

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No.
	:	
	:	18 U.S.C. §§ 1952(a)(3) & 2
v.	:	
	:	<u>INFORMATION</u>
	:	
JOHN PIETSCH	:	
	:	

The defendant having waived in open court prosecution by Indictment and any objections to venue, the United States Attorney for the District of New Jersey charges:

The Defendant and D.S.

1. At all times relevant to this Information:

a. Defendant JOHN PIETSCH resided in Suffolk County, New York, and was employed as the Director of Construction by a privately-owned company with headquarters in Farmingdale, New York, herein referred to as "PCR," which owned and operated more than 50 stores that sold consumer electronics and appliances in New Jersey, New York and Connecticut. As PCR's Director of Construction, defendant JOHN PIETSCH had the authority to determine which companies would manage the construction of PCR's facilities. As an employee of PCR, defendant JOHN PIETSCH had a duty of fidelity to PCR, including the duty to refrain from taking kickbacks and bribes intended to influence his decisions regarding which companies would be awarded PCR contracts.

b. D.S. resided in Monmouth County, New Jersey, and was the Chief Executive Officer of Designline Construction Services, Inc. ("Designline"), a commercial construction company with headquarters in Monmouth County, New Jersey. In or about April 2008, PCR retained Designline to manage the construction of a large warehouse and office facility to be built in Carteret, New Jersey (hereinafter, the "Carteret Project").

The Commercial Bribery Scheme

2. Between in or about April 2008 and in or about June 2009, defendant JOHN PIETSCH agreed to accept monies in the total amount of approximately \$80,000 from D.S. (the "Illicit Payments"). In exchange for these Illicit Payments, defendant JOHN PIETSCH agreed that he would assist in causing PCR to award construction contracts to Designline. Accordingly, the Illicit Payments were knowingly solicited and accepted as consideration for defendant JOHN PIETSCH violating and agreeing to violate his duty of fidelity to PCR.

3. From in or about April 2008 to in or about June 2009, in the District of New Jersey and elsewhere, the defendant,
JOHN PIETSCH,
knowingly traveled and caused the travel in interstate commerce with intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, commercial bribery, contrary to N.J.S.A. § 2C:21-10, and, thereafter, did perform and attempt to perform acts to promote, manage, establish, carry on, and

facilitate the promotion, management, establishment, and carrying on of such unlawful activity, as follows:

a. In or about April 2008, defendant JOHN PIETSCH traveled from New York to Carteret, New Jersey, where he met D.S.

b. Subsequently, defendant JOHN PIETSCH accepted from D.S. a cash payment of approximately \$20,000 in furtherance of their unlawful agreement.

c. On several occasions between in or about April 2008 and in or about June 2009, defendant JOHN PIETSCH caused D.S. to travel from New Jersey to New York where D.S. met defendant JOHN PIETSCH.

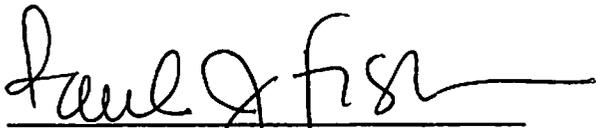
d. Subsequently, D.S. gave defendant JOHN PIETSCH cash payments in furtherance of their unlawful agreement.

In violation of Title 18, United States Code, Section 1952(a)(3) and Section 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in paragraphs 1 through 3 of Count One of this Information are realleged and incorporated as though set forth in full herein.

2. As the result of violating Title 18, United States Code, Section 1952(a)(3), as alleged in Count One of this Information, defendant JOHN PIETSCH shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to approximately \$80,000 in United States currency, in that such sum constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the offense.



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: _____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

JOHN PIETSCH

INFORMATION FOR

18 U.S.C. § 1952 (a) (3)

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