

1 5. On June 27th, 2008 the agency filed a report but two weeks late. In this report the
2 agency stated it had filed all documents required by 2 GAR §12105 as part of the filed
3 procurement record. *See Agency Report filed June 27th, 2008 at p.1.* The required documents
4 include a copy of the protest, a copy of the offer being protested, an abstract of offers and any
5 other relevant document. *See 2 GAR §12105(a)-(f).*

6 6. This statement was materially false; no procurement records required by statute had
7 been filed.

8 7. On July 7th, 2008 Appellants made a timely comment to the Agency Report.

9 8. A rebuttal to Appellant's comments was due July 14th, 2008

10 9. The Agency filed no rebuttal.

11 10. On July 2nd, 2008 the Appellant filed a Motion to Compel Production of a
12 Procurement Record.

13 11. At a hearing on the matter, the Agency was given until August 14th, 2008 to
14 produce the procurement record

15 12. The Agency has submitted "supplemental documents" but not the procurement
16 record.

17 13. On July 17th, 2008 the Public Auditor ordered all parties to submit certain
18 information in aid of a "conflict screen".

19 14. On July 18th, 2008 the Appellant complied.

20 15. The Agency never complied with the order.

21 16. On August 1st, 2008 the Agency submitted a "Reply" to Appellant's Comments.

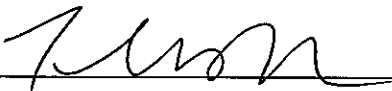
22 17. No such "reply" was authorized or prayed for and is inadmissible.

23 It is clear that the Agency, and the Office of the Attorney General, feel no need to
24 comply with any procedural rule or rule in aid of the Auditor's jurisdiction. Now, in violation
25 of the Auditor's order and without other authority, the Agency has filed a "Reply" that is

1 replete with distortion and misconstruction and utterly unmoored from the minimal discipline
2 of thought and analysis expected of a legal pleading.

3 The Attorney General professes shock that Appellant argues against “one of the most
4 hallowed principles of law we have, namely, that a man is innocent until proven guilty.” Reply
5 at ¶ 3. Of course Appellant has done no such thing and the assertion is idiotic. What
6 Appellant has done is argued that the awardee is not responsible. The proof of that is before
7 the hearing officer and is further evidenced by the fact that the Federal Bureau of Investigation
8 has executed search warrants on two of his facilities and that the warrants concern health care
9 fraud. But the Agency knows this and doesn’t inform the hearing officer of this extraordinary
10 fact. *See attachment.* In truth, the greatest question in this case is why the Agency doggedly
11 champions this dubious awardee.

12 Because the “Reply” is neither allowed nor appropriate, and because the Public
13 Auditor must enforce its own rules, Appellant prays it strike the Agency Reply.

14
15 By:  _____

16 Mr. Thomas J. Fisher, Esq.
17 Attorney for Latte Treatment Center, Inc.

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SPORTS Section B
Sports Fest 2008
Indiana West wins softball title

LOCAL
Miss Max winners
Section A, Page 2



Marshall County, Indiana's community news source since 1851

Pilot News

Friday, June 20, 2008

Volume 158 Issue No. 143 50¢

Trivia night Saturday benefits Youth for Christ

By RUSKY NIXON
CORRESPONDENT

PLYMOUTH — In order to send some kids to camp, Youth for Christ is going to try something new.

Crossroads Evangelical Free Church on Oak Road in Plymouth will host YFC's first Trivia Night fundraiser on Saturday with the doors opening at 5:30 p.m.

"I had heard of 'trivia nights' from some relatives in Illinois who said whenever they see that one is going to be held they get," said Debbie Beck, the organizer of the event. "It seems to be kind of a growing phenomenon."

All the money raised by the event will go to benefit the Youth for Christ of Indiana Lakes and help teens go to camp in Colorado later this summer. The cost is \$100 for a table of 10 players, or \$10 a player.

"We'd like teams to pre-register, just so we have an idea of how many people we'll have," said Beck. "But if anybody just wants to come that night and play we'll have space available or set them up with a table."

Beck says the group will try a few new twists on the traditional trivia night format.

"I went to one for a sports team and all the questions were sports related so of course I didn't do very well," she said with a laugh. "We're going to have 20 categories of 10 questions each and we're going to let groups choose ten of those to use."

There will also be silent auctions on the night with volunteers from YFC taking bids to be posted on a projector throughout the night. Players will be able to track their auction bids without interrupting their play.

