

BAH/2008R00752

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 09- 132(GEB)
	:	
HERMAN FRIEDMAN	:	18 U.S.C. § 666(a)(2) & § 2
	:	

I N D I C T M E N T

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

1. At all times relevant to this Indictment:

a. Defendant HERMAN FRIEDMAN was a member of "235 56th St. Assoc. LLC," which owned a four-story apartment and commercial building ("235 56th Street") designated by the street address 235 56th Street (also known as 5518 Hudson Avenue) in the Town of West New York, New Jersey ("West New York" or the "Town").

b. 235 56th Street contained approximately 15 residential apartment units and approximately one commercial unit. 235 56th Street had an additional space on the ground floor adjacent to the commercial unit that was designated as "Apartment 1A," which defendant HERMAN FRIEDMAN identified as an illegal residential unit. 235 56th Street lacked a Certificate of Occupancy, which was a legal document certifying that the

building complied with certain regulations and, thus, was suitable for habitation.

c. West New York was a municipality located in Hudson County, New Jersey. West New York received federal benefits in excess of \$10,000 during a one-year period as defined in Title 18, United States Code, Sections 666(b) and 666(d)(5).

d. A cooperating witness (the "C.W.") was employed as West New York's Construction Code Official. As Construction Code Official, the C.W. headed West New York's division of Code Enforcement and Office of Housing Inspection in the Department of Public Works. The C.W. was responsible for, among other things, enforcing the Town's construction code, inspecting rental apartments, issuing permits and Certificates of Occupancy, and ensuring compliance with federal, state and local regulations.

e. On or about March 28, 2007, after a building inspector conducted a routine inspection of 235 56th Street, the Town initiated legal proceedings against 235 56th St. Assoc. LLC alleging that 235 56th Street contained an illegal apartment unit and instructing the LLC to remove the illegal unit.

The Scheme

2. From in or about July 2007 to in or about March 2008, defendant HERMAN FRIEDMAN engaged in a scheme to give, offer and agree to give a corrupt payment of cash to the C.W. in exchange for acts performed in the C.W.'s official capacity as Construction Code Official with the Township.

3. It was a part of the scheme that, on or about August 30, 2007, at 235 56th Street, defendant HERMAN FRIEDMAN offered and agreed to give the C.W. a cash payment of \$5,000 in exchange for the C.W.'s official action to legalize Apartment 1A.

4. It was a further part of the scheme that, on or about March 25, 2008, at the C.W.'s office in West New York, defendant HERMAN FRIEDMAN gave the C.W. a cash payment of \$5,000 in exchange for the C.W.'s official action to legalize Apartment 1A and issue a Certificate of Occupancy for 235 56th Street.


5. From in or about July 2007 to in or about March 2008, in Hudson County, in the District of New Jersey and elsewhere, defendant

HERMAN FRIEDMAN

did knowingly and corruptly give, offer, and agree to give a thing of value, namely a cash payment totaling \$5,000 to the C.W., with intent to influence and reward the C.W. in connection with a business, transaction, and series of transactions of the Township of West New York involving a thing of value of \$5,000 and more.

In violation of Title 18, United States Code, Section 666(a)(2) and Section 2.

A TRUE BILL



RALPH J. MARRA, JR.
Acting United States Attorney

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**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

HERMAN FRIEDMAN

INDICTMENT FOR

18 U.S.C. § 666(a) (2) & § 2

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