

**BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION**

In the Matter of:

**ROD R. BLAGOJEVICH,**

Attorney-Respondent,

No. 6186764.

Commission No. 2019PR00061

**REPORT AND RECOMMENDATION OF THE HEARING BOARD**

**DEFAULT PROCEEDING**

The hearing in this matter was held on February 25, 2020, at the Chicago offices of the Attorney Registration and Disciplinary Commission, before a Hearing Board Panel consisting of Carl (Carlo) E. Poli, Chair, Jennifer W. Russell, and Jim Hofner. Respondent was not present. Sheldon M. Sorosky appeared on Respondent's behalf. Christopher R. Heredia and Jonathan M. Wier appeared on behalf of the Administrator and recommended that Respondent be disbarred.

We have considered the following: the Administrator's one-count Complaint, a copy of which is attached as Exhibit 1; the Order entered on September 10, 2019, deeming the allegations of the Complaint admitted, a copy of which is attached as Exhibit 2; and the Administrator's Exhibits 1-6, which were admitted into evidence.

Respondent, the former Governor of the State of Illinois, was convicted of committing numerous crimes while he was in office. Those crimes included wire fraud, attempt to commit extortion, corrupt solicitation, conspiracy to commit extortion, conspiracy to commit corrupt solicitation, and making false statements to the Federal Bureau of Investigation, in violation of Title 18, U.S.C. §§ 371, 666(a)(1)(B), 1001(a)(2), 1343, 1346, and 1951(a). Respondent's

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March 03, 2020

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convictions of these crimes were upheld by the United States Court of Appeals for the Seventh Circuit. The Supreme Court of the United States denied Respondent's petitions for writ of certiorari. On October 26, 2011, the Illinois Supreme Court placed Respondent on interim suspension, which is still in effect.

Respondent was represented by counsel throughout this proceeding but elected not to file an answer, comply with discovery requests, appear for deposition, or appear at the hearing in this matter. While he was incarcerated, Respondent's appearance at the hearing had been waived. The Panel takes judicial notice, however, that Respondent's sentence was commuted and he was released from prison on February 18, 2020. Therefore, it was possible for Respondent to appear for his disciplinary hearing.

There are numerous factors that aggravate Respondent's misconduct. As a former Assistant State's Attorney and elected official, Respondent was well aware of his obligation to uphold the law, and, as governor, he took an oath to faithfully discharge the duties of the office of governor to the best of his ability. Instead of doing so, he sought to further his own interests by engaging in a pattern of dishonest and deceptive conduct. While Respondent, by his attorney, acknowledged the fact of his convictions, he has not acknowledged that his conduct was wrongful or expressed any remorse. His failure to appear for his disciplinary hearing demonstrates a lack of respect for the disciplinary process and the legal profession. We have considered that Respondent has no prior discipline, but this minimal mitigation does not impact our recommendation.

The following cases cited by the Administrator support the recommendation of disbarment: In re Pappas, 92 Ill. 2d 243 (1982); In re Rosenthal, 73 Ill. 2d 46 (1978).

Based on Respondent's egregious misconduct, the substantial amount of aggravation, the case law presented by the Administrator, and the lack of case law or any mitigation evidence

presented by Respondent, we conclude that a recommendation of disbarment is warranted.

Accordingly,

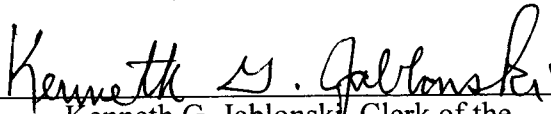
1. Respondent's counsel accepted electronic service of the Complaint and accompanying documents. A copy of the Entry of Appearance and Acceptance of Service Pursuant to Rule 214(d) filed on August 8, 2019 is attached as Exhibit 3.
2. The allegations of the Complaint were deemed admitted in an Order filed on September 10, 2019. A copy of that Order is attached as Exhibit 2.
3. In consideration of the Order deeming the allegations of the Complaint admitted, we find Respondent committed the misconduct charged in the Complaint.
4. Given Respondent's serious misconduct, the significant aggravation, and the case law cited by the Administrator, we recommend that Respondent, Rod R. Blagojevich, be disbarred.
5. The Panel has concluded that this report format will adequately and appropriately communicate its recommendation to the Court.

Respectfully submitted,

Carl (Carlo) E. Poli  
Jennifer W. Russell  
Jim Hofner

#### **CERTIFICATION**

I, Kenneth G. Jablonski, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the Report and Recommendation of the Hearing Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on March 3, 2020.

  
Kenneth G. Jablonski, Clerk of the  
Attorney Registration and Disciplinary  
Commission of the Supreme Court of Illinois

# **Exhibit 1**

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BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION

In the Matter of:

ROD R. BLAGOJEVICH,  
Attorney-Respondent  
No. 6186764.

Commission No. 2019PR00061

COMPLAINT

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Christopher Heredia, pursuant to Supreme Court Rule 761(d), complains of Respondent, Rod R. Blagojevich, who was licensed to practice law in Illinois on May 10, 1984, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

COUNT I

*(Criminal conviction for wire fraud, attempt to commit extortion, corrupt solicitation, conspiracy to commit extortion, conspiracy to commit corrupt solicitation to defraud the United States, and making false statements to agents of the Federal Bureau of Investigation)*

1. At all times alleged in this complaint, Title 18, United States Code, Sections 1343 and 1346 made it a federal criminal offense, punishable by up to 20 years of imprisonment and a fine of up to \$250,000, to transmit or cause to be transmitted by means of wire communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing a scheme or artifice to defraud, after having devised such a scheme or artifice, which included a scheme or artifice to deprive another of the intangible right of honest services.

2. At all times alleged in this complaint, Title 18, United States Code, Section 1951(a) made it a federal criminal offense, punishable by up to 20 years of imprisonment and a

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fine of up to \$250,000, to obstruct, delay, or affect commerce or the movement of any article or commodity in commerce by extortion.

3. At all times alleged in this complaint, Title 18, United States Code, Section 666(a)(1)(B) made it a federal criminal offense, punishable by up to 10 years of imprisonment and a fine of up to \$250,000, to corruptly solicit or demand anything of value, as an agent of a state, for the benefit of any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of such government involving any thing of value of \$5,000 or more, when the organization, government, or agency receives more than \$10,000 annually in federal funding.

4. At all times alleged in this complaint, Title 18, United States Code, Section 371 made it a federal criminal offense, punishable by up to 5 years of imprisonment and a fine of up to \$250,000, to conspire to commit any offense against the United States or defraud the United States or any of its agencies for any purpose in any matter, and one or more persons do any act to effect the object of that conspiracy.

5. At all times alleged in this complaint, Title 18, United States Code, Section 1001(a)(2) made it a federal criminal offense, punishable by up to 5 years imprisonment and a fine of up to \$250,000, to knowingly and willfully make any materially false, fictitious, or fraudulent statement or representation in any matter within the jurisdiction of the executive, legislative, or judicial branch of the government of the United States.

6. In November 2002, Respondent was elected Governor of the State of Illinois, and was sworn in as the 40th governor on January 13, 2003, having previously served as an assistant state's attorney with the Cook County State's Attorney's Office, and a member of both the Illinois House of Representatives and the United States House of Representatives. Respondent

was re-elected to the office in November 2006, and was sworn in for a second term on January 8, 2007.

7. Beginning in or about 2002 to on or about December 9, 2008, Respondent, along with others, devised and participated in a scheme to deprive the people of the State of Illinois of their right to honest services of Respondent in his capacity as Governor. As part of that fraudulent scheme, Respondent used the powers of the Office of the Governor to take governmental actions to obtain financial benefits for Respondent. Respondent's actions included:

- a. attempting to obtain campaign contributions and employment in exchange for appointing a United States Senator to fill the vacancy created by then President-Elect Barack Obama;
- b. soliciting \$25,000 in campaign contributions from Patrick Magoon, Chief Executive Officer of Children's Memorial Hospital, in exchange for enacting legislation to increase the Illinois Medicaid reimbursement rate for specialty-care pediatric physicians; and
- c. soliciting \$100,000 in campaign contributions from racetrack owner John Johnston in exchange for enacting legislation for the renewal of a subsidy requiring Illinois casinos to share a portion of their profits with Illinois racetracks.

8. As part of Respondent's conduct, Respondent made and participated in several telephone calls on October 17, 2008, November 12, 2008, November 13, 2008, and December 4, 2008 with various parties regarding details to execute the fraudulent scheme, described in paragraph 7, above.

9. In addition to Respondent's conduct, described in paragraphs 7 and 8, above, in March 2005, Respondent made material false statements to agents of the Federal Bureau of Investigation ("FBI") during their investigation into potential corruption and fraud within the Illinois Governor's Office by stating, in summary, that he attempted to keep politics and government separate, and did not keep track of campaign contribution amounts or sources.

10. On December 9, 2008, Respondent was arrested by the FBI and charged in a federal criminal complaint with conspiracy to commit mail fraud and wire fraud, as well as solicitation of bribery.

11. On January 29, 2009, following a four-day hearing before the Illinois Senate, Respondent was impeached from his position as Governor of the State of Illinois in two separate and unanimous votes finding Respondent guilty of abuses of power. As a result of both votes, the Illinois Senate removed Respondent from office and disqualified him from holding any political office in Illinois in the future.

12. On February 4, 2010, a federal grand jury returned a second superseding indictment against Respondent and five other co-defendants, charging Respondent with 24 counts of federal criminal offenses related to racketeering, conspiracy, wire fraud, extortion, corrupt solicitation, and making material false statements to FBI agents, as a result of his actions while elected to the Office of Governor of the State of Illinois. The superseding indictment was filed in the United States District Court for the Northern District of Illinois, captioned *United States of America v. Rod Blagojevich*, case number 08 CR 888-1, and assigned to the Hon. James B. Zagel ("Judge Zagel"). A copy of the second superseding indictment is attached as Exhibit One.

13. On August 17, 2010, following a nearly two-month jury trial, the jury found Respondent guilty of Count 24 only, finding that Respondent knowingly and willfully made materially false statements during interviews with FBI agents during their investigation of Respondent, for stating to agents that he attempted to keep politics and government separate, and did not keep track of campaign contribution amounts or sources. (Exh. 1, at 105-107) The jury



did not return verdicts on the remaining 23 counts, and Judge Zagel declared a mistrial as those counts.

14. Following the mistrial on Counts 1 through 23, the United States Attorney's Office for the Northern District of Illinois retried Respondent on 20 counts of the second superseding indictment, described in paragraph 12, above.

15. On June 27, 2011, as a result of Respondent's re-trial, the jury found Respondent guilty on 17 counts, which included Count 3, 5 through 13, 15 through 18, and 21 through 23 of the second superseding indictment. The jury found Respondent not guilty on Count 20, and Judge Zagel declared a mistrial on Counts 14 and 19.

16. In finding Respondent guilty on the 17 counts, described in paragraph 15, above, the jury found that, as Governor:

- a. Respondent committed wire fraud by discussing financial benefits which he could obtain in exchange for 1) appointing a United States Senator to fill the vacancy left by then President-elect Barack Obama, 2) enacting legislation that would benefit to Children's Memorial Hospital and the racetrack industry, as charged in Counts 3, and 5 through 13 of the indictment (Exh. 1, at 44-66, 68-76);
- b. Respondent committed bribery and attempted extortion by trying to obtain campaign contributions from the Chief Executive Officer of Children's Memorial Hospital in exchange for enacting legislation intended to benefit the hospital's physicians, as charged in Counts 15 and 16 of the indictment (Exh. 1, at 78-79);
- c. Respondent conspired to bribe and extort racetrack owner John Johnston by attempting to obtain campaign contributions in exchange for enacting legislation which benefitted the racetrack industry, as charged in Counts 17 and 18 of the indictment (Exh. 1, at 80-87); and
- d. Respondent, along with others, attempted to extort and conspired to commit extortion and bribery by devising and discussing methods to obtain benefits for himself and his wife, Patricia Blagojevich, including high-ranking federal government positions, leadership positions with various organizations, and campaign contributions, in exchange for

appointment to the United States Senate, as charged in Counts 21 through 23 of the indictment (Exh. 1, at 90-104).

17. On August 25, 2011, the Administrator filed a Petition for Interim Suspension Pursuant to Supreme Court Rule 774 requesting that the Court issue a rule to show cause and suspend Respondent, on an interim basis, from the practice of law immediately and until further order of the Court as a result of his convictions, referred to in paragraphs 15 and 16, above.

18. On October 26, 2011, based on the Administrator's petition, referred to in paragraph 17, above, the Court entered an order suspending Respondent from the practice of law and until further order of the Court, which became effective immediately. Respondent has remained suspended from the practice of law on an interim basis since that date.

19. On December 7, 2011, Judge Zagel sentenced Respondent to a total of 168 months of incarceration in the United States Bureau of Prisons ("BOP"), and 24 months of supervised release following his release from BOP custody.

20. On December 20, 2011, Respondent filed a notice of appeal in relation to his criminal matter. The United States Court of Appeals for the Seventh Circuit ("Seventh Circuit") held oral arguments in the matter on December 13, 2013.

21. On July 21, 2015, the Seventh Circuit issued its opinion in relation to Respondent's appeal, in which it vacated Respondent's convictions as to Counts 5, 6, 21, 22, 23, vacated Respondent's 168-month sentence, affirmed Respondent's convictions on Counts 3, 7 through 13, 15 through 18, and 24, and remanded the case back to the District Court for retrial on the vacated convictions and resentencing.

22. On March 28, 2016, after Respondent sought to appeal his criminal matter to the Supreme Court of the United States ("U.S. Supreme Court"), the U.S. Supreme Court denied Respondent's petition for writ of *certiorari*.

23. On August 12, 2016, based on the Seventh Circuit's remand for sentencing, Judge Zagel entered an amended judgment, and resented Respondent to a total of 168 months of incarceration in the BOP on Counts 3, 7 through 13, 15 through 18, and 24. A certified copy of the amended judgment is attached as Exhibit Two.

24. On August 23, 2016, Respondent filed a notice of appeal in relation to the amended judgment and sentence, described in paragraph 23, above. On June 13, 2017, based on Respondent's appeal, the Seventh Circuit issued its opinion affirming the amended judgment and sentence.

25. Shortly thereafter, Respondent sought to appeal his matter in relation to the amended judgment and sentence to the U.S. Supreme Court. On April 16, 2018, the U.S. Supreme Court denied Respondent's petition for writ of *certiorari*. As a result, Respondent had exhausted all available remedies and appeals, which left standing Respondent's 13 convictions and corresponding sentences on Counts 3, 7 through 13, 15 through 18, and 24, of the second superseding indictment.

