



Department of Justice

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Northern District of Georgia

FOR IMMEDIATE RELEASE

06/12/08

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SECOND FORMER HOME DEPOT EMPLOYEE CHARGED IN ALLEGED VENDOR KICKBACK SCHEME

Atlanta, GA - JAMES P. ROBINSON, 43, of Atlanta, Georgia, was charged today in a Criminal Information with two counts of income tax evasion and one count of conspiracy to commit wire fraud against Home Depot, relating to a kickback scheme involving overseas vendors. ROBINSON made his initial appearance today before United States Magistrate E. Clayton Scofield, III and was granted \$10,000 bond.

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

"Taking kickbacks from suppliers undermines 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 is committed to prosecuting those who participate in such conspiracies."

According to United States Attorney Nahmias, the Criminal Information and information presented in court: ROBINSON, a former Divisional Merchandising Manager for Flooring, allegedly participated in a conspiracy to defraud Home Depot by taking kickbacks from foreign suppliers seeking to do business with Home Depot. ROBINSON allegedly arranged for Home Depot to purchase items for resale on less than the most advantageous terms to the company. Another former Home Depot employee, ANTHONY TESVICH, who was charged last week with similar offenses for his participation in this scheme to defraud Home Depot, allegedly received millions of dollars in bribes from foreign suppliers and passed on to ROBINSON through kickbacks hundreds of thousands of dollars and other items of value, including a luxury SUV. Home Depot fired ROBINSON in July 2007.

ROBINSON is also charged with evading federal taxes on his corrupt income for

tax years 2005 (\$133,000 in unreported income); and 2006 (\$632,879 in unreported income).

TESVICH is scheduled to make a court appearance to plead guilty on June 30, 2008, at 2:30 p.m. before United States District Judge Richard W. Story.

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.