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Attorneys for Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
COUNTY OF MARICOPA**

STATE OF ARIZONA,  
Plaintiff,

v.

**GREG C. CONWAY (001),**  
Defendant.

Case No:

**DIRECT COMPLAINT**

CHARGING VIOLATIONS OF:

**Counts 1, 7: Fraudulent Schemes and  
Artifices, A.R.S. § 13-2310, a Class 2  
Felonies**

**Count 2: Conflict of Interest, A.R.S. § 38-  
503, a Class 6 Felony**

**Counts 3-5, 8-27: Misuse of Public Money,  
A.R.S. § 35-301, a Class 4 Felonies**

**Counts 6, 28: Fraudulent Schemes and  
Practices, a Class 5 Felonies**

**Count 29, Theft, A.R.S. § 13-1802, a Class  
2 Felony**

The complainant herein personally appears and, being duly sworn, complains on information and belief against GREG C. CONWAY, charging that in Maricopa County, Arizona:

**COUNT 1**

**FRAUDULENT SCHEMES AND ARTIFICES**

From approximately June 2002 to June 2005, GREG C. CONWAY, acting pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of false or fraudulent pretenses, representations, promises or material omissions, in violation of A.R.S. §§ 13-2310, 13-301 through -303, 13-701 through -702.02, and 13-801.

This conduct occurred when GREG C. CONWAY, who was employed as the Page Unified School District (PUSD) Superintendent, arranged for a position of employment for his wife, Nancy Conway, with Coconino Association of Vocational, Industry, and Technology (CAVIAT) and arranged to reimburse CAVIAT for the full amount of salary and expenses for his wife with PUSD funds. GREG C. CONWAY obtained PUSD Governing Board and CAVIAT Governing Board approval for creating and funding this position by making material misrepresentations and omissions to the Boards, as alleged in Count 2. As a result of these actions, PUSD reimbursed CAVIAT approximately \$87,520 for Nancy Conway's salary and expenses.

**COUNT 2**

**CONFLICT OF INTEREST**

From approximately June 2002 to June 2005, GREG C. CONWAY, acting as a public officer or employee of a public agency: possessed, or had a relative who possessed, a substantial interest in any contract, sale, purchase or service to the public agency and failed to make known that interest in the official records of the public agency and failed to refrain from

participating in any manner as an officer or employee in such decision; and/or possessed, or had a relative who possessed, a substantial interest in any decision of a public agency and failed to make known that interest in the official records of the public agency and failed to refrain from participating in any manner as an officer or employee in such decision, in violation of A.R.S. § 38-502, -503, and -510, 13-301 through -303, 13-701 through -702.02, and 13-801.

This conduct occurred when GREG C. CONWAY unsuccessfully attempted to secure a position for his wife, Nancy Conway, as PUSD Personnel Director and subsequently obtained the position with CAVIAT for her, pursuant to the scheme alleged in Count 1. When GREG C. CONWAY attempted to obtain a position of employment for Nancy Conway as PUSD Personnel Director, the PUSD Governing Board declined to hire Nancy Conway due to conflict of interest concerns. GREG C. CONWAY then arranged for another school district, CAVIAT, to create a new position and hire his wife for that position, with all salary expenses related to that position to be reimbursed to CAVIAT by PUSD. GREG C. CONWAY participated in all aspects of creating this position, obtaining the position for his wife, and reimbursing CAVIAT with PUSD funds for his wife's salary. In doing so, GREG C. CONWAY obtained PUSD Governing Board approval without disclosing to the Boards his participation in the creation of the CAVIAT position or his wife's employment in the CAVIAT position.

### **COUNTS 3 - 5**

#### **MISUSE OF PUBLIC MONEY**

Between approximately August 18, 2003, and June 29, 2005, GREG C. CONWAY, a person charged with the receipt, safekeeping, transfer or disbursement of public money, knowingly and without lawful authority appropriated public money for the use of another and/or knowingly transferred public money when not authorized or directed by law to do so, in violation of A.R.S. §§ 35-301 and -302, 13-301 through -303, 13-701 through -702.02, and 13-801.

This conduct occurred when GREG C. CONWAY caused the following payments of PUSD funds to be made to CAVIAT as reimbursement for the salary expense of his wife, Nancy Conway, pursuant to the allegations in Counts 1 and 2:

COUNT	DATE	AMOUNT
3	August 18, 2003	\$29,764
4	August 6, 2004	48,340
5	June 29, 2005	9,416
	<b>TOTAL</b>	<b>\$87,520</b>

**COUNT 6**

**FRAUDULENT SCHEMES AND PRACTICES**

Between approximately August 6, 2002, and December of 2004, GREG C. CONWAY, in a matter related to the business conducted by a department or agency of the State, acting pursuant to a scheme or artifice to defraud or deceive, knowingly falsified, concealed or covered up a material fact by trick, scheme or device and/or made or used any false writing or document knowing such writing or document contained false, fictitious or fraudulent statement(s) or entry, in violation of A.R.S. §§ 13-2311, 13-301 through -303, 13-701 through -702.02, and 13-801.

This conduct occurred when GREG C. CONWAY surreptitiously inserted documents into the files of PUSD relating to the August 6, 2002, and July 15, 2004, Board meetings.

