



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

## GOVERNMENT'S SUPPLEMENTAL BRIEF

Merida was the Executive Director of Construction for the Choctaw Nation. Within the hierarchy of the Choctaw Nation, Executive Directors report directly to the Assistant Chief and Chief and are the highest non-elected positions in the Choctaw Nation. P. 3

The evidence is that Builders Steel had been designated by Assistant Chief Gary Batton, Executive Director of Construction Merida, and Flintco VP DeWayne Gifford as a friend of the tribe. P. 7

July 3, 2008

**Builders  
Steel**



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

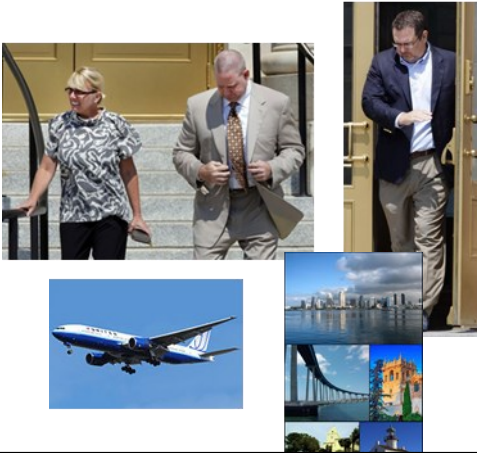
*Defendants.*

a. On or about July 3, 2008, BRENT ALAN PARSONS, LAURI ANN PARSONS, CORDELL ALAN BUGG and his wife, flew by roundtrip commercial air to New York City, New York. P. 4



July 19, 2008

**Builders  
Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN  
PARSONS, CORDELL ALAN BUGG  
and JAMES WINFIELD STEWART,

*Defendants.*

caused Builders.Steel to pay for CORDELL ALAN BUGG, his wife and his three children to fly by roundtrip commercial air to San Diego, CA. P. 4

Nov 6, 2008

**Builders  
Steel**



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN  
PARSONS, CORDELL ALAN BUGG  
and JAMES WINFIELD STEWART,

*Defendants.*

caused Builders Steel to pay for BRENT ALAN PARSONS, LAURI ANN PARSONS, CORDELL ALAN BUGG and his wife to fly roundtrip commercial air to Las Vegas, NV. P. 5



March, 2009

**Builders  
Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN  
PARSONS, CORDELL ALAN BUGG  
and JAMES WINFIELD STEWART,

*Defendants.*

BRENT ALAN PARSONS, Co-conspirator One, Co-conspirator Two, and a fourth individual known to the government flew to Pebble Beach, California in a private jet. P. 5

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

## TESTIMONY OF GARY BATTON

Q.  
Do you recall Jason ever taking a trip to Pebble Beach to play golf?

A. Yes, sir.

Q. Did you authorize that trip?

A. I authorized the leave for him to go on that trip. P.22

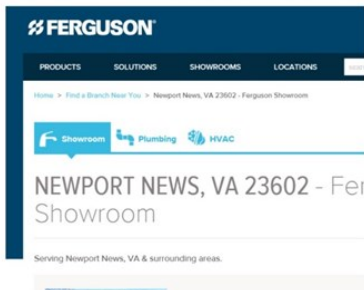






March, 2009

**Builders  
Steel**



2010  
\$6,000  
\$2,000



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S SUPPLEMENTAL BRIEF

At Merida's request, Parsons provided a Con-  
exBox and delivered it to Merida's house so  
Merida could store \$38,516.77 worth of free  
plumbing fixtures he received from Ferguson  
Enterprises. The Conex box and delivery was  
valued at \$18,000 to \$25,000. (Trial Testimony  
of Brent Parson, p. 133) P. 8



March, 2009

**Builders  
Steel**



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S SUPPLEMENTAL BRIEF

At Merida's request, Parsons  
also provided steel, fabrication and delivery of  
two cattle guards which were installed at  
Merida's home and his father-in-law's home.  
The steel, fabrication and delivery were valued  
at \$24,000.00. (Id. at 138-139). p. 8



June 22, 2009  
**Builders Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S SUPPLEMENTAL BRIEF

Also, in June 2009, Parsons "sold" Merida a 2009 Cadillac Escalade with a sticker price of \$79,888.00 for \$25,000.



