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13 SUPERIOR COURT OF CALIFORNIA
14 COUNTY OF SAN BERNARDINO
15 (Central)

16
17 THE PEOPLE OF THE STATE OF
18 CALIFORNIA,

NO.

19
20 Plaintiff,

INDICTMENT

21 v.

22
23 MARK ANTHONY LEGGIO,
24 NICOLA CACUCCIOLO,
25 NICK VITO CACUCCIOLO, and
26 JAMES LLOYD DEREMIAH,

27 Defendants.

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30 COUNT 1

31 The Criminal Grand Jury of the County of San Bernardino by this Indictment hereby
32 accuses MARK ANTHONY LEGGIO, NICOLA CACUCCIOLO, NICK VITO
33 CACUCCIOLO, JAMES LLOYD DEREMIAH of a violation of Penal Code section 182,
34 subdivision (a), subsection (1), a felony, in that on and between January 15, 2002 and
35 August 1, 2006, in the County of San Bernardino, State of California, they did wilfully and
36 unlawfully conspire together and with another person and persons whose identity is

1 unknown to commit the crime of making campaign contributions in a false name and to
2 avoid campaign contribution limits, in violation of Government Code sections 84301, 84302,
3 and, 85301, misdemeanors, that pursuant to and for the purpose of carrying out the objects
4 and purposes of the aforesaid conspiracy, the said defendants thereafter committed the
5 following overt act and acts at and in the County of San Bernardino:
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7 OVERT ACT NO. 1

8 On or about January 15, 2002, Nicola Cacucciolo makes a contribution to the Bob Dutton
9 for Assembly Committee.

10 OVERT ACT NO. 2

11 On or about June 17, 2002, James Lloyd Deremiah makes a contribution to the Bob Dutton
12 for Assembly Committee.

13 OVERT ACT NO. 3

14 On or about October 21, 2002, Nicola Cacucciolo makes a contribution to the Bill Leonard
15 for Board of Equalization Committee.

16 OVERT ACT NO. 4

17 On or about January 23, 2003, Mark Anthony Leggio files a California Fair Political
18 Practices Committee Form 461.

19 OVERT ACT NO. 5

20 On or about June 30, 2003, Nick Vito Cacucciolo signs a Mark Christopher check which is
21 deposited into the account of Nicola and Annette Cacucciolo.
22

23 OVERT ACT NO. 6

24 On July 25, 2003, Mark Anthony Leggio signs a Mark Christopher Auto Center check for a
25 contribution to the Pirozzi for Assembly Committee.
26

27 OVERT ACT NO. 7

28 On July 5, 2006, Mark Anthony Leggio issues a \$10,000 check to Nick Vito Cacucciolo
29

30 OVERT ACT NO. 8

31 On July 5, 2006, Nick Vito Cacucciolo issues a \$3,300 check to Miyuki LeMay and a \$3,300
32 check to Lee Jones in reimbursement for contributions to the Committee to Elect Brenda
33 Salas.
34

35 COUNT 2

36 For a further and separate cause of action, being a different offense from but connected

1 in its commission with the charge set forth in count 1 hereof, the Criminal Grand Jury of the
2 County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO
3 of a violation of Penal Code section 115, a felony, in that on or about January 25, 2003, he
4 did wilfully, unlawfully, and knowingly procure and offer a false and forged instrument, to
5 wit: a Major Donor and Independent Committee Campaign Statement, California Form 461,
6 which instrument, if genuine, might be filed, registered, and recorded, under any law of this
7 state and the United States.
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COUNT 3

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 and 2 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Penal Code section 118, a felony, in that on or about January 25, 2003, in the County of San Bernardino, State of California, he being person who testified, declared, deposed, and certified under penalty of perjury in a case in which such testimony, declaration, deposition, and certification is permitted by law under penalty of perjury, to wit, Major Donor and Independent Committee Campaign Statement, California Form 461, did wilfully state as true a material matter which he knew to be false, to wit: that information within the Major Donor and Independent Committee Campaign Statement, California Form 461, for Mark Christopher Auto Center, Mountain View Chevrolet and SCM&C Expansion was true and complete.

