

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

BMR DEVELOPMENT LLC : **VIOLATION:**
DISABATINO LANDSCAPING AND : **8 U.S.C. § 1324a(a)(1)(A), (f)(1) (pattern**
TREE SERVICE, INC. : **or practice of employment of unauthorized**
DOWN TO EARTH LANDSCAPING : **aliens - 5 counts)**
RADLEY RUN COUNTRY CLUB, INC. :
VILLAGE GREEN LANDSCAPING

I N F O R M A T I O N

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this Information:

1. Defendant BMR DEVELOPMENT LLC d/b/a CARDBOARD HILL LLC (“BMR”), located at 1000 Dean Road, Greenville, Delaware, was the managing partner of FIELDSTONE GOLF COURSE, located in Wilmington, Delaware.

2. International Personnel Resources, Inc. (“IPR”), was an agency with its principle place of business located in West Chester, Pennsylvania. IPR represented seasonal business owners, including country clubs, golf courses, construction companies, and landscaping companies located throughout the United States, in obtaining H-2B temporary work visas for aliens from Mexico and Central and South America.

3. In or about the months specified in this information, defendants, BMR, DISABATINO LANDSCAPING AND TREE SERVICE, INC., DOWN TO EARTH LANDSCAPING, RADLEY RUN COUNTRY CLUB, INC., and VILLAGE GREEN LANDSCAPING, employed numerous illegal aliens by using the services of IPR to unlawfully

obtain H-2B temporary work visas for the defendants' illegal alien workers.

4. From on or about March 1, 2003, to the date of this information, the Department of Homeland Security, Immigration and Customs Enforcement (ICE), was the agency of the United States government with responsibility for the oversight and regulation of immigration laws in the United States, including the enforcement of immigration laws in the workplace.

5. Section 274A of the Immigration and Nationality Act, as amended by the Immigration Reform and Control Act of 1986, requires employers to hire only United States citizens and aliens who are authorized to work in the United States.

a. Employers must verify employment eligibility of any person hired, using Form I-9.

b. The employer must attest, under penalty of perjury, that the employer has examined the identifying documents presented by the employee, that the documents appear to be genuine and that, to the best of the employer's knowledge, the employee is eligible to work in the United States.

6. Between in or about January 2003 and in or about November 2004, approximately seventeen (17) illegal aliens, who were not eligible to work in the United States, worked for BMR at FIELDSTONE GOLF COURSE. BMR completed false Forms I-9 for each of these illegal aliens.

7. From in or about January 2003 to in or about November 2004, in the Eastern District of Pennsylvania and the District of Delaware, defendant

BMR DEVELOPMENT LLC d/b/a CARDBOARD HILL LLC

knowingly engaged in a pattern and practice of violations of Title 8, United States Code, Section 1324a(a)(1)(A), that is, BMR hired for employment in the United States approximately seventeen (17) aliens knowing the aliens were unauthorized as defined by the immigration laws of the United States (8 U.S.C. § 1324a(h)(3)).

In violation of Title 8, United States Code, Section 1324a(a)(1)(A), (f)(1).

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 2 through 5 of Count One are incorporated here.

2. Defendant DISABATINO LANDSCAPING AND TREE SERVICE, INC. (“DISABATINO”) was a landscaping company located at 471 B and O Lane, Wilmington, Delaware. DISABATINO provided landscaping services in the Eastern District of Pennsylvania and elsewhere.

3. Between in or about February 2005 and in or about November 2008, approximately seventeen (17) illegal aliens, who were not eligible to work in the United States, worked for DISABATINO. DISABATINO completed false Forms I-9 for each of these illegal aliens.

4. From in or about February 2005 to in or about November 2008, in the Eastern District of Pennsylvania and the District of Delaware, defendant

DISABATINO LANDSCAPING AND TREE SERVICE, INC.

knowingly engaged in a pattern and practice of violations of Title 8, United States Code, Section 1324a(a)(1)(A), that is, DISABATINO hired for employment in the United States approximately seventeen (17) aliens knowing the aliens were unauthorized as defined by the immigration laws of the United States (8 U.S.C. § 1324a(h)(3)).

In violation of Title 8, United States Code, Section 1324a(a)(1)(A), (f)(1).

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 2 through 5 of Count One are incorporated here.
2. Defendant DOWN TO EARTH LANDSCAPING (“DOWN TO EARTH”) was a landscaping company located at 705 Wright-Debow Road, Jackson, New Jersey. DOWN TO EARTH provided landscaping services in the Eastern District of Pennsylvania and elsewhere.
3. Between in or about March 2005 and in or about March 2009, approximately forty-three (43) illegal aliens, who were not eligible to work in the United States, worked for DOWN TO EARTH. DOWN TO EARTH completed false Forms I-9 for each of these illegal aliens.
4. From in or about March 2005 to in or about March 2009, in the Eastern District of Pennsylvania and the District of New Jersey, defendant

DOWN TO EARTH LANDSCAPING

knowingly engaged in a pattern and practice of violations of Title 8, United States Code, Section 1324a(a)(1)(A), that is, DOWN TO EARTH hired for employment in the United States approximately forty-three (43) aliens knowing the aliens were unauthorized as defined by the immigration laws of the United States (8 U.S.C. § 1324a(h)(3)).

In violation of Title 8, United States Code, Section 1324a(a)(1)(A), (f)(1).

COUNT FOUR

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 2 through 5 of Count One are incorporated here.
2. Defendant RADLEY RUN COUNTRY CLUB, INC. (“RADLEY RUN”) was a country club located at 1100 Country Club Road, West Chester, Pennsylvania.
3. Between in or about February 2005 and in or about November 2008, approximately nine (9) illegal aliens, who were not eligible to work in the United States, worked for RADLEY RUN. RADLEY RUN completed false Forms I-9 for each of these illegal aliens.
4. From in or about February 2005 to in or about November 2008, in the Eastern District of Pennsylvania, defendant

RADLEY RUN COUNTRY CLUB, INC.

knowingly engaged in a pattern and practice of violations of Title 8, United States Code, Section 1324a(a)(1)(A), that is, RADLEY RUN hired for employment in the United States approximately nine (9) aliens knowing the aliens were unauthorized as defined by the immigration laws of the United States (8 U.S.C. § 1324a(h)(3)).

In violation of Title 8, United States Code, Section 1324a(a)(1)(A), (f)(1).

COUNT FIVE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 2 through 5 of Count One are incorporated here.
2. Defendant VILLAGE GREEN LANDSCAPING (“VILLAGE GREEN”) was a landscaping company located at 432 West Springfield Road, Springfield, Pennsylvania. VILLAGE GREEN provided landscaping services in the Eastern District of Pennsylvania and elsewhere.
3. Between in or about February 2005 and in or about November 2008, approximately eight (8) illegal aliens, who were not eligible to work in the United States, worked for VILLAGE GREEN. VILLAGE GREEN completed false Forms I-9 for each of these illegal aliens.
4. From in or about February 2005 to in or about November 2008, in the Eastern District of Pennsylvania, defendant

VILLAGE GREEN LANDSCAPING

knowingly engaged in a pattern and practice of violations of Title 8, United States Code, Section 1324a(a)(1)(A), that is, VILLAGE GREEN hired for employment in the United States approximately eight (8) aliens knowing the aliens were unauthorized as defined by the immigration laws of the United States (8 U.S.C. § 1324a(h)(3)).

In violation of Title 8, United States Code, Section 1324a(a)(1)(A), (f)(1).

ZANE DAVID MEMEGER
United States Attorney