN DISCUSS WHAT PAUL GAINS TOLD
REPORTERS ABOUT THE INVESTIGATION, AND THE LETTER REQUESTING
THE ETHICS COMMISSION TO INVESTIGATE THE OFFICE HOLDERS.
MARTIN YAVORCIK DISCUSSING TALKING TO MEDIA ABOUT THE ETHICS
COMMISSION LETTER AND THE INITIATION OF THE OAK HILL
INVESTIGATION.
- 13:10:05—TALKING TO A PERSON WHO CAME UP TO THE GROUP, ABOUT WOMEN
AND PICKING THE RIGHT ONE, DATING, ETC., AND TYPICAL GUY TALK.
- 13:24:22—DISCUSSING REDEVELOPMENT OF DOWNTOWN YOUNGSTOWN.
- 13:34—MAN LEAVES, DISCUSSING THE PLACE THEY ARE EATING AT,
DISCUSSING BUILDINGS IN DOWNTOWN YOUNGSTOWN, AND
REHABILITATING THEM.
- 13:36—DISCUSSING THE CAMPAIGN.

DISCUSSING JOHN DOE 1, YAVORCIK STATES THAT HE DOESN'T KNOW IF HE (JOHN DOE 1) WILL BE THE CHAIR OF THE YAVORCIK CAMPAIGN.

MARTIN YAVORCIK STATES THAT JOHN DOE 1 IS GOING TO DO A WRITE-IN CAMPAIGN FOR COUNTY SHERIFF.

DISCUSSING JOHN DOE 1 RUNNING AS A WRITE-IN CANDIDATE AFTER HE WAS TOSSED OFF THE BALLOT IN THE PRIMARY BY THE OHIO SUPREME COURT FOR NOT BEING QUALIFIED UNDER THE STATUTE TO RUN FOR SHERIFF.

MARTIN YAVORCIK, "HE WILL BE QUALIFIED BY THE GENERAL ELECTION. THAT IS WHAT HE IS DOING NOW."

DISCUSSING THE SHERIFF RACE

13:37:44-DISCUSSING SHERIFF DEPUTIES WHO SUPPORT HIM OVER PAUL GAINS
MARTIN YAVORCIK—PEOPLE DESPISE PAUL; I THINK THIS CAN BE DONE.
MARTIN YAVORCIK --DISCUSSING HOW HE CAN WIN, AND GETTING THE CAMPAIGN GOING, AND THAT HE IS GETTING GOOD RESPONSES.
DISCUSSING ELECTIONS AND CAMPAIGN THEMES.

13:45:05 – DISCUSSING HOW A BOARD OF ELECTION EMPLOYEE AND JOHN DOE 8 THOUGHT THAT THEY COULD GET JOHN DOE 7 ON BOARD TO HELP MARTY YAVORCIK.
YAVORCIK SAYS THEY "MET WITH JOHN DOE 7 FOR TWO HOURS AND JOHN DOE 7 DOESN'T CARE TO MEET WITH THEM AGAIN", "THAT IS WHAT I WAS TOLD."
TALKING ABOUT GETTING FINANCE REPORTS OF GAINS.

13:46:20—DISCUSSING NAME RECOGNITION, GETTING NAME OUT.
DISCUSSING WHAT NOT TO ADVERTISE IN AND WHAT TO ADVERTISE IN.
DISCUSSING GETTING VOLUNTEERS.
DISCUSSING OTHER CANDIDATES.
DISCUSSING ADS THAT BOTH THE WHITE AND BLACK COMMUNITY WILL LIKE.

13:50:00 -- DISCUSSING ROLES THAT PEOPLE WILL HAVE IN THE YAVORCIK CAMPAIGN.

13:50:56—MARTIN YAVORCIK ON THE PHONE, GOING TO GO TO BOARD OF ELECTIONS AND PICK UP PAUL GAINS FINANCE REPORTS.
MARTIN YAVORCIK DISCUSSING WHO WILL ASSIST HIM ON HIS CAMPAIGN AND WHAT ROLE PEOPLE WILL HAVE.

13:55—DISCUSSING HEIDI HANNI.
MARTIN YAVORCIK DISCUSSING HIS MESSAGE AND BUYING HIS AD TIME.

F. April 22, 2008

11:55:45--YAVORCIK TO TABLE.

12:05:30-- YAVORCIK SAYS THAT HE'S GETTING RID OF AUDI, AND GOING TO BE GETTING A PICKUP TRUCK TO DRIVE (FOR CAMPAIGN PURPOSES).

12:06:20 --DISCUSSING CAMPAIGN EVENTS TO GO TO.

12:08:00—DISCUSSING PRINTING MATERIAL.

12:16:31—LISA COMMENTS THAT GOOD COLORS ARE NAVY BLUE, WHITE, AND GOLD FOR THE YAVORCIK CAMPAIGN
MARTIN YAVORCIK STATES, I LIKE YELLOW AND BLACK. I ALSO LIKE BLUE AND GOLD.

12:23:35-- DISCUSSING.POLITICS

12:26:30—YAVORCIK ASKS HOW MANY PEOPLE COMING TONIGHT (TO A FUNDRAISER)?
LISA COMMENTS ABOUT TWENTY.
DISCUSSING VOTER TURN OUT ISSUES.

12:34:15—YAVORCIK (ASKS LISA) "DID YOU TALK TO LEO?" DISCUSSING LEO JENNINGS

12:42:00 YAVORCIK SAYS GAINS HAS VULNERABILITIES.
SPEAKER STATES, "BUD? (AS IN BUDWEISER BEER)"
YAVORCIK STATES, "NO." PERSONAL ATTACK.
YAVORCIK SAID HE WOULD GET SUED.

12:49:50 – LISA DISCUSSING FUNDRAISING

G. October 9, 2008

18:54:00-MARTIN YAVORCIK DISCUSSING HIS DEBATE WITH PAUL GAINS, HOW HE DID, AND WHAT HAPPENED

18:56:02—JOHN DOE 5, "I HAVE TO DISCUSS WITH YOU (MARTIN YAVORCIK) HOW TO HANDLE MY PROBATION OFFICER IN YOUNGSTOWN TOMORROW A LITTLE BIT, I THINK GONNA, VIOLATE ME ON THIS BUT THERE IS A DECISION HAS TO BE MADE WITH MY COUNSEL ON SATURDAY."
MARTIN YAVORCIK ASKS, "WHO IS THE JUDGE?"
JOHN DOE 5 ANSWERS, "JUDGE 1."
MARTIN YAVORCIK STATES, "JUST LET ME GO TALK TO HIM."
JOHN DOE 5 STATES, "THAT IS EX PARTE COMMUNICATION."
MARTIN YAVORCIK COMMENTS, "I DON'T GIVE A F***."
JOHN DOE 5: "HE IS A GREAT GUY", "THE DECISION IS GOING TO BE SATURDAY AS TO WHETHER OR NOT I SHOULD REENGAGE TREATMENT AND WHAT MY LAWYER THINKS ABOUT THAT. HE AT FIRST SAID THAT IT DOESN'T HURT BUT?"

