



Department of Justice

United States Attorney Michael J. Sullivan
District of Massachusetts

FOR IMMEDIATE RELEASE
THURSDAY, OCTOBER 16, 2008
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TWO BIG DIG MANAGERS SENTENCED IN FALSE STATEMENTS CASE

BOSTON, MA - Two managers for McCourt Construction Co. were sentenced today in U.S. District Court for submitting false statements on a federal highway project.

United States Attorney Michael J. Sullivan, Theodore L. Doherty III, Special Agent in Charge of the Department of Transportation Inspector General's Office in New England, Marjorie Franzman, United States Department of Labor, Office of Inspector General, Office of Labor Racketeering and Fraud Investigations and Warren T. Bamford, Special Agent-in-Charge of the Federal Bureau of Investigation, Boston Field Division announced today that **RYAN MCCOURT** of Quincy, Massachusetts and **KENNETH HARTLEY**, of California, were sentenced by U.S. District Judge Joseph L. Tauro. **MCCOURT** was sentenced to two years probation, a \$1,000 fine and a \$100 special assessment. **HARTLEY** was sentenced to six months in the custody of the Bureau of Prisons, to be followed by two years of supervised release and a \$100 special assessment.

At the earlier plea hearing, the prosecutor told the Court that had the case proceeded to trial the Government's evidence would have proven that **MCCOURT** and **HARTLEY**, along with McCourt Construction, engaged in a scheme of over-billing the Central Artery/Tunnel Project by falsely categorizing apprentice ironworkers, among other trades persons, as journeymen on work performed in the tunnel finishes contract. The work, which was overbilled, was performed on a time and materials basis, which meant the contractor, McCourt Construction, was paid for the time worked by each employee, as opposed to a fixed price for the work under contract. Beginning in 2002 through December 2005, the managers of McCourt Construction's Claims and Changes Department, which handled the preparation and submission of time and materials bills to the Central Artery/Tunnel Project, conspired to and participated in the overbilling scheme described above. From 2001 through June 2004, **HARTLEY** was McCourt Construction's Claims and Changes manager. **MCCOURT** held that same position from about July 2004 through the end of the conspiracy. McCourt Construction previously pleaded guilty to this scheme and will be sentenced on November 7, 2008.

The case was investigated by the Department of Transportation, Inspector General's Office, the Department of Labor/Office of Labor Racketeering, and , the Federal Bureau of Investigation, New England Field Division. It was prosecuted by Assistant U.S. Attorneys Eugenia M. Carris, Jeffrey M. Cohen, Anthony E. Fuller and Fred M. Wyshak, Jr. of Sullivan's Public Corruption and Special Prosecutions Unit.

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