



Department of Justice

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Northern District of Georgia

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EX-WIFE OF FORMER HOME DEPOT EMPLOYEE SENTENCED TO FEDERAL PRISON FOR FILING FALSE TAX RETURN

ATLANTA – Melissa Deaton Tesvich, 41, of Mobile, Ala., was sentenced to federal prison today by U.S. District Judge Richard W. Story, for filing a false tax return in connection with her ex-husband's scheme to defraud Home Depot.

United States Attorney David E. Nahmias said, "While this defendant was not charged with participating in her husband's fraudulent conduct, which generated millions of dollars, she knowingly joined him in filing false joint tax returns that intentionally omitted that income. She is now a felon herself, and will be serving time in federal prison. She is also responsible for paying their back taxes plus interest and penalties. This sad story should serve as a lesson to other spouses of criminals who join them in willfully failing to report income."

In Washington, D.C., Christine A. Varney, Assistant Attorney General in charge of the Department's Antitrust Division said, "Today's sentence demonstrates that those who engage in schemes to cheat the government will be prosecuted and held accountable for their illegal actions."

IRS-Criminal Investigation Special Agent in Charge Reginael McDaniel said, "This investigation speaks volumes about how greed and corruption can proliferate among individuals. Criminals should be put on notice that IRS Criminal Investigation will follow the trail of money in a financial investigation and identify those who are responsible for the crime."

Ms. Tesvich was sentenced to two years in federal prison, to be followed by one year of supervised release. There is no parole in the federal system. Ms. Tesvich was ordered to pay restitution in the amount of \$264,397. She is already forfeiting three automobiles and two pieces of real property, worth a total of approximately \$400,000, in a related civil action taken by the United States.

According to United States Attorney Nahmias and information presented in court: On May 22, 2006, Tesvich and her former husband, Anthony Tesvich, filed a joint federal income tax return for calendar year 2005, in which they knowingly and intentionally underreported their taxable income by \$1,073,683.67 and underreported the amount of taxes they owed to the United States by \$386,997. Anthony Tesvich was employed by Home Depot from 1986 until September 2005, finally obtaining the position of Global Product Development Merchant (GPDM) for Home Depot Department 23 (Flooring), which he held at the time he left Home Depot. From

October 2002 through October 2007, Anthony Tesvich participated in a conspiracy to defraud Home Depot by taking kickbacks from vendors seeking to do business with Home Depot, paying kickbacks to fellow employees to further that scheme while he worked for Home Depot and continuing to pay kickbacks to his former colleagues when he left Home Depot to further the interests of those vendors. Ms. Tesvich acted as a bookkeeper and participated in running a number of her former husband's side businesses. She also ignored her tax advisor's advice to report the income from those side businesses.

Anthony Tesvich was convicted of conspiracy to commit wire fraud in connection with a scheme to defraud Home Depot by taking kickbacks from vendors seeking to do business with Home Depot. Anthony Tesvich also pleaded guilty to evading federal taxes on his corrupt income for tax years 2003 (\$212,937 in unpaid taxes); 2004 (\$821,981 in unpaid taxes); and 2005 (\$386,997 in unpaid taxes). On June 11, 2009, Anthony Tesvich was sentenced to serve six years, six months in prison, to be followed by three years of supervised release, and was ordered to pay \$8,292,949 in restitution and forfeit all assets obtained with proceeds of the fraud scheme, including property in Smyrna, Ga.; Desert Hot Springs, Calif.; and Mobile, Ala.

This case was investigated by the Internal Revenue Service-Criminal Investigation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the FBI.

This case was prosecuted by John R. Fitzpatrick and Barbara W. Cash, Trial Attorneys for the U.S. Department of Justice Antitrust Division, Atlanta Field Office, and Assistant United States Attorneys Russell Phillips, Sally Molloy, Michael J. Brown and Gerald S. Sachs.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the Home Page for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.

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