



Department of Justice

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FORMER EMPLOYEE CHARGED
WITH DEFRAUDING HOME DEPOT
IN VENDOR KICKBACK SCHEME AND TAX EVASION

Atlanta, GA - ANTHONY M. TESVICH, 42, of Atlanta, Georgia, was charged today in a Criminal Information with three counts of tax evasion and one count of conspiracy to commit wire fraud against Home Depot, relating to a kickback scheme from vendors. TESVICH made his initial appearance today before United States Magistrate Gerrilyn G. Brill.

United States Attorney David E. Nahmias said, "This defendant has been charged with taking millions of dollars in secret payoffs from Home Depot's vendors and then not reporting or paying taxes on that corrupt income. Vendor kickbacks to corporate employees corrupt fair competition and the honest operations of American businesses, and those who pay, receive, or solicit such payoffs may face federal prosecution."

"Participating in a kickback scheme like this cheats the competitive process," said Thomas O. Barnett, Assistant Attorney General in charge of the Department's Antitrust Division in Washington, D.C. "The Antitrust Division will vigorously prosecute those who engage in this kind of conspiracy."

IRS-Criminal Investigation Special Agent in Charge Rebecca A. Sparkman said, "It is vital for the strength of our economy that our large corporations be free of individuals who willingly choose to jeopardize the businesses' best interests for their personal enrichment. This is a textbook case of what can happen when an employee chooses greed over integrity. IRS Criminal Investigation is committed to investigate corporate fraud at all levels to help bring corrupt employees to justice."

According to United States Attorney Nahmias, the Criminal Information and information presented in court: From October 2002 through October 2007, TESVICH allegedly participated in a conspiracy to defraud Home Depot by taking kickbacks from vendors seeking to do business with Home Depot, paying kickbacks to fellow employees to further that scheme while he worked for Home Depot, and continuing to pay kickbacks to his former colleagues when he left Home Depot to further the interests of those

vendors. According to the Criminal Information, TESVICH allegedly took the payoffs from foreign suppliers/vendors to insure those vendors' products were chosen for inclusion in the company's stores throughout the country. The Criminal Information also charges that even after TESVICH left the company, he also allegedly gave substantial cash payments - which he called "french fries" and "milk shakes"- to co-conspirator employees at Home Depot. One co-conspirator also received a luxury SUV from TESVICH.

TESVICH is also charged with evading federal taxes on his corrupt income for tax years 2003 (\$212,937 in unpaid taxes); 2004 (\$821,981 in unpaid taxes); and 2005 (\$386,997 in unpaid taxes).

Anyone with information on such corporate kickbacks and fraud is asked to call the FBI at 404-679-9000.

This case is being investigated by the Internal Revenue Service-Criminal Investigation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation. Home Depot has cooperated in the federal investigation.

This case is being prosecuted by John R. Fitzpatrick, Trial Attorney for the United States Department of Justice Antitrust Division, Atlanta Field Office; Assistant United States Attorney Russell Phillips, and Assistant United States Attorney Sally Molloy.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.