June 24, 2009

**Builders Steel**



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

caused Builders Steel to pay for CORDELL ALAN BUGG, his wife and one of his children to fly roundtrip commercial air to New York City, New York. P. 5



Oct. 5 , 2009

**Builders Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

Acoma, New Mexico on a private jet to hunt big game. BRENT ALAN PARSONS and LAURI ANN PARSONS caused Builders Steel to pay for the trip expenses of approximately \$97,000.00 for the one week hunting trip.

October, 2009



ALLEN MARK FRANKLIN,  
CNO Durant Casino Project

Mgr.



JERRY MARK ESHENRODER, Flintco  
Durant Casino Project Mgr.

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JERRY MARK ESHENRODER and  
ALLEN MARK FRANKLIN,

*Defendants.*

COUNT ONE

CONSPIRACY TO COMMIT THEFT OR BRIBERY OF PROGRAMS RECEIVING  
FEDERAL FUNDS - 18 U.S.C. § 371

From in or about October, 2009 to in or about December, 2009 in the Eastern District of Oklahoma and elsewhere, the Defendants, JERRY MARK ESHENRODER and ALLEN MARK FRANKLIN, and others both known and unknown to the government, knowingly and willfully

1. Defendant, ALLEN MARK FRANKLIN, asked Defendant, JERRY MARK ESHENRODER, if Flintco would provide granite countertops for a kitchen remodel at FRANKLIN'S personal residence.... P. 2





November, 2009

**Builders Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

3. In or about November, 2009, Co-conspirator One and BRENT ALAN PARSONS flew to the hunting reserve in Missouri in PARSONS' private jet. Co-conspirator Three drove to the hunting resort by private vehicle.

4. During the hunt, BRENT ALAN PARSONS and Co-conspirator One killed additional game, such as Bison and Red Stag deer, valued at approximately \$160,000. Co-conspirator Three was financially responsible for the charges accumulated by Co-conspirator

One and BRENT ALAN PARSONS.

6. On or about November 16, 2009, a false invoice in the amount of \$200,000 was generated by the Worth Group and presented to the CNO for payment. P. 11

**MISSOURI HUNTING FRAUD**  
In 2008 or 2009, Brian Fagerstrom, President of an architectural firm doing business with the CNO named the Worth Group, purchased a hunting trip for two at

one of the Chief Pyle's fundraising auctions. The trip cost approximately \$10,000 at the Heartland Wildlife Ranch in northeast Missouri. P. 8



CHOCTAW DURANT CASINO INTERIOR DESIGN



**2010**  
\$3,000  
**2012**  
\$1,700

**WORTHGROUP**  
ARCHITECTS & DESIGNERS

HOME ABOUT

All Architecture Feature Design Featured



CHOCTAW CASINO POCOLA ARCHITECTURE



CHOCTAW CASINO DURANT ARCHITECTURE



CHOCTAW CASINO POCOLA INTERIOR DESIGN



CHOCTAW CASINO DURANT MAINT PLAN



December 3, 2009

**Builders Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

## GOVERNMENT'S SUPPLEMENTAL BRIEF

December 3, 2009 email at 2:45 p.m. on the same day as the kickoff meeting to discuss the Pocola casino project. The email stated: If we can purchase all the Steel for the Pocola (sic) Project by tomorrow we can save the Choctaw Nation around \$3.5 million dollars. The cost of the Steel is \$10.3 million less the \$2.0 million on Idabel this would leave \$8.3 million for the steel. P. 10

December 31, 2009



A. Says, "Mr. Merida stated that Builders Steel is trying to get some cash flow in order to go out and purchase steel at a reduced rate that is being sold at now. He stated that he wanted permission to release the 8 million that they were to pay for steel at Pocola so they could do this, and it could save us 2 million on steel cost. Assistant Chief Batton asked that he get Builders Steel to get him justification that shows that they will save that amount of

money, and that they would make a decision at that time." p. 34-35

Q. Now, if you could continue to read where it starts out with Assistant Chief Batton made a motion. If you could read those next two lines.

