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HUSBAND AND WIFE INDICTED FOR EMBEZZLING FROM EMPLOYEE BENEFIT PLANS AND FOR TAX EVASION

Baltimore, Maryland – A federal grand jury has indicted Shaun Tucker, a/k/a "Shawn Turner," and his wife, Joanne Tucker, a/k/a "Joanne Krcma," "Jill Swanson," and "Jocelyn Turner," both age 49, of Keymar, Maryland, for embezzling from employee benefit plans and for tax evasion. The indictment was returned on September 16, 2014 and unsealed yesterday.

The indictment was announced by United States Attorney for the District of Maryland Rod J. Rosenstein; Special Agent in Charge Bill Jones, U.S. Department of Labor – Office of Inspector General, Washington Regional Office of Labor Racketeering and Fraud Investigations; Special Agent in Charge Thomas J. Kelly of the Internal Revenue Service - Criminal Investigation, Washington, D.C. Field Office; Regional Director Marc I. Machiz of the U.S. Department of Labor, Employee Benefits Security Administration; and Special Agent in Charge Robert Craig of the Defense Criminal Investigative Service - Mid-Atlantic Field Office.

The Tuckers were officers and shareholders of Quantell, Inc. and Intaset Technologies Corporation. Both companies had employee health and welfare plans in which employees deposited their contributions. The Tuckers also served as the plan administrators of both companies' employee plans, and as representatives of the plan sponsors, Quantell and Intaset.

According to the five count indictment, in October, 2009, upon Shaun's request, the bank holding the companies' plan funds issued a check for $50,000 from the Intaset employee plan and a check for $100,000 from the Quantell employee plan, payable to MT&B, a company that the Tuckers had registered with the IRS. On October 9, 2009, the Tuckers caused the two bank checks to be deposited into a bank account for MT&B.

On January 4, 2010, the Tuckers allegedly caused a bank check for $42,344.32 and another check for $92,655.24, to be deposited into the MT&B bank account. These remaining funds were also assets of the Quantell and Intaset plans.

The indictment alleges that from November 2009 to April 2010, the Tuckers caused money to be transferred from the MT&B bank account, and eventually used more than $200,000 to pay for the construction of a 5,000 square foot home in Swanton, Maryland and other personal benefits.

The indictment further alleges that on April 8 and October 7, 2010, Shaun Tucker falsely stated to representatives of the Department of Labor (DOL) that there had been no transfers of any Quantell plan assets. On November 8, 2010, Shaun Tucker submitted a form to DOL falsely certifying that all of the remaining assets from the Quantell plan had been transferred to a Quantell - MT&B employee plan, while knowing that the Tuckers had instead used the funds for their personal benefit.

The indictment seeks the forfeiture of $284,999, the total amount of money which the Tuckers allegedly embezzled from the company employee plans, along with the residence in Swanton and a 2011 BMW.

Finally, according to the indictment, the Tuckers filed a joint tax return for 2009 in which they falsely reported income of $180,251, when in fact they knew that their income was $821,579, upon which taxes of $256,069 were owed.

"Business owners have an obligation to their employees and as taxpayers." said Thomas J Kelly, Special Agent in Charge, IRS Criminal Investigation, Washington DC Field Office.

The Tuckers face a maximum sentence of five years in prison and a fine of $250,000 on each of four counts of embezzling from an employee plan; and a maximum of five years in prison and a $100,000 fine for tax evasion. An initial appearance has been scheduled for the defendants on October 1, 2014 at 11:00 a.m. in U.S. District Court in Baltimore.

An indictment is not a finding of guilt. An individual charged by indictment is presumed innocent unless and until proven guilty at some later criminal proceedings.

Today's announcement is part of efforts underway by President Obama's Financial Fraud Enforcement Task Force (FFETF) which was created in November 2009 to wage an aggressive, coordinated and proactive effort to investigate and prosecute financial crimes. With more than 20 federal agencies, 94 U.S. attorneys' offices and state and local partners, it's the broadest coalition of law enforcement, investigatory and regulatory agencies ever assembled to combat fraud. Since its formation, the task force has made great strides in facilitating increased investigation and prosecution of financial crimes; enhancing coordination and cooperation among federal, state and local authorities; addressing discrimination in the lending and financial markets and conducting outreach to the public, victims, financial institutions and other organizations. Since the inception of FFETF in November 2009, the Justice Department has filed more than 12,841 financial fraud cases against nearly 18,737 defendants including nearly 3,500 mortgage fraud defendants. For more information on the task force, visit www.stopfraud.gov.

United States Attorney Rod J. Rosenstein commended the U.S. Department of Labor – Office of Inspector General, IRS – Criminal Investigation, U.S. Department of Labor - Employee Benefits Security Administration, and DCIS for their work in the investigation. Mr. Rosenstein thanked Assistant U.S. Attorneys Harry Gruber and Judson Mihok, who are prosecuting the case.