26. By reason of the conduct and conviction described above, Respondent has engaged in the following misconduct:

- a. committing criminal acts that reflect adversely on his honesty, trustworthiness or fitness as a lawyer in other respects, by conduct including committing and being convicted of the offenses of wire fraud, attempt to commit extortion, corrupt solicitation, conspiracy to commit extortion, conspiracy to defraud the United States, and making material false statements to agents of the Federal Bureau of Investigation, in violation of Title 18 U.S.C. Sections 1343, 1346, 1951(a), 666(a)(1)(B), 371, and 1001(a)(2), in violation of Rule 8.4(a)(3) of the Illinois Rules of Professional Conduct (1990); and

- b. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including engaging in wire fraud, attempting to commit extortion, corrupt solicitation, conspiracy to commit extortion, conspiracy to defraud the United States, by using the powers of the Office of the Governor to appoint a United States Senator, and enact legislation involving increased Medicaid reimbursement rates, and renewed profit sharing with Illinois racetracks in exchange for obtain obtaining campaign contributions, political support, and employment, by making and participating in phone calls, solicitation, and extortion attempts, in violation of Title 18 U.S.C. Sections 1343, 1346, 1951(a), 666(a)(1)(B), 371, and 1001(a)(2), in violation of Rule 8.4(a)(4) of the Illinois Rules of Professional Conduct (1990).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board of the Commission, that a hearing be held pursuant to Rule 761(d), and that the Hearing Panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully Submitted,

Jerome Larkin, Administrator  
Attorney Registration and  
Disciplinary Commission

By: /s/ Christopher Heredia  
Christopher Heredia

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**ADMINISTRATOR'S EXHIBIT 1**

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# **ADMINISTRATOR'S EXHIBIT 1**



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA )

v. )

ROD BLAGOJEVICH,  
ALONZO MONK,  
JOHN HARRIS, and  
ROBERT BLAGOJEVICH )

No. 08 CR 888

Violations: Title 18, Sections 371,  
666(a)(1), 1001(a)(2), 1343, 1346,  
1951(a), 1962(c), and 1962(d)

Judge James B. Zagel

MAGISTRATE JUDGE COX

Second Superseding Indictment

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COUNT ONE

The SPECIAL FEBRUARY 2008-2 GRAND JURY charges: MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

1. At times material to this Second Superseding Indictment:

Relevant Entities and Individuals

a. Defendant ROD BLAGOJEVICH was the Governor of the State of Illinois. He was elected Governor in 2002 and was reelected Governor in 2006. ROD BLAGOJEVICH previously served as a Member of the United States House of Representatives from the Fifth Congressional District in Illinois.

b. Friends of Blagojevich was established in or about June 2000 and was a private entity existing under the laws of Illinois as a campaign committee for the purpose of supporting the election of defendant ROD BLAGOJEVICH as Governor of Illinois, and was the principal campaign fundraising vehicle for ROD BLAGOJEVICH. Friends of Blagojevich

maintained offices at 4147 North Ravenswood, Chicago, Illinois. Although various individuals, including, at times, Christopher Kelly, Alonzo Monk, and Robert Blagojevich, held the office of chairman of Friends of Blagojevich, at all times the activities and financial affairs of Friends of Blagojevich were controlled and directed by ROD BLAGOJEVICH, for whose benefit Friends of Blagojevich was operated.

c. Christopher Kelly was a Chicago-area businessman and a principal campaign fundraiser for defendant ROD BLAGOJEVICH. Kelly served as Chairman of Friends of Blagojevich from in or about early 2004 until in or about August 2005. With the knowledge and permission of ROD BLAGOJEVICH, Kelly at times exercised substantial influence over certain activities of the Office of the Governor.

d. Antoin Rezko was a Chicago-area businessman and a principal campaign fundraiser for defendant ROD BLAGOJEVICH. With the knowledge and permission of ROD BLAGOJEVICH, Rezko at times exercised substantial influence over certain activities of the Office of the Governor.

e. Alonzo Monk was a long-time associate of defendant ROD BLAGOJEVICH, and among other things served as his general counsel while a Member of Congress, as campaign manager for his 2002 and 2006 gubernatorial campaigns, on his transition team after his election in November 2002, and as



his Chief of Staff from in or about January 2003 until in or about December 2005. Beginning in or about early 2007, Monk worked as a lobbyist, doing business as AM3 Consulting, Ltd. As a lobbyist, Monk principally represented businesses with interests involving Illinois state government, including businesses in the horse racing industry. In addition, Monk served as Chairman of Friends of Blagojevich from in or about December 2006 to in or about July 2007.

f. Robert Blagojevich is the brother of defendant ROD BLAGOJEVICH. Beginning in or about August 2008, Robert Blagojevich served as the chairman of Friends of Blagojevich.

g. Beginning in or about late 2005, John Harris was employed by the State of Illinois as the Chief of Staff to the Governor, defendant ROD BLAGOJEVICH.

h. Stuart Levine was a member of the Illinois Health Facilities Planning Board and the Board of Trustees of the Teachers' Retirement System.

i. The Illinois Health Facilities Planning Board ("Planning Board") was a commission of the State of Illinois, established by statute, whose members were appointed by the Governor of the State of Illinois. State law required an entity seeking to build a hospital, medical office building, or other

medical facility in Illinois to obtain a permit, known as a "Certificate of Need," from the Planning Board prior to beginning construction.

ii. The Teachers' Retirement System of the State of Illinois ("TRS") was a public pension plan created by Illinois law for the purpose of providing pension, survivor, and disability benefits for teachers and administrators employed in Illinois public schools except in the City of Chicago. TRS was funded by annual contributions from teachers, their employers, and the State of Illinois, as well as investment income. The activities of TRS were directed by a Board of Trustees. Certain of the trustees, among them Stuart Levine, were appointed by the Governor, while other trustees were elected by teachers and annuitants. Among its other responsibilities, the Board of Trustees reviewed and voted to approve or reject proposals by private investment management companies to manage funds on behalf of TRS.

i. William F. Cellini, Sr., was a Springfield, Illinois, businessman and had longstanding relationships and influence with TRS trustees, including Stuart Levine, as well as TRS staff members.

j. Capri Capital was a real estate asset management company based in Chicago, Illinois, that invested funds on behalf of TRS. Thomas Rosenberg was a principal and part owner of Capri Capital.

Duties and Powers of the Office of Governor

k. The Office of the Governor of the State of Illinois ("Governor's Office") was entrusted with extensive duties including, among other things, supporting, approving and vetoing legislation; appointing directors and key administrators of state departments, agencies, and boards; issuing executive orders; authorizing expenditures of certain grant funds; annually proposing a budget and overseeing the expenditure of state funds; and otherwise setting priorities and direction for the State of Illinois. As chief executive of the State of Illinois, the Governor was responsible for administration of all areas of the executive branch of state government not under the authority of the other constitutionally-elected officials. The Office of the Governor employed staff members to assist the Governor in performing his duties.

l. Shortly after his election on November 4, 2008, as President of the United States, Barack Obama resigned his position as United States Senator from Illinois, creating a vacancy in that office. As Governor of Illinois, defendant ROD BLAGOJEVICH had the duty under Illinois law, 10 ILCS 5/25-8, to appoint a replacement, who would serve the approximately two years remaining in Barack Obama's term as United States Senator.

Illinois Laws

m. In or about September 2008, the Illinois General Assembly enacted Public Act 95-971, effective January 1, 2009, that, among other things, prohibits business entities with aggregate state contracts or pending state contract bids of more than \$50,000 from making campaign contributions to any political committee established to promote the candidacy of, among others, a candidate for the office of Governor. This law also prohibits such contributions by affiliated entities and affiliated persons of such business entities.

THE ENTERPRISE

2. At times material to this indictment, defendant ROD BLAGOJEVICH, Christopher Kelly, Antoin Rezko, Alonzo Monk, the Office of the Governor of Illinois, and Friends of Blagojevich were associated in fact, and constituted an "enterprise" as that term is defined in Title 18, United States Code, Section 1961(4), which enterprise was engaged in, and the activities of which affected, interstate commerce. This enterprise is referred to for purposes of this count as the "Blagojevich Enterprise." The Blagojevich Enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

### **PURPOSE OF THE ENTERPRISE**

3. The primary purpose of the Blagojevich Enterprise was to exercise and preserve power over the government of the State of Illinois for the financial benefit of defendant ROD BLAGOJEVICH, both directly and through Friends of Blagojevich, and for the financial benefit of his family members and associates.

### **THE RACKETEERING VIOLATION**

4. From in or about 2002 to on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, together with Christopher Kelly, Alonzo Monk, William F. Cellini, Sr., John Harris, Robert Blagojevich, Antoin Rezko, Stuart Levine, and others known and unknown, being persons employed by and associated with an enterprise, namely the Blagojevich Enterprise, which enterprise engaged in, and the activities of which affected, interstate commerce, unlawfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of the Blagojevich Enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and (5), that is, through the commission of the racketeering acts set forth in Paragraph 45 below:

**MEANS AND METHODS OF THE ENTERPRISE**

5. Defendant ROD BLAGOJEVICH, Kelly, Monk, Cellini, Harris, Robert Blagojevich, Rezko, Levine, and others, used and agreed to use the powers of the Office of the Governor, and of certain state boards and commissions subject to influence by the Office of the Governor, to take and cause governmental actions, including: appointments to boards and commissions; the awarding of state business, grants, and investment fund allocations; the enactment of legislation and executive orders; and the appointment of a United States Senator; in exchange for financial benefits for themselves and others, including campaign contributions for ROD BLAGOJEVICH, money for themselves, and employment for ROD BLAGOJEVICH and his wife.

**Sharing Financial Benefits from State Actions**

6. In a series of conversations that began in 2002 and continued after defendant ROD BLAGOJEVICH was elected Governor in November 2002, ROD BLAGOJEVICH and Monk, along with Kelly and Rezko, agreed that they would use ROD BLAGOJEVICH's position as Governor and Monk's position as Chief of Staff for financial gain, which would be divided among them, with the understanding that the money would be distributed after ROD BLAGOJEVICH left public office. ROD BLAGOJEVICH and others later implemented this agreement, as further described below.

### The Pension Obligation Bond Deal

7. In or about 2003, defendant ROD BLAGOJEVICH, Monk, Kelly, and Rezko, agreed to direct lucrative state business relating to the refinancing of billions of dollars in State of Illinois Pension Obligation Bonds to a company whose lobbyist agreed to provide hundreds of thousands of dollars to Rezko out of the fee the lobbyist would collect, and Rezko in turn agreed to split the money with ROD BLAGOJEVICH, Monk, and Kelly.

### Maintaining Control Over TRS

8. In or about the spring of 2003, Kelly, Rezko, Cellini, and Levine agreed that Kelly and Rezko would use their influence with the Blagojevich administration to assist Cellini and Levine in maintaining influence over the activities of TRS, and in return, Cellini and Levine would use their influence with TRS to cause TRS to invest in funds, and to use the services of law firms, selected by Kelly and Rezko, at times in exchange for substantial contributions to Friends of Blagojevich.

### The Solicitation of Ali Ata

9. In or about late 2002, Ali Ata, an Illinois businessman who was solicited by Rezko to make political contributions to defendant ROD BLAGOJEVICH, brought a \$25,000 check to Rezko's offices, where Ata met with ROD BLAGOJEVICH. During that meeting, ROD BLAGOJEVICH asked Rezko

if Rezko had talked to Ata about positions in the administration, and Rezko said that he had. In or about July 2003, after discussions with Rezko about possible state appointments, Ata gave Rezko another \$25,000 check payable to ROD BLAGOJEVICH's campaign. Shortly after this, Ata had a conversation with ROD BLAGOJEVICH at a fundraising event, during which ROD BLAGOJEVICH indicated that he was aware Ata recently had made another substantial contribution to ROD BLAGOJEVICH's campaign, and told Ata that he understood Ata would be joining his administration. Ata replied that he was considering taking a position, and ROD BLAGOJEVICH said that it had better be a job where Ata could make some money. ROD BLAGOJEVICH ultimately appointed Ata as the executive director of the Illinois Finance Authority.

The Solicitation of Joseph Cari

10. On or about October 29, 2003, when Joseph Cari, a national Democratic fundraiser, was traveling on a plane with defendant ROD BLAGOJEVICH, Kelly, and Levine to a Blagojevich fundraiser in New York hosted by Cari, he spoke with ROD BLAGOJEVICH, who discussed Cari's background as a national fundraiser and ROD BLAGOJEVICH's interest in running for President. ROD BLAGOJEVICH said it was easier for governors to solicit campaign contributions because of their ability to award contracts and give legal work, consulting work, and investment banking work to campaign



contributors, and that Kelly and Rezko were his point people in raising campaign contributions. ROD BLAGOJEVICH also said there were state contracts and other state work that could be given to contributors who helped ROD BLAGOJEVICH, Rezko, and Kelly, and that Rezko and Kelly would follow up with Cari in relation to the discussion that had just occurred.

11. During the October 29, 2003, fundraiser, Levine told Cari that there was a plan in place in the Blagojevich administration pursuant to which Rezko and Kelly would pick consultants to do business with State of Illinois boards, and, thereafter, the consultants would be asked to make campaign contributions.

12. Sometime after October 2003, Rezko told Cari that Rezko had a close relationship with the Blagojevich administration, that Rezko had a role in picking consultants, law firms and other entities to get state business, and that defendant ROD BLAGOJEVICH's Chief of Staff, Monk, helped implement Rezko's choices for state work. Rezko also said that, in exchange for raising money for ROD BLAGOJEVICH, the Blagojevich administration would be helpful to Cari's business interests.

13. On or about March 5, 2004, Cari met with Kelly, who said he was following up on Cari's conversations with defendant ROD BLAGOJEVICH, Rezko, and Levine. Kelly asked for Cari's help in raising money on a national level for ROD BLAGOJEVICH. When Cari said he was not inclined to help,

Kelly pushed Cari to assist and said that helping ROD BLAGOJEVICH would be good for Cari's business interests and that Cari could have whatever Cari wanted if he agreed to help.

**Campaign Contributions Solicited for TRS Investments**

14. In or about March 2004, Lobbyist A met with Christopher Kelly to ask how two clients of Lobbyist A could become eligible to manage investments for TRS. Kelly informed Lobbyist A that TRS was Rezko's area, and subsequently told Lobbyist A that he had spoken with Rezko, and that it would require a \$50,000 campaign contribution to defendant ROD BLAGOJEVICH for a firm to get on TRS's list of recommended fund managers.

**The Attempted Extortion of Capri Capital**

15. In or about April 2004, Rezko, Kelly, and Levine agreed that they would use their influence and Levine's position at TRS to prevent Capri Capital from receiving a potential \$220 million allocation from TRS unless Capri Capital or one of its principals, Thomas Rosenberg, agreed to make a payment, such as by arranging to raise a significant amount of money in campaign contributions for the benefit of defendant ROD BLAGOJEVICH. At Levine's direction, Cellini assisted the plan by indicating to Rosenberg that Capri Capital had not yet received its \$220 million allocation from TRS because of its failure to make political donations to ROD BLAGOJEVICH.

16. On or about May 11, 2004, after Rosenberg threatened to expose the extortion attempt, Rezko, Kelly, Levine, and Cellini agreed that in light of Rosenberg's threat it was too risky to continue demanding money from Rosenberg or to block the \$220 million allocation to Capri Capital. Rezko subsequently told Levine that defendant ROD BLAGOJEVICH had been told about the attempt to extort Rosenberg, and that ROD BLAGOJEVICH had agreed that Capri Capital should receive the \$220 million allocation because of Rosenberg's threat, but felt that Rosenberg should receive nothing further from the State of Illinois.

17. After the discussion involving Kelly, Rezko, Levine, and Cellini on or about May 11, 2004, Cellini and Levine took steps to conceal the extortion plan, including by using their influence and Levine's position at TRS to ensure that Capri Capital received its \$220 million allocation.

**Benefits Given to ROD BLAGOJEVICH and Alonzo Monk**

18. To ensure that defendant ROD BLAGOJEVICH and Monk would continue to give Rezko substantial influence regarding matters such as appointments to boards and commissions, the selection of candidates for state employment, and the awarding of state contracts, grants, and investment fund allocations, Rezko gave certain benefits to ROD BLAGOJEVICH and Monk, including the following:

a. In or about late August 2003, Rezko directed to ROD BLAGOJEVICH's wife a payment of \$14,369, purportedly in connection with a real estate transaction involving property at 850 North Ogden Avenue, Chicago, Illinois, for which transaction ROD BLAGOJEVICH's wife had not performed any services.

b. From in or about October 2003 to in or about May 2004, Rezko, through his real estate development company, provided ROD BLAGOJEVICH's wife with payments of \$12,000 a month, purportedly for real estate brokerage services.

c. In or about January 2004, while Rezko's real estate development company was paying ROD BLAGOJEVICH's wife \$12,000 a month, Rezko directed to ROD BLAGOJEVICH's wife a payment of \$40,000, purportedly for brokerage services in connection with the sale of property at 1101 West Lake Street, Chicago, Illinois, even though the sale of the property had been arranged without the assistance of ROD BLAGOJEVICH's wife.

d. From in or about the spring of 2004 until in or about 2006, Rezko provided to Monk a number of \$10,000 cash gifts to pay for various items, such as a car and home improvements, which cash gifts totaled approximately \$70,000 to \$90,000.

**The Search for Employment for ROD BLAGOJEVICH's Wife**

19. After the real estate business of defendant ROD BLAGOJEVICH's wife became the subject of critical media coverage, ROD BLAGOJEVICH directed Harris to try to find a paid state board appointment or position for her. During several conversations in or about early 2008, ROD BLAGOJEVICH informed Harris that ROD BLAGOJEVICH wanted his wife put on the Pollution Control Board, which pays salaries to its board members. When Harris told ROD BLAGOJEVICH that his wife was not qualified for the position, ROD BLAGOJEVICH told Harris to find other employment for his wife.

20. In or about the spring of 2008, around the time that defendant ROD BLAGOJEVICH's wife passed a licensing examination that allowed her to sell financial securities, ROD BLAGOJEVICH asked Harris and others to set up informational or networking meetings for his wife with financial institutions that had business with the State of Illinois in hopes that those businesses would assist in getting ROD BLAGOJEVICH's wife a job. Harris subsequently arranged meetings between ROD BLAGOJEVICH's wife and officials at two financial institutions that had business with the State of Illinois. When ROD BLAGOJEVICH concluded that officials at these institutions were unhelpful in finding ROD BLAGOJEVICH's wife a job, ROD BLAGOJEVICH told Harris that he did not want the institutions receiving further business from the State of

Illinois.

Solicitation of United States Congressman A

21. In or about 2006, after United States Congressman A inquired about the status of a \$2 million grant for the benefit of a publicly-supported school, defendant ROD BLAGOJEVICH instructed Harris not to release the grant until further direction from ROD BLAGOJEVICH, even though ROD BLAGOJEVICH previously had agreed to support the grant and funding for the grant had been included in the state's budget.

22. In response to inquiries by a high-ranking state official as to whether the grant money could be released, defendant ROD BLAGOJEVICH informed the official that ROD BLAGOJEVICH wanted it communicated to United States Congressman A that United States Congressman A's brother needed to have a fundraiser for ROD BLAGOJEVICH.

23. Defendant ROD BLAGOJEVICH told Lobbyist A that ROD BLAGOJEVICH was giving a \$2 million grant to a school in United States Congressman A's district and instructed Lobbyist A to approach United States Congressman A for a fundraiser.