Players can bring their own refreshments if they so desire.

"You'll have hot dogs and chicken sandwiches available pizza along with chips and soft drinks," said Beck. "We don't want people to feel like they have to buy food there so they are very welcome to bring their own."

The quizzing begins at 6 p.m. with the doors open at 5:30 p.m. For more information or reservations please call Debbie at 374-723-2125 or email beckd@yfcindy.com.

PHS drug testing results revealed

By CAROL ANDERS
STAFF WRITER

PLYMOUTH — The Plymouth School Board heard a short report on the results of random drug testing during the 2007-08 school year. Plymouth High School Principal Jim Condon told the board that 174 tests were administered. Of those, only two resulted in a failure to

pass. After the meeting, Condon said, "One of those (failures) was for nicotine and the other was for marijuana." Any student who registers to drive to school, participate in co-curricular activities or is involved in athletic or sports programs are subject to the testing. Additionally, the school administrators can request testing if there is a suspicion

of drug use. Parents can also request that their child be tested. Condon said, "The testing gives parents a level of comfort." He also spoke in favor of the testing saying, "It gives students an opportunity to say no to peer pressure." Of the 174 students tested, 116 were athletes and 58 were non-athletes. The actual tests are per-

formed by personnel from Saint Joseph Regional Medical Center. Board member Larry Pinkerton said he supported the drug intervention program. The program allows trained dogs to be brought in to the school to seek out any illegal drugs. "I think it's a great deterrent," he said. In other news:

and the superintendent received a 3 percent salary increase for the 2008-09 school year. The board voted unanimously for the pay increase. Superintendent Dan Tyree discussed the new levels of responsibility factors for each administrator. * Washington Elementary Principal Michele Riser presented a draft of a new statement. See Results, Page A3



Fire Chief Andy Meibler, Wayne Smith, Plymouth Mayor Mark Senter and Don Gardner unveiled the new fire truck last night.

New Plymouth fire engine unveiled

By RUSKY NIXON
CORRESPONDENT

PLYMOUTH — History repeating itself can be a good thing. Plymouth's Fire Department will celebrate its 120 years of service with a new truck, one that just happens to have been made by a company that has a history with Plymouth.

"It's a Scagave — they made the very first mechanized vehicle the Plymouth Department ever had," said Plymouth Fire Chief Andy Meibler. "We did a lot of searching to see which

company with a good reputation, it's got everything you need for a class one pump."

Everything including the ability for 1,500 gallons per minute, it carries six crewmembers, has six new air packs, and is fully equipped at a cost of \$449,000. It even sports chrome wheel covers, donated by Scagave since they mistakenly placed the sign on the wrong side of the vehicle.

Which side the sign is on actually makes no difference in the performance of the truck. The room available to fire-

men, however, is another story. "We have more room for different equipment so we can add to just fire protection," said Meibler. "We can add rescue equipment to this engine also."

Engine 150 will hit the streets today after being unveiled yesterday at the fire station. The new truck increases the area's ISO rating that is used by insurance companies.

"I had a ride in it last night and I got picked up at home this morning." See Fire, Page A2

EMS fundraiser: 'A way of saying thank you'

By RUSKY NIXON
CORRESPONDENT

PLYMOUTH — A pair of local groups are teaming up to help out Plymouth Fire and EMS.

The Plymouth Blackhawks Motorcycle Club and Delta Theta Tau are putting together a two-fold fundraiser from 11 a.m. to 3 p.m. Sunday.

While the Blackhawks do what they do best — just a motorcycle run — Delta Theta Tau will be serving lunch to anyone who wants to donate.

"We're going to make the run from Plymouth down around Lake Maxinkuckee and back," said Cliff Dean of the Plymouth Blackhawks. "It's about a 45-mile run. The last couple of years we've been able to raise about \$2,000 for EMS."

The cost of the run is \$15 and each participant will receive a commemorative T-shirt of the event with all money raised going to Plymouth EMS.

Fin Dean and his group, the fundraiser is a way of saying thank you.

"They do a lot of good things in the community and they always help us out on our off road races," said Dean. "They always help us out by volunteering so that we can have medical staff there."

Denise Wilson says the team up was a natural one for Delta Theta Tau as well.

"My husband is a member of the Blackhawks, and every year we do a fundraiser in October for the firehouse," she said. "When they started planning this year we started thinking about some way to team up."

