



*United States Attorney
Southern District of New York*

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**VICE PRESIDENT OF MIDDLETOWN SAFETY CONSULTING FIRM
PLEADS GUILTY IN ENVIRONMENTAL SAFETY
OVERSIGHT FRAUD CASE**

LEV L. DASSIN, the Acting United States Attorney for the Southern District of New York, announced that CHRISTOPHER ROTANTE, 37, a Vice President of IMS Safety, Inc. ("IMS"), a corporation based in Middletown, New York, pleaded guilty today before United States Magistrate Judge GEORGE A. YANTHIS in federal court in White Plains, New York, to participating in a conspiracy to defraud the New York City Department of Environmental Protection ("DEP").

The Information to which ROTANTE pled charges that IMS held itself out as a firm specializing in, among other things, regulatory compliance in the area of worker health and safety. IMS was hired by DEP contractors to provide safety oversight at DEP construction sites. DEP contracts required such safety oversight, and required that safety oversight personnel be trained in rules and regulations relating to worker safety and be experienced in the construction industry and in construction safety. However, from approximately 2006 through January 2008, ROTANTE and others engaged in a scheme in which they made and caused to be made false representations to DEP regarding the experience and training of certain IMS employees so that DEP would approve their appointments to safety oversight positions. These false representations included false representations concerning the employees' experience in the construction industry and with construction safety, and concerning the employees' training on rules and regulations relating to worker health and safety. As a result of the fraud, DEP paid over \$1 million for jobs performed by employees about whom false representations had been made.

In pleading guilty, ROTANTE admitted that, on multiple occasions between 2006 and January 2008, he composed resumes for IMS employees with knowledge that the resumes misrepresented the employees' qualifications. He also admitted that on multiple occasions he deployed such employees to DEP work sites.

Sentencing is scheduled for May 20, 2009, before United States District Judge STEPHEN C. ROBINSON in White Plains federal court. ROTANTE

faces a maximum sentence of five years in prison and has agreed to pay restitution in the amount of \$1,035,000. In connection with his guilty plea, ROTANTE also agreed to forfeit \$1,035,000.

Mr. DASSIN praised the efforts of the United States Environmental Protection Agency's Criminal Investigation Division, the United States Department of Labor Office of Inspector General, and the New York City Department of Investigation in connection with this investigation. Mr. DASSIN also thanked the New York State Department of Health and the New York State Department of Labor for their assistance in the investigation.

Assistant United States Attorneys MARCIA S. COHEN and ANNE C. RYAN are in charge of the prosecution.

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