



# NEWS RELEASE

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**FOR IMMEDIATE RELEASE  
Thursday, April 17, 2008**

**08-57**

**MARK J. AVERY SENTENCED TO 8 ½ YEARS IN FEDERAL PRISON  
FOR WIRE FRAUD AND MONEY LAUNDERING SCHEME**

Anchorage, Alaska – United States Attorney Nelson P. Cohen announced today, April 17, 2008, that Mark J. Avery, a resident of Anchorage, Alaska, was sentenced in federal court in Anchorage to eight and one-half years in prison for his conviction of wire fraud and money laundering. The court also ordered Avery to pay restitution to the *May Smith Trust* in the amount of \$52.125 million dollars which is due immediately.

Avery, age 48, was sentenced by U.S. District Court Judge Ralph R. Beistline.

Avery's sentencing is the result of his guilty plea in March, 2006, to seven counts of wire fraud and seven counts of money laundering in connection with his actions in arranging for, and spending \$52 million dollars secured by the assets of the *May Smith Trust*, a trust supposedly in existence for the care and maintenance of May Wong Smith, for which he was an appointed trustee.

In February, 2006, evidence obtained from the simultaneous execution of search warrants for the businesses of Mark J. Avery ("Avery"), including Security Aviation, Inc., included thousands of pages of documents detailing Avery's breach of fiduciary duty as Trustee to the *May Smith Trust* and May Wong Smith.

During the sentencing hearing, Assistant United States Attorney Steven E. Skrocki advised the court that the matter was a massive breach of trust in that none of Avery's purchases nor his business plans were in any way designed to benefit May Wong Smith or her personal trust but were in fact designed to benefit Avery and the businesses he purchased.

"A \$52 million fraud, which is enormous by any standard, requires a law enforcement response that is equal in measure," said Kenneth J. Hines, the IRS Special Agent in Charge of Alaska. "Today's sentence sends a very clear message. People who misuse their position of trust, and pilfer money that was set aside for the care of the most vulnerable among us, will be held fully accountable."

Special Agent in Charge of the FBI Kevin Fryslie stated, "The FBI will continue to place high priority on white collar crime criminals who prey on vulnerable victims."

Mr. Cohen commended the Federal Bureau of Investigation and the Internal Revenue Service–Criminal Investigations, who conducted the investigation that led to the prosecution of Avery.

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