

The United States Attorney's Office

Southern District of Florida

Press Release

FORMER CHIEF FINANCIAL OFFICER CHARGED WITH TAX EVASION

April 10, 2009

FOR IMMEDIATE RELEASE

R. Alexander Acosta, United States Attorney for the Southern District of Florida, and Daniel W. Auer, Special Agent in Charge, Internal Revenue Service, Criminal Investigation Division, announced today the initial appearance and arraignment of **Harvey Fein** of Coral Springs, Florida. Fein faces federal charges of tax evasion in violation of Title 26 U.S.C § 7201, and was arraigned before U.S. District Court Judge Barry Seltzer in Fort Lauderdale, Florida.

An Information was filed on March 26, 2009 charging Fein with attempting to evade and defeat a large part of the income tax due and owing by him for the calendar year ending on December 31, 2004, by preparing and causing to be prepared, a false and fraudulent U.S. Individual Income Tax Return Form 1040.

According to statements made in court during today's hearing, during the time period in question, Harvey Fein had been the Chief Financial Officer of Florida Design, Inc. It is alleged that Fein created fictitious accounts under the company's name and diverted company funds to these accounts. Fein filed false income tax returns for tax years 2001 through 2005, where he failed to report approximately \$1.5 million of additional taxable income which he embezzled from the company. The resulting tax loss to the IRS is approximately \$440,000.

The Information charges that Fein filed his tax return with the Internal Revenue Service stating he had \$119,976.00 in taxable income and \$23,551.00 tax due and owing for calendar year 2004, when the defendant knew and believed that his taxable income for calendar year 2004 was \$526,103.86 and tax due and owing to the United States was \$158,779.00.

Mr. Acosta commended the investigative efforts of the Internal Revenue Service, Criminal Investigation Division. This case is being prosecuted by Assistant United States Attorney Bertha R. Mitrani.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

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