

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	No. 05 CR 964
	)	
v.	)	
	)	
JAMES J. LASKI, JR.,	)	
SAM GAMMICCHIA,	)	Violations: Title 18, United States Code,
aka Salvatore Gammicchia,	)	Sections 2, 666, 1503 and 1512.
JOHN BRIATTA,	)	
RANDY ADERMAN, and	)	
MICHAEL JONES	)	

**COUNT ONE**

The SPECIAL FEBRUARY 2005-2 GRAND JURY charges:

1. At times material to this indictment:

**City of Chicago**

A. The City of Chicago ("the City") was a unit of local government known as a municipal corporation, and a political subdivision of the State of Illinois. The functions and services provided by the City on behalf of its residents were coordinated through various agencies and departments. Several of the largest City operational departments included the Department of Water, the Department of Streets and Sanitation, the Department of Transportation and the Department of Sewers. Each of the departments was headed by a Commissioner, who was nominated by the Mayor of the City and confirmed by the City Council, the legislative body for the City.

**The Clerk of the City of Chicago**

B. Beginning in or about 1995, JAMES J. LASKI, JR., was the elected Clerk of the City of Chicago. As City Clerk, LASKI presided over an office of approximately 120 City employees.

### **The Department of Water**

C. The Department of Water employed approximately 2000 employees, and was divided into seven bureaus, with separate and distinct functions. The largest of the bureaus was the Bureau of Operations and Distribution (hereinafter “Distribution”), which employed approximately 900 individuals. Generally, each bureau was headed by a Deputy Commissioner. With regard to Distribution, the First Deputy Commissioner effectively served as the overall manager of Distribution. The principal function of Distribution was the installation, repair and monitoring of water delivery systems within the City. The headquarters for Distribution was the Jardine Filtration Plant, located in Chicago, where the First Deputy Commissioner had his principal office.

D. On or about January 1, 2003, the Department of Water merged with the Department of Sewers and the newly-formed entity was entitled the Department of Water Management. (Hereinafter, the pre-merger Department of Water and the post-merger Department of Water Management will be referred to as the “Department”).

E. Donald Tomczak began working for the City in or about 1958. Beginning no later than 1989 and continuing through approximately January 2004, Tomczak was a full-time salaried employee of the City. Beginning in approximately December 1989 and continuing through in or about January 2004, Tomczak was the First Deputy Commissioner of the Department and held that title until his retirement effective January 2004.

### **The City’s Hired Truck Program**

F. The City's Hired Truck Program (“HTP”) provided certain City operating departments with a mechanism to use trucking services on an as-needed basis to complete construction and operating obligations. Participating HTP trucking companies were hired by the City and provided equipment and operators to the respective City operating departments to perform specific tasks. The principal operating departments using HTP services were the Department, the Department of Streets and Sanitation, the Department of Transportation and the Department of Sewers.

G. In conjunction with the HTP, the operating departments hired some trucks on a year-round basis for particular City operations; other trucks were hired on a seasonal basis for departmental projects, and still other trucks were hired for short periods of time on an as-needed basis for particular tasks of the respective departments.

H. Beginning in or about 1997, HTP participating companies and their individual trucks had to be approved for entry into the HTP by the program Office (the “HTP Office”), after an application and review process was conducted by the HTP Office staff. Once approved, an HTP participating company went on an approved list maintained by the HTP Office. The HTP Office staff was further responsible for ongoing monitoring and regulation of the participating HTP companies and their trucks regarding insurance, inspection, safety and other related issues. The HTP Office had the authority to suspend or discipline HTP participating companies for violations of the HTP rules.

I. There was no bid process and no formal, written contract for any particular job within the operating departments. Rather, certain City employees within the respective operating departments with HTP responsibilities participated in the process of “calling out” or hiring trucks

for a particular HTP assignment within the department (“HTP supervisors”). The HTP supervisors also decided when trucks were to be laid off for a particular assignment and the order in which trucks were to be laid off. Generally, the decisions were made at the discretion of the HTP supervisors within the respective departments, though there was occasional input provided by the HTP Office.