24. After defendant ROD BLAGOJEVICH learned from Harris that the school had started to incur expenses that were to be paid with the grant funds, ROD BLAGOJEVICH initially resisted the release of the grant money, and then

ultimately agreed to the release of certain of the grant funds to cover incurred expenses, but only on a delayed basis, even though no fundraiser had been held.

**Solicitation of Children's Memorial Hospital**

25. On or about October 8, 2008, defendant ROD BLAGOJEVICH advised Lobbyist A that he intended to take official action that would provide additional state money to Children's Memorial Hospital, and that ROD BLAGOJEVICH wanted to get \$50,000 in campaign contributions from the Chief Executive Officer of Children's Memorial Hospital ("the Children's CEO").

26. On or about October 17, 2008, defendant ROD BLAGOJEVICH called the Children's CEO to tell him of his intent to increase the Illinois Medicaid reimbursement rate for speciality-care pediatric physicians. Shortly before this, ROD BLAGOJEVICH had directed Deputy Governor A to initiate such an increase, which Illinois providers of pediatric healthcare, including Children's Memorial Hospital, had actively supported for years.

27. On or about October 22, 2008, at defendant ROD BLAGOJEVICH's direction, Robert Blagojevich spoke with the Children's CEO and asked him to arrange to raise \$25,000 for ROD BLAGOJEVICH prior to January 1, 2009.

28. On or about November 12, 2008, after the Children's CEO had not returned additional phone calls from Robert Blagojevich, and no political contributions from the Children's CEO or other persons associated with

Children's Memorial Hospital had been received, defendant ROD BLAGOJEVICH spoke to Deputy Governor A about the increase in the Medicaid reimbursement rates for specialty-care pediatric physicians, asking whether "we could pull it back if we needed to. . . ." As a result of this conversation, Deputy Governor A instructed the Department of Healthcare Services to stop its work on increasing the reimbursement for specialty-care pediatric physicians.

**Solicitation of Racetrack Executive**

29. On or about November 13, 2008, defendant ROD BLAGOJEVICH told Robert Blagojevich that he wanted campaign contributions to be made by the end of the year by Racetrack Executive, who, as ROD BLAGOJEVICH knew, managed horse racing tracks that would financially benefit from a bill pending in the Illinois legislature that would require certain Illinois casinos to give money to a fund that would be used to help the Illinois horse racing industry (the "Racing Bill "). At that time, as ROD BLAGOJEVICH knew, Monk had been trying to arrange a contribution from Racetrack Executive, and ROD BLAGOJEVICH had set a goal of raising \$100,000 in contributions from and through Racetrack Executive.

30. Defendant ROD BLAGOJEVICH had further conversations with Monk about the Racing Bill after it was passed by the Illinois legislature on or about November 20, 2008. In those conversations, ROD BLAGOJEVICH and



Monk discussed whether and when ROD BLAGOJEVICH would sign the Racing Bill, and whether and when Racetrack Executive would arrange for campaign contributions to ROD BLAGOJEVICH. On or about December 3, 2008, ROD BLAGOJEVICH indicated to Monk that he was concerned that Racetrack Executive would not make a contribution by the end of the year if he signed the Racing Bill before the contribution was made. As a result, Monk and ROD BLAGOJEVICH agreed that Monk would speak with Racetrack Executive to ensure that Racetrack Executive would make a contribution by the end of the year.

31. After meeting with defendant ROD BLAGOJEVICH on or about December 3, 2008, Monk visited Racetrack Executive. During that visit, Monk communicated to Racetrack Executive that ROD BLAGOJEVICH was concerned that Racetrack Executive would not make a contribution to ROD BLAGOJEVICH if the Racing Bill was signed before the contribution was made.

32. After meeting with Racetrack Executive on or about December 3, 2008, Monk reported to defendant ROD BLAGOJEVICH that Monk had said to Racetrack Executive, "look, there is a concern that there is going to be some skittishness if your bill gets signed because of the timeliness of the commitment," and made it clear to Racetrack Executive that the contribution has "got to be in now." ROD BLAGOJEVICH responded, "good," and "good job."

33. On or about December 4, 2008, Monk asked defendant ROD BLAGOJEVICH to call Racetrack Executive and to suggest that ROD BLAGOJEVICH would sign the Racing Bill, because this would be better "from a pressure point of view." ROD BLAGOJEVICH agreed to call Racetrack Executive.

Solicitation of Highway Contractor

34. On or about September 18, 2008, defendant ROD BLAGOJEVICH, Monk, and Robert Blagojevich met with Construction Executive, who was both an executive with a company that manufactured and distributed road building materials and a representative of a trade group involved with the construction of roads. In that meeting, ROD BLAGOJEVICH said that he was planning on announcing a \$1.5 billion road building program that would be administered through the Illinois Toll Highway Authority (the "Tollway") and that he might authorize an additional \$6 billion road building program later on. Shortly thereafter in the conversation, ROD BLAGOJEVICH asked for Construction Executive's help in raising contributions for ROD BLAGOJEVICH's campaign by the end of the year. After Construction Executive left the meeting, ROD BLAGOJEVICH instructed Monk to try to get Construction Executive to raise \$500,000 in contributions. As ROD BLAGOJEVICH knew, Monk subsequently had a series of conversations with Construction Executive about the possibility

of Construction Executive arranging for campaign contributions to ROD BLAGOJEVICH.

35. On or about October 6, 2008, defendant ROD BLAGOJEVICH told Lobbyist A that he would make an announcement concerning a \$1.8 billion project involving the Tollway and that Monk would approach Construction Executive to ask that he raise substantial campaign contributions. ROD BLAGOJEVICH further said that he could have announced a larger amount of money for road projects, but wanted to see how Construction Executive performed in raising contributions, and he added words to the effect of "If they don't perform, fuck 'em."

36. On or about October 22, 2008, approximately one week after defendant ROD BLAGOJEVICH publicly announced a portion of a \$1.8 billion program to upgrade interchanges on the tollway system, ROD BLAGOJEVICH called Construction Executive, spoke with him about the \$1.8 billion program, and asked how he was coming with fundraising.

**Efforts to Obtain Personal Advantage in Exchange  
For State Financial Support for the Tribune Company**

37. Beginning in or about October 2008, and continuing until on or about December 9, 2008, defendant ROD BLAGOJEVICH, on multiple occasions, instructed Harris to communicate to individuals at the Tribune Company that ROD BLAGOJEVICH would withhold proposed state financial support that

would benefit the Tribune Company, publisher of the Chicago Tribune newspaper, unless the Tribune Company fired editorial board members who had been critical of ROD BLAGOJEVICH.

**Efforts to Obtain Personal Financial Benefits for ROD BLAGOJEVICH in Return for his Appointment of a United States Senator**

38. Beginning in or about October 2008, and continuing until on or about December 9, 2008, defendant ROD BLAGOJEVICH, with the assistance of Harris and Robert Blagojevich, and others, sought to obtain financial benefits for himself and his wife, in return for the exercise of his duty under Illinois law to appoint a United States Senator to fill the vacancy created by the election of Barack Obama as President of the United States.

39. Defendant ROD BLAGOJEVICH engaged in numerous conversations with others, at times including Harris and Robert Blagojevich, certain high-ranking employees of the Office of the Governor, and certain political consultants, regarding the advantages and disadvantages of selecting various candidates for the Senate vacancy and as a part of those considerations, ROD BLAGOJEVICH and others devised and set in motion plans by which ROD BLAGOJEVICH could use his power to appoint a United States Senator to obtain financial benefits for himself and his wife. At times ROD BLAGOJEVICH directed others, including state employees, to assist in these endeavors, including by performing research and conveying messages to third

parties.

40. Defendant ROD BLAGOJEVICH and others devised and discussed means of using ROD BLAGOJEVICH's power to appoint a United States Senator in exchange for financial benefits for himself and his wife, which benefits would take the following forms, among others:

a. Presidential appointment of ROD BLAGOJEVICH to high-ranking positions in the federal government, including Secretary of Health and Human Services or an ambassadorship;

b. A highly paid leadership position with a private foundation dependent on federal aid, which ROD BLAGOJEVICH believed could be influenced by the President-elect to name ROD BLAGOJEVICH to such a position;

c. A highly paid leadership position with an organization known as "Change to Win," consisting of seven affiliated labor unions, which, in a transaction suggested by Harris, could appoint ROD BLAGOJEVICH as its chairman with the expectation that the President-elect would assist Change to Win with its national legislative agenda;

d. Employment for the wife of ROD BLAGOJEVICH with a union organization or lobbying firm, or on corporate boards of directors;

e. A highly paid leadership position with a newly-created not-for-

profit corporation that ROD BLAGOJEVICH believed could be funded with large contributions by persons associated with the President-elect; and

f. Substantial campaign fundraising assistance from individuals seeking the United States Senate seat and their backers, including from Senate Candidate A, whose associate ROD BLAGOJEVICH understood to have offered \$1.5 million in campaign contributions in return for ROD BLAGOJEVICH's appointment of Senate Candidate A.

41. Defendant ROD BLAGOJEVICH discussed with others means by which he could influence the President-elect to assist ROD BLAGOJEVICH in obtaining personal benefits for himself and his wife, including by appointing as United States Senator a candidate whom ROD BLAGOJEVICH believed to be favored by the President-elect. At times, ROD BLAGOJEVICH attempted to further this goal by conveying messages, directly and with the assistance of others, to individuals whom he believed to be in communication with the President-elect.

42. On or about December 4, 2008, defendant ROD BLAGOJEVICH instructed Robert Blagojevich to contact a representative of Senate Candidate A, and advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur before the appointment. ROD BLAGOJEVICH instructed Robert Blagojevich to

communicate the urgency of the message, and to do it in person, rather than over the phone. Robert Blagojevich agreed to do so, and thereafter arranged a meeting with an associate of Senate Candidate A.

43. On or about December 5, 2008, following the publication that day of a newspaper article reporting that defendant ROD BLAGOJEVICH had been surreptitiously recorded in connection with an ongoing federal investigation, ROD BLAGOJEVICH instructed Robert Blagojevich to cancel his meeting with the associate of Senate Candidate A, and Robert Blagojevich agreed to do so.

#### Concealment

44. Defendant ROD BLAGOJEVICH, and others, misrepresented, concealed, and hid, and caused to be misrepresented, concealed, and hidden, the purposes of and the acts done in furtherance of the Blagojevich Enterprise.

#### THE PATTERN OF RACKETEERING ACTIVITY

45. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

Racketeering Act #1  
(The Pension Obligation Bond Deal)  
(Paragraph 7 Above)

Defendant ROD BLAGOJEVICH committed the following acts, any one of which alone constitutes the commission of Racketeering Act #1.

a. In or about 2003, in Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH

defendant herein, committed an act involving bribery, that is, conspired to commit bribery with Alonzo Monk, Christopher Kelly, and Antoin Rezko, in that ROD BLAGOJEVICH agreed to accept property, namely money, which he was not authorized by law to accept, knowing that the property was promised and tendered with the intent to cause ROD BLAGOJEVICH to influence the performance of acts related to his employment as Governor of the State of Illinois, namely, the awarding of lucrative state business relating to the refinancing of billions of dollars in State of Illinois Pension Obligation Bonds, in violation of 720 ILCS 5/33-1(d) and 720 ILCS 5/8-2.

b. In or about 2003, in Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH

defendant herein, committed an act involving bribery, that is, ROD



BLAGOJEVICH agreed to accept property, namely money, which he was not authorized by law to accept, knowing that the property was promised and tendered with the intent to cause ROD BLAGOJEVICH to influence the performance of acts related to his employment as Governor of the State of Illinois, namely, the awarding of lucrative state business relating to the refinancing of billions of dollars in State of Illinois Pension Obligation Bonds, in violation of 720 ILCS 5/33-1(d).

**Racketeering Act #2**  
**(Solicitation of United States Congressman A**  
**(Paragraphs 21-24 Above)**

Defendant ROD BLAGOJEVICH committed the following acts, any one of which alone constitutes the commission of Racketeering Act #2.

a. Beginning in or about 2005 and continuing through in or about 2006, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, did attempt to commit extortion, which extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from United States Congressman A and United States Congressman A's brother, with the consent of United States Congressman A and United States Congressman A's brother, under color of official right, in violation of Title 18, United States Code, Sections 1951(a) and 2.

b. Beginning in or about 2005 and continuing through in or about 2006, in Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, committed an act involving bribery, that is, attempted to commit bribery, in that ROD BLAGOJEVICH attempted to solicit and agreed to accept property and personal advantage, namely political contributions,

pursuant to an understanding that defendant ROD BLAGOJEVICH would improperly influence the performance of an act related to his employment and function as Governor of the State of Illinois, namely, the provision of a \$2 million grant for the benefit of a publicly-supported school, in violation of 720 ILCS 5/33-1(e) and 720 ILCS 5/8-4.

**Racketeering Act #3**  
**(Solicitation of Children's Memorial Hospital)**  
**(Paragraphs 25-28 Above)**

Defendant ROD BLAGOJEVICH committed the following acts, any one of which alone constitutes the commission of Racketeering Act #3.

a. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, and others did attempt to commit extortion, which extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from the Chief Executive Officer of Children's Memorial Hospital, and Children's Memorial Hospital, with the consent of the Chief Executive Officer and Children's Memorial Hospital under color of official right, and induced by the wrongful use of actual and threatened fear of economic harm, in violation of Title 18, United States Code, Sections 1951(a) and 2.

b. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH

defendant herein, committed an act involving bribery, that is, attempted to commit bribery, in that ROD BLAGOJEVICH attempted to solicit and agreed to accept property and personal advantage, namely political contributions, pursuant to an understanding that ROD BLAGOJEVICH would improperly influence the performance of an act related to his employment and function as Governor of the State of Illinois, namely, increasing reimbursement rates for specialty-care pediatric physicians, in violation of 720 ILCS 5/33-1(e) and 720 ILCS 5/8-4.

c. Paragraphs 2 through 42 of Count Three are realleged and incorporated as though fully set forth herein.

On or about October 17, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and the Children's CEO in Florida, in which ROD BLAGOJEVICH told the Children's CEO that ROD BLAGOJEVICH had approved an increase in the reimbursement rate for specialty-care pediatric physicians, in violation of Title 18, United States Code, Sections 1343 and 1346.

**Racketeering Act #4**  
**(Solicitation of Racetrack Executive)**  
**(Paragraphs 29-33 Above)**

Defendant ROD BLAGOJEVICH committed the following acts, any one of which alone constitutes the commission of Racketeering Act #4.

a. Beginning on or about December 3, 2008, and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, did conspire with Alonzo Monk and others to commit extortion, which extortion would obstruct, delay, and affect commerce, in that they agreed to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from Racetrack Executive and two horse racing tracks with which Racetrack Executive was affiliated, with the consent of Racetrack Executive and the horse racing tracks under color of official right, and induced by the wrongful use of actual and threatened fear of economic harm, in violation of Title 18, United States Code, Sections 1951(a) and 2.

b. Beginning on or about December 3, 2008, and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH

defendant herein, along with Alonzo Monk, committed an act involving bribery, that is, conspired to commit bribery, in that ROD BLAGOJEVICH, with the assistance of Monk, solicited and agreed to accept property and personal advantage, namely political contributions, pursuant to an understanding that ROD BLAGOJEVICH would improperly influence the performance of an act related to his employment and function as Governor of the State of Illinois, namely, the signing of a bill that had passed the Illinois legislature and that would financially help the Illinois horse racing industry, in violation of 720 ILCS 5/33-1(e) and 720 ILCS 5/8-2.

c. Paragraphs 2 through 42 of Count Three are realleged and incorporated as though fully set forth herein.

On or about December 4, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,  
defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Alonzo Monk in Miami, Florida, in which ROD BLAGOJEVICH agreed with Monk that, in order to obtain the campaign contribution sought from Racetrack Executive in exchange for a

prompt signing of the Racing Bill, it would be better "from a pressure point of view" for ROD BLAGOJEVICH himself to call Racetrack Executive to discuss the timing of signing the Racing Bill, in violation of Title 18, United States Code, Sections 1343 and 1346.



**Racketeering Act #5**  
**(Solicitation of Highway Contractor)**  
**(Paragraphs 34-36 Above)**

Defendant ROD BLAGOJEVICH committed the following acts, any one of which alone constitutes the commission of Racketeering Act #5.

a. Beginning in or about September 2008 and continuing through December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, and others did attempt to commit extortion, which extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from Construction Executive (who was both an executive with a company that supplied materials for road construction, and a representative of a trade group involved with the construction of roads), and from the company that employed Construction Executive, with the consent of Construction Executive and his employer under color of official right, and induced by the wrongful use of actual and threatened fear of economic harm, in violation of Title 18, United States Code, Sections 1951(a) and 2.

b. Beginning in or about September 2008 and continuing through December 9, 2008, in the Northern District of Illinois, Eastern Division, and

elsewhere,

**ROD BLAGOJEVICH**

defendant herein, along with others, committed an act involving bribery, that is, attempted to commit bribery, in that ROD BLAGOJEVICH, solicited and agreed to accept property and personal advantage, namely political contributions, pursuant to an understanding that ROD BLAGOJEVICH would improperly influence the performance of an act related to his employment and function as Governor of the State of Illinois, namely, increasing funding for road building programs, in violation of 720 ILCS 5/33-1(e) and 720 ILCS 5/8-4.

