

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No.
: :
: 18 U.S.C. §§ 1343 & 2
v. : 26 U.S.C. § 7201, and
: 28 U.S.C. § 2461(c)
: :
JOHN EICHNER : INFORMATION
: :

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE - WIRE FRAUD

1. At all times relevant to this Information:

a. Defendant JOHN EICHNER resided in Bergen County, New Jersey, and was employed as the Chief Financial Officer ("CFO") of the Harold M. Pitman Company (the "Pitman Company").

b. The Pitman Company was a privately-owned corporation with headquarters in Totowa, New Jersey, and was engaged in the business of selling commercial graphic arts supplies and publishing equipment.

THE SCHEME TO DEFRAUD

2. From at least as early as in or about 2003, through in or about February 2009, in Passaic County, in the District of New Jersey and elsewhere, defendant

JOHN EICHNER

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, which scheme and artifice was in substance as set forth below.

Object of the Scheme

3. The object of the scheme to defraud was for defendant JOHN EICHNER to embezzle more than \$2,000,000 from the Pitman Company.

Means and Method of the Scheme

4. It was part of the scheme to defraud that, from in or about 2003 through in or about 2009, defendant JOHN EICHNER would submit monthly requests for reimbursement to the Pitman Company purportedly for the reimbursement of business expenses that he had incurred on behalf of the Pitman Company.

5. It was further part of the scheme to defraud that these requests for reimbursement, which ranged from between approximately \$26,000 to approximately \$115,000 per month, included numerous personal expenditures that defendant JOHN EICHNER fraudulently classified as business expenses.

6. It was further part of the scheme to defraud that defendant JOHN EICHNER classified as business expenses personal expenditures including lodging at luxury hotels and resorts, including a luxury resort in the Grenadine islands, meals at high-end restaurants, and clothing and jewelry purchased at retailers including Nordstrom's, Coach, and Tiffany's.

7. It was further part of the scheme to defraud that, in reliance on these false and fraudulent requests for reimbursement, the Pitman Company paid defendant JOHN EICHNER more than \$2,000,000 for expenses that were, in fact, personal expenses.

8. It was further part of the scheme to defraud that defendant JOHN EICHNER also caused wire transfers to be made from Pitman Company accounts directly to certain vendors to pay for personal expenditures. For example, defendant JOHN EICHNER caused the Pitman Company to make wire transfers in the total amount of more than \$30,000 to pay for wine that defendant JOHN EICHNER had purchased for his personal use from Sotheby's and other vendors.

9. On or about February 28, 2007, for the purpose of executing the scheme and artifice described above, and attempting to do so, in the District of New Jersey and elsewhere, defendant

JOHN EICHNER

did knowingly cause to be transmitted in interstate commerce writings, signs, signals, pictures and sounds, namely a wire

transfer of \$5,626.06 from a Pitman Company account in New Jersey to an account in the name of Sotheby's in New York.

In violation of Title 18, United States Code, Section 1343 and Section 2.

COUNT TWO - TAX EVASION

1. The allegations contained in paragraphs 1 and 4 through 9 of Count One of this Information are realleged and incorporated as though set forth in full herein.

2. On or about October 14, 2008, defendant JOHN EICHNER prepared and caused to be prepared, signed and caused to be signed, and filed and caused to be filed with the Internal Revenue Service a false and fraudulent U.S. Individual Income Tax Return reporting taxable income for the calendar year 2007 of approximately \$449,624 and a corresponding tax liability of approximately \$137,250.

3. At the time the U.S. Individual Income Tax Return was prepared, signed, and filed with the Internal Revenue Service, defendant JOHN EICHNER knew and believed that the tax return failed to disclose and report approximately \$410,795 in taxable income derived from the fraudulent scheme described in Count One of this Information, upon which income an additional tax of approximately \$138,375 was due and owing to the United States.

4. On or about October 14, 2008, in the District of New Jersey, and elsewhere, defendant

JOHN EICHNER

did knowingly and willfully evade and attempt to evade and defeat an income tax due and owing to the United States for the calendar year 2007, by preparing and causing to be prepared, by signing and causing to be signed, and by filing and causing to be filed

with the Internal Revenue Service, a false and fraudulent 2007 U.S. Individual Income Tax Return, Form 1040, described in paragraph 2, knowing it to be false and fraudulent as described in paragraph 3.

In violation of Title 26, United States Code, Section 7201.

FORFEITURE ALLEGATION

The allegations contained in Count One of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

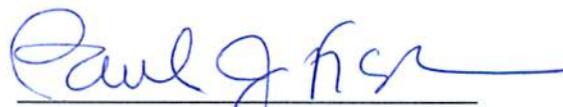
Upon conviction of Count One of this Information, in violation of Title 18, United States Code, Section 1343 and Section 2, defendant JOHN EICHNER shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), a sum of money equal to \$143,458 in United States currency, representing proceeds traceable to the offense.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

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

UNITED STATES OF AMERICA

v.

JOHN EICHNER

INFORMATION FOR

**18 U.S.C. §§ 1343 and 2,
26 U.S.C. § 7201, and
28 U.S.C. § 2461(c)**

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