MARTIN YAVORCIK STATES THAT, "IT (REHAB) NEVER HURTS, I DON'T WANT IT TO LOOK LIKE YOU ARE CONCEDED THIS, YOU HAVE BEEN TO TREATMENT NOW INDICTMENT YOU GOING AGAIN?"

18:56:58—DISCUSSING THE CAMPAIGN AND GOING DOOR TO DOOR.

18:57:21—JOHN DOE 5: "JOHN DOE 9 SAID HE WOULD SIT DOWN WITH ME SATURDAY TOO, AND WHATEVER HE IS, HE WAS A GOOD AS A DEFENSE ATTORNEY AS THERE WAS, HE DOESN'T WANT MY THING TO GO TO TRIAL. HE SAYS F*** THAT I LIKE GUARANTEED THINGS."

MARTIN YAVORCIK STATES, "YEA BUT YOU HAVE TO SEE IF THIS F*** (PAUL GAINS) IS PUSHING IT FROM MAHONING IF HE HAS BUDDIES UP THERE."

18:58:08—DISCUSSING A PENDING LAWSUIT IN ANOTHER COUNTY WITH MARTIN YAVORCIK AND MARTIN YAVORCIK IS PROVIDING LEGAL ADVICE AS TO HOW TO PROCEED IN THAT MATTER.

19:01:33—JOHN DOE 5 ASKS, "YOU DON'T THINK THAT JUDGE 1 WILL GIVE ME 30 DAYS IN THE POKE FOR VIOLATING DO YOU?" (IN YOUNGSTOWN MUNICIPAL COURT)

MARTIN YAVORCIK STATES, "LET ME KNOW, CALL ME AND IF THEY ARE GOING TO F*** WITH YOU AND I WILL GO TALK TO THEM."

JOHN DOE 5 SAYS, "CAUSE I AM NOT GOING TO THEM ON A FRIDAY AND HAVE THEM PUT ME IN F***ING JAIL PROBATION."

MARTIN YAVORCIK, "WHO IS IT?"

JOHN DOE 5: "SOME BROAD."

JOHN DOE 5: "PROBATION OFFICER 1 KNOW HER VERY WELL"

MARTIN YAVORCIK TELLS JOHN DOE 5, "FIND OUT WHO IT IS, I REPRESENTED TWO OF THEM."

JOHN DOE 5: "IT'S NOT PROBATION OFFICER 2, PROBATION OFFICER 3 OR SOMETHING."

MARTIN YAVORCIK: "I THINK I REPRESENTED HER; SHE CAME TO ME ON A SEXUAL HARASSMENT CASES BUT THE ADMINISTRATOR FROM THE CLERK'S OFFICE WAS HARASSING HER. "

MARTIN YAVORCIK: "THE KEY IS JUDGE 1, I MEAN THAT IS MY BOY."

JOHN DOE 5 STATES, "I AM DEFINITELY GOING TO GET THE DUI SET AFTER THE ELECTION ON THE 17TH. IT'S A JURY DEMAND!"

MARTIN YAVORCIK: "NOT NECESSARILY."

JOHN DOE 5 STATES, "YOU ARE NOT SWORN IN UNTIL THE BEGINNING OF JANUARY."

MARTIN YAVORCIK STATES, "I WIN I WILL SHOW UP AS YOUR F***ING LAWYER WHAT DO YOU THINK THAT THEY ARE GOING TO DO THEY ARE GOING TO F***ING WORK FOR ME OR THEY ARE GONNA GET FIRED!"

MARTIN YAVORCIK: "I WILL ENTER AN F***ING APPEARANCE!"

MARTIN YAVORCIK: "NOW LET ME SEE THEM SAY YOU ARE GOING TO GET JAIL TIME OR A CONVICTION -I WILL SHOW UP IN COURT WHAT KIND OF MESSAGE MODERELLI GOING TO SAY TO ME OH REALLY OK?"

H. October 25, 2008

MARTIN YAVORCIK IS ATTENDING A FUNDRAISER AND SAYS HELLO TO A COUPLE PEOPLE THEN IS NO LONGER PART OF THE CONVERSATION BETWEEN THE REST OF THE GROUP OF PEOPLE.

I. November 3, 2008

Please see November 3, 2008 statement below under oral statement of Michael Sciortino.

All of these recordings have been provided by the Government to the defendant and co-defendants as part of the discovery packages.

IV. ADDITIONAL ORAL STATEMENTS OF MARTIN YAVORCIK.

The government possesses additional oral statements made by Martin Yavorcik, which were recorded by a confidential informant on the telephone. The government is summarizing statements Martin Yavorcik made on these recordings. Where possible, names of other people have been removed or a person is referred to as John Doe. In addition, where relevant, the conversation has been highlighted. The summaries are for the following dates:

A. AUGUST 18, 2008

CALL ENDS YAVORCIK SUPPOSED TO CALL BACK.

B. AUGUST 18, 2008

MARTIN YAVORCIK CALLS.

MARTIN YAVORCIK SAYS HE HASN'T TALKED TO SPEAKER BECAUSE HE HAS BEEN SWAMPED.

MARTIN YAVORCIK TALKING ABOUT AN OPERATIONAL MEETING WITH THE JOHN DOE 1 PEOPLE AND ORGANIZING FOR THE FALL CAMPAIGN.

MARTIN YAVORCIK DISCUSSING JOHN DOE 1 AND A CAMPAIGN. MARTIN YAVORCIK DISCUSSING A LETTER THAT HE SENT OUT AND THAT

THE JUDGES ARE COMING TO HIS FUNDRAISER.
MARTY YAVORCIK INVITES SPEAKER TO HIS FUNDRAISER.
MARTY YAVORCIK DISCUSSING CAMPAIGNING.

C. OCTOBER 3, 2008

MARTY YAVORCIK CALLS.
SPEAKER TELLS MARTY YAVORCIK, "CONGRATULATIONS, WHAT AN AD!"
MARTIN YAVORCIK STATES TO SPEAKER, "DID YOU SEE THAT F***ING THING?"
SPEAKER STATES, "OH I HEARD IT, I SAW IT, HE (GAINS) HAD FOAM COMING OUT OF HIS MOUTH."
MARTIN YAVORCIK STATES, "HE HAS NO IDEA WHAT IS COMING NEXT, NO F***ING IDEA!"
SPEAKER STATES, "HE HAD FOAM COMING OUT OF HIS MOUTH."
DISCUSSING THE AD AGAINST PAUL GAINS.
MARTIN YAVORCIK SAYS HE BOUGHT \$38,000 OF ADS NEXT WEEK.
TALKING ABOUT GAINS NOT HAVING MONEY TO BUY MORE ADS.
MARTIN YAVORCIK STATES THAT HE BOUGHT TWELVE THOUSAND DOLLARS ON RADIO.
THE TWO ARE THEN TALKING ABOUT THE DOMINANT RACE, THE INTERESTING RACE, THE MEDIA TALKING ABOUT IT, AND DEBATING GAINS.
MARTIN YAVORCIK STATES, "WAIT 'TIL YOU SEE THE LIT PIECE, WAIT 'TIL YOU SEE THE LIT PIECE."
THE TWO ARE DISCUSSING YAVORCIK'S HANDOUTS, PEOPLE PUTTING CARDS OUT, AND TYING ALL THE ADVERTISING TOGETHER.
THE TWO ARE DISCUSSING WHAT GAINS SAID ABOUT YAVORCIK.
MARTIN YAVORCIK DISCUSSES HIS AD, HOW IT HURTS PAUL GAINS' CAMPAIGN, AND DISCUSSING THE TV AD YAVORCIK RAN.
DISCUSSING THE EFFECT OF THE AD ON THE CAMPAIGN.