**Racketeering Act #6**  
**(Efforts to Obtain Personal Financial Benefits for Rod Blagojevich**  
**in Return for his Appointment of a United States Senator)**  
**(Paragraphs 38-43 Above)**

Defendant ROD BLAGOJEVICH committed the following acts, any one of which alone constitutes the commission of Racketeering Act #6.

a. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, did conspire with Robert Blagojevich, John Harris, and others to commit extortion in relation to the appointment of a United States Senator, which extortion would obstruct, delay, and affect commerce, in that they agreed to obtain property, for the benefit of ROD BLAGOJEVICH, from various individuals, with the consent of those individuals under color of official right, in violation of Title 18, United States Code; Sections 1951(a) and 2.

b. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, and Robert Blagojevich, and others did attempt to commit extortion in relation to the appointment of a United States Senator, which

extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, for the benefit of ROD BLAGOJEVICH, from various individuals, with the consent of those individuals under color of official right, in violation of Title 18, United States Code, Sections 1951(a) and 2.

c. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH

defendant herein, along with Robert Blagojevich, John Harris, and others, committed an act involving bribery, that is, conspired to commit bribery, in that ROD BLAGOJEVICH, with the assistance of others, solicited and agreed to accept property and personal advantage, pursuant to an understanding that ROD BLAGOJEVICH would improperly influence the performance of an act related to his employment and function as Governor of the State of Illinois, namely, the appointment of a United States Senator, in violation of 720 ILCS 5/33-1(e) and 720 ILCS 5/8-2.

d. --- 1. Paragraphs 2 through 42 of Count Three are realleged and incorporated as though fully set forth herein.

On or about the following dates, defendant ROD BLAGOJEVICH, for the purpose of executing the above-described scheme, did knowingly cause to be

transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely phone calls, as further described below and in the corresponding indictment count, in violation of Title 18, United States Code, Sections 1343 and 1346:

Racketeering Act	Date	Description
6(d)	11/1/2008	Phone call between ROD BLAGOJEVICH in Illinois and Robert Blagojevich in Nashville, Tennessee, as such conversation relates to the Senate seat, and as more fully described in Count 4 of this indictment
6(e)	11/7/2008	Phone call between ROD BLAGOJEVICH and John Harris, in Chicago, Illinois, and Advisor A, in Washington, D.C., as more fully described in Count 5 of this indictment
6(f)	11/10/2008	Phone call between ROD BLAGOJEVICH, John Harris and others, in Chicago, Illinois, and various advisors in Washington, D.C., and New York City, as more fully described in Count 6 of this indictment
6(g)	11/12/2008	Phone call between ROD BLAGOJEVICH, in Chicago, Illinois, and Advisor A in Washington, D.C. (Sessions 533, 535, and 537), as more fully described in Count 7 of this indictment

6(h)	11/12/2008	Phone call between ROD BLAGOJEVICH in Chicago, Illinois, and a labor union official in Washington, D.C. (Session 541), as more fully described in Count 8 of this indictment
6(i)	11/12/2008	Phone call between ROD BLAGOJEVICH in Chicago, Illinois, and a labor union official in Washington, D.C. (Session 546), as more fully described in Count 9 of this indictment
6(j)	11/13/2008	Phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Advisor B in Michigan (Session 624), as more fully described in Count 10 of this indictment
6(k)	11/13/2008	Phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Advisor B in Michigan (Session 627), as more fully described in Count 11 of this indictment
6(l)	12/4/2008	Phone call between ROD BLAGOJEVICH and Deputy Governor A in Chicago, Illinois, and Advisor A in Washington, D.C., as more fully described in Count 13 of this indictment

All in violation of Title 18, United States Code, Section 1962(c).

COUNT TWO

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1, 2, and 3 of Count One, and Paragraph 2 of Count Three, are hereby realleged and incorporated as if fully set forth herein.

The Racketeering Conspiracy

2. From in or about 2002 to on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, together with Christopher Kelly, Alonzo Monk, William F. Cellini, Sr., John Harris, Robert Blagojevich, Antoin Rezko, and Stuart Levine, being persons employed by and associated with an enterprise, namely the Blagojevich Enterprise, which enterprise engaged in, and the activities of which affected, interstate commerce, did conspire and agree, with each other and others known and unknown to the Grand Jury, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Blagojevich Enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and (5), consisting of:

- a. multiple acts indictable under the following provisions of federal law:
  - i. Title 18, United States Code, Section 1951(a) (extortion, attempted extortion, and conspiracy to commit extortion);

- ii. Title 18, United States Code, Sections 1341, 1343, and 1346 (mail fraud and wire fraud); and
- b. multiple acts involving bribery, including conspiracy and attempt, chargeable under the following provisions of Illinois law:

720 ILCS 5/33-1(d) and (e) (bribery);

720 ILCS 5/8-2, and 5/8-4 (conspiracy and attempt)

3. Defendant ROD BLAGOJEVICH agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

#### Means and Method of the Conspiracy

4. It was part of the conspiracy that defendant ROD BLAGOJEVICH, along with Kelly, Monk, Cellini, Robert Blagojevich, Harris, Rezko, and Levine, and others, used and agreed to use the powers of the Office of the Governor and of certain state boards and commissions subject to the influence of the Office of the Governor, to take and cause governmental actions, including: appointments to boards and commissions; the awarding of state business, grants, and investment fund allocations; the enactment of legislation and executive orders; and the appointment of a United States Senator; in exchange for financial benefits for themselves and others, including campaign contributions for ROD BLAGOJEVICH, money for themselves, and employment for ROD



BLAGOJEVICH and his wife.

5. It was further part of the conspiracy that defendant ROD BLAGOJEVICH permitted Kelly and Rezko to exercise substantial influence over certain activities of the Office of the Governor, as well as state boards and commissions with members appointed by the Governor, with the knowledge that Kelly and Rezko would use this influence to enrich themselves and their associates. In return, Kelly and Rezko provided benefits to ROD BLAGOJEVICH by (a) generating millions of dollars in contributions to Friends of Blagojevich, and (b) providing financial benefits directly to ROD BLAGOJEVICH and his family members.

6. It was further part of the conspiracy that defendant ROD BLAGOJEVICH and other members of the conspiracy committed various acts in furtherance of the conspiracy, as more fully described, and incorporated herein, at Paragraphs 6 through 43 of Count One.

7. It was further part of the conspiracy that defendant ROD BLAGOJEVICH, and other members of the conspiracy, misrepresented, concealed, and hid, and caused to be misrepresented, concealed, and hidden, the purposes of and the acts done in furtherance of the conspiracy;

In violation of Title 18, United States Code, Section 1962(d).

**COUNT THREE**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraph 1 of Count One is hereby realleged and incorporated as if fully set forth herein.

2. At times material to this Second Superseding Indictment:

a. Defendant ROD BLAGOJEVICH, Monk, and Harris, while serving as officers and employees of the State of Illinois, and Levine, while serving as a Trustee of TRS and a member of the Planning Board, were bound by the following laws, duties, policies, and procedures:

i. As Governor, defendant ROD BLAGOJEVICH was a constitutional officer and as such, at the outset of each term as Governor, was required to take an oath of office to support the Constitution of the United States and the Constitution of the State of Illinois, and to faithfully discharge the duties of the office of Governor to the best of his ability.

ii. Pursuant to Article VIII, Section 1(a) of the Constitution of the State of Illinois, public funds, property and credit shall be used only for public purposes.

iii. As officers and employees of the State of Illinois, defendant ROD BLAGOJEVICH, Monk, and Harris owed a duty of honest services and a duty of loyalty to the people of the State of Illinois in the

performance of their public duties.

iv. As a Trustee of TRS, Levine owed a fiduciary duty, a duty of honest services, and a duty of loyalty to the beneficiaries of TRS and was required to act solely for their benefit. As a member of the Health Facilities Planning Board, Levine owed a duty of honest services and a duty of loyalty to the people of the State of Illinois in the performance of his duties on the Health Facilities Planning Board.

v. Pursuant to the criminal laws of the State of Illinois (720 ILCS 5/33-3(c) and (d)), defendant ROD BLAGOJEVICH, Monk, and Harris, and Levine, each was prohibited from committing the following acts in his official capacity: (1) performing an act in excess of his lawful authority, with intent to obtain a personal advantage for himself or others; and (2) soliciting or knowingly accepting, for the performance of any act, a fee or reward which he knows is not authorized by law.

vi. Pursuant to the criminal laws of the State of Illinois (720 ILCS 5/33-1(d) and (e)), defendant ROD BLAGOJEVICH, Monk, and Levine each was prohibited from: (1) receiving, retaining, or agreeing to accept any property or personal advantage which he was not authorized by law to accept, knowing that such property or personal advantage was promised or tendered with intent to cause him to influence the performance of any act related to the

employment or function of his public office; and (2) soliciting, receiving, retaining, or agreeing to accept any property or personal advantage pursuant to an understanding that he would improperly influence or attempt to influence the performance of any act related to the employment of any public officer or public employee.

vii. Pursuant to the criminal laws of the State of Illinois (50 ILCS 105/3), defendant ROD BLAGOJEVICH, Monk, and Levine each was prohibited from being, in any manner, financially interested, either directly or indirectly, in any contract or the performance of any work in regard to which he may have been called upon to act.

3. From in or about 2002 to on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, defendants ROD BLAGOJEVICH and ROBERT BLAGOJEVICH, together with Alonzo Monk, John Harris, Christopher Kelly, William F. Cellini, Sr., Antoin Rezko, Stuart Levine, and others, acting with the intent to defraud and to deceive, devised and participated in a scheme to deprive the people of the State of Illinois and the beneficiaries of TRS of their intangible right to the honest services of ROD BLAGOJEVICH, Harris, Monk, and Levine.

### Overview of the Scheme

4. It was part of the scheme to defraud that defendants ROD BLAGOJEVICH and ROBERT BLAGOJEVICH, together with Monk, Harris, Kelly, Cellini, Rezko, Levine, and others, used and attempted to use the powers of the Office of the Governor, and of certain state boards and commissions subject to influence by the Office of the Governor, to take and cause official actions, including: appointments to boards and commissions; the awarding of state business, grants, and investment fund allocations; the enactment of legislation and executive orders; and the appointment of a United States Senator; in exchange for financial benefits for themselves and others, including campaign contributions for ROD BLAGOJEVICH, money for themselves, and employment for ROD BLAGOJEVICH and his wife, thereby materially breaching the duty of loyalty owed by ROD BLAGOJEVICH, Harris, Monk, and Levine.

### Sharing Financial Benefits from State Actions

5. It was further part of the scheme that, in a series of conversations that began in 2002 and continued after defendant ROD BLAGOJEVICH was elected Governor in November 2002, ROD BLAGOJEVICH, Monk, Kelly, and Rezko, agreed that they would use ROD BLAGOJEVICH's position as Governor and Monk's position as Chief of Staff for financial gain, which would be divided

among them, with the understanding that the money would be distributed after ROD BLAGOJEVICH left public office. The defendants and their co-schemers later implemented this agreement, as further described below.

### The Pension Obligation Bond Deal

6. It was further part of the scheme that in or about 2003, defendant ROD BLAGOJEVICH, Monk, Kelly and Rezko, agreed to direct lucrative state business relating to the refinancing of billions of dollars in State of Illinois Pension Obligation Bonds to a company whose lobbyist agreed to provide hundreds of thousands of dollars to Rezko out of the fee the lobbyist would collect, and Rezko in turn agreed to split the money with ROD BLAGOJEVICH, Monk, and Kelly.

### Maintaining Control Over TRS

7. It was further part of the scheme that in or about the spring of 2003, Kelly, Rezko, Cellini, and Levine agreed that Kelly and Rezko would use their influence with the Blagojevich administration to assist Cellini and Levine in maintaining influence over the activities of TRS, and in return, Cellini and Levine would use their influence with TRS to cause TRS to invest in funds, and to use the services of law firms, selected by Kelly and Rezko, at times in exchange for substantial contributions to Friends of Blagojevich.

### The Solicitation of Ali Ata

8. It was further part of the scheme that in or about late 2002, Ali Ata, an Illinois businessman who was solicited by Rezko to make political contributions to defendant ROD BLAGOJEVICH, brought a \$25,000 check to Rezko's offices, where Ata met with ROD BLAGOJEVICH. During that meeting, ROD BLAGOJEVICH asked Rezko if Rezko had talked to Ata about positions in the administration, and Rezko said that he had. In or about July 2003, after discussions with Rezko about possible state appointments, Ata gave Rezko another \$25,000 check payable to ROD BLAGOJEVICH's campaign. Shortly after this, Ata had a conversation with ROD BLAGOJEVICH at a fundraising event, during which ROD BLAGOJEVICH indicated that he was aware Ata recently had made another substantial contribution to ROD BLAGOJEVICH's campaign, and told Ata that he understood Ata would be joining his administration. Ata replied that he was considering taking a position, and ROD BLAGOJEVICH said that it had better be a job where Ata could make some money. ROD BLAGOJEVICH ultimately appointed Ata as the executive director of the Illinois Finance Authority.

### The Solicitation of Joseph Cari

9. It was further part of the scheme that on or about October 29, 2003, when Joseph Cari, a national Democratic fundraiser, was traveling on a plane

with defendant ROD BLAGOJEVICH, Kelly, and Levine to a Blagojevich fundraiser in New York hosted by Cari, he spoke with ROD BLAGOJEVICH, who discussed Cari's background as a national fundraiser and ROD BLAGOJEVICH's interest in running for President. ROD BLAGOJEVICH said it was easier for governors to solicit campaign contributions because of their ability to award contracts and give legal work, consulting work, and investment banking work to campaign contributors, and that Kelly and Rezko were his point people in raising campaign contributions. ROD BLAGOJEVICH also said there were state contracts and other state work that could be given to contributors who helped ROD BLAGOJEVICH, Rezko, and Kelly, and that Rezko and Kelly would follow up with Cari in relation to the discussion that had just occurred.

10. It was further part of the scheme that during the October 29, 2003, fundraiser, Levine told Cari that there was a plan in place in the Blagojevich administration pursuant to which Rezko and Kelly would pick consultants to do business with State of Illinois boards, and, thereafter, the consultants would be asked to make campaign contributions.

11. It was further part of the scheme that sometime after October 2003, Rezko told Cari that Rezko had a close relationship with the Blagojevich administration, that Rezko had a role in picking consultants, law firms and other entities to get state business, and that defendant ROD BLAGOJEVICH's



Chief of Staff, Monk, helped implement Rezko's choices for state work. Rezko also said that, in exchange for raising money for ROD BLAGOJEVICH, the Blagojevich administration would be helpful to Cari's business interests.

12. It was further part of the scheme that on or about March 5, 2004, Cari met with Kelly, who said he was following up on Cari's conversations with defendant ROD BLAGOJEVICH, Rezko, and Levine. Kelly asked for Cari's help in raising money on a national level for ROD BLAGOJEVICH. When Cari said he was not inclined to help, Kelly pushed Cari to assist and said that helping ROD BLAGOJEVICH would be good for Cari's business interests and that Cari could have whatever Cari wanted if he agreed to help.

Campaign Contributions Solicited for TRS Investments

13. It was further part of the scheme that in or about March 2004, Lobbyist A met with Christopher Kelly to ask how two clients of Lobbyist A could become eligible to manage investments for TRS. Kelly informed Lobbyist A that TRS was Rezko's area, and subsequently told Lobbyist A that he had spoken with Rezko, and that it would require a \$50,000 campaign contribution to defendant ROD BLAGOJEVICH for a firm to get on TRS's list of recommended fund managers.

The Attempted Extortion of Capri Capital

14. It was further part of the scheme that in or about April 2004, Rezko, Kelly, and Levine agreed that they would use their influence and Levine's position at TRS to prevent Capri Capital from receiving a potential \$220 million allocation from TRS unless Capri Capital or one of its principals, Thomas Rosenberg, agreed to make a payment, such as by arranging to raise a significant amount of money in campaign contributions for the benefit of defendant ROD BLAGOJEVICH. At Levine's direction, Cellini assisted the plan by indicating to Rosenberg that Capri Capital had not yet received its \$220 million allocation from TRS because of its failure to make political donations to ROD BLAGOJEVICH.

15. It was further part of the scheme that on or about May 11, 2004, after Rosenberg threatened to expose the extortion attempt, Rezko, Kelly, Levine, and Cellini agreed that in light of Rosenberg's threat, it was too risky to continue demanding money from Rosenberg or to block the \$220 million allocation to Capri Capital. Rezko subsequently told Levine that defendant ROD BLAGOJEVICH had been told about the attempt to extort Rosenberg, and that ROD BLAGOJEVICH had agreed that Capri Capital should receive the \$220 million allocation because of Rosenberg's threat, but felt that Rosenberg should receive nothing further from the State of Illinois.

