

Wilson, Chris (USAOKE)

From: Horn, Doug (USAOKE)
Sent: Thursday, September 11, 2014 2:32 PM
To: Wilson, Chris (USAOKE)
Subject: FW: Choctaw Nation of Oklahoma/Builders Steel
Attachments: disclosures and donations.pdf

From: Michael Burrage [mailto:mburrage@whittenburragelaw.com]

Sent: Thursday, May 09, 2013 5:15 PM

To: Green, Mark F. (USAOKE); Horn, Doug (USAOKE)

Cc: Greg Pyle; Gary Batton; bob.rabon@sbcglobal.net; David Burrage; Sylvia Randolph; Michael Burrage; 'Judy Allen'

Subject: Choctaw Nation of Oklahoma/Builders Steel

Dear Mark and Doug,

This email is a follow-up to our meeting last Wednesday in Tulsa. First, I want to express my appreciation on behalf of Chief Pyle, Assistant Chief Batton and the Choctaw Nation for all of the hard work you guys have put into this case on behalf of the Nation. I told you I would send you the documents that I have relating to the campaign contributions to Chief Pyle, the gifts to Assistant Chief Batton and Jason Merida, and the documents relating to the Compliance Committee that Chief Pyle created in February 2012. I am attaching the following documents to this email:

1. Conflicts of Interest and Disclosure Statement of Jason Merida dated 3/23/12.
2. Conflicts of Interest and Disclosure Statement of Jason Merida dated 7/9/12.
3. Gift disclosure of Gary Batton covering the period of time from 1/11/10 to 1/4/12. You will see that the last entry states "purchased a house from Max Bennett in 2010". It is my understanding that Max Bennett was an employee of Flintco. The house was purchased in an arm's length transaction at fair market value. Gary financed the home. There was no gift involved with the home and Gary put it on the list so that there would be full disclosure of the purchase of the home from Mr. Bennett. Gary has confirmed there was an independent appraisal of the property for his lender, First United Bank & Trust.
4. Gary received certain gifts from Builders Steel. Gary thought the value of these gifts was \$27,500. On October 18, 2012, Gary wrote checks to the Children's Hospital Foundation in the amount of \$7,500 and Southeastern Oklahoma State University in the amount of \$20,000. Copies of these checks are attached.
5. In the initial construction audit, Chief Pyle received some information that a contribution to his campaign was billed to the Choctaw Nation in one of the Flintco billings to the Nation. When Chief Pyle learned of this he immediately wrote a check to the Choctaw Nation in the amount of \$20,775 which is dated July 29, 2011. It was later learned that the Nation was not billed for this campaign contribution. The Chief has not requested any refund and I don't think that he will. A copy of the check showing a deposit to the Choctaw Nation account is attached.
6. Chief Pyle also received either "in kind" or "in cash" donations to his campaign fund from Builders Steel and Flintco. Chief Pyle has written checks from his campaign fund for the amount of these contributions to various charities. I am enclosing copies of the following checks:
 - a. Check dated 10/18/12 to Children's Hospital Foundation in the amount of \$46,165.
 - b. Check dated 10/18/12 to Peggy & Charles Stephenson Cancer Center in the amount of \$46,165.
 - c. Check dated 10/18/12 to St. Jude's Children's Hospital in the amount of \$46,165.
 - d. Check dated 10/18/12 to Make a Wish Foundation in the amount of \$46,165.
 - e. Check dated 10/18/12 to Big Brothers, Big Sisters/OK in the amount of \$46,165.

- f. Check dated 5/6/13 to Stephenson Cancer Center in the amount of \$4,000. The reason this check was written was because when the Builders Steel and Flintco contributions were checked for accuracy, it was revealed that the charitable contributions by Chief Pyle were \$4,000 less than the Builders Steel and Flintco Campaign Contributions.
7. Charter and bylaws of the Choctaw Nation of Oklahoma Compliance Committee, created by Chief Pyle on February 1, 2012.

Please call if you have questions or want to discuss.

Michael Burrage

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