



Office of the Speaker Pro Tempore

North Carolina House of Representatives
Richard T. Morgan, Speaker Pro Tempore
Raleigh, NC 27603-5925

FOR IMMEDIATE RELEASE

Contact: Stephen T. Smith
McMillan, Smith & Plyler

Date: November 13, 2006

Phone: (919) 821-5124

Speaker Morgan Releases Grand Jury Subpoena

Raleigh – Speaker Pro Tempore Richard T. Morgan today released the “Subpoena to Testify Before Grand Jury” he received. “I received a subpoena from the court to appear as a witness,” said Morgan. “I was surprised to get the subpoena and have no idea what they think I know; however, I will be happy to fully answer all of their questions and cooperate in any way I can.”

The subpoena was received on Wednesday afternoon, November 8, 2006. Stephen T. Smith of McMillan, Smith & Plyler represents Speaker Pro Tempore Richard T. Morgan for matters related to this subpoena.

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Done

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NORTH CAROLINA

TO:

Richard T. Morgan

SUBPOENA TO TESTIFY
BEFORE GRAND JURY

SUBPOENA FOR:

PERSON DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE Terry Sanford Federal Building 310 New Bern Avenue Raleigh, North Carolina	COURTROOM Room 628
	DATE AND TIME 11/15-16/06; 9:00 am


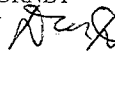
YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

SEE ATTACHMENT. Records may be furnished prior to Grand Jury to Special Agent Tim Reilly, Internal Revenue Service, 310 New Bern Avenue, Suite 210, Raleigh, NC 27601, telephone number 919-856-4288.

THIS SUBPOENA SHALL REMAIN IN EFFECT UNTIL YOU ARE GRANTED LEAVE TO DEPART BY THE COURT OR BY AN OFFICER ACTING ON BEHALF OF THE COURT. TO AVOID BEING AWAY FROM YOUR HOME UNNECESSARILY, PLEASE CALL KELLY RAINS, AT THE U.S. ATTORNEYS OFFICE, AT 1-800-538-1564 OR LOCAL 919-856-4002, TO DETERMINE THE DATE AND TIME YOU ARE REQUIRED TO APPEAR, OR FOR ANY OTHER ASSISTANCE YOU MAY NEED.

Please see additional information on reverse.

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK MICHAEL D. BROOKS, ACTING CLERK OF COURT	DATE 11/06/06
(By) Deputy Clerk 	
This subpoena is issued on application of the United States of America 2005R00063(213)	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY AUSA DENNIS M. DUFFY  310 NEW BERN AVENUE RALEIGH, NC 27601

* If not applicable, enter "none".

ATTACHMENT TO GRAND JURY SUBPOENA

Richard T. Morgan

(Grand Jury Session - Raleigh, NC - November 15-16, 2006)

Introduction

1. For purposes of this subpoena duces tecum, the term "Relevant Parties" refers to any and all of the following:

1. Automated Wagering;
2. Betty Bailey;
3. Malcolm Bailey;
4. Steven Bailey;
5. Walter David Baucomb, a/k/a Slim Baucomb;
6. James Boyce Black, a/k/a Jim Black;
7. James Boyce Black, Jr., a/k/a Jon Black;
8. Black Pest Control, Inc.;
9. Committee to Elect Jim Black, a/k/a
Jim Black Committee;
10. Zadia Brown;
11. Bill Culpepper;
12. A. David Davis;
13. Michael P. Decker, a/k/a Mike Decker;
14. Mike Decker for State House;
15. Michael P. Decker, Jr.;
16. Barry Green;
17. Robert E. Huckabee III, a/k/a Bobby Huckabee;
18. Rita Harris;
19. Virginia R. Kelly;
20. Meredith Norris;
21. Norris Corporation;
22. North Carolina Amusement Machine Association, Inc.;
23. North Carolina Amusement Machine Association PAC;
24. Office of House Speaker Jim Black;
25. John Rabenold;
26. Julie Robinson;
27. Barry Sandman;
28. S&M Brands;
29. Southland Amusement & Vending, Inc.;
30. Southland Gaming, Inc.;

31. Southland Gaming of Virgin Islands, Inc.;
32. Meredith Swindell;
33. Tarheel Association, PAC;
34. Thee Dollhouse;
35. Angie Whitener;
36. Michael Wilkins; and
37. Stephen W. Wood.