D. OCTOBER 6, 2008

MARTIN YAVORCIK CALLS.
MARTIN YAVORCIK SAYS, "JUST CHECKING IN TO SEE WHAT SPEAKER HAS HEARD."
TALKING ABOUT THE PRESS, GAINS BEING OUT OF MONEY.
BOTH SAY THAT THEY HAVE HEARD THAT PAUL GAINS DOES NOT HAVE CAMPAIGN MONEY LEFT.
MARTIN YAVORCIK AGREES THAT HE DOES NOT HAVE TO FOLLOW THE LAW IN PUTTING UP CAMPAIGN/YARD SIGNS BECAUSE HE IS NOT THE COUNTY PROSECUTOR.
MARTIN YAVORCIK STATES THAT HE THINKS HE CAN CRUSH GAINS' MONEY WITH HIS TV AND RADIO ADS AND THAT HE IS HAVING A FUNDRAISER AND ANOTHER AD IS COMING OUT.

SPEAKER COMMENTS THAT, ONCE ██████████ AVE SEES WHAT YAVORCIK IS DOING, THEY WILL BE WILLING TO MAKE THEIR MOVE. "YOU KNOW WHAT I MEAN?"

MARTIN YAVORCIK: "THIS IS WHAT THEY WANT TO SEE."

MARTIN YAVORCIK SAYS A GUY WORKING ON HIS CAMPAIGN IS ONE OF SHERIFF WELLINGTON'S CHIEF GUYS.

E. OCTOBER 6, 2008

MARTIN YAVORCIK CALLS.

DISCUSSES PAUL GAINS NOT BUYING COMMERCIALS.

MARTIN YAVORCIK STATES, "THAT IS GOOD NEWS, EXCELLENT, I AM CRUSHING HIM. OH, I LOVE IT. THANK YOU I APPRECIATE IT. GOOD BYE."

F. OCTOBER 7, 2008

MARTIN YAVORCIK CALLS.

MARTIN YAVORCIK SAYS, "JUST CALLING TO SEE WHAT SPEAKER HAS HEARD."

MARTIN YAVORCIK SAYS HE HAS ALSO HEARD GAINS IS TRYING TO BORROW FROM LAWYERS, BUT DOESN'T THINK ANYONE IS LOANING HIM THE MONEY.

MARTIN YAVORCIK HEARD THAT PAUL GAINS WAS TRYING TO BORROW MONEY FROM ATTORNEYS.

MARTIN YAVORCIK STATES THAT THERE IS NO TV AVAILABLE FOR HIM. DISCUSSING MONEY BEING THE MILK OF POLITICS.

SPEAKER TELLING YAVORCIK ABOUT RETAIL POLITICS, GOING TO BOWLING ALLEYS, ETC., NOT SUCCESSFUL SINCE 90% OF PEOPLE DON'T GO OUT, THAT THE BETTER WAY IS TO GO ON TV AND RADIO.

MARTIN YAVORCIK STATES THAT HE AGREES, AND WANTS TO KNOW IF PAUL GAINS CAME UP WITH ANY MONEY TO FUND HIS COMMERCIALS.

MARTIN YAVORCIK STATES (AGREES) THAT, IF GAINS HAS MONEY, HE WILL HAVE TO GO TO CABLE TV AS IT IS CHEAPER.

MARTIN YAVORCIK STATES THAT GAINS WILL HAVE TO TRY TO DO A BLITZ AT THE END, BUT GAINS DOESN'T HAVE TV TIME FOR A BLITZ, YAVORCIK ALSO STATES THAT GAINS IS MISSING EARLY VOTING ALSO.

MARTIN YAVORCIK DISCUSSING PEOPLE PAUL GAINS HAS WORKING THE POLLS AND MARTIN YAVORCIK STATES WHAT PEOPLE ARE TELLING HIM THAT THEY SAW HIS COMMERCIAL.

G. OCTOBER 8, 2008

MARTIN YAVORCIK CALLS.

MARTIN YAVORCIK SAYS HE IS "CHECKING IN. WHAT HAVE YOU HEARD?" SPEAKER TELLS MARTY THAT GAINS IS REALLY STIRRED UP ABOUT MARTY'S ABSENTEE BALLOT MAILINGS.

MARTIN YAVORCIK WANTS TO KNOW WHAT PEOPLE ARE SAYING ABOUT THE ABSENT BALLOT PIECE HE DID.

MARTIN YAVORCIK STATES THAT HE THINKS HE IS WINNING THE ELECTION.

DISCUSSING MARTIN YAVORCIK' S MOTHER AND HOW NICE SHE IS.

MARTIN YAVORCIK STATES THAT THAT HE HAS NOT REACTED TO THE SPECIAL PROSECUTOR ISSUE; THAT IT IS NONE OF HIS BUSINESS AT THE PRESENT TIME.

MARTIN YAVORCIK STATES THAT NO MEDIA HAS CALLED HIM ABOUT THE SPECIAL PROSECUTOR REQUEST AND HE IS SURPRISED.

MARTIN YAVORCIK: "MAILED 15,000 ABSENTEES THROUGH A MAIL HOUSE, HE HIRED YOUNGSTOWN LETTER SHOP, LASER ON THE ADDRESSES AND THE POSTAGE."

DISCUSSING THE ABSENTEE BALLOTS AND CITY TURN OUT.

MARTIN YAVORCIK: "WE HAD A FORUM LAST NIGHT AND THAT I TOOK GAINS ON AND THAT HE (GAINS) ACTED LIKE A PSYCHO."

MARTIN YAVORCIK DISCUSSES THE NEW BETHEL CHURCH DEBATE, HE SAYS IT IS GOING TO BE A GOOD ONE AND THAT HE IS GOING TO HIT PAUL GAINS HARD.

MARTIN YAVORCIK AGREES TO CALL CABLE AND SEE IF CABLE WILL COVER IT, PUBLIC ACCESS.

DISCUSSING CABLE TV.

MARTIN YAVORCIK STATES THAT THIS IS GOOD, HE STATES, "I FEEL IT; I FEEL LIKE THE GUY IS CRUMBLING, HE HAS NO MONEY AND HE IS IN TROUBLE."

