

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : HON.  
 :  
 v. : Criminal No. 15-  
 :  
 LAWRENCE F. CULLARI JR. : 18 U.S.C. §§ 1341 & 2

**INFORMATION**

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

1. At times relevant to this Information:

***Background of Relevant Entities***

a. The defendant, Lawrence F. Cullari Jr. (“defendant CULLARI”), was a resident of New Jersey and the Assistant Division Administrator or Acting Division Administrator at the Federal Highway Administration’s (“FHWA”) New Jersey Division, located in West Trenton, New Jersey, from in or about 2010 through in or about July 2013. In that position, defendant CULLARI held the power to influence the allocation of U.S. Department of Transportation (“DOT”) funding and the direction of federal and state transportation programs.

b. The FHWA was an agency within the DOT that supported state and local governments in the design, construction, and maintenance of the nation’s highways. Through financial and technical assistance to state and

local governments, the FHWA was responsible for ensuring the safety and technological soundness of those highways.

c. Rutgers University's Center for Advanced Infrastructure and Transportation ("Rutgers CAIT"), located in Piscataway, New Jersey, was a Tier I University Transportation Center, an elite designation that made it part of a consortium of academic research institutions sanctioned and supported by DOT. Rutgers CAIT received most of its federal funding from FHWA.

d. New Jersey Institute of Technology ("NJIT"), located in Newark, New Jersey, was a science and technology university. NJIT received federal funds in the form of grants and contracts from FHWA.

e. "Company #1" was an engineering company located in Middletown, New Jersey, that provided mechanical, plumbing, and electrical designs for commercial and residential projects. Company #1 was owned and operated by a family member of defendant CULLARI's ("Family Member #1").

f. "Company #2" was ostensibly a consulting company owned by another family member of defendant CULLARI's ("Family Member #2"). Company #2's mailing address was Family Member #2's home in Howell, New Jersey. Defendant CULLARI controlled Company #2 and had access to its banking account.

### ***The Scheme to Defraud***

2. From in or about May 2006 through in or about June 2013, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

LAWRENCE F. CULLARI JR.,

did knowingly devise and intend to devise a scheme and artifice to defraud FHWA, NJIT, Rutgers CAIT, and others, and to obtain money and property from FHWA, NJIT, Rutgers CAIT, and others by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice was in substance as set forth below.

### ***Object***

3. The object of the scheme and artifice to defraud was for defendant CULLARI to enrich himself by diverting FHWA project funds to himself.

### ***Manner and Means***

4. It was part of the scheme and artifice to defraud that, in or about 2006, knowing he was ineligible for FHWA-funded contracts as a result of his position at FHWA, defendant CULLARI arranged with Family Member #1 to use Company #1 as a nominal or “straw” contractor to get FHWA-funded work for Company #2 from Rutgers CAIT and NJIT.

5. It was further part of the scheme and artifice to defraud that, from in or about May 2006 until at least June 2013, defendant CULLARI prepared bids and work proposals for Family Member #1 to sign and submit to

Rutgers CAIT and NJIT on behalf of Company #1 for predominantly FHWA-funded projects as if Company #1 were proposing to do the work when in fact it was defendant CULLARI who would arrange for the work to be done.

6. It was further part of the scheme and artifice to defraud that, when Rutgers CAIT or NJIT awarded projects to Company #1, defendant CULLARI arranged for the necessary work product to be completed.

7. It was further part of the scheme and artifice to defraud that defendant CULLARI had Family Member #1 sign and mail the work product to Rutgers CAIT or NJIT on behalf of Company #1 as if Company #1 had performed the work when in fact it had not.

8. It was further part of the scheme and artifice to defraud that Family Member #1 mailed invoices on behalf of Company #1, which were at times prepared by defendant CULLARI, to Rutgers CAIT or NJIT for payment.

9. It was further part of the scheme and artifice to defraud that, when Rutgers CAIT or NJIT paid Company #1, Family Member #1 kept a small portion of the payment for himself and wrote a check to Company #2 for the balance.

10. It was further part of the scheme and artifice to defraud that, on at least one occasion for the purpose of obtaining cash from Company #2's bank account, defendant CULLARI prepared and emailed a false invoice to Family Member #2 at Company #2 for \$20,000 of contract services purportedly

rendered by a fictitious company. Defendant CULLARI received payment on this false invoice and deposited it into his personal bank account.

11. On or about November 10, 2010, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, in Monmouth County, in the District of New Jersey, and elsewhere, the defendant,

LAWRENCE F. CULLARI JR.,

knowingly placed and caused to be placed in a post office and authorized depository for mail matter certain mail to be sent or delivered by the United States Postal Service, namely, a check from NJIT for approximately \$34,321.38 mailed to Company #1 in Middletown, New Jersey, and did cause Company #1 to take and receive therefrom said check from NJIT.

In violation of Title 18, United States Code, Section 1341 and Section 2.

## **FORFEITURE ALLEGATION**

1. The allegations contained in this Information are incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461.


2. Upon conviction of the offense charged in Count One of this Information, the government will seek forfeiture from defendant CULLARI, in accordance with Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1341.

3. If by any act or omission of defendant CULLARI any of the property subject to forfeiture herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of defendant CULLARI up

to the value of the property described in this forfeiture allegation.

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**PAUL J. FISHMAN**  
United States Attorney

Criminal No. 2015-

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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THE UNITED STATES OF AMERICA

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**PAUL J. FISHMAN**  
*UNITED STATES ATTORNEY  
NEWARK, NEW JERSEY*

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*By: Scott B. McBride  
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