

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. <u>1:07-cr-00107-TCB</u>
v.)	
)	
GERARD MARCHELLETTA,)	
GERARD MARCHELLETTA, JR.,)	
and THERESA KOTTWITZ,)	
)	
Defendants.)	
_____)	

DECLARATION OF KASSANDRA LOGAN

I, Kassandra Logan, hereby declare that:

1. On June 11, 2009, I was interviewed by private investigator Maurice “Buddy” Pearson with respect to my employment with Circle and Jerry Marchelletta, Jr. I hereby execute this Declaration in support of the Jerry Marchelletta, Jr.’s motion for a new trial pursuant to Rule 33 of the Federal Rules of Criminal Procedure.
2. Except where explicitly noted to the contrary, I have personal knowledge of the facts set forth in this Declaration and if called upon to testify, could do so competently.
3. I previously worked for the Circle and Mr. Marchelletta, Jr. in the Circle accounting department as the account manager, and subsequently, the estimating department, from 1994 until 2000 at which time I had to resign because the corporate office was moved to Alpharetta, Georgia and the commute from my home in Marietta, Georgia, was just too long.
4. During the course of the Circle investigation, I was interviewed twice by Internal Revenue Service (IRS) Special Agent (SA) Patty Bergstrom. The first interview took place at my

home in Marietta. The second took place at the Federal building in downtown Atlanta. I do not recall the specific dates of the interviews but SA Bergstrom gave me a subpoena to testify at trial after the first interview.

5. During the interviews, I recall SA Bergstrom asked questions concerning George Gorman's company LA Contractors, if Mr. Marchelletta, Jr. had a home in the Bahamas, and about Mr. Marchelletta, Jr.'s relationship with Mr. Gorman and a man named Chris Risher.

6. In response to one of SA Bergstrom's questions, I recall I told SA Bergstrom I cashed several \$500 checks for Mr. Marchelletta, Jr., that he used to take clients out at restaurants and other entertainment spots. I expensed the funds to entertainment because Mr. Marchelletta, Jr. was entertaining

7. SA Bergstrom did not threaten or coerce me in any manner, but I do know that she was much less pleasant with defendant Terri Kottwitz as SA Bergstrom told me she didn't think Ms. Kottwitz liked her.

8. I testified at the Marchelletta trial, as a government witness, on September 19, 2007.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury the foregoing is true and correct to the best of my information, knowledge and belief.

Dated: August 4th, 2009



Kassandra Logan