COUNT 4

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 3 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Penal Code section 115, a felony, in that on or about July 25, 2003, he did wilfully, unlawfully, and knowingly procure and offer a false and forged instrument, to wit: a Major Donor and Independent Committee Campaign Statement, California Form 461, which instrument, if genuine, might be filed, registered, and recorded, under any law of this state and the United States.

COUNT 5

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 4 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses

1 MARK ANTHONY LEGGIO of a violation of Penal Code section 118, a felony, in that on
2 or about January 25, 2003, in the County of San Bernardino, State of California, he being
3 person who testified, declared, deposed, and certified under penalty of perjury in a case in
4 which such testimony, declaration, deposition, and certification is permitted by law under
5 penalty of perjury, to wit, Major Donor and Independent Committee Campaign Statement,
6 California Form 461, did wilfully state as true a material matter which he knew to be false,
7 to wit: that the information within the Major Donor and Independent Committee Campaign
8 Statement, California Form 461, for Mark Christopher Auto Center was true and complete.
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COUNT 6

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 5 hereof, the Criminal Grand
Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO of a violation of Penal Code section 115, a felony, in that on or about
January 28, 2004, he did wilfully, unlawfully, and knowingly procure and offer a false and
forged instrument, to wit: a Major Donor and Independent Committee Campaign Statement,
California Form 461, which instrument, if genuine, might be filed, registered, and recorded,
under any law of this state and the United States.

COUNT 7

For a further and separate cause of action, being a different offense from but
connected in its commission with the charges set forth in counts 1 through 6 hereof, the
Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses
MARK ANTHONY LEGGIO of a violation of Penal Code section 118, a felony, in that on
or about January 28, 2004, in the County of San Bernardino, State of California, he being
person who testified, declared, deposed, and certified under penalty of perjury in a case in
which such testimony, declaration, deposition, and certification is permitted by law under
penalty of perjury, to wit, Major Donor and Independent Committee Campaign Statement,
California Form 461, did wilfully state as true a material matter which he knew to be false,
to wit: that the information within the Major Donor and Independent Committee Campaign
Statement, California Form 461, for Mark Christopher Auto Center was true and complete.

It is further alleged that the allegations set forth in Counts 2, 3, 4, 5, 6, and 7 were not
discovered and could not have been discovered with the exercise of reasonable diligence on
or before December 1, 2006. During the latter part of November 2006 Investigator Stephen
Kirby of the Riverside County District Attorney's Office began an investigation into

1 possible campaign contribution irregularities. During the investigation he came across
2 indications of a pattern of contributions to a few campaign committees by the same
3 individuals who reportedly worked at Mark Christopher Auto Center or Mountain View
4 Chevrolet.

5
6 On January 27, 2007, he met with James Deremiah, Nicola Cacucciolo, Annette Cacucciolo,
7 Nick Cacucciolo and Kristy Cacucciolo after which he had sufficient information to obtain a
8 search warrant for bank records which was served on January 31, 2007. Prior to this time
9 there was insufficient evidence to establish that a crime had occurred or that any individual
10 was engaged in criminal conduct.

11
12 **COUNT 8**

13 For a further and separate cause of action, being a different offense from but connected
14 in its commission with the charges set forth in counts 1 through 7 hereof, the Criminal Grand
15 Jury of the County of San Bernardino by this Indictment hereby accuses MARK
16 ANTHONY LEGGIO AND NICOLA CACUCCILOLO of a violation of Government Code
17 section 84301, a misdemeanor, in that on or about June 29, 2004, in the County of San
18 Bernardino, State of California, they did directly and indirectly contribute to the Wapner for
19 Assembly Committee by a name other than the name by which the said defendant was
20 identified for legal purposes, to wit: by the name of Nicola Cacucciolo.

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22 **COUNT 9**

23 For a further and separate cause of action, being a different offense from but connected
24 in its commission with the charges set forth in counts 1 through 8 hereof, the Criminal Grand
25 Jury of the County of San Bernardino by this Indictment hereby accuses MARK
26 ANTHONY LEGGIO AND NICOLA CACUCCILOLO of a violation of Government Code
27 section 84301, a misdemeanor, in that on or about June 29, 2004, in the County of San
28 Bernardino, State of California, they did directly and indirectly contribute to the Wapner for
29 Assembly Committee by a name other than the name by which the said defendant was
30 identified for legal purposes, to wit: by the name of Annette Cacucciolo.

