Feds move to claim another \$6.5 million from FirstEnergy over bribery scheme

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COLUMBUS, Ohio – The federal government moved Monday to claim another \$6.5 million of FirstEnergy Corporation's money, another ripple in an ongoing, seismic public corruption case.

The money comes from two accounts controlled by Partners for Progress, secretly used to fund the company's bribery scheme between 2017 and 2020. Prosecutors say the nonprofit was solely controlled by and operated for the benefit of FirstEnergy.

Prosecutors seized the funds in 2021 amid their criminal case against ex-Ohio House Speaker Larry Householder and three conspirators, all of whom were convicted in engaging in a racketeering conspiracy. FirstEnergy, in a deferred prosecution agreement, admitted to the schemes and agreed to pay a \$230 million penalty. It also agreed to forfeit the \$6.5 million. In exchange for the bribes, FirstEnergy got legislation worth more than \$1 billion to the company.

The prosecutors say the evidence shows the money left in Partners for Progress' accounts are proceeds traceable to a conspiracy to commit honest services wire fraud and therefore subject to forfeiture. Monday's motion would give the federal government full title to the money. Jennifer Thornton, a spokeswoman for the U.S. Attorney for the Southern District of Ohio, in a brief statement noted a U.S. Department of Justice website on the assets forfeiture fund stating the money can be spent on "certain general investigative expenses."

In 2017, FirstEnergy lobbyist Dan McCarthy formed Partners for Progress, filing its paperwork just after the point where prosecutors say Householder hatched the yearslong bribery plot with FirstEnergy's CEO and other executives. The nonprofit incorporated in Delaware, where corporate records can be murkier.

FirstEnergy provided \$25 million to Partners for Progress between 2017 and 2019. Some \$15 million of that flowed to a separate nonprofit, secretly controlled by Householder.

As Gov. Mike DeWine staffed up his administration in early 2019, he hired McCarthy as his top lobbyist. Later that year, around the time nonprofits most post tax records detailing some of their operations, FirstEnergy top lobbyist Mike Dowling texted Michael VanBuren, the treasurer of Partners for Progress.

"Pls make sure Dan McCarthy's name is not on the filing. Please. Thanks," he said, according to texts shown at Householder's trial.

VanBuren responded that the IRS requires officials be named.

"There must be a creative way to handle this. It's important he not be listed," Dowling said.

Partners for Progress' tax records from 2019 bear no mention of McCarthy's name. McCarthy has not been accused of wrongdoing. He retired as DeWine's legislative director to return to lobbying. DeWine earlier this year appointed him to a job on the State Racing Commission.

Householder was convicted at trial in March, along with lobbyist Matt Borges. FirstEnergy Solutions lobbyist Juan Cespedes and Householder political operative Jeff Longstreth pleaded guilty and testified as government witnesses.

FirstEnergy CEO Charles Jones, Dowling, and other ex-company officials implicated as architects of the bribery scheme at Householder's trial have not been charged. Nor has Ohio's former top utility regulator Sam Randazzo, accused by FirstEnergy of accepting its \$4.3 million bribe, which he has denied.