16. It was further part of the scheme that after the discussion involving Kelly, Rezko, Levine, and Cellini on or about May 11, 2004, Cellini and Levine took steps to conceal the extortion plan, including by using their influence and Levine's position at TRS to ensure that Capri Capital received its \$220 million allocation.

**Benefits Given to ROD BLAGOJEVICH and Alonzo Monk**

17. It was further part of the scheme that to ensure that defendant ROD BLAGOJEVICH and Monk would continue to give Rezko substantial influence regarding matters such as appointments to boards and commissions, the selection of candidates for state employment, and the awarding of state contracts, grants, and investment fund allocations, Rezko gave certain benefits to ROD BLAGOJEVICH and Monk, including the following:

a. In or about late August 2003, Rezko directed to ROD BLAGOJEVICH's wife a payment of \$14,369, purportedly in connection with a real estate transaction involving property at 850 North Ogden Avenue, Chicago, Illinois, for which transaction ROD BLAGOJEVICH's wife had not performed any services.

b. From in or about October 2003 to in or about May 2004, Rezko, through his real estate development company, provided ROD BLAGOJEVICH's wife with payments of \$12,000 a month, purportedly for real estate brokerage

services.

c. In or about January 2004, while Rezko's real estate development company was paying ROD BLAGOJEVICH's wife \$12,000 a month, Rezko directed to ROD BLAGOJEVICH's wife a payment of \$40,000, purportedly for brokerage services in connection with the sale of property at 1101 West Lake Street, Chicago, Illinois, even though the sale of the property had been arranged without the assistance of ROD BLAGOJEVICH's wife.

d. From in or about the spring of 2004 until in or about 2006, Rezko provided to Monk a number of \$10,000 cash gifts to pay for various items, such as a car and home improvements, which cash gifts totaled approximately \$70,000 to \$90,000.

**The Search for Employment for ROD BLAGOJEVICH's Wife**

18. It was further part of the scheme that after the real estate business of defendant ROD BLAGOJEVICH's wife became the subject of critical media coverage, ROD BLAGOJEVICH directed Harris to try to find a paid state board appointment or position for her. During several conversations in or about early 2008, ROD BLAGOJEVICH informed Harris that ROD BLAGOJEVICH wanted his wife put on the Pollution Control Board, which pays salaries to its board members. When Harris told ROD BLAGOJEVICH that his wife was not qualified for the position, ROD BLAGOJEVICH told Harris to find other

employment for his wife.

19. It was further part of the scheme that, in or about the spring of 2008, around the time that defendant ROD BLAGOJEVICH's wife passed a licensing examination that allowed her to sell financial securities, ROD BLAGOJEVICH asked Harris and others to set up informational or networking meetings for his wife with financial institutions that had business with the State of Illinois in hopes that those businesses would assist in getting ROD BLAGOJEVICH's wife a job. Harris subsequently arranged meetings between ROD BLAGOJEVICH's wife and officials at two financial institutions that had business with the State of Illinois. When ROD BLAGOJEVICH concluded that officials at these institutions were unhelpful in finding ROD BLAGOJEVICH's wife a job, ROD BLAGOJEVICH told Harris that he did not want the institutions receiving further business from the State of Illinois.

Solicitation of United States Congressman A

20. It was further part of the scheme that in or about 2006, after United States Congressman A inquired about the status of a \$2 million grant for the benefit of a publicly-supported school, defendant ROD BLAGOJEVICH instructed Harris not to release the grant until further direction from ROD BLAGOJEVICH, even though ROD BLAGOJEVICH previously had agreed to support the grant and funding for the grant had been included in the state's

budget.

21. It was further part of the scheme that, in response to inquiries by a high-ranking state official as to whether the grant money could be released, defendant ROD BLAGOJEVICH informed the official that ROD BLAGOJEVICH wanted it communicated to United States Congressman A that United States Congressman A's brother needed to have a fundraiser for ROD BLAGOJEVICH.

22. It was further part of the scheme that defendant ROD BLAGOJEVICH told Lobbyist A that ROD BLAGOJEVICH was giving a \$2 million grant to a school in United States Congressman A's district and instructed Lobbyist A to approach United States Congressman A for a fundraiser.

23. It was further part of the scheme that after defendant ROD BLAGOJEVICH learned from Harris that the school had started to incur expenses that were to be paid with the grant funds, ROD BLAGOJEVICH initially resisted the release of the grant money, and then ultimately agreed to the release of certain of the grant funds to cover incurred expenses, but only on a delayed basis, even though no fundraiser had been held.

**Solicitation of Children's Memorial Hospital**

24. It was further part of the scheme that on or about October 8, 2008, defendant ROD BLAGOJEVICH advised Lobbyist A that he intended to take

official action that would provide additional state money to Children's Memorial Hospital, and that ROD BLAGOJEVICH wanted to get \$50,000 in campaign contributions from the Chief Executive Officer of Children's Memorial Hospital ("the Children's CEO").

25. It was further part of the scheme that on or about October 17, 2008, defendant ROD BLAGOJEVICH called the Children's CEO to tell him of his intent to increase the Illinois Medicaid reimbursement rate for speciality-care pediatric physicians. Shortly before this, ROD BLAGOJEVICH had directed Deputy Governor A to initiate such an increase, which Illinois providers of pediatric healthcare, including Children's Memorial Hospital, had actively supported for years.

26. It was further part of the scheme that on or about October 22, 2008, at defendant ROD BLAGOJEVICH's direction, defendant ROBERT BLAGOJEVICH spoke with the Children's CEO and asked him to arrange to raise \$25,000 for ROD BLAGOJEVICH prior to January 1, 2009.

27. It was further part of the scheme that on or about November 12, 2008, after the Children's CEO had not returned additional phone calls from defendant ROBERT BLAGOJEVICH, and no political contributions from the Children's CEO or other persons associated with Children's Memorial Hospital had been received, defendant ROD BLAGOJEVICH spoke to Deputy Governor

A about the increase in the Medicaid reimbursement rates for specialty-care pediatric physicians, asking whether "we could pull it back if we needed to. . . ." As a result of this conversation, Deputy Governor A instructed the Department of Healthcare Services to stop its work on increasing the reimbursement for specialty-care pediatric physicians.

**Solicitation of Racetrack Executive**

28. It was further part of the scheme that on or about November 13, 2008, defendant ROD BLAGOJEVICH told defendant ROBERT BLAGOJEVICH that he wanted campaign contributions to be made by the end of the year by Racetrack Executive, who, as ROD BLAGOJEVICH knew, managed horse racing tracks that would financially benefit from a bill pending in the Illinois legislature that would require certain Illinois casinos to give money to a fund that would be used to help the Illinois horse racing industry (the "Racing Bill"). At that time, as ROD BLAGOJEVICH knew, Monk had been trying to arrange a contribution from Racetrack Executive, and ROD BLAGOJEVICH had set a goal of raising \$100,000 in contributions from and through Racetrack Executive.

29. It was further part of the scheme that defendant ROD BLAGOJEVICH had further conversations with Monk about the Racing Bill after it was passed by the Illinois legislature on or about November 20, 2008. In those conversations, ROD BLAGOJEVICH and Monk discussed whether and



when ROD BLAGOJEVICH would sign the Racing Bill, and whether and when Racetrack Executive would arrange for campaign contributions to ROD BLAGOJEVICH. On or about December 3, 2008, ROD BLAGOJEVICH indicated to Monk that he was concerned that Racetrack Executive would not make a contribution by the end of the year if he signed the Racing Bill before the contribution was made. As a result, Monk and ROD BLAGOJEVICH agreed that Monk would speak with Racetrack Executive to ensure that Racetrack Executive would make a contribution by the end of the year.

30. It was further part of the scheme that after meeting with defendant ROD BLAGOJEVICH on or about December 3, 2008, Monk visited Racetrack Executive. During that visit, Monk communicated to Racetrack Executive that ROD BLAGOJEVICH was concerned that Racetrack Executive would not make a contribution to ROD BLAGOJEVICH if the Racing Bill was signed before the contribution was made.

31. It was further part of the scheme that after meeting with Racetrack Executive on or about December 3, 2008, Monk reported to defendant ROD BLAGOJEVICH that Monk had said to Racetrack Executive, "look, there is a concern that there is going to be some skittishness if your bill gets signed because of the timeliness of the commitment," and made it clear to Racetrack Executive that the contribution has "got to be in now." ROD BLAGOJEVICH

responded, "good," and "good job."

32. It was further part of the scheme that on or about December 4, 2008, Monk asked defendant ROD BLAGOJEVICH to call Racetrack Executive and to suggest that ROD BLAGOJEVICH would sign the Racing Bill, because this would be better "from a pressure point of view." ROD BLAGOJEVICH agreed to call Racetrack Executive.

Solicitation of Highway Contractor

33. It was further part of the scheme that on or about September 18, 2008, defendants ROD BLAGOJEVICH and ROBERT BLAGOJEVICH, and Monk, met with Construction Executive, who was both an executive with a company that manufactured and distributed road building materials and a representative of a trade group involved with the construction of roads. In that meeting, ROD BLAGOJEVICH said that he was planning on announcing a \$1.5 billion road building program that would be administered through the Illinois Toll Highway Authority (the "Tollway") and that he might authorize an additional \$6 billion road building program later on. Shortly thereafter in the conversation, ROD BLAGOJEVICH asked for Construction Executive's help in raising contributions for ROD BLAGOJEVICH's campaign by the end of the year. After Construction Executive left the meeting, ROD BLAGOJEVICH instructed Monk to try to get Construction Executive to raise \$500,000 in

contributions. As ROD BLAGOJEVICH knew, Monk subsequently had a series of conversations with Construction Executive about the possibility of Construction Executive arranging for campaign contributions to ROD BLAGOJEVICH.

34. It was further part of the scheme that, on or about October 6, 2008, defendant ROD BLAGOJEVICH told Lobbyist A that he would make an announcement concerning a \$1.8 billion project involving the Tollway and that Monk would approach Construction Executive to ask that he raise substantial campaign contributions. ROD BLAGOJEVICH further said that he could have announced a larger amount of money for road projects, but wanted to see how Construction Executive performed in raising contributions, and he added words to the effect of "If they don't perform, fuck 'em."

35. It was further part of the scheme that, on or about October 22, 2008, approximately one week after defendant ROD BLAGOJEVICH publicly announced a portion of a \$1.8 billion program to upgrade interchanges on the tollway system, ROD BLAGOJEVICH called Construction Executive, spoke with him about the \$1.8 billion program, and asked how he was coming with fundraising.

**Efforts to Obtain Personal Financial Benefits for ROD BLAGOJEVICH  
in Return for his Appointment of a United States Senator**

36. It was further part of the scheme that beginning in or about October 2008, and continuing until on or about December 9, 2008, defendant ROD BLAGOJEVICH, with the assistance of Harris and defendant ROBERT BLAGOJEVICH, and others, sought to obtain financial benefits for himself and his wife, in return for the exercise of his duty under Illinois law to appoint a United States Senator to fill the vacancy created by the election of Barack Obama as President of the United States.

37. It was further part of the scheme that defendant ROD BLAGOJEVICH engaged in numerous conversations with others, at times including Harris and Robert Blagojevich, certain high-ranking employees of the Office of the Governor, and certain political consultants, regarding the advantages and disadvantages of selecting various candidates for the Senate vacancy and as a part of those considerations, ROD BLAGOJEVICH and others devised and set in motion plans by which ROD BLAGOJEVICH could use his power to appoint a United States Senator to obtain financial benefits for himself and his wife. At times ROD BLAGOJEVICH directed others, including state employees, to assist in these endeavors, including by performing research and conveying messages to third parties.

38. It was further part of the scheme that defendant ROD

BLAGOJEVICH and his co-schemers devised and discussed means of using ROD BLAGOJEVICH's power to appoint a United States Senator in exchange for financial benefits for himself and his wife, which benefits would take the following forms, among others:

- a. Presidential appointment of ROD BLAGOJEVICH to high-ranking positions in the federal government, including Secretary of Health and Human Services or an ambassadorship;
- b. A highly paid leadership position with a private foundation dependent on federal aid, which ROD BLAGOJEVICH believed could be influenced by the President-elect to name ROD BLAGOJEVICH to such a position;
- c. A highly paid leadership position with an organization known as "Change to Win," consisting of seven affiliated labor unions, which, in a transaction suggested by Harris, could appoint ROD BLAGOJEVICH as its chairman with the expectation that the President-elect would assist Change to Win with its national legislative agenda;
- d. Employment for the wife of ROD BLAGOJEVICH with a union organization or lobbying firm, or on corporate boards of directors;
- e. A highly paid leadership position with a newly-created not-for-profit corporation that ROD BLAGOJEVICH believed could be funded with large

contributions by persons associated with the President-elect; and

f. Substantial campaign fundraising assistance from individuals seeking the United States Senate seat and their backers, including from Senate Candidate A, whose associate ROD BLAGOJEVICH understood to have offered \$1.5 million in campaign contributions in return for ROD BLAGOJEVICH's appointment of Senate Candidate A.

39. It was further part of the scheme that defendant ROD BLAGOJEVICH discussed with his co-schemers means by which he could influence the President-elect to assist ROD BLAGOJEVICH in obtaining personal benefits for himself and his wife, including by appointing as United States Senator a candidate whom ROD BLAGOJEVICH believed to be favored by the President-elect. At times, ROD BLAGOJEVICH attempted to further this goal by conveying messages, directly and with the assistance of others, to individuals whom he believed to be in communication with the President-elect.

40. It was further part of the scheme that on or about December 4, 2008, defendant ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to contact a representative of Senate Candidate A, and advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur before the appointment. ROD BLAGOJEVICH instructed ROBERT BLAGOJEVICH to

communicate the urgency of the message, and to do it in person, rather than over the phone. ROBERT BLAGOJEVICH agreed to do so, and thereafter arranged a meeting with an associate of Senate Candidate A.

41. It was further part of the scheme that on or about December 5, 2008, following the publication that day of a newspaper article reporting that defendant ROD BLAGOJEVICH had been surreptitiously recorded in connection with an ongoing federal investigation, ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to cancel his meeting with the associate of Senate Candidate A, and ROBERT BLAGOJEVICH agreed to do so.

42. It was further part of the scheme that defendant ROD BLAGOJEVICH, and other participants in the scheme, misrepresented, concealed, and hid, and caused to be misrepresented, concealed, and hidden, the purposes of and the acts done in furtherance of the scheme.

43. On or about October 17, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,  
defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and the Children's CEO in Florida, in

which ROD BLAGOJEVICH told the Children's CEO that ROD BLAGOJEVICH had approved an increase in the reimbursement rate for specialty-care pediatric physicians;

In violation of Title 18, United States Code, Sections 1343 and 1346.



**COUNT FOUR**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 1, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH and  
ROBERT BLAGOJEVICH,

defendants herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and ROBERT BLAGOJEVICH in Nashville, Tennessee, in which ROBERT BLAGOJEVICH gave ROD BLAGOJEVICH an update on the solicitation of campaign contributions from Construction Executive and Racetrack Executive, and they discussed potential contributions from Senate Candidate C and Senate Candidate A;

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT FIVE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 7, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH and John Harris, in Chicago, Illinois, and Advisor A, in Washington, D.C., in which ROD BLAGOJEVICH, Harris, and Advisor A discussed financial benefits which ROD BLAGOJEVICH could request in exchange for the appointment of Senate Candidate B to the United States Senate;

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT SIX

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 10, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a conference call between ROD BLAGOJEVICH, John Harris and others, in Chicago, Illinois, and various advisors in Washington, D.C., and New York City, in which they discussed financial benefits which ROD BLAGOJEVICH could request in exchange for the appointment of Senate Candidate B to the United States Senate;

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT SEVEN

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 12, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH, in Chicago, Illinois, and Advisor A in Washington, D.C. (Sessions 533, 535, and 537), in which they discussed a proposal where, in exchange for the appointment of Senate Candidate B to the United States Senate, a not-for-profit organization would be set up where ROD BLAGOJEVICH would be employed when he was no longer governor;

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT EIGHT

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 12, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and a labor union official in Washington, D.C. (Session 541), in which ROD BLAGOJEVICH proposed that, in exchange for the appointment of Senate Candidate B to the United States Senate, a not-for-profit organization be set up where ROD BLAGOJEVICH would be employed when he was no longer governor;

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT NINE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 12, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and a labor union official in Washington, D.C. (Session 546), in which ROD BLAGOJEVICH informed the union official that it was a very real possibility that Senate Candidate B could get the United States Senate appointment, and again raised his interest in employment by a not-for-profit organization;

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT TEN

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 13, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Advisor B in Michigan (Session 624), in which they discussed presenting to United States Congressman A a proposal by ROD BLAGOJEVICH that a not-for-profit organization be set up and that the connection between setting up this organization and the awarding of the U.S. Senate seat would be "unsaid";

In violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT ELEVEN

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about November 13, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Advisor B in Michigan (Session 627), in which ROD BLAGOJEVICH asked Advisor B to call Lobbyist A and ask Lobbyist A to present to United States Congressman A ROD BLAGOJEVICH's proposal that a not-for-profit organization be set up and that, while it would be unsaid, this would be a "play" to obtain a financial benefit for ROD BLAGOJEVICH in return for the awarding of the United States Senate seat;

In violation of Title 18, United States Code, Sections 1343 and 1346.