31
32 **COUNT 10**

33 For a further and separate cause of action, being a different offense from but connected
34 in its commission with the charges set forth in counts 1 through 9 hereof, the Criminal Grand
35 Jury of the County of San Bernardino by this Indictment hereby accuses MARK
36 ANTHONY LEGGIO AND JAMES LLOYD DEREMIAH of a violation of Government

1 Code section 84301, a misdemeanor, in that on or about June 29, 2004, in the County of San
2 Bernardino, State of California, they did directly and indirectly contribute to the Wapner for
3 Assembly Committee by a name other than the name by which the said defendant was
4 identified for legal purposes, to wit: by the name of James Deremiah.
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COUNT 11

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 10 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO AND NICOLA CACUCCILOLO of a violation of Government Code section 84302, a felony, in that on or about June 29, 2004, in the County of San Bernardino, State of California, they did wilfully and unlawfully make a contribution on behalf of another, or while acting as an intermediary or agent of another without disclosing to the recipient both his own full name, street address, occupation, name of his employer or principal place of business, and the full name, street address, occupation, name of employer or principal place of business of the other person.

COUNT 12

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 11 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO AND NICOLA CACUCCILOLO of a violation of Government Code section 84302, a misdemeanor, in that on or about June 29, 2004, in the County of San Bernardino, State of California, they did wilfully and unlawfully make a contribution on behalf of another, or while acting as an intermediary or agent of another without disclosing to the recipient both his own full name, street address, occupation, name of his employer or principal place of business, and the full name, street address, occupation, name of employer or principal place of business of the other person.

COUNT 13

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 12 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO AND JAMES LLOYD DEREMIAH of a violation of Government Code section 84302, a misdemeanor, in that on or about June 29, 2004, in the County of San

1 Bernardino, State of California, they did wilfully and unlawfully make a contribution on
2 behalf of another, or while acting as an intermediary or agent of another without disclosing
3 to the recipient both his own full name, street address, occupation, name of his employer or
4 principal place of business, and the full name, street address, occupation, name of employer
5 or principal place of business of the other person.
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COUNT 14

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 13 hereof, the Criminal
Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO of a violation of Government Code section 85301, a misdemeanor, in
that on and between June 29, 2004 and July 8, 2004, in the County of San Bernardino, State
of California, he did wilfully and unlawfully make to any candidate for elective state office a
contribution totaling more than three thousand two hundred dollars per election (\$3,200), to
wit Wapner for Assembly Committee.

COUNT 15

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 14 hereof, the Criminal
Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO of a violation of Penal Code section 115, a felony, in that on or about
July 29, 2004, he did wilfully, unlawfully, and knowingly procure and offer a false and
forged instrument, to wit: a Major Donor and Independent Committee Campaign Statement,
California Form 461 , which instrument, if genuine, might be filed, registered, and recorded,
under any law of this state and the United States.

COUNT 16

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 15 hereof, the Criminal
Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO AND JAMES LLOYD DEREMIAH of a violation of Government
Code section 84301, a misdemeanor, in that on or about July 20, 2004, in the County of San
Bernardino, State of California, they did directly and indirectly contribute to the Bob Dutton
for State Senate Committee by a name other than the name by which the said defendant was
identified for legal purposes, to wit: by the name of James Deremiah.

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COUNT 17

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 16 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO AND JAMES LLOYD DEREMIAH of a violation of Government Code section 84302, a misdemeanor, in that on or about July 20, 2004, in the County of San Bernardino, State of California, they did wilfully and unlawfully make a contribution on behalf of another, or while acting as an intermediary or agent of another without disclosing to the recipient both his own full name, street address, occupation, name of his employer or principal place of business, and the full name, street address, occupation, name of employer or principal place of business of the other person.

COUNT 18

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 17 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Government Code section 85301, a misdemeanor, in that on and between July 20, 2004 and July 27, 2004, in the County of San Bernardino, State of California, he did wilfully and unlawfully make to any candidate for elective state office a contribution totaling more than three thousand two hundred dollars (\$3,200) per election, to wit, Bob Dutton for State Senate Committee.