DISCUSSING PAUL GAINS.

MARTIN YAVORCIK STATES THAT HE KNOWS THAT THE ABSENTEE PIECE WAS EFFECTIVE. HE STATES THAT "IT IS A BRUTAL PIECE. MY PLAN ALL ALONG WAS TO HOSE HIM ON EARLY VOTING AND TO COME OUT 10,000 VOTES AHEAD OF HIM, YOU KNOW WHAT I MEAN? IF I CAN GET A BIG LEAD ON HIM AND HOLD MY OWN ELSEWHERE, I WILL SMOKE HIM."

DISCUSSING JOHN DOE 5 WORKING THE POLLS FOR MARTIN YAVORCIK.

MARTIN YAVORCIK STATES, COME TO NEW BETHEL "CAUSE IT IS ON."

H. OCTOBER 13, 2008

MARTY YAVORCIK CALLS.

SPEAKER TELLING YAVORCIK ABOUT HOW YAVORCIK IS GAINING GROUND.

MARTIN YAVORCIK SAYS THAT THE PLAN WAS TO MOVE NUMBERS AND NOW IT IS TIME FOR THE COUP DE GRAS.

SPEAKER BRINGS UP THE JOHN DOE 1 CAMPAIGN.

MARTIN YAVORCIK DISCUSSES THE JOHN DOE 1 CAMPAIGN FOR COUNTY SHERIFF AND COMMENTS THAT JOHN DOE 1 HASN'T GIVEN THE PEOPLE A REASON TO FIRE SHERIFF WELLINGTON.

MARTIN YAVORCIK STATES, "WAIT TILL YOU HEAR THE NEXT ROUND OF COMMERCIALS, PHENOMENAL, BETTER THAN THIS ONE."

DISCUSSING THE CURRENT COMMERCIAL AND WHAT MARTIN YAVORCIK DID DURING THE COMMERCIAL.

DISCUSSING A JUDICIAL RACE.

DISCUSSING WHAT PAUL GAINS HAS DONE WELL; MARTIN YAVORCIK AGREES THAT PAUL GAINS HAS A GOOD STAFF.

DISCUSSING THE PROSECUTOR RACE.

MARTIN YAVORCIK, "THE MORE ATTENTION, THE MORE IT HELPS ME."

MARTIN YAVORCIK DISCUSSED HOW MANY ABSENTEE BALLOTS HE HAS MAILED OUT.

DISCUSSING CHARLIE WILSON AND WRITING IN A CANDIDATE.

SPEAKER STATES THAT JOHN DOE 1 "SHOULD HAVE DONE THE DEAL YOU OFFERED HIM, COMING IN TO WORK FOR YOU AND THEN RUNNING IN FOUR YEARS."

MARTIN YAVORCIK STATES THAT, THAT IS EXACTLY WHAT HE (JOHN DOE 1) SHOULD HAVE DONE.

SPEAKER STATES THAT, "I MEAN YOU OFFERED HIM THE ULTIMATE DEAL"

MARTIN YAVORCIK STATES WELL, "I NEEDED THE HELP AND I SAID JUST COME. I MEAN I DIDN'T OFFER HIM A JOB. I SAID I REALLY NEED YOUR HELP AND I THINK WE ARE GOING TO MAKE SOME CHANGES DOWN THERE AND THAT THERE IS GOING TO BE A LOT OF OPPORTUNITIES. YOU KNOW WHAT I MEAN."

DISCUSSING JOHN DOE 1 AND HIS CAMPAIGN.

MARTIN YAVORCIK STATES THAT EDUCATING THE PUBLIC ON THE MISGIVINGS OF THE COUNTY PROSECUTOR'S OFFICE WAS THE KEY AND THAT HE HAS HIS CAMPAIGN INTERVIEW WITH THE YOUNGSTOWN VINDICATOR COMING UP.

DISCUSSING PAUL GAINS AND ARTICLES THAT THE YOUNGSTOWN VINDICATOR HAS WRITTEN ABOUT PAUL GAINS.

DISCUSSING PAUL GAINS AND JUDGES.

DISCUSSING A DEBATE AT MCGUFFEY TONIGHT.

MARTIN YAVORCIK STATES THAT THIS DEBATE IS THE BIG ONE.

I. OCTOBER 15, 2008

MARTIN YAVORCIK CALLS.

MARTIN YAVORCIK SAYS HE GOT A CALL LAST NIGHT ABOUT THE COUNTY PROSECUTOR'S OFFICE LOSING A MURDER CASE.

SPEAKER SAYS A PERSON IS STOPPING BY HIS OFFICE IN ABOUT AN HOUR AND HE WILL HAVE INFORMATION FOR MARTIN YAVORCIK

DISCUSSING A COMMERCIAL

J. OCTOBER 16, 2008

MARTIN YAVORCIK CALLS.

THE TWO DISCUSS THE GAINS CAMPAIGN.
SPEAKER STATES THAT ODOT IS PICKING UP POLITICAL SIGNS.
MARTIN YAVORCIK STATES THAT HE NEEDS TO GO GET HIS SIGNS.
MARTIN YAVORCIK DISCUSSES THE DEBATE WITH PAUL GAINS AT A
CANDIDATES NIGHT AND PERSONAL ATTACKS.
DISCUSSING WHAT TO DISCUSS AT CANDIDATES FORUMS AND NOT TO
ATTACK PAUL GAINS PERSONALLY.
MARTIN YAVORCIK STATES THAT HE IS HAVING A FUNDRAISER, THAT HE
MAY PUT MORE MONEY INTO THE CAMPAIGN HIMSELF, AND THE FACT
THAT PAUL GAINS DOES NOT HAVE AN ABSENTEE BALLOT MAIL PIECE.
MARTIN YAVORCIK STATING HOW HE CAN WIN WITH THE ABSENTEE
BALLOTS.
DISCUSSING THE TURNOUT FOR EARLY VOTING.
MARTIN YAVORCIK STATING THAT PAUL GAINS TURNED HIM IN FOR A
COPYRIGHT VIOLATION; MARTIN YAVORCIK STATES THAT IT WAS NOT A
COPYRIGHT VIOLATION TO PUT PAUL GAINS FACE ON A MONOPOLY
CARD.
DISCUSSING WHAT PEOPLE ARE TELLING MARTIN YAVORCIK AND HIS AD
AGAINST PAUL GAINS.
DISCUSSING WHAT PAUL GAINS IS SAYING ABOUT MARTY YAVORCIK
GOING OFF AIR.
MARTIN YAVORCIK STATES THAT HE IS NOT GOING OFF AIR; THAT HE IS
HAVING FUN AND HE WANTS TO BE COUNTY PROSECUTOR.
DISCUSSING WHAT PEOPLE SAY AND WHEN THEY ARE FOR YOU.
MARTIN YAVORCIK DISCUSSING GOING DOOR-TO-DOOR AND WHAT HE
WAS TOLD.

