



*United States Attorney
District of New Jersey*

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**SOMERVILLE EX-UNION BUSINESS MANAGER CONVICTED OF EMBEZZLING
\$85,000, MUCH OF WHICH WAS SPENT AT 'GENTLEMEN'S CLUBS'**

TRENTON, N.J. – The former business manager of a Somerville, New Jersey, carpenters union local was convicted today of embezzling approximately \$85,000 in funds from the Local 455 of the International Brotherhood of Carpenters and Joiners, United States Attorney Paul J. Fishman announced.

The jury returned the guilty verdict against Shawn Clark, 45, of Branchburg, New Jersey, following an eight-day trial before United States District Judge Anne E. Thompson in Trenton. Clark was convicted of all 15 counts of the Indictment against him on which he was tried: one count of conspiracy to embezzle and 14 counts of embezzling from the union.

According to documents filed in this case and the evidence at trial:

From about 1996 until June 2008, Clark was employed by the New Jersey Regional Council of Carpenters as a Business Representative, but was also the de facto Business Manager and a member of Local 455. Clark was the sole holder of an American Express credit card which was issued to Local 455 and which was to be used solely for the business and benefit of Local 455 and its members.

Using this card, Clark rang up over 450 separate charges at 14 different gentlemen's clubs in New Jersey, for a total of more than \$65,000. These charges include: 331 transactions totaling more than \$49,000 at Double D's in Morristown; 59 transactions totaling more than \$8,000 at Johnny A's Hitching Post in Paterson; 26 transactions totaling more than \$3,500 at Torpedo's in Bound Brook; and nine transactions totaling more than \$2,300 at Pure Go Go in Manville. On two separate occasions, Clark charged over \$1,000 on the credit card at Double D's, and would routinely incur charges of over \$300 at a single visit to the various establishments.

Clark also improperly used the union's credit card at other restaurants and bars in New Jersey without conducting legitimate union business. For example, Clark made approximately 125 charges at Chimney Rock Inn restaurants in Bridgewater and Gillette, and approximately 40 charges at Bazooka's restaurant in Bridgewater, for a total of more than \$7,000.

Additionally, Clark used the union's credit card to make hundreds of illegitimate purchases at a Staples store and at the United States Post Office, which totaled approximately \$18,000.

In all, Clark conspired with others to embezzle more than \$85,000 from the Carpenter's Local 455 between December 2000 and December 2007. Clark was fired from the New Jersey Regional Council of Carpenters in June 2008. He was also expelled by the International Brotherhood of Carpenters and Joiners in January 2009 and fined \$50,000.

Each of the 15 counts on which Clark was convicted carries a statutory maximum sentence of five years in prison and a \$250,000 fine, as well as restitution to the union. Sentencing is currently scheduled for September 17, 2010.

In determining the actual sentence, Judge Thompson will consult the advisory United States 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.

Fishman credited Investigators of the United States Department of Labor's Office of Labor-Management Standards, New York District Office, under the direction of District Director Ralph Gerchak, for the investigation leading to the Indictment. He also thanked the Department of Labor, Office of Inspector General, under the direction of Special Agent in Charge Marjorie Franzman, for their important role.

The case was prosecuted by Assistant U.S. Attorneys Jonathan W. Romankow and V. Grady O'Malley, Senior Litigation Counsel, of the U.S. Attorney's Office Criminal Division in Newark.

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Defense counsel: John Fahy, Esq., Rutherford, New Jersey