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NEWS RELEASE

Richard S. Hartunian, United States Attorney for the Northern District of New York, announced today that the guilty plea of a Liverpool man on tax related charges.

On March 15, 2011, Marc A. Zicaro, 37, entered a guilty plea in federal court in Syracuse to being an accessory in the making of a false income tax return. This prosecution arose out of a related case involving Donald Geiss, Jr..

Geiss defrauded his employer, Intertek, by submitting fraudulent invoices to Intertek for payment on behalf of others including Marc A. Zicaro. Geiss fraudulently represented Zicaro to be a medical doctor. Zicaro had provided his social security number to Geiss for Geiss' use to perpetrate the fraud scheme. Marc Zicaro was not in fact a medical doctor and the invoices sought payment for work that was never done. During the course of this scheme, which ran from 2001 through 2007, Geiss received the proceeds of checks payable to Marc Zicaro, M.D., which Intertek had

issued in payment of the fraudulent invoices. During 2005, Geiss received Intertek checks payable to Marc Zicaro, M.D. in the total amount of \$152,000. Geiss did not report this income on his 2005 tax return.

In or about July 2007, Zicaro received a notice from the Internal Revenue Service concerning the fact that Intertek had reported a payment of \$152,000 to Zicaro that did not appear on Zicaro's 2005 tax return. In August 2007, after consulting with Geiss, Zicaro responded to the IRS with a signed written statement. This correspondence was false in that Zicaro stated he had notified Intertek that he did not receive the \$152,000 payment in 2005 when in fact Zicaro did not so notify Intertek. In addition, Zicaro stated that Intertek issued a corrected 1099, which was enclosed in the correspondence to the IRS. This also was false because Intertek did not issue the corrected 1099 and in fact knew nothing about it. Through this conduct, Zicaro assisted Geiss by hindering and preventing the IRS from the detection of Geiss' criminal conduct and the fact that Geiss' 2005 income tax return was false and fraudulent.

Chief United States District Court Judge Norman A. Mordue has scheduled sentencing for August 2, 2011 at 10:00 am. Zicaro faces a maximum term of 18 months imprisonment and a fine of \$125,000.

The case was investigated by the Internal Revenue Service, Criminal Investigation and the Federal Bureau of Investigation. The case was prosecuted by Assistant U.S. Attorney Edward R. Broton.

