

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.  
 :  
 v. :  
 :  
 ROBERT MUSCIO : Crim. No. 14-  
 :  
 :  
 : 18 U.S.C. § 1341

I N F O R M A T I O N

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. A medical practice located in Monmouth County, New Jersey and elsewhere (hereinafter referred to as "the Practice"), was a limited liability corporation that provided a range of medical services to patients.

b. The defendant ROBERT MUSCIO, a medical doctor licensed to practice medicine in the State of New Jersey, had an ownership interest in and was the Medical Director of the Practice. As Medical Director, defendant ROBERT MUSCIO had the authority to write checks on behalf of, and otherwise monitor and pay the expenses of, the Practice.

The Scheme to Defraud

2. From in or about March 2007 through in or about December 2008 in Monmouth County, in the District of New Jersey, and elsewhere, defendant

ROBERT MUSCIO

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud the Practice and to obtain money or property from the Practice by means of materially false and fraudulent pretenses, representations and promises, as set forth below.

3. It was a part of the scheme and artifice to defraud that defendant ROBERT MUSCIO would embezzle funds from the Practice without authority and convert them to his own use fraudulently writing, signing, and causing the mailing of checks drawn on the Practice's bank account under the guise of paying legitimate expenses of the Practice that were, in fact, personal expenses of defendant ROBERT MUSCIO unrelated to the Practice (the "Fraudulent Checks").

4. It was a further part of the scheme and artifice to defraud that, when writing the Fraudulent Checks, defendant ROBERT MUSCIO falsely described a business purpose in the memo section of one or more such checks, for the purpose of causing the Practice to enter those checks in its records as business expenses of that entity.

5. Defendant ROBERT MUSCIO purposefully misused more than 105 separate Fraudulent Checks in this manner over a period of approximately 18 months to embezzle over \$1.1 million from the

Practice. Those funds were used to pay, among other personal expenses, defendant ROBERT MUSCIO's credit card bills, personal loans, vehicle loans, and at least a portion of the cost of remodeling his basement.


Mail Fraud

6. In or about November 2008, at Monmouth County, in the District of New Jersey, and elsewhere, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, defendant

ROBERT MUSCIO

did knowingly and intentionally place and cause to be placed in a post office and authorized depository for mail, and caused to be delivered in accordance with directions thereon, certain mail matter to be sent and delivered by the United States Postal Service to a credit card company; namely, Fraudulent Check number 4091 in the approximate amount of \$32,728.

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

  
\_\_\_\_\_  
PAUL J. FISHMAN  
United States Attorney

CASE NUMBER: \_\_\_\_\_

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**INFORMATION**

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**PAUL J. FISHMAN**

**U.S. ATTORNEY NEWARK, NEW JERSEY**

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