



Department of Justice

United States Attorney Carter M. Stewart
Southern District of Ohio

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CONTACT: Fred Alverson
614-469-5715

FORMER BUTLER COUNTY COMMISSIONER, DUBLIN ATTORNEY EACH CHARGED WITH CONSPIRACY AND TAX CRIMES

CINCINNATI – A federal grand jury here has indicted former Butler County Commissioner Michael A. Fox and Dublin, Ohio attorney Robert C. Schuler, alleging that they conspired to improperly benefit from Butler County contracts involving a company doing business with the county, and that the men failed to report income from the deals on their federal income tax returns. Fox is also charged with mail fraud involving honest services for failing to disclose conflicts of interest in Ohio ethics disclosure statements he mailed annually from 2004 through 2007. Schuler is charged with perjury for allegedly false testimony he gave to a federal grand jury on October 1, 2008.

Carter M. Stewart, United States Attorney for the Southern District of Ohio, Keith L. Bennett, Special Agent in Charge, Federal Bureau of Investigation, Cincinnati Division (FBI) and Jose A. Gonzalez, Special Agent in Charge, Internal Revenue Service Criminal Investigation (IRS) announced the indictment today.

The eight-count indictment charges each defendant with one count of conspiracy to commit mail fraud, and one count of filing a false income tax return. The indictment charges Fox with four counts of mail fraud involving honest services. The indictment also seeks forfeiture of any property which is derived from proceeds traceable to the offenses alleged in the indictment, including but not limited to a sum of money equal to \$460,000.

The indictment alleges that Fox, 60, of Hamilton, solicited and accepted money from individuals and businesses which were Butler County contractors from 2001 – 2005 when he was a member of the Butler County Board of Commissioners.

Many of the charges stem from a contract between Butler County and NORMAP Telecommunication LLC, in 2001 to install a county-wide fiber optics communications system. Schuler bought NORMAP after the company received the contract. Schuler received approximately \$1,824,281 from Butler County. The grand jury charges that Schuler and Fox arranged for \$360,000 to be transferred to a bank to pay off a line of credit in Fox's name in March 2002 and an additional \$100,000 was later transferred to a consulting company Fox owned in September 2002.

The indictment alleges that Fox also received payment from other individuals and businesses doing business with the county.

The indictment alleges that Fox committed mail fraud when he mailed his Ohio Ethics Commission Financial Disclosure Statements omitting the payments he received and failing to disclose conflicts of interest in 2004, 2005, 2006 and 2007. The indictment charges that Fox filed a false income tax return for 2002 when he failed to disclose and pay income taxes on the payment. The indictment charges Schuler with filing a false income tax return for 2002 by failing to report business income he received.

Schuler, 46, of Dublin, is charged with making false statements in October 2008 to a grand jury investigating the circumstances surrounding the \$360,000 transfer to Fox.

Each count of mail fraud involving honest services and conspiracy to commit mail and wire fraud is punishable by up to 20 years imprisonment. Filing a false income tax return is punishable by up to three years imprisonment, plus taxes, penalties and interest. Perjury is punishable by up to five years imprisonment.

Each man is scheduled to have an initial appearance before a U.S. Magistrate Judge today.

An indictment is merely an accusation. All defendants should be presumed innocent until and unless convicted in a court of law.

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