The security that promotes philanthropy in the community will have a sloppy Joe sandwich with hot dogs lunch with chips for \$4. There will also be soft drinks and dessert items available for a minimal cost. All proceeds from the lunch will also go to Plymouth EMS. "We don't there to be part in the ride to have some

See EMS, Page A2

Federal investigation begins in Plymouth

By CAROL ANDERS
STAFF WRITER

PLYMOUTH — As vans pulled into an otherwise quiet neighborhood yesterday, people were wondering what was going on when they later saw several men carrying out boxes from a local group home.

According to Wendy Osburn with the Federal Bureau of Investigation in Indianapolis, "The FBI is in Plymouth conducting search warrants in an ongoing federal investigation."

She also said, "To date, no charges have been filed and no arrests have been made."

See Federal, Page A2



Several federal vehicles were seen in front of the Nervos Street group home Thursday, where investigators carried out boxes of "evidentiary" documents.

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>Date: 18-Jul-2008 05:38:35 +1000
 >From: "Maggie Nixon" <mnixon@thepilotnews.com>
 >To: <jaqdaq@ite.net>
 >Subject: article
 >
 >Article was published June 20, 2008. These are the group homes
 in
 >Plymouth, Ind. where Dr. Zackheim is located.
 >
 >Federal investigation begins in Plymouth
 >By Carol Anders
 >Staff Writer
 >
 >PLYMOUTH — As vans pulled into an otherwise quiet
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 >Indianapolis, "The FBI is in Plymouth conducting search
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 >an ongoing federal investigation."
 >She also said, "To date, no charges have been filed and no
 arrests
 >have been made."
 >Osborn said the documents are "sealed" and she couldn't tell
 me any
 >more.
 >Donald Schmid of the United States Attorney General's Office
 in South
 >Bend confirmed FBI agents and investigators from the Indiana
 State
 >Attorney General's office were executing two federal search
 warrants
 >in Plymouth Thursday.
 >One of the warrants was being executed at 404 Indiana Ave. and
 the
 >other at 317 Monroe St., both previous group homes.
 >Schmid said at least one of the homes was still being used for
 a
 >placement.
 >"The warrants concern a federal health care fraud
 investigation. The
 >investigation is ongoing," he said.

43661	Success Aquisition Corp DBA Success 3455 West Vermont St. Indianapolis, IN 46222 (317)916-1402	Youth and Family Center Services, Inc. 1701 Capitol of Texas 5 th Flr. Austin, TX 78746 Michael Johnson (512)835-5437	Boys	12-21	10
43699	Trinity House 1501 Lesley Ave. Indianapolis, IN 46219 317-359-5467	Trinity House 1525 N. Ritter Ave. Indianapolis, IN 46219 Sven Schumacher 317-359-5467	Girls Boys	16-21 16-21	8
42135	Stopover, Inc. ALL 658 Woodruff PL, Middle DR OC Indpls, IN 46201 317-635-9301	Stopover, Inc. 2236 E 10 th ST Indpls., IN 46201 Elizabeth B. Malone 317-635-9301	Girls Boys	13-17 13-17	8
43700	Visions Group Home III 764 Edgemont St. Indianapolis, IN 46208 317-920-0441	Visions, Inc. 2424 Dr. Martin Luther King Jr. St. Indianapolis, IN 46208 Richard Skirvin 317-925-4231 ext. 240	Boys	13-18	10
43701	Visions Group Home III 770 Edgemont St. Indianapolis, IN 46208 317-920-0041	Visions, Inc. 2425 Dr. Martin Luther King Jr. St. Indianapolis, IN 46208 Richard Skirvin 317-926-5452	Boys	10-18	10
43544	Washington Place All 3660 N. Washington Blvd. OC Indianapolis, IN 46205 317-921-3940	Midwest Institute Inc. 3676 N. Washington Blvd. Indianapolis, IN 46205 Dr. Shelvy Keglur 317-931-3940	Boys	12-18	10

Marshall County

	Facility Name	Corporation Name	Sex/Ages/Total #
43686	ACP Transitional Home 404 Indiana Ave. Plymouth, IN 46563 (574)936-8610	Assoc In Clinical Psych 317 West Monroe PO Box 810 Plymouth, IN 46563 Marc Zackheim (574)936-8004	Boys 13-20 7
43521	ACP -Assoc. in Clinical Psych. North 317 W Monroe OC Plymouth, IN 46563 574-936-8610	Assoc. in Clinical Psych. 317 W. Monroe Plymouth, IN 46563 Marc Zackheim 574-936-8004	Boys 12-20 10