

NEWS

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FOR IMMEDIATE RELEASE
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Owners of an Engineering and Survey Firm Indicted for
Not Paying Employment Taxes Withheld from Employees

(More)

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TRENTON – A Bridgewater couple who own and operate an engineering and survey firm were indicted today for their conspiracy to defraud the United States by not fully paying employment taxes, which were withheld from employees, U.S. Attorney Paul J. Fishman announced.

James V. DeMuro, 61, and his wife, Theresa DeMuro, 61, were named in an eight-count Indictment that was returned today by a federal grand jury sitting in Trenton. The couple is scheduled to be arraigned before U.S. District Court Chief Judge Garrett E. Brown, Jr., on Nov. 12.

The defendants, who own and operate TAD Associates, LLC., (“TAD”) are charged with one count of conspiracy to defraud the United States and seven counts of failure to account for and pay over employment taxes.

The Indictment alleges that the defendants, for seven quarters between April 2002 and February 2005, purposefully failed to pay the full amount of employment taxes withheld from TAD employees and owed to the IRS. According to the Indictment, during this time the defendants withheld approximately \$219,565 in employment taxes from their employees, yet only paid over \$97,363 to the IRS, keeping \$122,202 for their own personal use.

The charge of conspiracy to defraud the United States carries a maximum penalty of 5 years in prison and a fine of \$250,000 or twice the aggregate gain to the defendants. Each count of failure to account for and pay over employment taxes carries a maximum penalty of 5 years in prison and a fine of \$250,000 or twice the aggregate gain to the defendants or loss to the victims.

Despite indictment, each of the defendants is presumed innocent unless proven guilty beyond a reasonable doubt.

In determining an actual sentence, Judge Brown would, upon a conviction, consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Fishman credited Special Agents with the Internal Revenue Service Criminal Investigation, under the direction of Special Agent in Charge William P. Offord, with the

investigation.

The government is represented by Assistant U.S. Attorney John J. Hoffman of the Criminal Division in Trenton.

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