

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 16 -  
 :  
 v. : 18 U.S.C. § 371  
 :  
 JOHN SCHULTZ :

**INFORMATION**

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

**BACKGROUND**

1. At all times relevant to this Information:
  - a. Defendant JOHN SCHULTZ was a one-third owner of a business located in Atlantic City, New Jersey (the "Business"). Defendant JOHN SCHULTZ acquired an ownership share of the Business in the early part of 2007 and placed his share of the Business in Individual 1's name. Defendant JOHN SCHULTZ resided in Atlantic County, New Jersey.
  - b. William Boland was a one-third owner of the Business.
  - c. Co-Conspirator-1 ("CC-1") was a one-third owner of the Business.
  - d. Abdus Mian was the bookkeeper for the Business.
  - e. The Business provided rolling chair transportation services to patrons on the Atlantic City boardwalk. As owners of the Business, defendant JOHN SCHULTZ, William Boland, and CC-1 were responsible for accurately reporting income received by the Business to the Internal Revenue Service ("IRS"). Defendant JOHN SCHULTZ, William Boland, and CC-1

also were responsible for accurately reporting their respective personal income to the IRS each year.

**THE CONSPIRACY**

2. From in or about September 2006 to on or about October 12, 2010, in Atlantic County, in the District of New Jersey and elsewhere, defendant

**JOHN SCHULTZ**

did knowingly and willfully conspire and agree with William Boland, CC-1, Abdus Mian, and others to defraud the United States by impeding, impairing, obstructing, and defeating the lawful government function of the IRS in the ascertainment, assessment, computation and collection of revenue, to wit, income taxes.

3. It was the object of the conspiracy for defendant JOHN SCHULTZ, William Boland, CC-1, and Abdus Mian to conceal from the IRS taxable cash revenue totaling approximately \$342,632 received by the Business by submitting and causing to be submitted tax returns to the IRS, which substantially under-reported the gross receipts of the Business and which substantially under-reported income received from the Business for tax years 2007, 2008, and 2009.

**MANNER AND MEANS**

4. It was part of the conspiracy that:

a. In or about September 2006, William Boland and CC-1 began hiding gross cash receipts from the operation of the Business from the IRS.

b. In or about the early part 2007, William Boland and CC-1 sold a one-third interest in the Business to defendant JOHN SCHULTZ.

c. Defendant JOHN SCHULTZ, after acquiring an ownership share in the Business, began hiding gross cash receipts from the operation of the Business from the IRS.

d. Abdus Mian created and maintained a secret second set of books, which defendant JOHN SCHULTZ, William Boland, and CC-1 used to track the amount of unreported cash payments received by each of them from the gross receipts of the Business.

e. Defendant JOHN SCHULTZ, William Boland, and CC-1 filed and caused to be filed a false IRS Form 1065, U.S. Return of Partnership Income ("IRS Form 1065") for the Business for tax years 2007, 2008, and 2009.

f. Defendant JOHN SCHULTZ, William Boland, and CC-1 each filed and caused to be filed a false IRS Form 1040, U.S. Individual Income Tax Return ("IRS Form 1040") for tax years 2007, 2008, and 2009.

g. Based on this conduct, defendant JOHN SCHULTZ, William Boland, and CC-1 intentionally did not pay approximately \$119,880 in taxes that would have been due and owing to the IRS.

#### **OVERT ACTS**

5. In furtherance of the conspiracy and to effect its unlawful object, defendant JOHN SCHULTZ and his coconspirators committed, and caused to be committed, the following overt acts in the District of New Jersey and elsewhere:


a. On or about April 20, 2009, in Sussex County, New Jersey, defendant JOHN SCHULTZ, William Boland, and CC-1 filed and caused to be filed a false and fraudulent 2008 IRS Form 1065, which substantially understated the gross receipts of the Business.

b. On or about September 11, 2009, in Atlantic County, New Jersey, defendant JOHN SCHULTZ filed and caused to be filed a false and fraudulent 2008 IRS Form 1040, which substantially understated the amount of income that he received from the Business.

c. On or about April 21, 2010, in Sussex County, New Jersey, defendant JOHN SCHULTZ, William Boland, and CC-1 filed and caused to be filed a false and fraudulent 2009 IRS Form 1065, which substantially understated the gross receipts of the Business.

d. On or about October 6, 2010, in Atlantic County, New Jersey, defendant JOHN SCHULTZ filed and caused to be filed a false and fraudulent 2009 IRS Form 1040, which substantially understated the amount of income that he received from the Business.

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

  
PAUL J. FISHMAN *By*  
United States Attorney