A. Says, "Assistant Chief Batton made a motion to allow Mr. Merida to credit back to Idabel the \$2 million of steel that has already been purchased, and to use that steel for the Pocola project. Mr. McDaniel seconded the motion. The motion was approved." p. 36







January 5, 2010

**Builders  
Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S SUPPLEMENTAL BRIEF

Merida approved the pay application of the initial \$4.25 million to Builders Teel. Significantly, the next day Parsons flew Merida and his wife to Dallas and the Parsons also gave Merida's wife a new Louis Vuitton purse and wallet. P. 10

February, 2010



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

From between in\_ or about February 2010 and in or about April 2010, JAMES WINFIELD STEWART presented, or caused to be presented false Scott Rice invoices through Flintco to the CNO for payment. The purpose of the false invoices was to give the impression Scott Rice was funding the African safari. P. 10

Leopards cost \$6,750 each plus \$2,000 each for license Madubula Safaris  
www.madubula.com



March, 2010

**Builders Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S SUPPLEMENTAL BRIEF

As the millions of dollars began to roll in, Parsons rewarded Merida, Gifford and Batton. In March 2010, Builders Steel bought Gifford a \$285,000 house, two tracts of land valued at \$100,000 were purchased by the Parsons for the benefit of Merida's sons, --  
-p.12

February, 2010



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

From between in\_ or about February 2010 and in or about April 2010, JAMES WINFIELD STEWART presented, or caused to be presented false Scott Rice invoices through Flintco to the CNO for payment. The purpose of the false invoices was to give the impression Scott Rice was funding the African safari. P. 10

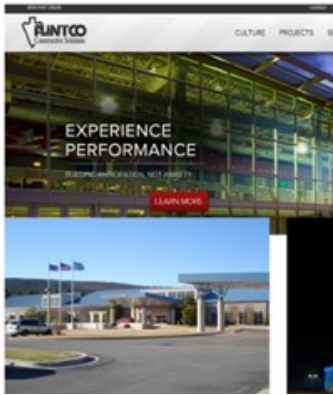
Leopards cost \$6,750 each plus \$2,000 each for license Madubula Safaris  
www.madubula.com



# Timeline

April, 2010

Chief Pyle begins accepting donations for election despite no other candidates.



**2010**

\$4,000 Max Bennett  
\$4,500  
\$3,200  
\$2,000  
\$4,000



**2010**  
\$4,500  
\$4,000  
**2012**  
\$1,500



Builders Steel

**2010** \$7,500  
\$54,000  
\$2,500



Gephart Electrical



**2010**  
\$1,500  
\$4,100  
\$1,000



**2010**  
\$1,500  
\$1,600  
\$21,000



**2012**  
\$2,100  
\$2,000  
\$1,454







2010



2010

In 1998, DB&T became the First United Bank & Trust we know today.

\$15,000  
\$1,000



2003

Greg Massey, joined the bank in 1990 and became CEO in 2003. Acquisitions were taking place throughout this time, and in 2003, First United had 18 locations in Oklahoma.

# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

## TESTIMONY OF GARY BATTON

Q. Sir, did you purchase a home from DeWayne Gifford?

A. No, sir.

Q. Max Bennett?

A. Yes, sir.

Q. Okay. And who is he with? Who was he with? What company did he --

A. He was with Flintco.

Q. Did you take out a mortgage to buy the home?

A. Yes, sir.

Q. And with what bank?

A. First United.

Q. Is that in Durant?

A. Yes, sir.

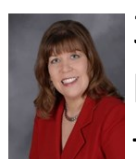
**From:** Michael Burrage [<mailto:mburrage@whittenburragelaw.com>]

**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](mailto:bob.rabon@sbcglobal.net); David Burrage; Sylvia Randolph; Michael Burrage; 'Judy Allen'