COUNT 19

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 18 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Penal Code section 115, a felony, in that on or about January 26, 2005, he did wilfully, unlawfully, and knowingly procure and offer a false and forged instrument, to wit: a Major Donor and Independent Committee Campaign Statement, California Form 461, which instrument, if genuine, might be filed, registered, and recorded, under any law of this state and the United States.

COUNT 20

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 19 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK

1 ANTHONY LEGGIO AND NICOLA CACUCCILO of a violation of Government Code
2 section 84301, a misdemeanor, in that on or about June 30, 2005, in the County of San
3 Bernardino, State of California, they did directly and indirectly contribute to the Anthony
4 Adams for Assembly Committee by a name other than the name by which the said defendant
5 was identified for legal purposes, to wit: by the name of Nicola Cacucciolo.
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COUNT 21

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 20 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Government Code section 84302, a misdemeanor, in that on or about June 30, 2005, in the County of San Bernardino, State of California, they did wilfully and unlawfully make a contribution on behalf of another, or while acting as an intermediary or agent of another without disclosing to the recipient both his own full name, street address, occupation, name of his employer or principal place of business, and the full name, street address, occupation, name of employer or principal place of business of the other person.

COUNT 22

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 21 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Government Code section 85301, a misdemeanor, in that on or about June 30, 2005, in the County of San Bernardino, State of California, he did wilfully and unlawfully make to any candidate for elective state office a contribution totaling more than three thousand three hundred dollars (\$3,300) per election, to wit: Anthony Adams for Assembly Committee.

COUNT 23

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 22 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Penal Code section 115, a felony, in that on or about July 25, 2005, he did wilfully, unlawfully, and knowingly procure and offer a false and forged instrument, to wit: a Major Donor and Independent Committee Campaign Statement, California Form 461, which instrument, if genuine, might be filed, registered, and recorded, under any law of this state and

1 the United States.

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3 COUNT 24

4 For a further and separate cause of action, being a different offense from but connected
5 in its commission with the charges set forth in counts 1 through 23 hereof, the Criminal
6 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
7 ANTHONY LEGGIO of a violation of Government Code section 84301, a misdemeanor, in
8 that on or about March 1, 2006, in the County of San Bernardino, State of California, he did
9 directly and indirectly contribute to the Committee to Elect Brenda Salas by a name other
10 than the name by which the said defendant was identified for legal purposes, to wit: by the
11 name of Mary Ellen Leggio.

12
13 COUNT 25

14 For a further and separate cause of action, being a different offense from but connected
15 in its commission with the charges set forth in counts 1 through 24 hereof, the Criminal
16 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
17 ANTHONY LEGGIO of a violation of Government Code section 84302, a misdemeanor, in
18 that on or about March 6, 2006, in the County of San Bernardino, State of California, he did
19 wilfully and unlawfully make a contribution on behalf of another, or while acting as an
20 intermediary or agent of another without disclosing to the recipient both his own full name,
21 street address, occupation, name of his employer or principal place of business, and the full
22 name, street address, occupation, name of employer or principal place of business of the
23 other person.

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25 COUNT 26

26 For a further and separate cause of action, being a different offense from but connected
27 in its commission with the charges set forth in counts 1 through 25 hereof, the Criminal
28 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
29 ANTHONY LEGGIO AND NICOLA CACUCCILOLO of a violation of Government Code
30 section 84301, a misdemeanor, in that on or about March 6, 2006, in the County of San
31 Bernardino, State of California, they did directly and indirectly contribute to the Committee
32 to Elect Brenda Salas by a name other than the name by which the said defendant was
33 identified for legal purposes, to wit: by the name of Nicola Cacucciolo.

34
35 COUNT 27

36 For a further and separate cause of action, being a different offense from but connected

1 in its commission with the charges set forth in counts 1 through 26 hereof, the Criminal
2 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
3 ANTHONY LEGGIO AND NICOLA CACUCCILO of a violation of Government Code
4 section 84302, a misdemeanor, in that on or about March 6, 2006, in the County of San
5 Bernardino, State of California, they did wilfully and unlawfully make a contribution on
6 behalf of another, or while acting as an intermediary or agent of another without disclosing
7 to the recipient both his own full name, street address, occupation, name of his employer or
8 principal place of business, and the full name, street address, occupation, name of employer
9 or principal place of business of the other person.

