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DOWNERS GROVE CONTRACTOR CHARGED WITH FILING FALSE FEDERAL INCOME TAX RETURNS

CHICAGO — The president and sole owner of a Downers Grove construction company was indicted on charges of filing false federal individual income tax returns for allegedly under-reporting his company's income by more than \$864,000 over two years and failing to pay additional taxes totaling more than \$260,000. The defendant, **Robert W. Conforti, Sr.**, 63, of Downers Grove, was charged in a two-count indictment returned by a federal grand jury late yesterday, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, and Alvin Patton, Special Agent-in-Charge of the Internal Revenue Service Criminal Investigation Division in Chicago, announced today.

Conforti owned Conforti Construction Co., which provided a variety of services including drywall work and painting. He was charged with two counts of filing false federal tax returns and will be ordered to appear for arraignment at a later date in U.S. District Court.

According to the charges, Conforti operated his business as a Subchapter S Corporation, and was required to report his company's net income or loss on schedules and attachments filed with his individual federal tax return. Between at least early 2004 and early 2006, Conforti allegedly created

a set of financial records that substantially under-reported his firm's gross receipts and overstated its expenses by hundreds of thousands of dollars. Conforti provided these false records showing a net business loss to an accountant who prepared his tax returns for 2004 and 2005, causing the returns to substantially under-report the business's net income, the charges allege.

For calendar year 2004, Conforti allegedly understated his business income by \$324,381, resulting in an underpayment of \$103,365, and for 2005, he allegedly understated his business income by \$540,328, resulting in an underpayment of \$157,538. For both years combined, Conforti allegedly owes additional taxes of \$260,903 as a result of under-reporting his business income by \$864,709, according to the charges.

The government is being represented by Assistant U.S. Attorney Kaarina Salovaara.

Filing a false federal income tax return carries a maximum penalty of three years in prison and a \$250,000 fine. In addition, a defendant convicted of tax offenses faces mandatory costs of prosecution and remains civilly liable to the Government for any and all back taxes, as well as a civil fraud penalty of 75 percent of the underpayment plus interest. If convicted, the Court, must impose a reasonable sentence under the advisory United States Sentencing Guidelines.

The public is reminded that an indictment contains only charges and is not evidence of guilt. The defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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