**COUNT TWELVE**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about December 4, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH in Chicago, Illinois, and Alonzo Monk in Miami, Florida, in which ROD BLAGOJEVICH agreed with Monk that, in order to obtain the campaign contribution sought from Racetrack Executive in exchange for a prompt signing of the Racing Bill, it would be better "from a pressure point of view" for ROD BLAGOJEVICH himself to call Racetrack Executive to discuss the timing of signing the Racing Bill;

In violation of Title 18, United States Code, Sections 1343 and 1346.

**COUNT THIRTEEN**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1 through 42 of Count Three are realleged and incorporated as if fully set forth herein.

2. On or about December 4, 2008, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH and  
ROBERT BLAGOJEVICH,

defendants herein, for the purpose of executing the above-described scheme, did knowingly cause to be transmitted by means of wire and radio communication in interstate commerce signals and sounds, namely a phone call between ROD BLAGOJEVICH and Deputy Governor A in Chicago, Illinois, and Advisor A in Washington, D.C., in which ROD BLAGOJEVICH said that if he gave the Senate seat to Senate Candidate A, there would be "tangible political support . . . specific amounts and everything . . . . some of it up front";

In violation of Title 18, United States Code, Sections 1343 and 1346.

**COUNT FOURTEEN**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a) and 1(b) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or about 2005 and continuing through in or about 2006, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, did attempt to commit extortion, which extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from United States Congressman A and United States Congressman A's brother, with the consent of United States Congressman A and United States Congressman A's brother, under color of official right;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT FIFTEEN**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), and 1(f) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

**ROD BLAGOJEVICH,**

defendant herein, and others did attempt to commit extortion, which extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from the Chief Executive Officer of Children's Memorial Hospital, and Children's Memorial Hospital, with the consent of the Chief Executive Officer and Children's Memorial Hospital under color of official right, and induced by the wrongful use of actual and threatened fear of economic harm;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT SIXTEEN**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), and 1(f) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or around October 2008, and continuing to on or about December 9, 2008, at Chicago, in the Northern District of Illinois, Eastern Division,

**ROD BLAGOJEVICH,**

defendant herein, as an agent of the State of Illinois, corruptly solicited and demanded things of value, namely political contributions from the Chief Executive Officer of Children's Memorial Hospital, and Children's Memorial Hospital, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the State of Illinois involving a thing of value of \$5,000 or more, namely, increasing reimbursement rates for specialty-care pediatric physicians, the State of Illinois being a State government that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2008, to December 31, 2008;

In violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2.

COUNT SEVENTEEN

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), and 1(e) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning on or about December 3, 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, conspired with Alonzo Monk and others, to commit extortion, which extortion would obstruct, delay, and affect commerce, in that they agreed to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from Racetrack Executive and two horse racing tracks with which Racetrack Executive was affiliated, with the consent of Racetrack Executive and the horse racing tracks under color of official right, and induced by the wrongful use of actual and threatened fear of economic harm.

3. It was part of the conspiracy that on or about December 3, 2008, defendant ROD BLAGOJEVICH spoke with Monk about Racetrack Executive, who, as ROD BLAGOJEVICH knew, managed horse racing tracks that would financially benefit from a bill that had been passed by the Illinois legislature on November 20, 2008, that would require certain Illinois casinos to give money to

a fund that would be used to help the Illinois horse racing industry (the "Racing Bill"). As ROD BLAGOJEVICH knew, Monk had been talking with Racetrack Executive prior to December 3, 2008, about making a campaign contribution to ROD BLAGOJEVICH. During their conversation on or about December 3, 2008, ROD BLAGOJEVICH indicated to Monk that he was concerned that Racetrack Executive would not make a contribution by the end of the year if ROD BLAGOJEVICH signed the Racing Bill before the contribution was made. As a result, Monk and ROD BLAGOJEVICH agreed that Monk would speak with Racetrack Executive to ensure that Racetrack Executive would make a contribution by the end of the year.

5. It was further part of the conspiracy that after meeting with defendant ROD BLAGOJEVICH on or about December 3, 2008, Monk visited Racetrack Executive. During that visit, Monk communicated to Racetrack Executive that ROD BLAGOJEVICH was concerned that Racetrack Executive would not make a contribution to ROD BLAGOJEVICH if the Racing Bill was signed before the contribution was made.

6. It was further part of the conspiracy that after meeting with Racetrack Executive on or about December 3, 2008, Monk reported to defendant ROD BLAGOJEVICH that Monk had said to Racetrack Executive, "look, there is a concern that there is going to be some skittishness if your bill gets signed

because of the timeliness of the commitment," and made it clear to Racetrack Executive that the contribution has "got to be in now." ROD BLAGOJEVICH responded, "good," and "good job."

7. It was further part of the conspiracy that on or about December 4, 2008, Monk asked defendant ROD BLAGOJEVICH to call Racetrack Executive and to suggest that ROD BLAGOJEVICH would sign the Racing Bill, because this would be better "from a pressure point of view." ROD BLAGOJEVICH agreed to call Racetrack Executive.

8. It was further part of the conspiracy that defendant ROD BLAGOJEVICH and Monk did misrepresent, conceal and hide, and cause to be misrepresented, concealed, and hidden, the acts done in furtherance of the conspiracy and the purposes of those acts;

In violation of Title 18, United States Code, Sections 1951(a) and 2.



COUNT EIGHTEEN

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), and 1(e) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning on or about December 3, 2008, and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH, and  
ALONZO MONK,

defendants herein, did conspire with each other and others, to corruptly solicit and demand things of value, namely political contributions for the benefit of ROD BLAGOJEVICH, a agent of the State of Illinois, from Racetrack Executive and two horse racing tracks with which Racetrack Executive was affiliated, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the State of Illinois involving a thing of value of \$5,000 or more, namely, the signing of a bill that had passed the Illinois legislature and that would financially help the Illinois horse racing industry, the State of Illinois being a State government that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2008, to December 31, 2008, in violation of Title 18, United States Code, Section 666(a)(1)(B).

3. It was part of the conspiracy that on or about December 3, 2008, defendant ROD BLAGOJEVICH spoke with defendant MONK about Racetrack Executive, who, as ROD BLAGOJEVICH knew, managed horse racing tracks that would financially benefit from a bill that had been passed by the Illinois legislature on November 20, 2008, that would require certain Illinois casinos to give money to a fund that would be used to help the Illinois horse racing industry (the "Racing Bill"). As ROD BLAGOJEVICH knew, MONK had been talking with Racetrack Executive prior to December 3, 2008, about making a campaign contribution to ROD BLAGOJEVICH. During their conversation on or about December 3, 2008, ROD BLAGOJEVICH indicated to MONK that he was concerned that Racetrack Executive would not make a contribution by the end of the year if ROD BLAGOJEVICH signed the Racing Bill before the contribution was made. As a result, MONK and ROD BLAGOJEVICH agreed that MONK would speak with Racetrack Executive to ensure that Racetrack Executive would make a contribution by the end of the year.

4. It was further part of the conspiracy that after meeting with defendant ROD BLAGOJEVICH on or about December 3, 2008, defendant MONK visited Racetrack Executive. During that visit, MONK communicated to Racetrack Executive that ROD BLAGOJEVICH was concerned that Racetrack Executive would not make a contribution to ROD BLAGOJEVICH if the Racing Bill was signed before the contribution was made.

5. It was further part of the conspiracy that after meeting with Racetrack Executive on or about December 3, 2008, defendant MONK reported to defendant ROD BLAGOJEVICH that MONK had said to Racetrack Executive, "look, there is a concern that there is going to be some skittishness if your bill gets signed because of the timeliness of the commitment," and made it clear to Racetrack Executive that the contribution has "got to be in now." ROD BLAGOJEVICH responded, "good," and "good job."

6. It was further part of the conspiracy that on or about December 4, 2008, defendant MONK asked defendant ROD BLAGOJEVICH to call Racetrack Executive and to suggest that ROD BLAGOJEVICH would sign the Racing Bill, because this would be better "from a pressure point of view." ROD BLAGOJEVICH agreed to call Racetrack Executive.

7. It was further part of the conspiracy that defendants ROD BLAGOJEVICH and MONK did misrepresent, conceal and hide, and cause to be misrepresented, concealed, and hidden, the acts done in furtherance of the conspiracy and the purposes of those acts.

#### Overt Acts

8. In furtherance of the conspiracy and to effect its objects and purposes, defendants ROD BLAGOJEVICH and ALONZO MONK committed and caused to be committed the following overt acts, among others, within the Northern District of Illinois and elsewhere:

a. On or about December 3, 2008, in a meeting at the Friends of Blagojevich offices, defendant ROD BLAGOJEVICH indicated to defendant MONK that he was concerned that Racetrack Executive would not make a contribution by the end of the year if he signed the Racing Bill before the contribution was made and, as a result, MONK and ROD BLAGOJEVICH agreed that MONK would speak with Racetrack Executive to ensure that Racetrack Executive would make a contribution by the end of the year.

b. On or about December 3, 2008, after meeting with defendant ROD BLAGOJEVICH, defendant MONK visited Racetrack Executive and communicated to Racetrack Executive that ROD BLAGOJEVICH was concerned that Racetrack Executive would not make a contribution to ROD BLAGOJEVICH if the Racing Bill was signed before the contribution was made.

c. On or about December 3, 2008, after meeting with Racetrack Executive, defendant MONK reported to defendant ROD BLAGOJEVICH that MONK had said to Racetrack Executive, "look, there is a concern that there is going to be some skittishness if your bill gets signed because of the timeliness of the commitment," and made it clear to Racetrack Executive that the contribution has "got to be in now," to which ROD BLAGOJEVICH responded, "good," and "good job."

d. On or about December 4, 2008, defendant MONK asked defendant ROD BLAGOJEVICH to call Racetrack Executive and to suggest that

ROD BLAGOJEVICH would sign the Racing Bill, because this would be better "from a pressure point of view." ROD BLAGOJEVICH agreed to call Racetrack Executive.

All in violation of Title 18, United States Code, Section 371.

COUNT NINETEEN

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), and 1(e) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or about September 2008 and continuing through December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,

defendant herein, and others did attempt to commit extortion, which extortion would obstruct, delay, and affect commerce, in that the defendant attempted to obtain property, in the form of political contributions for the benefit of ROD BLAGOJEVICH from Construction Executive (who was both an executive with a company that supplied materials for road construction, and a representative of a trade group involved with the construction of roads), and from the company that employed Construction Executive, with the consent of Construction Executive and his employer under color of official right, and induced by the wrongful use of actual and threatened fear of economic harm;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT TWENTY

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), and 1(e) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or around September 2008, and continuing to on or about December 9, 2008, at Chicago, in the Northern District of Illinois, Eastern Division,

ROD BLAGOJEVICH,

defendant herein, as an agent of the State of Illinois, corruptly solicited and demanded things of value, namely political contributions from Construction Executive (who was both an executive with a company that supplied materials for road construction, and a representative of a trade group involved with the construction of roads), and from the company that employed Construction Executive, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the State of Illinois involving a thing of value of \$5,000 or more, namely, funding for road building programs, the State of Illinois being a State government that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2008, to December 31, 2008;

In violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2.

COUNT TWENTY-ONE

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), 1(e) through 1(g), and 1(l) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH, and  
ROBERT BLAGOJEVICH,

defendants herein, did conspire with John Harris and others to commit extortion in relation to the appointment of a United States Senator, which extortion would obstruct, delay, and affect commerce, in that they agreed to obtain property, for the benefit of ROD BLAGOJEVICH, from various individuals, with the consent of those individuals under color of official right.

3. It was part of the conspiracy that defendant ROD BLAGOJEVICH, with the assistance of defendant ROBERT BLAGOJEVICH and Harris, and others, sought to obtain financial benefits for himself and his wife, in return for the exercise of his duty under Illinois law to appoint a United States Senator to fill the vacancy created by the election of Barack Obama as President of the United States.



4. It was further part of the conspiracy that defendant ROD BLAGOJEVICH engaged in numerous conversations with others, at times including Harris and defendant ROBERT BLAGOJEVICH, certain high-ranking employees of the Office of the Governor, and certain political consultants, regarding the advantages and disadvantages of selecting various candidates for the Senate vacancy and as a part of those considerations, ROD BLAGOJEVICH and others devised and set in motion plans by which ROD BLAGOJEVICH could use his power to appoint a United States Senator to obtain financial benefits for himself and his wife. At times ROD BLAGOJEVICH directed others, including state employees, to assist in these endeavors, including by performing research and conveying messages to third parties.

5. It was further part of the conspiracy that defendant ROD BLAGOJEVICH and his co-conspirators devised and discussed means of using ROD BLAGOJEVICH's power to appoint a United States Senator in exchange for financial benefits for himself and his wife, which benefits would take the following forms, among others:

a. Presidential appointment of ROD BLAGOJEVICH to high-ranking positions in the federal government, including Secretary of Health and Human Services or an ambassadorship;

b. A highly paid leadership position with a private foundation dependent on federal aid, which ROD BLAGOJEVICH believed could be influenced by the President-elect to name ROD BLAGOJEVICH to such a position;

c. A highly paid leadership position with an organization known as "Change to Win," consisting of seven affiliated labor unions, which, in a transaction suggested by Harris, could appoint ROD BLAGOJEVICH as its chairman with the expectation that the President-elect would assist Change to Win with its national legislative agenda;

d. Employment for the wife of ROD BLAGOJEVICH with a union organization or lobbying firm, or on corporate boards of directors;

e. A highly paid leadership position with a newly-created not-for-profit corporation that ROD BLAGOJEVICH believed could be funded with large contributions by persons associated with the President-elect; and

f. Substantial campaign fundraising assistance from individuals seeking the United States Senate seat and their backers, including from Senate Candidate A, whose associate ROD BLAGOJEVICH understood to have offered \$1.5 million in campaign contributions in return for ROD BLAGOJEVICH's appointment of Senate Candidate A.

6. It was further part of the conspiracy that defendant ROD BLAGOJEVICH discussed with his co-conspirators means by which he could influence the President-elect to assist ROD BLAGOJEVICH in obtaining personal benefits for himself and his wife, including by appointing as United States Senator a candidate whom ROD BLAGOJEVICH believed to be favored by the President-elect. At times, ROD BLAGOJEVICH attempted to further this goal by conveying messages, directly and with the assistance of others, to individuals whom he believed to be in communication with the President-elect.

7. It was further part of the conspiracy that on or about December 4, 2008, defendant ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to contact a representative of Senate Candidate A, and advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur before the appointment. ROD BLAGOJEVICH instructed ROBERT BLAGOJEVICH to communicate the urgency of the message, and to do it in person, rather than over the phone. ROBERT BLAGOJEVICH agreed to do so, and thereafter arranged a meeting with an associate of Senate Candidate A.

8. It was further part of the conspiracy that on or about December 5, 2008, following the publication that day of a newspaper article reporting that defendant ROD BLAGOJEVICH had been surreptitiously recorded in connection

with an ongoing federal investigation, ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to cancel his meeting with the associate of Senate Candidate A, and ROBERT BLAGOJEVICH agreed to do so.

9. It was further part of the conspiracy that defendants ROD BLAGOJEVICH and ROBERT BLAGOJEVICH, and Harris, and others, did misrepresent, conceal and hide, and cause to be misrepresented, concealed, and hidden, the acts done in furtherance of the conspiracy and the purposes of those acts;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT TWENTY-TWO**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), 1(e) through 1(g), and 1(l) of Count One are realleged and incorporated as though fully set forth herein.

2. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH, and  
ROBERT BLAGOJEVICH,

defendants herein, and others did attempt to commit extortion in relation to the appointment of a United States Senator, which extortion would obstruct, delay, and affect commerce, in that the defendants attempted to obtain property, for the benefit of ROD BLAGOJEVICH, from various individuals, with the consent of those individuals under color of official right;

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT TWENTY-THREE**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a), 1(b), 1(e) through 1(g), and 1(l) of Count One are realleged and incorporated as though fully set forth herein.
2. Beginning in or about October 2008 and continuing through on or about December 9, 2008, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROD BLAGOJEVICH,  
ROBERT BLAGOJEVICH, and  
JOHN HARRIS,

defendants herein, did conspire with each other and others, to corruptly solicit and demand things of value, for the benefit of ROD BLAGOJEVICH, an agent of the State of Illinois, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the State of Illinois involving a thing of value of \$5,000 or more, namely, the appointment of a United States Senator, the State of Illinois being a State government that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2008, to December 31, 2008, in violation of Title 18, United States Code, Section 666(a)(1)(B).

3. It was part of the conspiracy that defendant ROD BLAGOJEVICH, with the assistance of defendants ROBERT BLAGOJEVICH and HARRIS, and

others, sought to obtain financial benefits for himself and his wife, in return for the exercise of his duty under Illinois law to appoint a United States Senator to fill the vacancy created by the election of Barack Obama as President of the United States.

