

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,))) Plaintiff,)) v.)) GERARD MARCHELLETTA,) GERARD MARCHELLETTA, JR.,) and THERESA KOTTWITZ,)) Defendants.) _____)	Case No. <u>1:07-cr-00107-TCB</u>
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DECLARATION OF LUCILE RONIS

I, Lucile Ronis, hereby declare that:

1. On May 11, 2009, I was interviewed by private investigator Maurice “Buddy” Pearson with respect to my employment with LA Contractors/Eagle Finishing and George Gorman. I hereby execute this Declaration in support of Jerry Marchelletta, Jr.’s motion for a new trial pursuant to Rule 33 of the Federal Rules of Criminal Procedure.
2. Except where explicitly noted to the contrary, I have personal knowledge of the facts set forth in this Declaration and if called upon to testify, could do so competently.
3. My first encounter with the Internal Revenue Service (IRS), with respect to the investigation of the Marchellettas, was in Duluth, Georgia while I was working for Konica Minolta. The contact took place approximately one-month before trial began in mid-September, 2007.
4. Initially, two IRS Special Agents arrived at my home. At that time, I wasn’t at my residence but the Agents, one female and one whose name was Harry Chavis, displayed their

credentials to my husband, Stuart Ronis. The Agents left my husband a “Notice to Call an IRS Agent” indicating the purpose of their visit was the case *United States v. Marchelletta, et al.*

5. When I arrived home, my husband provided me the “Notice to Call an IRS Agent.” Immediately, I called Gerald Marchletta, Sr., and asked what I should do. Mr. Marcheletta, Sr. told me to call Ted Robertson. Mr. Robertson informed me that it was up to me whether or not to talk to the IRS.

5. Two days later, two male IRS Agents arrived at my place of employment looking for me. At that time, I was not present. However, several colleagues began telephoning me informing me that two men with guns were at the business looking for me.

6. Soon thereafter, I arrived back at work. I went inside to inquire about the Agents and subsequently, returned to my vehicle in the parking lot. Immediately, two men, who later identified themselves as IRS Special Agents, came speeding up behind my car, screeching their tires and blocking my vehicle at an angle. I felt the IRS Special Agents were acting ridiculous, as if they were “Starsky and Hutch.” I did not feel scared or threatened, but I was pissed off that the Special Agents scared the office staff by displaying their guns. I was more mad at the Agents, then scared by them.

7. The shorter of the two Agents asked why I had not called the IRS after the “Notice to Call an IRS Agent” had been left with my husband. I told the Agents, as I was told by Mr. Robertson, I did not have to call if I so chose.

6. Subsequently, the Agents provided a “Request for Information” to come and talk with the IRS. The Agents then had me sign the document.

7. Prior to my interview, I telephoned Special Agent Patricia Bergstrom to determine if I had to talk to the IRS. SA Bergstrom replied that if I didn’t come down and talk to the IRS, she would have me in court everyday during the trial just sitting there, waiting to be called as a

witness. If this would have happened my employer would not have paid me, therefore, I had no other choice then to speak with SA Bergstrom. I needed the income. I also voiced my displeasure to SA Bergstrom concerning the Agents conduct at my place of employment.

8. A few days after my phone call to SA Bergstrom, I did attend a meeting with her and another Special Agent. Again, I voiced my displeasure with the incident at my place of employment but was told by SA Bergstrom that this was now "water under the bridge."

9. The interview focused on my knowledge of the Atlantis Hotel and Casino job in the Bahamas and a \$250,000 check. During the interview, I felt as if SA Bergstrom was attempting to get me to admit to having knowledge of the circumstances surrounding the \$250,000 check, but I told her I did not remember the details.

10. Ultimately, I was called as a government witness at trial and testified on September 18, 2007.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury the foregoing is true and correct to the best of my information, knowledge and belief.

Dated: August 5, 2009


Lucille Ronis