

JUDGE KEENAN

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

INFORMATION

- v. - :

12 CRIM 952

DENNIS LERNER, :

Defendant. :

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COUNT ONE

The United States Attorney charges:

USDC SDNY
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DATE FILED: **DEC 18 2012**

1. From at least in or about August 2011 through and including January 2012, in the Southern District of New York and elsewhere, DENNIS LERNER, the defendant, being a former employee of the Internal Revenue Service of the United States ("IRS"), after the termination of his employment with the United States, did knowingly and wilfully communicate with employees of the IRS, with the intent to influence, on behalf of another entity, in connection with a particular matter in which the United States was a party, in which LERNER participated personally and substantially as an IRS employee, and which involved specific parties at the time of LERNER's participation, to wit, after leaving the employment of the IRS, LERNER repeatedly spoke with former co-workers at the IRS in an effort to influence their actions with regard to a pending settlement between the IRS and LERNER's employer, in which LERNER had previously participated personally and substantially while an employee of the IRS.

(Title 18, United States Code, Section 207.)

COUNT TWO

The United States Attorney further charges:

2. From at least in or about January 2011 through and including August 2011, in the Southern District of New York and elsewhere, DENNIS LERNER, the defendant, being an employee of the IRS, did knowingly and wilfully participate personally and substantially as an IRS employee, through decision, approval, recommendation, the rendering of advice, and otherwise, in a particular matter in which, to his knowledge, he and an organization with whom he was negotiating prospective employment, had a financial interest, to wit, as an employee of the IRS, LERNER participated personally and substantially in settlement negotiations with a company while LERNER actively sought employment with the company.

(Title 18, United States Code, Section 208.)

COUNT THREE

The United States Attorney further charges:

3. From in or about March 2011 through August 2011, in the Southern District of New York, DENNIS LERNER, the defendant, being an employee of the IRS, did knowingly and wilfully disclose tax return information to another, to wit, LERNER disclosed information regarding audits being conducted by the IRS to an individual who was not an IRS employee.

(Title 26, United States Code, Section 7213.)

COUNT FOUR

The United States Attorney further charges:

4. In or about October 2011, in the Southern District of New York, DENNIS LERNER, the defendant, being a former employee of the IRS, did knowingly and wilfully disclose tax return information to another, to wit, LERNER disclosed, to an individual who was not an IRS employee, the identity of an individual who had provided confidential information to the IRS regarding an alleged tax violation committed by LERNER's employer.

(Title 26, United States Code, Section 7213.)



PREET BHARARA 
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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- v -

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Defendant.

INFORMATION

(Title 18, United States Code,
Sections 207 and 208;
Title 26, United States Code,
Section 7213)

PREET BHARARA
United States Attorney.

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Filed information
Filed waiver of indictment
Judge Netburn
U.S. M. J