4. It was further part of the conspiracy that defendant ROD BLAGOJEVICH engaged in numerous conversations with others, at times including defendants HARRIS and ROBERT BLAGOJEVICH, certain high-ranking employees of the Office of the Governor, and certain political consultants, regarding the advantages and disadvantages of selecting various candidates for the Senate vacancy and as a part of those considerations, ROD BLAGOJEVICH and others devised and set in motion plans by which ROD BLAGOJEVICH could use his power to appoint a United States Senator to obtain financial benefits for himself and his wife. At times ROD BLAGOJEVICH directed others, including state employees, to assist in these endeavors, including by performing research and conveying messages to third parties.

5. It was further part of the conspiracy that defendant ROD BLAGOJEVICH and his co-conspirators devised and discussed means of using ROD BLAGOJEVICH's power to appoint a United States Senator in exchange

for financial benefits for himself and his wife, which benefits would take the following forms, among others:

- a. Presidential appointment of ROD BLAGOJEVICH to high-ranking positions in the federal government, including Secretary of Health and Human Services or an ambassadorship;
- b. A highly paid leadership position with a private foundation dependent on federal aid, which ROD BLAGOJEVICH believed could be influenced by the President-elect to name ROD BLAGOJEVICH to such a position;
- c. A highly paid leadership position with an organization known as "Change to Win," consisting of seven affiliated labor unions, which, in a transaction suggested by defendant HARRIS, could appoint ROD BLAGOJEVICH as its chairman with the expectation that the President-elect would assist Change to Win with its national legislative agenda;
- d. Employment for the wife of ROD BLAGOJEVICH with a union organization or lobbying firm, or on corporate boards of directors;
- e. A highly paid leadership position with a newly-created not-for-profit corporation that ROD BLAGOJEVICH believed could be funded with large contributions by persons associated with the President-elect; and



f. Substantial campaign fundraising assistance from individuals seeking the United States Senate seat and their backers, including from Senate Candidate A, whose associate ROD BLAGOJEVICH understood to have offered \$1.5 million in campaign contributions in return for ROD BLAGOJEVICH's appointment of Senate Candidate A.

6. It was further part of the conspiracy that defendant ROD BLAGOJEVICH discussed with his co-conspirators means by which he could influence the President-elect to assist ROD BLAGOJEVICH in obtaining personal benefits for himself and his wife, including by appointing as United States Senator a candidate whom ROD BLAGOJEVICH believed to be favored by the President-elect. At times, ROD BLAGOJEVICH attempted to further this goal by conveying messages, directly and with the assistance of others, to individuals whom he believed to be in communication with the President-elect.

7. It was further part of the conspiracy that on or about December 4, 2008, defendant ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to contact a representative of Senate Candidate A, and advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur before the appointment. ROD BLAGOJEVICH instructed ROBERT BLAGOJEVICH to communicate the urgency of the message, and to do it in person, rather than

over the phone. ROBERT BLAGOJEVICH agreed to do so, and thereafter arranged a meeting with an associate of Senate Candidate A.

8. It was further part of the conspiracy that on or about December 5, 2008, following the publication that day of a newspaper article reporting that defendant ROD BLAGOJEVICH had been surreptitiously recorded in connection with an ongoing federal investigation, ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to cancel his meeting with the associate of Senate Candidate A, and ROBERT BLAGOJEVICH agreed to do so.

9. It was further part of the conspiracy that defendants ROD BLAGOJEVICH, ROBERT BLAGOJEVICH, HARRIS, and others, did misrepresent, conceal and hide, and cause to be misrepresented, concealed, and hidden, the acts done in furtherance of the conspiracy and the purposes of those acts.

#### Overt Acts

10. In furtherance of the conspiracy and to effect its objects and purposes, defendants ROD BLAGOJEVICH, ROBERT BLAGOJEVICH, JOHN HARRIS, and others committed and caused to be committed the following overt acts, among others, within the Northern District of Illinois and elsewhere:

a. On or about November 1, 2008, defendants ROD BLAGOJEVICH and ROBERT BLAGOJEVICH, discussed potential contributions from Senate Candidate C and Senate Candidate A.

b. On or about November 6, 2008, defendants ROD BLAGOJEVICH and HARRIS discussed attempting to obtain a highly paid leadership position with an organization known as "Change to Win" for ROD BLAGOJEVICH in exchange for ROD BLAGOJEVICH appointing a particular individual to the vacant Senate seat.

c. On or about November 6, 2008, defendant ROD BLAGOJEVICH met with a labor union official who he believed to be in contact with the President-elect in regard to the vacant Senate seat, and suggested to the labor union official that ROD BLAGOJEVICH would appoint Senate Candidate B to the vacant Senate seat in exchange for ROD BLAGOJEVICH being named the Secretary of Health and Human Services.

d. On or about November 7, 2008, defendants ROD BLAGOJEVICH, HARRIS, and Advisor A, discussed financial benefits that ROD BLAGOJEVICH could request in exchange for the appointment of Senate Candidate B to the United States Senate.

e. On or about November 10, 2008, defendants ROD BLAGOJEVICH, HARRIS, and others discussed financial benefits that ROD

BLAGOJEVICH could request in exchange for the appointment of Senate Candidate B to the United States Senate.

f. On or about November 12, 2008, defendant ROD BLAGOJEVICH and Advisor A discussed a proposal where, in exchange for the appointment of Senate Candidate B to the United States Senate, a not-for-profit organization would be set up where ROD BLAGOJEVICH would be employed when he was no longer governor.

g. On or about November 12, 2008, defendant ROD BLAGOJEVICH and a labor union official (Session 541) had a discussion in which ROD BLAGOJEVICH proposed that, in exchange for the appointment of Senate Candidate B to the United States Senate, a not-for-profit organization be set up and funded where ROD BLAGOJEVICH would be employed when he was no longer governor.

h. On or about November 12, 2008, defendant ROD BLAGOJEVICH and a labor union official (Session 546) had a discussion in which ROD BLAGOJEVICH informed the union official that it was a very real possibility that Senate Candidate B could get the United States Senate appointment, and again raised his interest in employment by a not-for-profit organization.

i. On or about November 13, 2008, defendant ROD BLAGOJEVICH and Advisor B (Session 624) had a discussion in which they discussed presenting to United States Congressman A a proposal by ROD BLAGOJEVICH that a not-for-profit organization be set up and funded and that the connection between setting up this organization and the awarding of the U.S. Senate seat would be "unsaid."

j. On or about November 13, 2008, defendant ROD BLAGOJEVICH and Advisor B (Session 627) had a discussion in which ROD BLAGOJEVICH asked Advisor B to call Lobbyist A and ask Lobbyist A to present to United States Congressman A ROD BLAGOJEVICH's proposal that a not-for-profit organization be set up and that, while it would be unsaid, this would be a "play" to obtain a financial benefit for ROD BLAGOJEVICH in return for the awarding of the United States Senate seat.

k. On or about December 4, 2008, defendant ROD BLAGOJEVICH, Deputy Governor A, and Advisor A had a discussion in which ROD BLAGOJEVICH said that if he gave the Senate seat to Senate Candidate A, there would be "tangible political support . . . specific amounts and everything . . . . some of it up front."

l. On or about December 4, 2008, defendant ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to contact a

representative of Senate Candidate A, and advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur before the appointment. ROD BLAGOJEVICH instructed ROBERT BLAGOJEVICH to communicate the urgency of the message, and to do it in person, rather than over the phone. ROBERT BLAGOJEVICH agreed to do so.

m. On or about December 4, 2008, defendant ROBERT BLAGOJEVICH arranged a meeting with a representative of Senate Candidate A, after getting direction from defendant ROD BLAGOJEVICH to contact the representative of Senate Candidate A in order to advise the representative that if Senate Candidate A was going to be chosen to fill the Senate seat, some of the promised fundraising had to occur before the appointment.

n. On or about December 5, 2008, following the publication that day of a newspaper article reporting that defendant ROD BLAGOJEVICH had been surreptitiously recorded in connection with an ongoing federal investigation, ROD BLAGOJEVICH instructed defendant ROBERT BLAGOJEVICH to cancel his meeting with the associate of Senate Candidate A.

All in violation of Title 18, United States Code, Section 371.

**COUNT TWENTY-FOUR**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. Paragraphs 1(a) and (b) of Count One are realleged and incorporated as though fully set forth herein.

2. In 2005, the Federal Bureau of Investigation was investigating corruption and fraudulent conduct relating to the Office of the Governor of Illinois and related entities and individuals (the "Investigation"). As of March 16, 2005, the following matters, among others, were material to the Investigation:

a. Whether defendant ROD BLAGOJEVICH and his associates solicited business entities for campaign contributions for the benefit of ROD BLAGOJEVICH in exchange for obtaining or keeping state contracts and other business opportunities with State agencies, boards, and commissions;

b. Whether defendant ROD BLAGOJEVICH and his associates solicited individuals for campaign contributions for the benefit of ROD BLAGOJEVICH as a condition of obtaining state employment and appointments to state boards and commissions;

c. Whether defendant ROD BLAGOJEVICH and his associates required that campaign contributions for the benefit of ROD BLAGOJEVICH be in certain amounts in order for the contributors to obtain state employment,

appointments to state boards and commissions, state contracts, and other business opportunities with state entities;

d. Whether, after becoming Governor of Illinois, defendant ROD BLAGOJEVICH kept informed of the individuals and entities contributing to his political campaign and the amounts of the contributions.

2. On or about March 16, 2005, in Chicago, in the Northern District of Illinois, Eastern Division,

ROD BLAGOJEVICH,

defendant herein, did knowingly and willfully make materially false, fictitious and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency within the executive branch of the Government of the United States, when ROD BLAGOJEVICH, interviewed by agents of the Federal Bureau of Investigation in the presence of his counsel, stated in sum and substance that:

Since the time that he became governor,

- (i) ROD BLAGOJEVICH has tried to maintain a firewall between politics and government; and
- (ii) ROD BLAGOJEVICH does not track, or want to know, who contributes to him or how much they are contributing to him;



Whereas, in truth and in fact, as ROD BLAGOJEVICH then well knew, these statements were false;

In violation of Title 18, United States Code, Section 1001(a)(2).

**FORFEITURE ALLEGATION ONE**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations contained in Count One and Count Two are realleged and incorporated by reference for the purposes of alleging forfeiture pursuant to Title 18, United States Code, Section 1963.

2. As a result of the violations of Title 18, United States Code, Sections 1962(c) and 1962(d), as alleged in the foregoing indictment,

ROD BLAGOJEVICH,

defendant herein:

a. has acquired and maintained interests in violation of Title 18, United States Code, Section 1962, which interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1);

b. has interests in, claims against, and property and contractual rights affording sources of influence over, the enterprise, described in Count One, which the defendant established, operated, controlled, conducted, and participated in the conduct of, and conspired to do so, in violation of Title 18, United States Code, Section 1962, thereby making all such interests, claims, and property and contractual rights subject to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 1963(a)(2); and

c. has property constituting and derived from proceeds obtained,

directly and indirectly, from racketeering activity in violation of Title 18, United States Code, Section 1963(a)(3).

3. The interests of the defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 1963(a)(1), (a)(2), and (a)(3) include but are not limited to:

- (a) All funds, certificates of deposit, letters of credit and assets held by Ravenswood Bank, DuQuoin State Bank, First Suburban National Bank, and Community Bank of DuPage in the name of or on behalf of Friends of Blagojevich; and
- (b) Approximately \$438,370.

4. To the extent that the property and the proceeds described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 1963, as a result of any acts or omission by the defendant:

cannot be located upon the exercise of due diligence;

have been transferred or sold to, or deposited with, a third party;

have been placed beyond the jurisdiction of the Court;

have been substantially diminished in value, or;

have been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States of America, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of the

defendant up to the value of the proceeds and property described above as being subject to forfeiture, including:

- a. Real property located at 1736 18<sup>th</sup> Street, NW, Apartment 303, Washington, DC, 20009-6105 and legally described as follows:

Lot 2075, Block 0133, Map 40 D  
PIN: 0133 // 2075

- b. Real property located at 2934 Sunnyside Avenue, Chicago, Illinois, and legally described as follows:

LOT 24 AND THE SOUTH 20 FEET OF LOT 25 IN BLOCK 52 IN RAVENSWOOD MANOR, BEING A SUBDIVISION OF PART OF THE NORTH ¼ OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS  
PIN: 13-13-121-031;

Pursuant to Title 18, United States Code, Section 1963.

**FORFEITURE ALLEGATION TWO**

The SPECIAL FEBRUARY 2008-2 GRAND JURY further charges:

1. The allegations contained in Counts Three through Thirteen are realleged and incorporated by reference for the purposes of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. As a result of the violations of Title 18, United States Code, Sections 1343 and 1346, as alleged in the foregoing indictment,

ROD BLAGOJEVICH,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section, 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all right, title and interest in property, real and personal, which constitutes and is derived from proceeds traceable to the charged offenses.

3. The interests of the defendant subject to forfeiture pursuant to Title 18, United States Code, Section, 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) include but are not limited to approximately \$438,370.

4. If any of the property subject to forfeiture and described above, as a result of any act or omission of the defendant:

Cannot be located upon the exercise of due diligence;

Has been transferred or sold to, or deposited with, a third party;

Has been placed beyond the jurisdiction of the Court;

Has been substantially diminished in value; or

Has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), including

- a. Real property located at 1736 18<sup>th</sup> Street, NW, Apartment 303, Washington, District of Columbia, 20009-6105 and legally described as follows:

Lot 2075, Block 0133, Map 40 D  
PIN: 0133 // 2075

- b. Real property located at 2934 Sunnyside Avenue Chicago, Illinois, and legally described as follows:

LOT 24 AND THE SOUTH 20 FEET OF LOT 25 IN BLOCK 52 IN RAVENSWOOD MANOR, BEING A SUBDIVISION OF PART OF THE NORTH  $\frac{1}{2}$  OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS  
PIN: 13-13-121-031;

Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

UNITED STATES ATTORNEY

FOREPERSON

I hereby attest and certify on 5-15-19  
that the foregoing document is a full, true, and  
correct copy of the original on file in my  
office and in my legal custody.

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

(Signature)

**ADMINISTRATOR'S EXHIBIT 2**

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## **ADMINISTRATOR'S EXHIBIT 2**



UNITED STATES DISTRICT COURT  
Northern District of Illinois

UNITED STATES OF AMERICA

v.

Rod Blagojevich

AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 08cr888-1

USM Number: 40892-424

Leonard C. Goodman

Defendant's Attorney

Date of Original Judgment: 12/7/2011  
(Or Date of Last Amended Judgment)

Reason for Amendment:

- ☒ Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
- ☐ Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))
- ☐ Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))
- ☐ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)
- ☐ Modification of Supervision Conditions (18 U.S.C. §§ 3563(c), 3583(e))
- ☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
- ☐ Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
- ☐ Direct Motion to District Court Pursuant to 28 U.S.C. § 225: or ☐ 18 U.S.C. § 3559(e)(7)
- ☐ Modification of Restitution Order (18 U.S.C. § 3664)

THE DEFENDANT:

- ☐ pleaded guilty to count(s)
- ☐ pleaded nolo contendere to count(s) which was accepted by the court.
- \*☒ was found guilty on count(s) 3s, 7s-13s, 15s-18s and 24s of the Second Superseding Indictment after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. §§ 1343	Wire Fraud Under Color of Official Right/Extortion Under Color of Official Right (Attempt/Conspiracy)/Conspiracy to Solicit and Solicitation of Bribe	12/9/2008	3s, 7s-13s, 15s-
18 U.S.C. §1001	False Statements	12/9/2008	24s

The defendant is sentenced as provided in pages 1 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☒ The defendant has been found not guilty on count(s) 20s
- \*☒ Count(s) 1-13 & 16-19; 4s-6s, 14s, 19s, 21s - 23s dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

I hereby attest and certify on 5-15-19  
that the foregoing document is a full, true, and  
correct copy of the original on file in my  
office and in my legal custody.

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

(Signature)

8/9/2016

Date of Imposition of Judgment

Signature of Judge

James B. Zagel, U.S. District Judge  
Name and Title of Judge

Date 8/12/2016

DEFENDANT: ROD BLAGOJEVICH  
CASE NUMBER: 08CR888-1

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:  
\*One hundred and sixty eight (168) months. Said term consists of one hundred sixty eight (168) months on Counts three (3s), seven through thirteen (7s-13s), fifteen (15s) and seventeen (17s); sixty (60) months on Counts sixteen (16s) and eighteen (18s); and thirty six (36) months on Count twenty four (24s) to run concurrently to each other for a total term of imprisonment of one hundred and sixty eight (168) months.

