

KEY PLAYERS

ROBERT VIGIL DEFENDANT

Vigil resigned as state Treasurer last fall in the face of impeachment following his indictment. The former two-term state auditor goes to trial Monday on 28 federal charges of extortion, conspiracy, money laundering and racketeering. The charges revolve around the placement of state investments through a California investment adviser who allegedly paid kickbacks for the business from commissions he received.



MICHAEL MONTOYA GOVERNMENT WITNESS

The former two-term state treasurer and unsuccessful Democratic congressional candidate is expected to testify early in Vigil's trial. Montoya has pleaded guilty to one count of extortion. Montoya is alleged to have masterminded the kickback scheme in 1999 and received the lion's share of the kickbacks.



ANGELO GARCIA GOVERNMENT WITNESS

The former insurance salesman recorded conversations with Vigil for the FBI. He was one of the bagmen recruited to transfer cash from a California investment adviser to Montoya and allegedly continued in that role when Vigil became state treasurer in 2003. He pleaded guilty to aiding and abetting extortion in federal court. He may not testify in the Vigil trial, or his testimony may be limited, because he faces state fraud and securities charges.



LEO SANDOVAL GOVERNMENT WITNESS

A longtime friend of Montoya's, Sandoval kept track of the funds in the kickback scheme from his desk in the state Treasurer's Office. He blew the whistle on the scheme after he was fired by Vigil for allegedly counterfeiting money using state computers and copying machines. He has been granted immunity.



KENT NELSON GOVERNMENT WITNESS

The California investment adviser placed state money in financial investments called repurchase agreements. He was recruited to place the investments by Montoya because he was willing to kick back a large portion of his commissions. Nelson eventually paid \$2.5 million in kickbacks. Nelson has pleaded guilty to one count of wire fraud.

GEORGE EVERAGE GOVERNMENT WITNESS

The state employee allegedly was offered the contract position of Securities Lending Oversight Manager if he would hire Michael Montoya's wife, Samantha, as a subcontractor. When he failed to hire Samantha Montoya, prosecutors contend, Everage's contract was canceled by Vigil through other employees. There is no record that Everage has been accused of wrongdoing.

TRYING THE CASE

JAMES A. PARKER SENIOR U.S. DISTRICT JUDGE

An engineer before turning to law, Parker was a longtime civil attorney with the Modrall law firm before being named to the bench by President Ronald Reagan. Sometimes known as "Gentleman Jim" because of his forbearance with attorneys and litigants, he has handled high-profile criminal cases before, notably the criminal case against Los Alamos scientist Wen Ho Lee.



JONATHON GERSON ASSISTANT U.S. ATTORNEY, LEAD PROSECUTOR

Previously a prosecutor with the district attorney in Brooklyn and the U.S. Attorney's Office for the Eastern District of New York, Gerson has been prosecuting or supervising white collar crime cases in the U.S. Attorney's Office in New Mexico for over a decade. He is highly regarded by defense attorneys who have tried cases against him. Gerson earned the equivalent of a master's in Irish literature from Trinity College, Dublin.



SAM BREGMAN DEFENSE ATTORNEY

A former Albuquerque city councilor and a prominent figure in state politics, this is Bregman's first criminal trial in federal court. He is a former assistant district attorney and has represented clients in high-profile civil rights cases in federal court. He is a friend of Robert Vigil's and served as a deputy when Vigil was State Auditor. Bregman has steadfastly said Vigil is innocent of all charges. He is known for his aggressive courtroom style. Bregman is a 20 percent owner of the NBA Development League's Thunderbirds basketball team.



THE CHARGES

A grand jury has charged former Treasurer Robert Vigil with 28 counts of criminal activity. The government also seeks forfeiture of more than \$250,000. Here is a summary of the charges:

Racketeering — One count charging that Vigil participated in the operation of a racketeering enterprise, the New Mexico State Treasurer's Office, by soliciting or inducing others to solicit bribes, kickbacks and gratuities.

Racketeering conspiracy — One count charging Vigil with conspiring with persons known and unknown to the grand jury to engage in a criminal enterprise.

Money Laundering — Four counts alleging Angelo Garcia's company used money from the kickback scheme to pay Vigil's campaign expenses.

Extortion — Nineteen counts alleging Vigil directed state investments

to adviser Kent Nelson, then required Nelson to transfer substantial portions of the commissions to Angelo Garcia's bank accounts. Vigil allegedly directed disbursement of the kickbacks from Garcia's accounts.

Extortion — Two counts alleging Vigil extorted cash directly from Kent Nelson in exchange for state business.

Extortion — One count alleging Vigil required George Everage to hire "Jane Doe" as a subcontractor as condition to obtaining a contract with the Treasurer's Office.

Forfeiture — Prosecutors want the court to order Vigil to forfeit \$255,410 under criminal forfeiture statutes.