

NEWS

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Christopher J. Christie, U.S. Attorney

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FOR IMMEDIATE RELEASE
Feb. 11, 2008

Former Accountant for Kushner Companies
Admits Tax Fraud Conspiracy

(More)

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NEWARK – The former accountant for a series of real estate partnerships controlled by Charles Kushner pleaded guilty today to conspiring to defraud the United States and to aid and assist the filing of false tax returns, U.S. Attorney Christopher J. Christie announced.

Marci Plotkin, 52, of North Caldwell, who at the time of the offense was a certified public accountant employed by an accounting firm in Roseland specializing in servicing the real estate industry, entered her guilty plea before Judge Jose L. Linares this morning.

The conspiracy count to which Plotkin pleaded guilty charges that between 1997 and 2002, Plotkin participated in a scheme to create false partnership tax returns for the properties controlled by the Kushner Companies by intentionally mischaracterizing millions of dollars worth of charitable and political contributions, capital items and gift-and-entertainment charges as business expenses. The scheme had the effect of creating millions of dollars worth of deductible expenses, which the partnerships and partners of the Kushner Companies could use to offset earnings in current and future years. The scheme is alleged to have involved the mischaracterization of more than \$6 million worth of expenses.

Plotkin also was charged with cheating on her personal tax returns for tax years 1998 to 2001 by claiming fraudulent Schedule C deductions, failing to pay employment taxes for a household employee and failing to claim income received from Kushner's real estate properties in the form of private school tuition payments for a dependent relative. As part of her plea agreement, Plotkin, while not required to plead guilty to those related counts, has agreed to pay all back taxes, penalties and interest owed from this cheating on her personal tax returns.

Kushner, a real estate mogul and national and state political contributor, was sentenced on March 4, 2005, to a 24-month sentence for his convictions on charges of assisting in the filing of false tax returns relating to the Kushner Companies, retaliating against a cooperating witness and making false statements to the Federal Election Commission.

“These admissions by a central figure in this tax fraud conspiracy affirm the basis and necessity of our indictment. We will now press on with the remaining prosecutions,” said Christie.

According to Assistant U.S. Attorneys Thomas J. Eicher, Rachael A. Honig, and Hallie A. Mitchell who are prosecuting the case, the conspiracy charge to which Plotkin pleaded guilty carries a maximum penalty of five years in prison and a \$250,000 fine.

Three other members of the conspiracy are scheduled to start trial on Wednesday, Feb. 13 before Judge Linares. They are Stanley Bekritsky, 59, of Teaneck, a former partner at the

Roseland accounting firm; Richard Stadtmauer, 49, of Livingston, the vice chairman, managing partner, and vice president of the Kushner Companies; and Anne Amici, 46, of Point Pleasant, an accountant at the Roseland accounting firm. In addition to the conspiracy charge, Bekritsky faces seven counts of aiding and assisting in the preparation of false partnership tax returns and one count of obstruction of justice; Stadtmauer faces 17 counts of aiding and assisting in the preparation of false partnership tax returns; and Amici faces 11 counts of aiding and assisting in the preparation of false partnership tax returns.

In determining an actual sentence, Judge Linares will consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Christie credited Special Agents of the IRS, under the direction of Special Agent in Charge William P. Offord, and Special Agents of the FBI, under the direction of Special Agent in Charge Weysan Dunn, with developing the case against Plotkin.

The government is represented by Assistant U.S. Attorney Eicher, the Attorney in Charge of the Trenton Office of the U.S. Attorney's Office, and Assistant U.S. Attorneys Honig and Mitchell, of the U.S. Attorney's Special Prosecutions Division in Newark.

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Defense Counsel:
Justin P. Walder, Esq., for Plotkin