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AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH, CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 14-657-ES  
v. :  
18 U.S.C. § 371, 669 & 2  
LEONARD L. TELESKA :  
JOANN TELESKA :

I N D I C T M E N T

The Grand Jury in and for the District of New Jersey,  
sitting in Newark, charges:

Introduction

Count One

(Conspiracy to Embezzle from a Welfare Fund)

Background

1. At all times relevant to this Indictment, unless  
otherwise stated:

The Defendants and Other Entities

a. United International Brotherhood of All Trades,  
Technologies, Service, Administration, and Medical Workers Union  
("ALL TRADES UNION") located in Old Tappan, New Jersey, held itself  
out to be an entity that represented, and would represent,  
individuals in a variety of work environments. Defendant LEONARD  
L. TELESKA acted as Treasurer for ALL TRADES UNION. Defendant JOANN

TELESCA acted as the Office Manager for ALL TRADES UNION. ALL TRADES UNION also sponsored a Welfare Fund named United International Brotherhood of All Trades, Technologies, Service, Administration, and Medical Workers Union Welfare Fund (hereinafter the WELFARE FUND), within the meaning of the Employment Retirement Income Security Act of 1974 (hereinafter ERISA), as embodied in Title 29, United States Code, Section 1002 (1). The WELFARE FUND provided medical benefits for its participants, who were also members of the ALL TRADES UNION. LEONARD L. TELESCA acted as the WELFARE FUND's Administrator, while JOANN TELESCA exercised control over the FUND's day to day operations, including disbursement of funds for the payment of medical claims. From approximately April 2009 through December 2012, the defendants used their personal residence as the official address for ALL TRADES UNION.

b. Defendants LEONARD L. TELESCA and JOANN TELESCA acted as fiduciaries with respect to the WELFARE FUND, to the extent that they: (1) were responsible for administering the benefits program; (2) were responsible for all filings; (3) exercised discretionary authority over disbursement of the WELFARE FUND monies, and other plan assets. In addition, as fiduciaries, the defendants had an obligation to discharge their duties, with respect to the WELFARE FUND: (1) solely in the interest of the WELFARE FUND participants and their

beneficiaries; (2) for the exclusive purpose of providing benefits to participants and defraying reasonable expenses of administering the WELFARE FUND; (3) with the skill, care, prudence and diligence of a reasonable person, under similar circumstances; (4) in accordance with the documents and instruments governing performance of the WELFARE FUND; and (5) to avoid acting, directly or indirectly, in their own self interest while dealing with assets of the WELFARE FUND, pursuant to Title 29, United States Code, Sections 1104 and 1106.

c. A credit card in the name of the United International Brotherhood was issued to defendants LEONARD L. TELESKA and JOANN TELESKA. Defendants, as fiduciaries, were required to use the credit card solely for the purpose of purchasing items and services necessary to properly carry out their duties and responsibilities on behalf of ALL TRADES UNION and the WELFARE FUND.

2. From in or about May 2006 through in or about May 2011, in Bergen County, in the District of New Jersey and elsewhere, defendants

LEONARD L. TELESKA and  
JOANN TELESKA

while officers and persons employed by the WELFARE FUND, did knowingly and intentionally conspire and agree with each other and

others, to commit an offense against the United States; namely, to embezzle, steal, and otherwise without authority convert to the use of persons other than the rightful owners and intentionally misapply the money, funds, securities, property, and other assets of a health care benefit program, namely, in excess of \$150,000 in WELFARE FUND monies, contrary to Title 18, United States Code, Section 669.

**Object of the Conspiracy**

3. It was the object of the conspiracy that defendants LEONARD L. TELESKA and JOANN TELESKA would enrich themselves, and others, by embezzling in excess of \$150,000 in money and funds belonging to the WELFARE FUND and its participants.

**Manner and Means**

4. It was part of the conspiracy that, contrary to her fiduciary duty, defendant JOANN TELESKA would issue fifty nine (59) checks to various doctors who serviced the WELFARE FUND, under the pretext of paying their outstanding claims. Defendant JOANN TELESKA would then forge the signatures of the named doctors and then endorse them with her own signature. JOANN TELESKA then cashed these checks at her personal bank. The amount embezzled from the welfare fund, pursuant to this scheme, totaled approximately \$45,214;

5. It was a further part of the conspiracy that, between February 2009 through in or about April 2011, defendants LEONARD L.

TELESCA and JOANN TELESCA, contrary to their fiduciary duties, would improperly use a WELFARE FUND credit card to pay personal expenses, including, but not limited to, family vacations, airline tickets, restaurants, and other personal shopping items, in the amount of approximately \$56,000;

6. It was a further part of the conspiracy that, from in or about September 2009 through March 2010, defendants LEONARD L. TELESCA and JOANN TELESCA would improperly make mortgage payments, totaling approximately \$15,598, on personal rental property with WELFARE FUND money;

7. It was a further part of the conspiracy that, from in or about April 2009 through January 2011, defendants LEONARD L. TELESCA and JOANN TELESCA would improperly make mortgage payments on their primary residence, totaling approximately \$43,000, from the WELFARE FUND account.