**COUNT 7**

**FRAUDULENT SCHEMES AND ARTIFICES**

From approximately June 2003 to June 2004, GREG C. CONWAY, pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of false or fraudulent pretenses,

representations, promises or material omissions, in violation of A.R.S. §§ 13-2310, 13-301 through -303, 13-701 through -702.02, and 13-801.

This occurred when GREG C. CONWAY, who was employed as the PUSD Superintendent, caused unauthorized performance pay and/or payments under an Inter-governmental Agreement (IGA) with the Coconino County School Superintendent's Office to be made to himself and others. GREG C. CONWAY failed to obtain the necessary Board approval for the performance payments and misrepresented to business office staff that the performance payments were approved by the Board. GREG C. CONWAY misrepresented to business office staff that payments to certain individuals were authorized under the IGA when in fact the IGA authorized payments directly to the district and not to individuals. These unauthorized payments total \$84,981 and are alleged in Counts 8 through 27.

**COUNTS 8 – 22**

**MISUSE OF PUBLIC MONEY**

In June 2003, GREG C. CONWAY, a person charged with the receipt, safekeeping, transfer or disbursement of public money, knowingly and without lawful authority, appropriated public money for the use of another and/or knowingly transferred public money when not authorized or directed by law to do so, in violation of A.R.S. §§ 35-301, 13-301 through 303, 13-701 through 13-702.02, and 13-801.

This conduct occurred when GREG C. CONWAY issued an unauthorized performance payment to himself and to others, pursuant to the scheme alleged in Count 8. GREG C. CONWAY issued unauthorized performance payments totaling \$69,809, as follows:

COUNT	RECIPIENT	AMOUNT
8	GREG C. CONWAY	\$8,845
9	Jim Walker, Asst. Superintendent	6,800

10	Dennis Veal, Principal	5,625
11	Perry Berry, Principal	4,950
12	Karen Johnson, Principal	4,900
13	Lynn Taylor David, Principal	4,900
14	Lee Fleming, Asst. Principal	3,900
15	Randy Hiner, Asst. Principal	3,900
16	Eric Bonniksen, Asst. Principal	3,900
17	Eva Ross, SPED Director	4,900
18	Judy Best, Business Manager	4,275
19	Lana Berry, Asst. Business Manager	3,900
20	David Wilmes, Research Director	3,250
21	Phillip Baca, Profess. Devel. Dir.	2,882
22	Nancy Walker, Ed. Director	2,882
	<b>TOTAL</b>	<b>\$69,809</b>

**COUNTS 23-27**

**MISUSE OF PUBLIC MONEY**

In June 2004, GREG C. CONWAY, a person charged with the receipt, safekeeping, transfer or disbursement of public money, knowingly and without lawful authority, appropriated public money for the use of another and/or knowingly transferred public money when not authorized or directed by law to do so, in violation of A.R.S. §§ 35-301, 13-301 through -303, 13-701 through -702.02, and 13-801.

This conduct occurred when GREG C. CONWAY issued unauthorized payments pursuant to an IGA with the Coconino County School Superintendent's Office to himself and others, totaling \$15,172, as follows:

COUNT	RECIPIENT	AMOUNT
23	GREG C. CONWAY	\$8,371
24	Jim Walker, Asst. Superintendent	6,103
25	Shawna Leach, Food Service Dir.	436
26	Denise Hatcher, Technology Dir.	175
27	Dennis Veal, Page H.S. Principal	87
	<b>TOTAL</b>	<b>\$15,172</b>

### **COUNT 28**

#### **FRAUDULENT SCHEMES AND PRACTICES**

Between approximately February 19, 2002, and December of 2004, GREG C. CONWAY, in a matter related to the business conducted by a department or agency of the State, acting pursuant to a scheme or artifice to defraud or deceive, knowingly falsified, concealed or covered up a material fact by trick, scheme or device and/or made or used any false writing or document knowing such writing or document contained a false, fictitious or fraudulent statement or entry, in violation of A.R.S. §§ 13-2311, 13-301 through -303, 13-701 through -702.02, and 13-801.

This conduct occurred when GREG C. CONWAY surreptitiously inserted documents into the files of PUSD relating to the February 19, 2002, May 7, 2002, July 12, 2002, December 16, 2002, September 2, 2003, September 16, 2003, and/or January 6, 2004, Governing Board meeting.

### **COUNT 29**

#### **THEFT**

From approximately June 2002 to June 2005, acting knowingly and without lawful authority: controlled the property of another with the intent to deprive the other person of the

property; converted for an unauthorized term or use property of another entrusted to him or placed in his possession for a limited, authorized term or use; and/or obtained services or property of another by means of material misrepresentation with the intent to deprive the other person of such property or services, and the property had a value of \$100,000 or more, in violation of A.R.S. §§ 13-1801 and -1802, 13-301 through -303, 13-701 through -702.02, and 13-801. This conduct occurred when GREG C. CONWAY authorized payments totaling \$104,736 as salary reimbursement for his wife, Nancy Conway, as alleged in Counts 3-5, and as performance and IGA payments to himself as alleged in Counts 8 and 23.

TERRY GODDARD  
ATTORNEY GENERAL

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MONICA B. KLAPPER  
Assistant Attorney General  
Criminal Division

It is requested that a **Summons** be issued.  
It is requested that Defendant appear for fingerprints and photograph.

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Lindsey A. Perry, COMPLAINANT

AGENCY: Office of the Auditor General

SUBSCRIBED AND SWORN upon information and belief this \_\_\_\_ day of December, 2008.