

- 8 of 41 -

services, including outsourcing of certain functions previously performed in-house by the Diocese and those constituent organizations. The Diocese, CCA, Seminaries, and Diocesan-owned high schools together paid approximately the following amounts to Zgoznik Entities during these years:

Year	Amounts paid by the Diocese and constituent organizations to the Zgoznik Entities
1996	\$12,090
1997	\$618,378
1998	\$1,263,447
1999	\$2,048,588
2000	\$2,867,345
2001	\$3,190,567
2002	\$3,819,699
2003	\$3,713,216
TOTAL	\$17,533,330

Kickback Scheme with the Zgoznik Entities

18. From approximately June 1997 through February 2004, ZGOZNIK and SMITH devised and executed a scheme to defraud and to obtain money by false and fraudulent pretenses, representations, and promises, by which SMITH, in violation of his duty of honest services to the Diocese, its constituent organizations, and the members of the public to whom the Diocese had a fiduciary duty as a charitable trust, and to the financial detriment of the Diocese and its constituent organizations, steered substantial business to the Zgoznik Entities in consideration for which and while receiving substantial undisclosed kickback payments from ZJA, IFA, and IBS -- as described in more detail in the following paragraphs.