#### Overt Acts

8. In furtherance of the conspiracy and to effect its unlawful object, defendants LEONARD L. TELESCA and JOANN TELESCA, and other coconspirators, committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

**Forged checks**

a. On or about March 11, 2009, defendant JOANN TELESKA cashed a \$624 check issued from the Welfare Fund to a physician for a non-existent medical claim;

b. On or about April 7, 2009, defendant JOANN TELESKA cashed a \$432 check issued from the Welfare Fund to a physician for a non-existent medical claim;

**Mortgage Payments-Rental Property**

c. On or about December 4, 2009, defendants LEONARD L. TELESKA and JOANN TELESKA improperly disbursed \$2228 from the WELFARE FUND to make a mortgage payment on their rental property;

d. On or about March 9, 2010, defendants LEONARD L. TELESKA and JOANN TELESKA improperly disbursed \$2228 from the WELFARE FUND to make a mortgage payment on their rental property;

**Mortgage Payments-Primary Residence**

e. On or about May 7, 2009, defendants LEONARD L. TELESKA and JOANN TELESKA improperly disbursed \$2085 from the WELFARE FUND to make a mortgage payment on their primary residence;

f. On or about January 14, 2011, defendants LEONARD L. TELESKA and JOANN TELESKA improperly disbursed \$2085 from the WELFARE FUND to make a mortgage payment on their primary residence;

**Credit Card Use**

g. On or about May 19, 2010, defendants LEONARD L. TELESKA and JOANN TELESKA improperly disbursed \$2190 in WELFARE FUND money to pay a personal expense with Norwegian Cruise Line;

h. On or about November 30, 2010, defendant LEONARD L. TELESKA improperly disbursed \$2432 in WELFARE FUND money to pay a personal expense at the Ritz Carlton Hotel in Denver, Col.

In violation Title 18, United States Code, Section 371.

**COUNT TWO**

**(Embezzlement from the Welfare Fund - Rental Property Mortgage)**

1. The allegations set forth in Paragraph 1 of Count One of this Indictment are hereby realleged, as if set forth fully herein.

2. From in or about September 22, 2009, through in or about March 2010, in Bergen County, in the District of New Jersey and elsewhere, defendants

LEONARD L. TELESKA and  
JOANN TELESKA

knowingly and wilfully embezzled, stole, and unlawfully and without authority converted to their own use and the use of other persons not the rightful owners, intentionally misapplied the money, funds, property, and assets of the WELFARE FUND, an ERISA plan, namely, approximately \$13,369 in improper disbursements, to make mortgage payments on personal rental property.

In violation of Title 18, United States Code, Section 669 and Title 18, United States Code, Section 2.



**COUNT THREE**

**(Embezzlement from the Welfare Fund - Primary Residence  
Mortgage)**

1. The allegations set forth in Paragraph 1 of Count One of this Indictment are hereby realleged, as if set forth fully herein.

2. The Defendants LEONARD L. TELESCA and JOANN TELSECA purchased their residence in the year 2000 for \$460,000. They refinanced the property in November 2002 and obtained a \$300,000 mortgage loan. The monthly mortgage payments were set at approximately \$2685. Approximately \$600 was permitted as a "rental allowance" per month for the period of time the WELFARE FUND office was maintained at the TELESCA's primary residence.

3. From in or about September 22, 2009 through in or about January 2011, in Bergen County, in the District of New Jersey and elsewhere, defendants

LEONARD L. TELESCA and  
JOANN TELESCA

knowingly and wilfully embezzled, stole, and unlawfully and without authority converted to their own use and the use of other persons not the rightful owners, intentionally misapplied the money, funds, property, and assets of the WELFARE FUND, an ERISA Plan, namely, approximately \$31,437 in improper disbursements, to make mortgage

payments on their primary residence.

In violation of Title 18, United States Code, Section 669 and Title 18, United States Code, Section 2.

COUNT FOUR

**(Embezzlement from the Welfare Fund - credit card expenses)**

1. The allegations set forth in Paragraph 1 of Count One of this Indictment are hereby realleged, as if set forth fully herein.

2. From in or about September 22, 2009 through in or about April 2011, in Bergen County, in the District of New Jersey and elsewhere, defendants


LEONARD L. TELESKA and  
JOANN TELESKA

knowingly and wilfully embezzled, stole, and unlawfully and without authority converted to their own use and the use of other persons not the rightful owners, intentionally misapplied the money, funds, property, and assets of the WELFARE FUND, an ERISA Plan, namely in excess of \$40,000 in disbursements, to pay personal expenses.

In violation of Title 18, United States Code, Section 669 and Title 18, United States Code, Section 2.

A TRUE BILL

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FOREPERSON

  
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PAUL J. FISHMAN  
United States Attorney

CASE NUMBER: *14-cr-557-ES*

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

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UNITED STATES OF AMERICA

v.

LEONARD L. TELESKA  
JOANN TELESKA

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INDICTMENT

18 U.S.C. § 371 669 & 2

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**PAUL J. FISHMAN**  
U.S. ATTORNEY  
NEWARK, NEW JERSEY

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