



Department of Justice

United States Attorney A. Brian Albritton
Middle District of Florida

Tampa	Orlando	Jacksonville	Ocala	Fort Myers
FOR IMMEDIATE RELEASE			CONTACT: STEVE COLE	
March 4, 2009			PHONE: (813) 274-6136	
http://www.usdoj.gov/usao/flm/pr			FAX: (813) 274-6300	

CONSTRUCTION FIRMS PLEAD GUILTY AND SENTENCED IN BALD EAGLE CASE

Orlando, Florida - U.S. Magistrate Judge Gregory J. Kelly today sentenced Graham Brothers Construction, Inc., and Specialized Services, Inc.-- both Georgia construction firms--to pay a fine of \$75,000 and to serve one year of probation for violating the Bald and Golden Eagle Protection Act. The firms also agreed to institute an environmental compliance plan to develop policies, procedures, and employee training to avoid future violations.

According to court documents and statements of counsel before Judge Kelly, in 2003, Graham Brothers Construction, Inc., and Specialized Services, Inc. were performing contracting services for a residential real estate development company on the "Lake Jessup Woods" property near Sanford, Florida, in Seminole County. The residential real estate development company owned the property. As early as November 2003, a subcontractor observed a bald eagles' nest on the property. In late December 2004 and early January 2005, as work on the project progressed, other members of the construction crew, including the defendant corporations' employees, observed the nest, as well as at least two bald eagles. At least one employee talked to an on-site supervisor about the nest and was told to stay clear of it.

On or about January 5, 2005, the defendant corporations, through their agents, informed the development company that employees at the site had observed the nest. Although the defendant corporations initially refused to use their employees to remove the tree and the bald eagles' nest ahead of the normal clearing schedule, the defendants' on-site supervisor and the defendant company later reached an agreement allowing the development company's employees to use the defendants' heavy equipment to destroy the tree containing the nest. The tree and nest were destroyed on or about January 21, 2005.

This case was investigated by agents of the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission. It was prosecuted by Assistant United States Attorney Lana N. Pettus of the Environmental and Natural Resources Section of the Department of Justice and Assistant United States Attorney Bruce S. Ambrose of the Middle District of Florida, Orlando Division.