2. Unless otherwise specified, the time period in question is from January 1, 2000, through to the present.

Documents

ORIGINALS of the following documents (whether on paper, microfilm, computer, or other electronic medium) in your custody, or subject to your control:

1. All documents relating to any contributions received by you or a committee for your election (either directly or indirectly) by any of the Relevant Parties.
2. All documents relating to communications (including, without limitation, communications via e-mail, U.S. mail, courier delivery) between you (either directly or indirectly) and Jim Black, Michael Decker, Sr., other members of the leadership of the North Carolina House of Representatives, and/or any of the Relevant Parties.
3. All documents relating to payments, advances of funds, loans, donations, political contributions, bonuses, gifts, transfers of real or personal property, and/or any other type of remuneration received, either directly or indirectly, by you from any of the Relevant Parties.
4. All documents relating payments, advances of funds, loans, donations, political contributions, bonuses, gifts, transfers of real or personal property, and/or any other type of remuneration made, either directly or indirectly, by you to any of the Relevant Parties.
5. All documents relating payments, advances of funds, loans, donations, political contributions, bonuses, gifts, transfers of real or

personal property, and/or any other type of remuneration made by you on behalf of others to any of the Relevant Parties.

6. All documents relating to your campaign committee, including, without limitation, any payments, advances of funds, loans, bonuses, gifts, and/or any other type of remuneration received by you or any of the Relevant Parties from such entity.
7. All documents relating to any payments, advances of funds, loans, bonuses, gifts, and/or any other type of remuneration made by you to your campaign committee.
8. All documents relating to any rental payments made by your campaign committee.
9. Copies of Federal and State tax returns for you for the 2002 through 2005 tax years.
10. All documents relating to any business ventures and/or investments between you and any of the Relevant Parties.
11. All documents relating to bank accounts maintained by you and loans obtained by you (including, without limitation, accounts held jointly and individually) during the period in question.
12. Photographs, videotapes, and/or tape-recordings of any of the Relevant Parties.

NOTICE TO FACT WITNESSES
SUBPOENAED BY U. S. GOVERNMENT

CALL : 1 - 800 - 538 - 1564

WHEN YOU RECEIVE YOUR SUBPOENA TO SEE EXACTLY WHEN YOU ARE REQUIRED TO APPEAR AND TO MAKE TRAVEL ARRANGEMENTS IF YOU ARE TO APPEAR IN ANOTHER CITY -- CALL NO LATER THAN THE *WORKDAY BEFORE YOU MUST LEAVE YOUR RESIDENCE TO ATTEND COURT.* YOU MAY POSSIBLY PREVENT A WASTED TRIP IF TRIAL HAS BEEN POSTPONED, CANCELED, etc.

APPEARANCE IN ANOTHER CITY: You must call this office so we may arrange and pre-pay your necessary lodging & bus/air/train reservations. If you lack sufficient funds or credit cards, we can assist in contacting your local U.S. Marshals Service (in phone book under U.S. Government) to request an advance of funds to cover one-way travel and appearance fee and meals for one day. You must verify your need, present your subpoena, and personally sign an "advance money" receipt. All "advance monies" will be deducted from your final reimbursement check from the U.S. Marshals Service.

ATTENDANCE: Your subpoena tells you when and where to appear. DO NOT GO INTO THE COURTROOM! REPORT DIRECTLY TO THE U.S. ATTORNEY'S OFFICE EACH AND EVERY DAY YOU ARE REQUIRED TO ATTEND.