K. OCTOBER 25, 2008

MARTY YAVORCIK CALLS.
MARTY YAVORCIK SAYS CALLING TO CHECK IN.
SPEAKER SAYS "YOU HAVE TO ABSORB THE JOHN DONE 1
ORGANIZATION AND HAVE A STRONG ELECTION DAY OPERATION."
MARTIN YAVORCIK AGREES.
MARTIN YAVORCIK ASKS ABOUT ANY POLL DONE.
MARTIN YAVORCIK STATES THAT HERMAN HILL CLAIMS THAT THERE
WAS A POLL TAKEN.
SPEAKER SAYS 10 DAYS AGO DOWN BY 4 POINTS.
MARTIN YAVORCIK STATES, "THAT IS WITHIN STRIKING DISTANCE." HE
STATES THAT HE THINKS HE HAS A SHOT.
SPEAKER CONTINUES TO ADVISE ABOUT HAVING ELECTION DAY
ORGANIZATION AND JOHN DOE 1 ORGANIZATION AND VALUE OF
HAVING THEM ON HIS SIDE.
SPEAKER STATES, "I HAVE COME TO ADMIRE THEIR ORGANIZATION, THEY
ARE UNBELIEVABLE, AND THE LINES ARE CLEARLY DRAWN NOW."

MARTIN YAVORCIK STATES, "OH YEA, THERE IS NOT MORE BLURRING THE LINES I AGREE."

SPEAKER STATES, "I MEAN THERE IS, YOU KNOW AND YOU KNOW IF THIS, IF YOU DON'T WIN, NOT JUST LISA, MIKE SCIORTINO AND MCNALLY, THEY WILL GO AFTER MORLEY, THEY WILL GO AFTER THE CAFAROS, THEY ARE GOING TO GO AFTER EVERYBODY."

MARTIN YAVORCIK STATES, "OH WE GOTTA WIN."

SPEAKER STATES, "YEAH. I MEAN I KNOW THOSE GUYS UP THERE THAT ARE HELPING YOU (THE CAFAROS) UP THERE. THEY KNOW IT OR THEY WOULD NOT BE HELPING. THEY KNOW IT AND THEY ARE GONNA COME IN FOR MORE BECAUSE THEY ARE GONNA REALIZE NOW IT IS LIFE OR DEATH FOR THEM TOO. THERE IS NO QUESTION ABOUT THAT. I MEAN THERE IS, JUST NO QUESTION."

MARTIN YAVORCIK LAUGHS.

SPEAKER STATES, "YOU SAW WELLINGTON (SHERIFF) STATEMENT."

MARTIN YAVORCIK: "I AM SORRY?"

SPEAKER: "DID YOU READ WELLINGTON'S STATEMENT?"

MARTIN YAVORCIK: "OH, I DIDN'T HEAR IT, NO."

SPEAKER STATES, "HE SAYS YOU'RE A LAWYER YOU KNOW WHAT HE IS SAYING. NO ONE IS ABOVE THE LAW, AND NO ONE IS BEYOND THE LAW."

MARTIN YAVORCIK STATES, "OH, IS THAT WHAT HE SAID?"

SPEAKER STATES, "WHAT'S THAT TELL YOU?"

MARTIN YAVORCIK: "YEP."

SPEAKER STATES, "DO YOU AGREE THAT'S WHAT HE, AND HE'S SENDING IT OUT THERE. YOU KNOW, HE'S NOT A DRAMATIC GUY, SO HE'S JUST LAYING IT OUT THERE."

MARTIN YAVORCIK STATES, "YEA ITS ON, I GOTTA WIN!"

SPEAKER: "YOU GOTTA WIN."

MARTIN YAVORCIK: "WE GOTTA WIN!"

SPEAKER STATES, "YEA CAUSE IF YOU DON'T WIN, YOU CAN SEE WHERE IT IS GOING."

MARTIN YAVORCIK STATES, "YOU'RE ABSOLUTELY RIGHT."

SPEAKER STATES, "AND I THINK LISA GETS IT. I THINK (JOHN DOE 4) GETS IT."

MARTIN YAVORCIK STATES, "OH I THINK SO"

SPEAKER STATES, "BUT I THINK THE THING IS, I DON'T KNOW, SCIORTINO AND MCNALLY HAVE TO KICK IN NOW."

MARTIN YAVORCIK STATES, "OH THEY, YOU KNOW LAST NIGHT SCIORTINO AND I WERE OUT ALL NIGHT, WE WENT TO FRICKEN FITCH BOARDMAN GAME CANFIELD POLAND AHH OKA WE WERE EVERYWHERE. THE RECEPTION IS ALWAYS PHENOMENAL. IT'S ALWAYS PHENOMENAL." DISCUSSING PAUL GAINS BEING SCARED AND INCUMBENTS BEING AFRAID.

MARTIN YAVORCIK STATES THAT HE SENSES IT AND HE GIVES AN EXAMPLE OF HE AND MIKE SCIORTINO BEING OUT, GETTING SOAKED AT

THE FITCH BOARDMAN GAME THEN STOPPING AT TRAX TO DRINK A BEER AND THE PEOPLE IN THE BAR KNOWING HIS NAME.
DISCUSSING A GAINS COMMERCIAL THAT MAY BE A BAD COMMERCIAL.
DISCUSSING A CANDIDATE AND WHAT A CANDIDATE FEELS.
MARTIN YAVORCIK STATES, "I AM HONEST AND I FEEL GREAT IF WE WIN, BIGGEST NEWS THERE IS."
SPEAKER STATES, "I CAN TELL LISA IS SO KICKED IN TO HELP NOW."
MARTIN YAVORCIK, "OH YEA."
SPEAKER: "I THINK LISA REALIZES THE STAKES."
MARTIN YAVORCIK STATES, "OH THERE, THERE IS NO DOUBT THAT THOSE ARE THE STAKES THERE IS ABSOLUTELY NO DOUBT ABOUT THAT."
SPEAKER STATES, "THE [REDACTED] BOYS (BUSINESSMAN 1 AND BUSINESSMAN 2) KNOW THE STAKES."
MARTY YAVORCIK: "EVERYBODY KNOWS THE STAKES."
SPEAKER: "EVERYBODY KNOWS THE STAKES."
MARTIN YAVORCIK: "THAT IS TRUE THAT THESE PEOPLE ARE F***ING VICIOUS."
SPEAKER: "THIS IS REALLY A FIGHT TO THE END"
MARTIN YAVORCIK LAUGHS.
DISCUSSING THAT THE PROSECUTOR RACE IS THE LAST HOT RACE AND THAT THE REST OF THE RACES ARE DECIDED.
DISCUSSING ANOTHER MAHONING COUNTY RACE AND TV SPENDING.
DISCUSSING SPORTS GRILL ON TV, THE FORUMS BETWEEN YAVORCIK AND GAINS, THE BLACK PRECINCTS ON ELECTION DAY, GETTING THE BLACK VOTE, GETTING THE JOHN DOE 1 ORGANIZATION TO HELP YAVORCIK, AND GETTING THE WALK IN VOTES.
DISCUSSING LISA ASSISTING MARTIN YAVORCIK.
MARTIN YAVORCIK DISCUSSES A FRIEND HELPING HIM.
DISCUSSING CALLING TALK RADIO FOR MARTIN YAVORCIK AND THE NEW COMMERCIAL MARTIN YAVORCIK HAS OUT ABOUT PAUL GAINS.
DISCUSSING POLLS.
MARTIN YAVORCIK STATING THAT PAUL GAINS IS HELPING HIM BY STATING IN HIS AD THAT HE, MARTIN YAVORCIK IS BEING SUPPORTED BY DEMOCRATIC OFFICIALS WHO ARE UNDER INVESTIGATION RIGHT NOW.
DISCUSSING A PAST RACE FOR SHERIFF.
DISCUSSING RUNNING AS AN INDEPENDENT DEMOCRAT.
DISCUSSING MARTIN YAVORCIK BEING STRONG WITH HIS ADVERTISING.
MARTIN YAVORCIK STATES THAT HE IS GOING TO TRY AND GET THE JOHN DOE 1 ORGANIZATION BEHIND HIM.

