

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA            )  
  )     No.  
  )     Violations: Title 26, United  
  )     Code, Section 7206(1)  
v.    )  
ROBERT W. CONFORTI, SR.            )

**COUNT ONE**

The SPECIAL JULY 2010 GRAND JURY charges:

1. At times material to this indictment:

a. Defendant ROBERT W. CONFORTI, SR. was the president and sole shareholder of Conforti Construction Company, located in Downers Grove, Illinois, which company provided a variety of construction services, including drywall services and painting.

b. Conforti Construction Company was a Subchapter S Corporation and therefore was required to file an annual United States Income Tax Return for an S Corporation, Form 1120S with schedules and attachments. As the sole shareholder of Conforti Construction Company, defendant CONFORTI was required to report all of Conforti Construction Company's net income or loss on CONFORTI's United States Individual Income Tax Return, Form 1040 with schedules and attachments.

2. Beginning no later than in or around early 2004 and continuing through at least in or about early 2006, defendant CONFORTI:

a. created a set of financial records that substantially underreported Conforti Construction Company's gross receipts and overstated Conforti Construction

Company's expenses in the aggregate amount of hundreds of thousand of dollars for years 2004 and 2005;

b. provided this set of false financial records concerning Conforti Construction Company's gross receipts and expenses to the accountant who prepared Conforti Construction Company's Income Tax Returns for an S Corporation (Forms 1120S with schedules and attachments) and defendant CONFORTI's Individual Income Tax Returns (Forms 1140 with schedules and attachments) for the tax years 2004 and 2005;

c. caused Conforti Construction Company to file a false Income Tax Return for an S Corporation (Forms 1120S with schedules and attachments) for the tax years 2004 and 2005 in which, among other matters, Conforti Construction Company's gross receipts were substantially underreported; and

d. filed Individual Income Tax Returns (Forms 1040 with schedules and attachments) for 2004 and 2005 which falsely underreported net income derived from Conforti Construction Company.

3. On the Individual Income Tax Returns, Forms 1140 with schedules and attachments, for defendant CONFORTI and his wife for calendar years 2004 and 2005, defendant CONFORTI willfully and knowingly failed to report income from Conforti Construction Company and thus failed to identify taxes due and

owing on the Forms 1040s, as follows:

<b>Year</b>	<b>Aggregate Understatement of Income</b>	<b>Additional Tax Due</b>
2004	\$324,381	\$103,365
2005	<u>\$540,328</u>	<u>\$157,538</u>
Total:	\$864,709	\$260,903

4. On or about April 15, 2005, at Downers Grove, in the Northern District of Illinois, Eastern Division, and elsewhere,

**ROBERT W. CONFORTI, SR.,**

defendant herein, who during the calendar year 2004 was married and was a resident of Downers Grove, Illinois, did willfully make and subscribe a joint Individual Income Tax Return (Form 1040 with schedules and attachments) for the calendar year 2004, on behalf of himself and his wife, which return was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which return defendant CONFORTI did not believe to be true and correct as to every material matter, in that the return stated that the income from S Corporations (at Line 17 and Schedule E, Part II) for defendant CONFORTI and his wife was a loss of \$59,493, whereas, as defendant CONFORTI then and there well knew and believed, defendant CONFORTI's S Corporation income during 2004 was an amount substantially in excess of a loss of \$59,493;

In violation of Title 26, United States Code, Section 7206(1).

**COUNT TWO**

The SPECIAL JULY 2010 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 3 of Count One of this indictment are realleged and incorporated as if fully set forth herein.

2. On or about April 17, 2006, at Downers Grove, in the Northern District of Illinois, Eastern Division, and elsewhere,

ROBERT W. CONFORTI, SR.,

defendant herein, who during the calendar year 2005 was married and was a resident of Downers Grove, Illinois, did willfully make and subscribe a joint Individual Income Tax Return (Form 1040 with schedules and attachments) for the calendar year 2005, on behalf of himself and his wife, which return was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which return defendant CONFORTI did not believe to be true and correct as to every material matter, in that the return stated that the income from S Corporations (at Line 17 and Schedule E, Part II) for defendant CONFORTI and his wife was a loss of \$105,782, whereas, as defendant CONFORTI then and there well knew and believed, defendant CONFORTI's S Corporation

income during 2005 was an amount substantially in excess of a loss of \$105,782;

In violation of Title 26, United States Code, Section 7206(1).

A TRUE BILL:

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FOREPERSON

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UNITED STATES ATTORNEY