ALLOWANCES: Under Title 28, United States Code, Section 1821, fact witnesses are entitled to the following fee and allowances:

- a. FEE - \$40.00 for each day (or partial day) in attendance and for each day (or partial day) spent traveling.
- b. TRANSPORTATION - Reimbursement is made for necessary transportation by the LEAST EXPENSIVE method available.

FIRST CLASS AIR FARE IS STRICTLY PROHIBITED AND WILL NOT BE REIMBURSED. COACH CLASS RATE ONLY! -- PLEASE SAVE RECEIPTS.

You MUST furnish receipts for airline, train or bus tickets, taxi fares, tolls, & \$25 expenditures in order to receive reimbursement.

YOU MUST FURNISH RECEIPTS FOR ANY & ALL PARKING YOU CLAIM.

PRIVATELY-OWNED VEHICLES - Current mileage reimbursement rates for travel by privately-owned vehicles are:

Motorcycles -28½¢ Automobiles -.37½¢ Airplanes - 99½¢

Mileage is determined from odometer readings and/or the Rand McNally Guides. Only one reimbursement is made if two or more witnesses travel together in one vehicle.

PERSONAL CAR RENTAL IS STRICTLY PROHIBITED AND IS NOT REIMBURSABLE.

c. **MEALS AND LODGING** - You must lodge at least one night away from home in order to receive any food allowance. Whenever you are **REQUIRED** to stay overnight and **IF** you personally pay, you **MUST** present a **LODGING RECEIPT** in order to receive up to the following amount(s) for lodging and/or meals:

<u>IF YOU STAY IN & AROUND:</u>	<u>*MEALS AND INCIDENTAL EXPENSES</u>	<u>**NIGHTLY LODGING ALLOWANCE:</u>
ELIZABETH CITY, NC	\$31.00	\$60.00 (WITH receipt)
FAYETTEVILLE, NC	\$31.00	\$60.00 (WITH receipt)
GREENVILLE, NC	\$35.00	\$62.00 (WITH receipt)
NEW BERN, NC	\$39.00	\$68.00 (WITH receipt)
RALEIGH, NC	\$43.00	\$74.00 (WITH receipt)
WILMINGTON, NC	\$39.00	\$72.00 (WITH receipt)

*On your first and last day at court you are entitled to only one-half the amount (Ex: \$15,\$21), **ONLY IF YOU HAVE SPENT THE NIGHT.**

****YOU MUST FURNISH HOTEL RECEIPT TO RECEIVE LODGING REIMBURSEMENT****

PAYMENT: When your attendance is no longer required, a U. S. Attorney representative will complete and have you sign a **FACT WITNESS ATTENDANCE VOUCHER** which we submit to the U.S. Marshals Service. Normally, the U.S. Marshal processes the **VOUCHER** and mails a payment directly to you in about 10-12 days. (Prompt Payment Act, P.L. 97-177, 5/14/82). **CALL THIS U.S. ATTORNEY'S OFFICE IF YOU DO NOT RECEIVE YOUR CHECK IN A REASONABLE PERIOD OF TIME.**

PLEASE NOTE: Your subpoena is an "Order of the Court" which commands your appearance and is a continuing obligation until the completion of the entire trial although **WITNESSES ARE NOT USUALLY REQUIRED TO ATTEND THE ENTIRE TRIAL.**

Always call this office before commencing travel.

To ascertain your exact appearance date to avoid being away from home unnecessarily or for any assistance you need, please call these toll free numbers:

U.S. Attorney's Office (Monday-Friday) at **1-800-538-1564** and ask for Legal Assistant _____ or call **1-877-905-9465** and ask for Victim-Witness Specialist Michelle Scott or Victim-Witness Assistant Brad Hales.

(The above information does not apply to Federal Government employees (military or civilian) deportable aliens, or to aliens paroled in the United States for prosecution.)