- ☒ The court makes the following recommendations to the Bureau of Prisons: Remain incarcerated at FCI Englewood, CO. Continue participation in RDAP while incarcerated.
- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at \_\_\_\_\_ on \_\_\_\_\_
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2:00 pm on \_\_\_\_\_
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

DEFENDANT: ROD BLAGOJEVICH  
CASE NUMBER: 08CR888-1

### MANDATORY CONDITIONS OF SUPERVISED RELEASE PURSUANT TO 18 U.S.C § 3583(d)

Upon release from imprisonment, you shall be on supervised release for a term of:

~~Two (2) years. Said term consists of two (2) years on each of counts three (3a), seven (7a) through thirteen (13a), fifteen (15a) through eighteen (18a), and twenty-four (24a) to run concurrently to each other for a total term of supervised release of two (2) years.~~

You must report to the probation office in the district to which you are released within 72 hours of release from the custody of the Bureau of Prisons. The court imposes those conditions identified by checkmarks below:

During the period of supervised release:

- ☒ (1) you shall not commit another Federal, State, or local crime.
- ☒ (2) you shall not unlawfully possess a controlled substance.
- ☐ (3) you shall attend a public, private, or private nonprofit offender rehabilitation program that has been approved by the court, if an approved program is readily available within a 50-mile radius of your legal residence. [Use for a first conviction of a domestic violence crime, as defined in § 3561(b).]
- ☐ (4) you shall register and comply with all requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16913).
- ☒ (5) you shall cooperate in the collection of a DNA sample if the collection of such a sample is required by law.
- ☒ (6) you shall refrain from any unlawful use of a controlled substance AND submit to one drug test within 15 days of release on supervised release and at least two periodic tests thereafter, up to 104 periodic tests for use of a controlled substance during each year of supervised release. [This mandatory condition may be ameliorated or suspended by the court for any defendant if reliable sentencing information indicates a low risk of future substance abuse by the defendant.]

### DISCRETIONARY CONDITIONS OF SUPERVISED RELEASE PURSUANT TO 18 U.S.C § 3563(b) AND 18 U.S.C § 3583(d)

Discretionary Conditions — The court orders that you abide by the following conditions during the term of supervised release because such conditions are reasonably related to the factors set forth in § 3553(a)(1) and (a)(2)(B), (C), and (D); such conditions involve only such deprivations of liberty or property as are reasonably necessary for the purposes indicated in § 3553 (a)(2) (B), (C), and (D); and such conditions are consistent with any pertinent policy statement issued by the Sentencing Commission pursuant to 28 U.S.C. 994a. The court imposes those conditions identified by checkmarks below:

During the period of supervised release:

- ☒ (1) you shall provide financial support to any dependents if financially able.
- ☐ (2) you shall make restitution to a victim of the offense under § 3556 (but not subject to the limitation of § 3663(a) or § 3663A(c)(1)(A)).
- ☐ (3) you shall give to the victims of the offense notice pursuant to the provisions of § 3555, as follows:
- ☒ (4) you shall seek, and work conscientiously at, lawful employment or pursue conscientiously a course of study or vocational training that will equip you for employment.
- ☐ (5) you shall refrain from engaging in a specified occupation, business, or profession bearing a reasonably direct relationship to the conduct constituting the offense, or engage in such a specified occupation, business, or profession only to a stated degree or under stated circumstances; (if checked yes, please indicate restriction(s))
- ☒ (6) you shall refrain from knowingly meeting or communicating with any person whom you know to be engaged, or planning to be engaged, in criminal activity and from:
  - ☐ visiting the following type of places:
  - ☐ knowingly meeting or communicating with the following persons:
- ☒ (7) you shall refrain from ☒ any or ☐ excessive use of alcohol (defined as ☐ having a blood alcohol concentration greater than 0.08; or ☐ ), or any use of a narcotic drug or other controlled substance, as defined in § 102 of the Controlled Substances Act (21 U.S.C. § 802), without a prescription by a licensed medical practitioner.
- ☒ (8) you shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
- ☐ (9) ☐ you shall participate, at the direction of a probation officer, in a substance abuse treatment program, which may include urine testing up to a maximum of 104 tests per year.
  - ☐ you shall participate, at the direction of a probation officer, in a mental health treatment program, which may include the use of prescription medications.
  - ☐ you shall participate, at the direction of a probation officer, in medical care; (if checked yes, please specify:

DEFENDANT: ROD BLAGOJEVICH  
CASE NUMBER: 08CR888-1

- ☐ (10) (intermittent confinement): you shall remain in the custody of the Bureau of Prisons during nights, weekends, or other intervals of time, totaling [redacted] [no more than the lesser of one year or the term of imprisonment authorized for the offense], during the first year of the term of supervised release (provided, however, that a condition set forth in § 3563(b)(10) shall be imposed only for a violation of a condition of supervised release in accordance with § 3583(e)(2) and only when facilities are available) for the following period [redacted].
- ☐ (11) (community confinement): you shall reside at, or participate in the program of a community corrections facility (including a facility maintained or under contract to the Bureau of Prisons) for all or part of the term of supervised release, for a period of [redacted] months.
- ☐ (12) you shall work in community service for [redacted] hours as directed by a probation officer.
- ☐ (13) you shall reside in the following place or area: [redacted], or refrain from residing in a specified place or area: [redacted].
- ☒ (14) you shall remain within the jurisdiction where you are being supervised, unless granted permission to leave by the court or a probation officer.
- ☒ (15) you shall report to a probation officer as directed by the court or a probation officer.
- ☒ (16) ☒ you shall permit a probation officer to visit you ☒ at any reasonable time or ☐ as specified:  
☒ at home ☒ at work ☐ at school ☒ at a community service location  
☒ other reasonable location specified by a probation officer
- ☒ you shall permit confiscation of any contraband observed in plain view of the probation officer.
- ☒ (17) you shall notify a probation officer promptly, within 72 hours, of any change in residence, employer, or workplace and, absent constitutional or other legal privilege, answer inquiries by a probation officer.
- ☒ (18) you shall notify a probation officer promptly, within 72 hours, if arrested or questioned by a law enforcement officer.
- ☐ (19) (home confinement): you shall remain at your place of residence for a total of [redacted] months during nonworking hours. [This condition may be imposed only as an alternative to incarceration.]  
☐ Compliance with this condition shall be monitored by telephonic or electronic signaling devices (the selection of which shall be determined by a probation officer). Electronic monitoring shall ordinarily be used in connection with home detention as it provides continuous monitoring of your whereabouts. Voice identification may be used in lieu of electronic monitoring to monitor home confinement and provides for random monitoring of your whereabouts. If the offender is unable to wear an electronic monitoring device due to health or medical reasons, it is recommended that home confinement with voice identification be ordered, which will provide for random checks on your whereabouts. Home detention with electronic monitoring or voice identification is not deemed appropriate and cannot be effectively administered in cases in which the offender has no bona fide residence, has a history of violent behavior, serious mental health problems, or substance abuse; has pending criminal charges elsewhere; requires frequent travel inside or outside the district; or is required to work more than 60 hours per week.  
☐ You shall pay the cost of electronic monitoring or voice identification at the daily contractual rate, if you are financially able to do so.  
☐ The Court waives the electronic/location monitoring component of this condition.
- ☐ (20) you shall comply with the terms of any court order or order of an administrative process pursuant to the law of a State, the District of Columbia, or any other possession or territory of the United States, requiring payments by you for the support and maintenance of a child or of a child and the parent with whom the child is living.
- ☐ (21) (deportation): you shall be surrendered to a duly authorized official of the Homeland Security Department for a determination on the issue of deportability by the appropriate authority in accordance with the laws under the Immigration and Nationality Act and the established implementing regulations. If ordered deported, you shall not reenter the United States without obtaining, in advance, the express written consent of the Attorney General or the Secretary of the Department of Homeland Security.
- ☒ (22) you shall satisfy such other special conditions as ordered below.
- ☐ (23) (if required to register under the Sex Offender Registration and Notification Act) you shall submit at any time, with or without a warrant, to a search of your person and any property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects, by any law enforcement or probation officer having reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct by you, and by any probation officer in the lawful discharge of the officer's supervision functions (see special conditions section).
- ☐ (24) Other:

**SPECIAL CONDITIONS OF SUPERVISED RELEASE PURSUANT TO 18 U.S.C. 3563(b)(22) and 3583(d)**  
The court imposes those conditions identified by checkmarks below:

During the term of supervised release:

- ☐ (1) if you have not obtained a high school diploma or equivalent, you shall participate in a General Educational


DEFENDANT: ROD BLAGOJEVICH

CASE NUMBER: 08CR888-1

- ☐ (2) Development (GED) preparation course and seek to obtain a GED within the first year of supervision.
- ☒ (3) you shall participate in an approved job skill-training program at the direction of a probation officer within the first 60 days of placement on supervision.
- ☐ (4) you shall, if unemployed after the first 60 days of supervision, or if unemployed for 60 days after termination or lay-off from employment, perform at least 20 hours of community service per week at the direction of the U.S. Probation Office until gainfully employed. The amount of community service shall not exceed 200 hours.
- ☐ (5) you shall not maintain employment where you have access to other individual's personal information, including, but not limited to, Social Security numbers and credit card numbers (or money) unless approved by a probation officer.
- ☐ (6) you shall not incur new credit charges or open additional lines of credit without the approval of a probation officer unless you are in compliance with the financial obligations imposed by this judgment.
- ☐ (7) you shall provide a probation officer with access to any requested financial information necessary to monitor compliance with conditions of supervised release.
- ☐ (8) you shall notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.
- ☐ (9) you shall provide documentation to the IRS and pay taxes as required by law.
- ☐ (9) you shall participate in a sex offender treatment program. The specific program and provider will be determined by a probation officer. You shall comply with all recommended treatment which may include psychological and physiological testing. You shall maintain use of all prescribed medications.
  - ☐ You shall comply with the requirements of the Computer and Internet Monitoring Program as administered by the United States Probation Office. You shall consent to the installation of computer monitoring software on all identified computers to which you have access. The software may restrict and/or record any and all activity on the computer, including the capture of keystrokes, application information, Internet use history, email correspondence, and chat conversations. A notice will be placed on the computer at the time of installation to warn others of the existence of the monitoring software. You shall not remove, tamper with, reverse engineer, or in any way circumvent the software.
  - ☐ The cost of the monitoring shall be paid by you at the monthly contractual rate, if you are financially able, subject to satisfaction of other financial obligations imposed by this judgment.
  - ☐ You shall not possess or use any device with access to any online computer service at any location (including place of employment) without the prior approval of a probation officer. This includes any Internet service provider, bulletin board system, or any other public or private network or email system.
  - ☐ You shall not possess any device that could be used for covert photography without the prior approval of a probation officer.
  - ☐ You shall not view or possess child pornography. If the treatment provider determines that exposure to other sexually stimulating material may be detrimental to the treatment process, or that additional conditions are likely to assist the treatment process, such proposed conditions shall be promptly presented to the court, for a determination, pursuant to 18 U.S.C. § 3583(e)(2), regarding whether to enlarge or otherwise modify the conditions of supervision to include conditions consistent with the recommendations of the treatment provider.
  - ☐ You shall not, without the approval of a probation officer and treatment provider, engage in activities that will put you in unsupervised private contact with any person under the age of 18, or visit locations where children regularly congregate (e.g., locations specified in the Sex Offender Registration and Notification Act.)
  - ☐ This condition does not apply to your family members: ~~ASB~~ [Names]
  - ☐ Your employment shall be restricted to the district and division where you reside or are supervised, unless approval is granted by a probation officer. Prior to accepting any form of employment you shall seek the approval of a probation officer, in order to allow the probation officer the opportunity to assess the level of risk to the community you will pose if employed in a particular capacity. You shall not participate in any volunteer activity that may cause you to come into direct contact with children except under circumstances approved in advance by a probation officer and treatment provider.
  - ☐ You shall provide the probation officer with copies of your telephone bills, all credit card statements/receipts, and any other financial information requested.
  - ☐ You shall comply with all state and local laws pertaining to convicted sex offenders, including such laws that impose restrictions beyond those set forth in this order.
- ☐ (10) you shall pay any financial penalty that is imposed by this judgment that remains unpaid at the commencement of the term of supervised release. Your monthly payment schedule shall be an amount that is at least \$~~100.00~~ or ~~10.00~~% of your net monthly income, defined as income net of reasonable expenses for basic necessities such as food, shelter, utilities, insurance, and employment-related expenses.
- ☒ (11) you shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the court.
- ☐ (12) you shall repay the United States "buy money" in the amount of \$ which you received during the commission of this offense.

DEFENDANT: ROD BLAGOJEVICH

CASE NUMBER: 08CR888-1

- ☐ (13) if the probation officer determines that you pose a risk to another person (including an organization or members of the community), the probation officer may require you to tell the person about the risk, and you must comply with that instruction. Such notification could include advising the person about your record of arrests and convictions and substance use. The probation officer may contact the person and confirm that you have told the person about the risk.
- ☐ (14) Other: 

**CRIMINAL MONETARY PENALTIES**  
The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

**Totals**

**Assessment**  
**\$\*1300.00**

**Fine**  
**\$20,000.00**

**Restitution**  
§

- ☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

[illegible]

- ☐ Restitution amount ordered pursuant to plea agreement \$
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☒ the interest requirement is waived for the fine .
- ☐ the interest requirement for the \_\_\_\_\_ is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: ROD BLAGOJEVICH  
CASE NUMBER: 08CR888-1

## SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☐ Lump sum payment of \$21,300 due immediately.
- ☐ balance due not later than \_\_\_\_\_, or
- ☐ balance due in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal *(e.g. weekly, monthly, quarterly)* installments of \$ \_\_\_\_\_ over a period of *(e.g., months or years)* commence *(e.g., 30 or 60 days)* after the date of this judgment; or
- D ☐ Payment in equal *(e.g. weekly, monthly, quarterly)* installments of \$ \_\_\_\_\_ over a period of *(e.g., months or years)* commence *(e.g., 30 or 60 days)* after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within *(e.g., 30 or 60 days)* after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number	Total Amount	Joint and Several Amount	Corresponding Payee, if Appropriate
Defendant and Co-Defendant Names (including defendant number)			

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.



# **Exhibit 2**

**BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION**

In the Matter of:

**ROD R. BLAGOJEVICH,**

Attorney-Respondent,

No. 6186764.

Commission No. 2019PR00061

**ORDER**

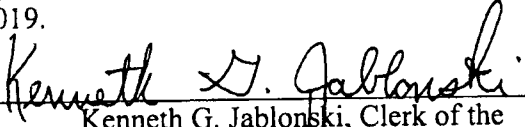
Upon consideration of the Administrator's Motion to Deem the Allegations of the Complaint Admitted Pursuant to Commission Rule 236 (Motion) and Respondent having received due notice and filed no response;

**IT IS HEREBY ORDERED THAT:**

1. The Administrator's Motion is granted; and
2. The allegations of the Complaint are deemed admitted. No further proof of the allegations of the Complaint is required.

**CERTIFICATION**

I, Kenneth G. Jablonski, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the order, approved by the Hearing Board Chair, entered in the above entitled cause of record filed in my office on September 10, 2019.

  
Kenneth G. Jablonski, Clerk of the  
Attorney Registration and Disciplinary  
Commission of the Supreme Court of Illinois

**FILED**

September 10, 2019

**ARDC CLERK**

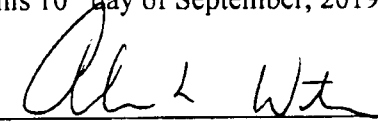
**PROOF OF SERVICE**

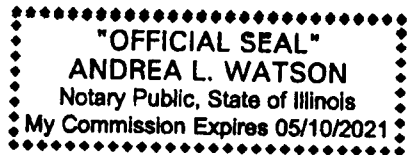
I, Michelle M. Thome, on oath state that I served a copy of this Order on Counsel for Respondent listed at the e-mail address shown below on September 10, 2019, at or before 5:00 p.m. At the same time, a copy of this Order was sent to Counsel for the Administrator by e-mail service.

Sheldon M. Sorosky  
Counsel for Respondent  
soroskylaw@gmail.com

  
\_\_\_\_\_  
Michelle M. Thome

Subscribed and sworn to before me  
this 10<sup>th</sup> day of September, 2019.

  
\_\_\_\_\_  
Notary Public



# **Exhibit 3**

BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION

In the Matter of:

ROD R. BLAGOJEVICH,

Attorney-Respondent,

No. 6186764.

Commission No. 2019PR00061

ENTRY OF APPEARANCE AND ACCEPTANCE OF SERVICE  
PURSUANT TO RULE 214(d)

I, Sheldon Mitchell Sorosky, hereby enter my appearance and agree to accept electronic service of the Complaint, Notice of Complaint, Order Assigning Chairperson of the Hearing Panel, Rules of the Supreme Court of Illinois and Pre-hearing Conference Procedures Memorandum regarding the above captioned matter, and authorize the Administrator's staff to file this document with the Clerk of the Commission.

DATED: \_\_\_\_\_

8/7/19

  
Sheldon Mitchell Sorosky

Name: Sheldon Mitchell Sorosky  
Law Offices of Sheldon Sorosky, Ltd.  
Address: 717 Ridge Road  
Wilmette, IL 60091  
Telephone: (847) 251-1776  
Email: [soroskylaw@gmail.com](mailto:soroskylaw@gmail.com)

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FILED  
8/8/2019 9:24 AM  
ARDC Clerk