**Subject:** Choctaw Nation of Oklahoma/Builders Steel



3. Gift disclosure of Gary Batton—"purchased a house from Max Bennett in 2010."



Sept, 2010



Sept 9, 2010



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

## GOVERNMENT'S TRIAL BRIEF

FBI Oklahoma City received a complaint from Elena Harris, former CFO of Scott Rice, LLC. Scott Rice is a business furniture supply company located in OKC. Scott Rice had a second office in Tulsa, OK. The owner of Scott Rice was George Basore. JAMES WINFIELD STEWART was a sales executive in the Tulsa office. P. 7

STEWART began making reimbursement requests from Scott Rice for the purchases. Elena Harris questioned the legitimacy of the furniture purchases. She was advised by BASORE that even though it looked "squirrely" it was necessary to maintain good relationship with the CNO. P. 8

Eventually, after the money was spent, Elena Harris confronted BASORE about the transactions. BASORE refused to do anything about it and Harris resigned. P. 8

## TESTIMONY OF ELENA HARRIS

Q. From the time you resigned on September 9th, 2010 to the time you were telling the FBI about the Scott Rice transactions, approximately how much time took place?

A. I would say maybe--- maybe a month.



Sept 24, 2010

**Builders  
Steel**



# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

September 24, 2010, BRENT ALAN PARSONS, Co-Conspirator One, JAMES WINFIELD STEWART, and another person known to the government flew in a private jet to Cabela's in Fort Worth, Texas. P. 6

Oct. 4, 2010



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

LAURI ANN PARSONS, BRENT ALAN PARSONS, CORDELL ALAN BUGG and JAMES WINFIELD STEWART,

*Defendants.*

On or about October 4, 2010, BRENT ALAN PARSONS, Co-conspirator One, JAMES WINFIELD STEWART and another person known to the government traveled in a private jet to Acoma, New Mexico for big game hunting. P. 6





Oct. 9, 2010?

**Builders Steel**



# Timeline



Oct. 12, 2010



Chief Pyle

Business Committee



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S TRIAL BRIEF

Shannon McDaniel



Matt Gregory



Asst. Chief Gary Batton



Jason Merida

Ryan Garner



Jerry Tomlinson



On October 12, 2010, Barnett and two other CNO employees drove to Builders Steel in Tulsa in order to view the steel beams pre-purchased by the CNO. P. 5





Oct. 14, 2010

# Timeline

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S TRIAL BRIEF



Chief Pyle



Business Committee

Shannon McDaniel



Matt Gregory



Asst. Chief Gary Batton



Jason Merida



Ryan Garner



Jerry Tomlinson



An inventory of 2,418,942 pounds was observed on October 14, 2010. Builders Steel was short 2,401,542 pounds of steel, based on audit performed by the CNO Audit team. P. 6

July 29, 2011

**From:** Michael Burrage [<mailto:mburrage@whittenburrage.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](mailto:bob.rabon@sbcglobal.net); David Burrage; Sylvia Randolph; Michael Burrage; 'Judy Allen'

**Subject:** Choctaw Nation of Oklahoma/Builders Steel



Burrage Memo  
May 9, 2013

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-----  
\$20,775



# Timeline

## October 18, 2012

**From:** Michael Burrage [<mailto:mburrage@whittenburrage.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](mailto:bob.rabon@sbcglobal.net); David Burrage; Sylvia Randolph; Michael Burrage; 'Judy Allen'

**Subject:** Choctaw Nation of Oklahoma/Builders Steel



Burrage Memo  
May 9, 2013

4. Gary received certain gifts from Builders Steel. --Gary wrote checks to the Children's Hospital Foundation in the amount of \$7,500 and Southeastern Oklahoma State Univ. in the amount of \$20,000

6. Chief Pyle also received either "in kind" or "in cash" donation to his campaign fund from Builders Steel and Flintco. Chief Pyle has written checks from his campaign fund-----

A. 10/18/12 to Children's Hospital Foundation in the amount of \$46,165 etc...

## November, 2012



UNITED STATES OF AMERICA,

*Plaintiff,*

v.

JASON BRETT MERIDA,

*Defendant.*

GOVERNMENT'S TRIAL BRIEF

Importantly, during a November 2012 interview with agents, Merida admitted he was willing to recommend the pre-purchase because he was being financially influenced by Parsons. P. 11