L. OCTOBER 27, 2008

MARTIN YAVORCIK CALLS
MARTIN YAVORCIK ASKING ABOUT POLL AND THE TWO DISCUSS A POLL BEING DOWN IN BOARDMAN.

MARTIN YAVORCIK STATES THAT HE MET WITH THE JOHN DOE 1 AND HIS FAMILY; THAT THEY ARE STILL TRYING TO GET JOHN DOE 1 BACK ON THE BALLOT; THEY ARE NUTS; IT IS OVER. THEY HAVE AGREED TO GIVE YAVORCIK THEIR OPERATION ON ELECTION DAY.

DISCUSSING THE JOHN DONE 1.

DISCUSSING LISA AND TALKING TO HER ON THIS DAY DISCUSSING THE DESOUZA EDITORIAL

MARTIN YAVORCIK STATES THAT HIS COMMERCIALS START TOMORROW AND WILL RUN UNTIL NOVEMBER 4TH.

DISCUSSING TALK RADIO

M. OCTOBER 27, 2008

CALL TO MARTIN YAVORCIK.

MARTIN YAVORCIK DISCUSSING A MEETING HE HAD WITH THE JOHN DOE 1 AND HIS FAMILY TO GET THEIR SUPPORT, WHAT HAPPENED AT THEIR MEETING AND HOW JOHN DOE 1 LOST RADIO TIME.

DISCUSSING ANOTHER PERSON WHO RAN AS A WRITE-IN CANDIDATE IN THE PAST.

DISCUSSING JOHN DOE 1 RUNNING IN 2012.

SPEAKER SAYS, "THESE GUYS BEHIND YOU GOT TO KEEP GOING."

MARTIN YAVORCIK RESPONDS, "YEAH THIS JOHN DOE 1 THING IS BIG" TALK ABOUT JOHN DOE 1 SITUATION.

DISCUSSING RADIO COMMERCIALS, BOTH YAVORCIK'S AND PAUL GAINS'.

DISCUSSING JOHN DOE 6 AND THE YAVORCIK CAMPAIGN.

DISCUSSING THE JOHN DOE 1 AND THE MEETING MARTIN YAVORCIK HAD WITH HIS FAMILY.

N. NOVEMBER 3, 2008

A TELEPHONE CONVERSATION IS HAD WITH MARTIN YAVORCIK WHEREIN THE ELECTION DAY CAMPAIGN IS DISCUSSED. THE STATEMENTS MARTIN YAVORCIK MAKES ARE CAMPAIGN RELATED.

V. STATEMENT OF DEFENDANT/CODEFENDANT MICHAEL SCIORTINO.

The Government possesses recorded conversations with the defendant/co-defendant Michael Sciortino which occurred on the following dates: (1) February 7, 2007, (2) November 3, 2008, (3) October 15, 2009, and (4) May 13, 2010. As with Martin Yavorcik, the Government possesses a large number of statements from Sciortino. When a statement is relevant to the

charges Sciortino or a co-defendant faces, such statement has been highlighted. On these dates,

Michael Sciortino made the following statements:

A. FEBRUARY 7, 2007

13:45:32—THE GROUP IS DISCUSSING THE 2008 MAHONING COUNTY TREASURER ELECTION.

MICHAEL SCIORTINO MAKES A STATEMENT PERTAINING TO JOHN DOE 10 BECOMING THE MAHONING COUNTY TREASURER.

13:47:02—THE GROUP IS DISCUSSING CANDIDATES FOR THE POSITION OF MAHONING COUNTY RECORDER, MICHAEL SCIORTINO PARTICIPATES IN THE DISCUSSION.

13:38:11—DISCUSSING JOHN DOE 10 POSSIBLY BECOMING MAHONING COUNTY TREASURER BECAUSE JOHN REARDON IS RESIGNING.

MIKE SCIORTINO STATES THAT, WHEN HE SOUGHT THE APPOINTMENT TO THE POSITION OF MAHONING COUNTY AUDITOR, THAT HE WANTED IT AND THAT HE WORKED HARD TO GET IT, AND HOW THE ENDORSEMENT OF THE PARTY CHAIRPERSON IS NOT ENOUGH, THAT YOU HAVE TO TALK TO THE PRECINCT PEOPLE.

TALKING ABOUT MIKE SCIORTINO WANTING THE AUDITOR APPOINTMENT, WORKING FOR IT AND HOW HE GOT THE APPOINTMENT, WORKING AND THAT THE PARTY CHAIR ENDORSEMENT IS NOT ENOUGH. THE PRECINCT PEOPLE WANT TO SEE YOU TOO SCIORTINO SAYS. TALKING ABOUT THE DEAL BEING OFF FOR JOHN DOE 10. MIKE SCIORTINO LEAVES THE GROUP.

15:19:00—MIKE SCIORTINO IS BACK.

15:23:28—DISCUSSING LOCAL POLITICS WITH SCIORTINO.

15:27:33—MIKE SCIORTINO TALKING ABOUT INVITING A WOMAN TO HIS FUNDRAISER, DISCUSSING WHO IS COMING TO HIS FUNDRAISER.

15:31:19—LISA NEEDS DON CRAIN'S PHONE NUMBER NOW.

SPEAKER DISCUSSES [REDACTED], SCIORTINO LIKES GOING OVER THERE. SPEAKER MAKES A CALL AND GETS DON CRAINE'S NUMBER AT BUILDING TRADES.

MIKE SCIORTINO SAYS THAT HE WILL BE HONORED IF HE COMES TO HIS FUNDRAISER.

THEY ARE DISCUSSING FUNDRAISING.

15:40-MIKE SCIORTINO STATES, "I DON'T WANT HIM TO THINK, I LIKE MARK, JUST CAUSE MARK GAVE ME MONEY, DOESN'T MEAN I DO HIM A FAVOR" SPEAKER STATES, "THAT MAKES SENSE."

