

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 09-
v. : 29 U.S.C. § 503 and
 : 18 U.S.C. § 2
KATHLEEN FONTI :

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges that:

1. At all times relevant to this Information:

(a) Health Professionals and Allied Employees Local 5030 (hereinafter the "Local 5030") was a "labor organization" within the meaning of the provisions of Title 29, United States Code, Sections 152(5), 402(I) and 402(j). The Local 5030 represented and admitted to its union membership persons employed at the Palisades Medical Center in North Bergen, New Jersey.

(b) Defendant KATHLEEN FONTI was the President of the Local 5030 from in or about 2006 through in or about September 2008. As such, she was an officer of a labor union, pursuant to Title 29, United States Code, Section 402(q). As an officer of the Local 5030, defendant KATHLEEN FONTI was also a fiduciary of the union and her duties and obligations were, among others: (1) to hold the money of the Local 5030 solely for the benefit of its

members; (2) to avoid acting in her own personal self interest in a manner which conflicts with the interest of the Local 5030; and (3) to avoid acting on behalf of any party whose interests were adverse to the interests of the Local 5030 in any matter connected with her duties.

2. In or about August 2007, defendant KATHLEEN FONTI took out an undocumented loan in the amount of \$14,659.54 from the Local 5030, without disclosing such loan to the union in advance, in order to pay for personal expenditures related to her son's wedding in New York City (the "Loan"). In particular, defendant KATHLEEN FONTI took out the Loan by charging hotel, rental car, and other expenses to an American Express credit card issued to her as President of the Local 5030 by the union for business-related expenses.

3. From approximately August 2007, through on or about September 8, 2008, in Bergen County, in the District of New Jersey and elsewhere, the defendant,

KATHLEEN FONTI,

did knowingly and willfully cause a labor organization, namely, the Health Professionals and Allied Employees Local 5030, to directly and indirectly make a loan to her as President of such organization, which resulted in a total indebtedness on her part to the Local 5030 in excess of \$2,000.

In violation of Title 29, United States Code, Sections

503(a) and (c); and Title 18, United States Code, Section 2.

RALPH J. MARRA, JR.
Acting United States Attorney