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11 COUNT 28

12 For a further and separate cause of action, being a different offense from but connected
13 in its commission with the charges set forth in counts 1 through 27 hereof, the Criminal
14 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
15 ANTHONY LEGGIO AND NICK VITO CACUCCILO of a violation of Government
16 Code section 84301, a misdemeanor, in that on or about March 10, 2006, in the County of
17 San Bernardino, State of California, they did directly and indirectly contribute to the
18 Committee to Elect Brenda Salas by a name other than the name by which the said defendant
19 was identified for legal purposes, to wit: by the name of Nick Cacucciolo.

20
21 COUNT 29

22 For a further and separate cause of action, being a different offense from but connected
23 in its commission with the charges set forth in counts 1 through 28 hereof, the Criminal
24 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
25 ANTHONY LEGGIO AND NICK VITO CACUCCILO of a violation of Government
26 Code section 84302, a felony, in that on or about March 10, 2006, in the County of San
27 Bernardino, State of California, they did wilfully and unlawfully make a contribution on
28 behalf of another, or while acting as an intermediary or agent of another without disclosing
29 to the recipient both his own full name, street address, occupation, name of his employer or
30 principal place of business, and the full name, street address, occupation, name of employer
31 or principal place of business of the other person.

32
33 COUNT 30

34 For a further and separate cause of action, being a different offense from but connected
35 in its commission with the charges set forth in counts 1 through 29 hereof, the Criminal
36 Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK

1 ANTHONY LEGGIO AND NICK VITO CACUCCIOLO of a violation of Government
2 Code section 84301, a misdemeanor, in that on or about June 28, 2006, in the County of San
3 Bernardino, State of California, they did directly and indirectly contribute to the Committee
4 to Elect Brenda Salas by a name other than the name by which the said defendant was
5 identified for legal purposes, to wit: by the name of Lee Jones.
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COUNT 31

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 30 hereof, the Criminal
Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO AND NICK VITO CACUCCIOLO of a violation of Government
Code section 84302, a felony, in that on or about June 28, 2006, in the County of San
Bernardino, State of California, they did wilfully and unlawfully make a contribution on
behalf of another, or while acting as an intermediary or agent of another without disclosing
to the recipient both his own full name, street address, occupation, name of his employer or
principal place of business, and the full name, street address, occupation, name of employer
or principal place of business of the other person.

COUNT 32

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 31 hereof, the Criminal
Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO AND NICK VITO CACUCCIOLO of a violation of Government
Code section 84301, a misdemeanor, in that on or about June 29, 2006, in the County of San
Bernardino, State of California, they did directly and indirectly contribute to the Committee
to Elect Brenda Salas by a name other than the name by which the said defendant was
identified for legal purposes, to wit: by the name of Kristy Cacucciolo.

COUNT 33

For a further and separate cause of action, being a different offense from but connected
in its commission with the charges set forth in counts 1 through 32 hereof, the Criminal
Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK
ANTHONY LEGGIO AND NICK VITO CACUCCIOLO of a violation of Government
Code section 84302, a misdemeanor, in that on or about June 29, 2006, in the County of San
Bernardino, State of California, they did wilfully and unlawfully make a contribution on
behalf of another, or while acting as an intermediary or agent of another without disclosing

1 to the recipient both his own full name, street address, occupation, name of his employer or
2 principal place of business, and the full name, street address, occupation, name of employer
3 or principal place of business of the other person.
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COUNT 34

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 33 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO AND NICK VITO CACUCCILO of a violation of Government Code section 84301, a misdemeanor, in that on or about June 29, 2006, in the County of San Bernardino, State of California, they did directly and indirectly contribute to the Committee to Elect Brenda Salas by a name other than the name by which the said defendant was identified for legal purposes, to wit: by the name of Paul Lemay.

COUNT 35

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 34 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO AND NICK VITO CACUCCILO of a violation of Government Code section 84302, a misdemeanor, in that on or about June 29, 2006, in the County of San Bernardino, State of California, they did wilfully and unlawfully make a contribution on behalf of another, or while acting as an intermediary or agent of another without disclosing to the recipient both his own full name, street address, occupation, name of his employer or principal place of business, and the full name, street address, occupation, name of employer or principal place of business of the other person.