J. As to each department using the HTP, the City compensated HTP trucking company participants at a fixed hourly rate based on the size of the truck. Typically, on a monthly basis, participating HTP trucking companies would submit invoices for their monthly work for each City department. Thereafter, the City would process the invoices and typically would remit payments by negotiable instruments known as “warrants.”

**Get Plowed, Inc.**

K. Get Plowed, Inc., was a trucking company that participated in the HTP from in or about 1998 through 2003. For each year from 2001 through 2003, Get Plowed received over \$100,000 in revenues from HTP business. Beginning in or about 1982 and continuing through 2003, Michael Jones participated in the operation of Get Plowed, Inc.

2. From in or about February 2001 to in or about December 2001, at Chicago, in the Northern District of Illinois, Eastern Division,

JAMES J. LASKI, JR.,

defendant herein, being an agent of the City, corruptly solicited and demanded, and accepted and agreed to accept, things of value, namely cash payments from Michael Jones, intending to be influenced and rewarded in connection with Hired Truck Program business, including from the Department, in a series of transactions having a value of \$5,000 or more, involving the City, being

an agency that received in excess of \$10,000 in federal funding in a period from February 1, 2001, to December 31, 2001;

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

**COUNT TWO**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. From in or about January 2002 to in or about December 2002, at Chicago, in the Northern District of Illinois, Eastern Division,

JAMES J. LASKI, JR.,

defendant herein, being an agent of the City, corruptly solicited and demanded, and accepted and agreed to accept, things of value, namely cash payments from Michael Jones, intending to be influenced and rewarded in connection with Hired Truck Program business, including from the Department, in a series of transactions having a value of \$5,000 or more, involving the City, being an agency that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2002, to December 31, 2002;

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

**COUNT THREE**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. From in or about January 2003 to in or about December 2003, at Chicago, in the Northern District of Illinois, Eastern Division,

JAMES J. LASKI, JR.,

defendant herein, being an agent of the City, corruptly solicited and demanded, and accepted and agreed to accept, things of value, namely cash payments from Michael Jones, intending to be influenced and rewarded in connection with Hired Truck Program business, including from the Department, in a series of transactions having a value of \$5,000 or more, involving the City, being an agency that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2003, to December 31, 2003;

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

**COUNT FOUR**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraph 1(A), and Paragraphs 1(C) through 1(K) of Count One of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. At times material to this Count:

A. JOHN BRIATTA was employed as a Chief Equipment Dispatcher by the Department within the Distribution division at the Jardine Filtration Plant.

B. Randy Aderman was employed as a Projects Administrator by the Department within the Distribution division at the Jardine Filtration Plant.

3. From in or about January 2003 to in or about December 2003, at Chicago, in the Northern District of Illinois, Eastern Division,

JOHN BRIATTA,

defendant herein, being an agent of the City, corruptly solicited and demanded, and accepted and agreed to accept, things of value, namely cash payments from Randy Aderman and Michael Jones, intending to be influenced and rewarded in connection with Hired Truck Program business from the Department, in a series of transactions having a value of \$5,000 or more, involving the City, being an agency that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2003, to December 31, 2003;

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



**COUNT FIVE**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraph 1(A), and Paragraphs 1(C) through 1(K) of Count One and Paragraph 2 of Count Four of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. From in or about January 2003 to in or about December 2003, at Chicago, in the Northern District of Illinois, Eastern Division,

RANDY ADERMAN,

defendant herein, did corruptly give, offer and agree to give things of value, namely cash payments, with the intent to influence and reward John Briatta, being an agent of the City, in connection with Hired Truck Program business from the Department in a series of transactions having a value of \$5,000 or more, with the City being an agency that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2003, to December 31, 2003;

In violation of Title 18, United States Code, Section 666(a)(2).