13:43:10—SPEAKER STATES TO MIKE SCIORTINO, “YOU HUNG TOUGH WHEN TABLACK WAS MAKING ALL THOSE THREATS AGAINST YOU. YOU CALLED HIS BLUFF.”
MIKE SCIORTINO STATES, “AH HUH.”
SPEAKER COMMENTS, “YOU CALLED HIS BLUFF.”
MIKE SCIORTINO STATES “AH HUH.”
SPEAKER COMMENTS, “SMARTEST THING YOU EVER DID, MIKE; THAT IS HOW HE IS, THAT IS HOW HE IS YOU KNOW.”
SPEAKER STATES, “ON THE HOSPITAL DEAL, I THINK IT IS FUNNY, HE APPROVED EVERYTHING UP THERE AND MCGUFFEY, HOW CAN HE MAKE A STAND IN OPPOSITION FOR YEARS RIGHT.”
MIKE SCIORTINO STATES, “YEP.”
SPEAKER STATES, ”SHOCKED ME GAINS NOT ON LISA’S SIDE.”
MIKE SCIORTINO STATES “ABSOLUTELY.”
TALKING ABOUT GAINS GETTING OUTSIDE COUNCIL, THANK GOD.
TALKING ABOUT GAINS GETTING SHOT.
TALKING ABOUT THE CANDIDATE FORUMS.

B. November 3, 2008

11:44:23—PUTTING TOGETHER HAND OUTS FOR POLLING LOCATIONS.
MARTIN YAVORCIK WANTS TO KNOW WHAT HIS PLAN IS FOR TOMORROW.

11:52:10—MARTIN YAVORCIK TALKING ABOUT JUSTICE AND INJUSTICE WITH CHRIST.

11:57:41—DISCUSSING MAILING AND SLOVAKS.
12:08:55—THE GROUP IS MAKING ELECTION PREDICTIONS.
12:11:38—MIKE SCIORTINO DISCUSSES ABOUT BOARD EMPLOYEES RESENTING THE CAMERAS AT THE BOARD OR ELECTIONS.

12:22:40—DISCUSSING ELECTION DAY
12:57:17—MIKE SCIORTINO—“WHEN WE GET OUT OF JAIL CAN WE WORK FOR THE ██████████ COMPANY”
SPEAKER, HUH??
MIKE SCIORTINO, “WHAT DO YOU THINK I AM DOING, KIDDING? NOT FUN. TELL ME ABOUT IT.”...
STATE REP. 1 STATES, “GOING TO GRAND JURY, THERE IS NO DOUBT INDICTMENT IS COMING.”
LISA STATES, “I AGREE.”
STATE REP. 1—“PREPARE YOUR SELF.”
PAUL GAINS IS CALLED A MANIAC.
MIKE SCIORTINO STATES, “THREE WEEKS AGO, TRIED TO GET SPECIAL PROSECUTOR APPOINTED.”

LISA STATES, "THAT IS WHY I AM ON JUDGE 2 TO TAKE IT RIGHT AWAY, CAUSE AS SOON AS BOARD CERTIFY, HE CAN BE JUDGE."
STATE REP. 1 STATES, "I HAVE TO TELL YOU, PARTY CHAIRMAN, OFFICE HOLDERS, SHOULD BE DONE IN PRIMARY."
LISA STATES, "WHAT MARTY? WHO IS GOING TO TELL HEIDI HANNI TO GET OUT, I TOLD HER SHE CAN'T RUN, CAN'T WIN."

14:37:53—DISCUSSING JOHN DOE 1, PEOPLE, AND A GENERAL POLITICAL DISCUSSION

C. May 13, 2010.

9:27:57—RECORDER ON --TALKING TO MIKE SCIORTINO.

9:31:00—MIKE SCIORTINO (ON THE PHONE), "WELL PUT HER ON LEAVE." DISCUSSING DISCIPLINE ISSUES WITH AN EMPLOYEE.
MIKE SCIORTINO DISCUSSING AN EMPLOYMENT MATTER AT AUDITOR'S OFFICE WITH AN EMPLOYEE. THEN SCIORTINO DISCUSSING ANOTHER EMPLOYEE WHO WILL CAUSE TROUBLE AS HE CUT HER PAY DUE TO POSITION CHANGES.
MIKE SCIORTINO IS DISCUSSING EMPLOYEES IN AUDITOR'S OFFICE GEORGE TABLACK HIRED.

9:35:53---SPEAKER, "WHAT DO WE DO ABOUT AUDITOR EMPLOYEE 1?"
MIKE SCIORTINO SAYS, "WHEN DO I WHACK HER? MCCABE CALLING ABOUT HER, MONROE PUT HER IN, SHE IS NOT VIABLE, TOM IS WORRIED IF I WHACK TRACY IT WILL MOTIVATE SOMEONE ELSE TO RUN AS A REPUBLICAN TWO CPA'S."
SPEAKER, "HAVE TO LISTEN TO SHOW TO SEE IF SHE GETS POLITICAL."
MIKE, "UM MM." DISCUSSING A RADIO TALK SHOW.

9:38:01—MIKE SCIORTINO DISCUSSING A FRIEND OF HIS WHOSE NAME IS NICK.
MIKE SCIORTINO DISCUSSING A WEDDING HE WAS AT.

9:39:31-MIKE SCIORTINO, "WHAT DO YOU HEAR ABOUT THESE GUYS BACK IN TOWN TODAY?" (THE SPECIAL PROSECUTORS)
SPEAKER SAYS, "YEA."

9:39:38—DISCUSSING THE SPECIAL PROSECUTOR
SPEAKER: "DO YOU THINK JOHN DOE 2 MADE A PROFFER; THE RUMOR IS HE IS TESTIFYING TODAY?"
MIKE SCIORTINO: "REALLY?"
MIKE SCIORTINO: "JOHN DOE 2 JUST CAN'T REALLY SHUT THE F*** UP, EVEN WITH HIS OWN ATTORNEY, HE IS F***ING CALLING EVERY DAY, WHAT DO YOU HEAR?" "I AM GOING TO BE HONEST IF THEY CALL ME TO PROFFER SOMETHING, I HAVE NOTHING TO GIVE THEM. THEY KNOW IT,

NOTHING, ZERO, IF I COULD, BELIEVE ME I WOULD HAVE DONE IT MONTHS AGO.”

SPEAKER: “I SURE WORRY ABOUT HIM?”

MIKE SCIORTINO: “WHO JOHN DOE 2?”

SPEAKER: “YEA.”

MIKE SCIORTINO THEN DISCUSSES THE STATE AUDITOR RACE WHAT JOHN REARDON DID BEFORE HE GOT OUT.

MIKE SCIORTINO SAYS, “IT IS WEIGHING ON ME, THE CAMPAIGN KEPT ME MOTIVATED NOW F***, VP ON THE REPUBLICAN SIDE SAID TO STEP DOWN, THE REPUBLICANS WILL USE THIS, STATE CANDIDATE FOR AUDITOR IS GOING TO MAKE IT AN ISSUE, ASKING JOHN DOE 11 TO HAVE ME RESIGN MY LEADERSHIP POSITION, STATE ASSOCIATION PENDING INDICTMENTS, ANOTHER YOUNGSTOWN BLACK EYE.”

