

News Release

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U.S. Department of Justice

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William J. Edwards, United States Attorney for the Northern District of Ohio, announced today that John D. Matuszowski was charged in a one-count Information with attempting to evade employment taxes owing on wages he paid as sole proprietor of a roofing and siding business he operated in Niles, Ohio, under the name Matuszowski Roofing and Siding. According to court records, Matuszowski is a resident of Girard, Ohio.

The Information alleges that for the years 2003 through 2006, Matuszowski paid his employees their gross wages by check and cash without withholding Federal Insurance Contributions Act (FICA) taxes or income taxes, as he knew he was required to do. He paid some regular employees a portion of their wages by check and a portion in currency. He paid some other employees only in currency. The Information charges that Matuszowski attempted to evade the employment taxes he knew to be owing on those wages by failing to file quarterly employer's tax returns, Form 941, with the Internal Revenue Service (IRS) or to pay those employment taxes to the IRS and by further concealing the wages and employment taxes by (1) paying a substantial amount of the wages in currency; and (2) issuing Forms 1099 to his employees and the IRS only for the portion of the wages paid by checks, which falsely reported those amounts as non-employee compensation. According to the Information, Matuszowski failed to report and pay FICA taxes (including both the employees' and employer's shares) for those years in the combined total of approximately \$165,851.

If convicted, the defendant's sentence will be determined by the Court after

review of factors unique to this case, including the defendant's prior criminal record, if any, the defendant's role in the offense and the characteristics of the violation. In all cases the sentence will not exceed the statutory maximum and in most cases it will be less than the maximum.

The government's case is being prosecuted by Assistant United States Attorney John M. Siegel, following an investigation by the Internal Revenue Service, Criminal Investigation, Canton, Ohio.

An information is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

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