**COUNT SIX**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One and Paragraph 2 of Count Four of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. From in or about January 2003 to in or about December 2003, at Chicago, in the Northern District of Illinois, Eastern Division,

MICHAEL JONES,

defendant herein, did corruptly give, offer and agree to give things of value, namely cash payments, with the intent to influence and reward James J. Laski, Jr., Randy Aderman and John Briatta, being agents of the City, in connection with Hired Truck Program business, including from the Department, in a series of transactions having a value of \$5,000 or more, with the City being an agency that received in excess of \$10,000 in federal funding in a twelve-month period from January 1, 2003, to December 31, 2003;

In violation of Title 18, United States Code, Section 666(a)(2).

## COUNT SEVEN

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraph 1 of Count One and Paragraph 2(B) of Count Four of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. The SPECIAL FEBRUARY 2005-2 GRAND JURY, in connection with Grand Jury Investigation No. 02 GJ 1348, was conducting an investigation into possible violations of Title 18, United States Code, Sections 666, 1503, and 1512, among other violations of federal law, including an investigation of whether or not JAMES J. LASKI, JR. accepted cash payments or other things of value from Michael Jones, Randy Aderman or any individual associated with Get Plowed, Inc.

3. In or about September 2005, defendants JAMES J. LASKI, JR., and SAM GAMMICCHIA, aka Salvatore Gammicchia, understood that an individual associated with Get Plowed, Inc., Individual A, was likely to be compelled to testify before a federal grand jury investigating Get Plowed, Inc.

4. From on or about September 13, 2005, through on or about October 22, 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

JAMES J. LASKI, JR., and  
SAM GAMMICCHIA,  
aka Salvatore Gammicchia,

defendants herein, corruptly endeavored to influence, obstruct, and impede the due administration of justice; namely, knowing the grand jury was investigating cash payments made to LASKI by Michael Jones and Individual A, defendants LASKI and GAMMICCHIA directed and advised Individual A to mislead the grand jury by: (1) falsely testifying that Individual A did not recall

making cash payments and did not know the purpose of cash payments to LASKI; and (2) falsely testifying that the payments given to LASKI by Individual A were political contributions;

In violation of Title 18, United States Code, Sections 1503(a) and 2.

**COUNT EIGHT**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further charges:

1. The allegations in Paragraphs 1 through 3 of Count Seven of this indictment are hereby realleged and incorporated as if fully set forth herein.

2. On or about October 22, 2005, at Chicago, Illinois, Northern District of Illinois, Eastern Division,

SAM GAMMICCHIA,  
aka Salvatore Gammicchia,

defendant herein, knowingly used intimidation, threatened and corruptly persuaded Michael Jones, and attempted to do so, with intent to hinder, delay and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a federal offense;

In violation of Title 18, United States Code, Sections 1512(b)(3).

## FORFEITURE ALLEGATION ONE

The SPECIAL FEBRUARY 2005-2 GRAND JURY further alleges:

1. The allegations contained in Counts One through Three of this indictment are realleged and incorporated herein by reference for the purpose 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 his violations of Title 18, United States Code, Section 666, as alleged in the foregoing indictment,

JAMES J. LASKI, JR.,

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 all financial benefits and proceeds defendant LASKI received related to Get Plowed, Inc., including, without limitation, \$50,000;

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

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the Court;
- (d) Has been substantially diminished in value; or

- (e) 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 without limitation, the following:

- (a) The real property commonly known as 6029 South McVicker Avenue, Chicago, Illinois, legally described as follows:

LOT 31 IN BLOCK 1 IN CENTRAL ADDITION TO CLEARING, BEING A SUBDIVISION OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-17-316-010-0000;

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

## **FORFEITURE ALLEGATION TWO**

The SPECIAL FEBRUARY 2005-2 GRAND JURY further alleges:

1. The allegations contained in Count Four of this indictment are realleged and incorporated herein by reference for the purpose 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 his violation of Title 18, United States Code, Section 666, as alleged in the foregoing indictment,

JOHN BRIATTA,

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 offense.

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 all financial benefits and proceeds defendant BRIATTA received related to Get Plowed, Inc., including, without limitation, \$8,000;

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

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the Court;
- (d) Has been substantially diminished in value; or



- (e) 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).

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

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
UNITED STATES ATTORNEY