COUNT 36

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 35 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Government Code section 85301, a misdemeanor, in that on and between March 6, 2006, through and including June 29, 2006, in the County of San Bernardino, State of California, he did wilfully and unlawfully make to any candidate for elective state office a contribution totaling more than three thousand three hundred dollars (\$3,300) per election, to wit: Committee to Elect Brenda Salas.

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COUNT 37

For a further and separate cause of action, being a different offense from but connected in its commission with the charges set forth in counts 1 through 36 hereof, the Criminal Grand Jury of the County of San Bernardino by this Indictment hereby accuses MARK ANTHONY LEGGIO of a violation of Penal Code section 115, a felony, in that on or about July 27, 2006, he did wilfully, unlawfully, and knowingly procure and offer a false and forged instrument, to wit: a Major Donor and Independent Committee Campaign Statement, California Form 461, which instrument, if genuine, might be filed, registered, and recorded, under any law of this state and the United States.

June 3, 2008

EDMUND G. BROWN, JR.
Attorney General

Michael J. Cabral
Deputy Attorney General

MJC:jsg

1 Names of witnesses examined by the Criminal Grand Jury on finding of the foregoing Indictment:

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- Dana Hopkins
- Sylvia Bojorquez
- Jeanette Rexford
- Lyn Greene
- Betty Presley
- Richard Broad
- Ariel Riccitelli
- Brenda Salas
- Joseph Engkraf
- Bruce McKillop
- Greg Heath
- Julie Reynolds
- David Gould
- Steve Kirby
- Robert Dutton
- Michael Mitchell
- Diego Santia
- Loretta Holtz
- Anna MacDonald
- Joseph Dingman
- William Lenkeit
- Susan Ovitt

A TRUE BILL:

Foreperson of the Criminal Grand Jury

1 EDMUND G. BROWN JR
2 Attorney General of the State of California
3 DANE R. GILLETTE
4 Chief Assistant Attorney General
5 GARY W. SCHONS
6 Senior Assistant Attorney General
7 JAMES D. DUTTON
8 Supervising Deputy Attorney General
9 MICHAEL J. CABRAL
10 Deputy Attorney General
11 110 West A Street, Suite 1100
12 San Diego, CA 92101

13
14 SUPERIOR COURT OF CALIFORNIA
15 COUNTY OF SAN BERNARDINO
16 (Central)

17
18 THE PEOPLE OF THE STATE OF
19 CALIFORNIA,

20 Plaintiff,

21 V.

22 MARK ANTHONY LEGGIO,
23 NICOLA CACUCCIOLO,
24 NICK VITO CACUCCIOLO, and
25 JAMES LLOYD DEREMIAH,

26 Defendant.

Case No.
REQUEST/MOTION FOR
PROSECUTION DISCOVERY
(Pen. Code, §§ 1054.3,
1054.5(a) & (b))

27
28 TO: THE HONORABLE JUDGE OF THE CONSOLIDATED SUPERIOR/MUNICIPAL
29 COURTS, AND TO COUNSEL FOR ABOVE-NAMED DEFENDANTS:

30 PLEASE BE INFORMED that the Office of the Attorney General, acting on behalf of the
31 Plaintiff, the People of the State of California, hereby requests/moves for discovery/disclosure of
32 the following items from the defendants and counsels in this case, pursuant to Penal Code section
33 1054.3(a) and (b):

34 1. The names and addresses of persons, other than the defendants, counsels or defendants
35 intend to call as witnesses at trial;

36 2. Any relevant written or recorded statements of the persons in No. 1 above and/or

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reports of the statement of such persons;

3. Any reports or statement of experts made in connection with this case, including, but not limited to, the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant or counsel intend to offer as evidence at the trial of this case; and

4. Any "real," i.e., tangible or physical, evidence which the defendant or counsel intends to offer in evidence at the trial.

PLEASE TAKE NOTE that pursuant to the provisions of Penal Code section 1054.5(b) if the above material and information requested is not provided to counsel for the plaintiff within 15 days of this request, a court order will be sought to promptly enforce the provisions of Penal Code section 1054.3.

Dated: June 11, 2008

Respectfully submitted,

EDMUND G. BROWN
Attorney General

By: _____
Deputy Attorney General

MJC:jsg