

Husted to be deposed, DeWine subpoenaed in lawsuit over FirstEnergy bribery scheme

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Cleveland.com

COLUMBUS, Ohio – Lt. Gov. Jon Husted is scheduled to be deposed by investors suing FirstEnergy in connection with the House Bill 6 scandal, the most significant public corruption case in state history, a new court filing shows.

In addition, Gov. Mike DeWine received a [subpoena](#) dated Nov. 17 for documents in connection with the civil case, a development that has not previously been reported, according to a spokesman who provided a copy.

Husted's deposition, essentially an interview taken under oath, is scheduled to occur between Feb. 28 and March 19 of next year. It was first mentioned in a court [filing](#) posted late Monday. He has also received a subpoena for documents, which was provided on request by Husted's spokeswoman.

It comes in a civil lawsuit separate from the criminal prosecution that led to a [20-year prison sentence for former Ohio House Speaker Larry Householder](#). However, the lawsuit mirrors the same basic allegations that FirstEnergy Corp. paid multimillion-dollar bribes to both Householder and Sam Randazzo, formerly the state's top utility regulator, in exchange for legislation and favorable regulatory treatment, respectively. DeWine [appointed Randazzo to the job](#) shortly after taking office in 2019.

Householder and three others have been criminally convicted. [FirstEnergy admitted to both bribery schemes in a deferred prosecution agreement](#) and paid a \$230 million criminal penalty while agreeing to cooperate with the ongoing criminal investigation.

"We're aware of the civil investor lawsuit against FirstEnergy," said Husted spokeswoman Haley Carducci. "The Lt. Governor has already provided public records pertaining to this, and we will continue to comply as we have done in the past. There's no new information to disclose."

DeWine and Husted, both Republicans, are not named as defendants in the lawsuit.

Dan Tierney, a spokesman for DeWine, in an interview emphasized the distinction between the civil and criminal cases. He said neither DeWine nor any other senior officials on his staff have been criminally subpoenaed or deposed. He said no other cabinet members or senior officials has received civil subpoenas that he is aware of.

Tierney also said the administration will need to consult with its lawyers before discussing the substance of the subpoenas.

The basic facts of the FirstEnergy case have been established mostly through an extensive trial that led to [Householder's conviction](#), FirstEnergy's admission in court documents, and troves of texts and emails released in connection with the investigations. In Householder's case, FirstEnergy loaded a nonprofit with millions that Householder secretly controlled. He spent the money engineering his political ascendance, shepherding a slate of fellow Republican candidates to back him, strongarming the passage of a corporate bailout for FirstEnergy, and thwarting a referendum seeking to repeal HB6.

Separately, [FirstEnergy said it paid Randazzo a \\$4.3 million bribe](#). In exchange, Randazzo helped draft and pass HB6, place a favorable amendment into the state budget for FirstEnergy, and waive a rate review and related regulatory scrutiny that the company saw as perilous. In November 2020, he resigned from his post after FBI agents were seen raiding his residence. He has not been charged with a crime and maintains his innocence. He's scheduled to be deposed in March 2024.

Both DeWine and Husted intervened at several key moments to the benefit of FirstEnergy, HB6 or Randazzo.

[According to the Associated Press](#), Randazzo testified during his confirmation hearing that it was Husted and DeWine's chief of staff Laurel Dawson, among others, who recruited him.

Text messages have since revealed [Randazzo and two then-FirstEnergy executives discussing the \\$4.3 million payment](#) just after they dined with DeWine and Husted. When a bankruptcy court filing first disclosed a financial relationship between FirstEnergy and the newly appointed Randazzo, the two executives [credited both DeWine and Husted](#) with performing "battlefield triage" to save the nomination.

Other texts between the former FirstEnergy executives – [who were later fired by the company](#) – stated that during legislative debate on HB6 in 2019, [Husted pushed to extend a \\$1 billion-plus ratepayer bailout](#) for two nuclear power plants then owned

by a FirstEnergy subsidiary to last for 10 years. HB6 ended up authorizing a seven-year bailout of the plants, though the bailout was [eventually repealed](#) months after Householder's arrest.

The subpoenas to both DeWine and Husted seek records pertaining to, among others, two people: Dan McCarthy and Alice DeWine.

McCarthy served as DeWine's legislative director. Before taking on the role, he incorporated Partners for Progress, a nonprofit that would funnel roughly \$11 million from FirstEnergy into Generation Now, the nonprofit that Householder controlled.

Alice DeWine is the governor's daughter. Money from FirstEnergy flowed into a committee called Protecting Ohio Inc., which paid for advertisements to support Alice DeWine's campaign in a 2020 race for Greene County prosecutor, which she [ended up losing](#) in the Republican primary.