9:42:52—MICHAEL SCIORTINO DISCUSSING TIME HE SPENT IN COLUMBUS AND WHAT HE DID.

9:43:36—MIKE SCIORTINO IS DISCUSSING WHAT THE STATE AUDITOR ASSOCIATION IS TELLING HIM REGARDING HIS LEGAL ISSUES. DISCUSSING A WEDDING HE WAS AT AND PEOPLE TELLING HIM THEY ARE PRAYING FOR HIM (MIKE SCIORTINO). DISCUSSING A PAST STATE OFFICE HOLDER FROM MAHONING COUNTY LOSING HIS JOB IN COLUMBUS.

9:46:17—SPEAKER—“HAVE TO GET TOGETHER WITH DAVID TO DISCUSS WHAT MAY HAPPEN IN NEXT FEW WEEKS.”
MIKE SCIORTINO SAYS HE IS PREPARED, CALLS IT A WITCH HUNT, INNOCENT ‘TIL PROVEN GUILTY.

9:48:40—DISCUSSING THE INVESTIGATION AGAINST HIM AND HIS CAMPAIGN FOR REELECTION, HIS NEXT FUNDRAISER, AND HIS CAMPAIGN FINANCE REPORT.

9:51:00—MIKE SCIORTINO MAKES A CALL ABOUT CAMPAIGN FINANCE REPORT AND WHEN IT IS DUE.

9:52:00—OFF THE PHONE TALKING.

MIKE SCIORTINO, A REPORTER WANTS NUMBERS ON OAK HILL, HE IS GOING TO RUN WITH IT.

9:53:50—MIKE SCIORTINO: “I HEARD TOOK THE GRAND JURY OVER TO OAKHILL LAST WEEK.”

9:54:24--TALKING ABOUT MEDIA TRYING TO PITCH A STORY ABOUT THE AUDITOR BEING INVESTIGATED AND RUNNING FOR RE-ELECTION.

DISCUSSING, BUSINESSMAN 1 ON ELECTION NIGHT WITH CAROL RIMEDIO-RIGHETTI AT HEADQUARTERS, SCREAMED "WE DID IT BUSINESSMAN 1!!"

9:58:11—DISCUSSING THE NUMBERS ON THE PRECINCT RACES, WHO WON AND WHO DIDN'T.

9:59:19 SPEAKER STATES, "EITHER BUSINESSMAN 1, BUSINESSMAN2, BUSINESSWOMAN1 DID WRONG OR DIDN'T. THE MISTAKE IS BEING IN THE MIDDLE."

MIKE SCIORTINO AGREES.

3RD PARTY SAYS "BOTH SIDES CAN SAY YOU ARE WRONG."

SPEAKER, "GRAY AREA."

MICHAEL SCIORTINO, "RIGHT."

MIKE SCIORTINO, "IF THEY COME OUT WITH SOMETHING THE ANTI-CHRIST STUFF, IT WILL BE DEATH CALM."

10:01:08—DISCUSSING PENDING INVESTIGATION.

MIKE SCIORTINO SAYS "THAT THEY WANT THE BIG C... WE ARE ALL COLLATERAL DAMAGE I THINK."

DISCUSSING SCIORTINO NATION (FACEBOOK PAGE) AND UPDATING IT.

DISCUSSING BASEBALL.

10:06:45—DISCUSSING DAVID BETRAS.

MIKE SCIORTINO MAKES A CALL TO JERRY WHO WANTS TO DO SOMETHING ON OAKHILL.

OTHERS DISCUSSING BASEBALL AND BASKETBALL.

MIKE SCIORTINO IS GOING TO GET AUDITOR EMPLOYEE 2 TO RUN REPORTS TO JERRY

10:12:53—YANKEE KITCHEN DISCUSSION AND THE OWNER AFTER THE GROUP DISCUSSES GREEK PEOPLE THAT THEY KNOW.

10:16:30-DISCUSSING COORDINATION OF CAMPAIGNS FOR THE FALL ELECTION.

10:16:56—MIKE SCIORTINO WANTS TO KNOW IF FISCHER AND STRICKLAND REMAIN WITH HIM IF INDICTED.

SPEAKER SAYS YES, AND DISCUSSING GETTING OTHERS TO DO AN AD NOW FOR HIM.

MIKE SCIORTINO CALLS IT A POLITICAL WITCH HUNT.

DISCUSSING CAMPAIGNING IN THE SUMMER AND FALL, SCIORTINO CAMPAIGNING AND FUNDRAISING.

10:24:33--MIKE SCIORTINO: "BARRING SOME F****NG FEDERAL INDICTMENTS I AM GOOD... THAT IS WHAT ALL THESE GUYS ARE WAITING FOR."

SPEAKER: "YOU DO NOT KNOW WHAT IT IS GOING TO BE"

DISCUSSING CAMPAIGNING FROM MAY TO NOVEMBER

10:30:47—GET DEPUTIES TO DO THAT FOR YOU

MIKE SCIORTINO: “NO BIG DEAL”
DISCUSSING FUNDRAISING

10:33:33—DISCUSSING RUMORS AND NO CONCRETE REASON TO BELIEVE GOING TO BE INDICTED.

VI. OTHER DISCOVERY ISSUES.

2. The defendants in this matter do not have a prior criminal record. Criminal records, if any, of any witness will be provided at a later date.
3. Documents and tangible objects requested pursuant to Crim. R. 16(b) has been provided by the State to all defendants on an external hard drive.
4. There are no reports of examination and tests to provide to the defendant(s).
5. All evidence (if any) favorable to the defendants has been provided to the defendants.
6. Police reports that are finished have been provided to the defendants. Additional reports will be provided to the defendants when they are finished. The defendants have already been provided with thousands of pages of police summaries, reports, and interviews.
7. Witness statements have been provided to the defendants. Additional witness statements will be provided to the defendants when they are prepared.
8. A witness list will be provided to the defendants when it is finalized.
9. At the present time, there are no experts to disclose or expert reports to provide to the defendant(s). If experts are hired, reports will be provided.
10. An evidence notice pertaining to recordings has been provided. The government will provide, in a separate filing, an Evidence Notice pertaining to other evidence when it is finished. The government recognizes its duty to disclose discoverable material and will supplement discovery as needed.

Respectfully submitted,
TIMOTHY J. MCGINTY
CUYAHOGA COUNTY PROSECUTOR

Don Kasaris / COS

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CERTIFICATE OF SERVICE

A copy of the foregoing has been emailed this 30th Day of January, 2015 to the
Attorneys who represent John McNally, Martin Yavorcik and Michael Sciortino

Don Kasaris / COS

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Assistant County Prosecutor Cuyahoga County
Senior Assistant Ohio Attorney General