



The United States Attorney's Office

Eastern District of Kentucky

PRESS RELEASE

October 5, 2006

Lexington, Ky. — Amul R. Thapar, United States Attorney for the Eastern District of Kentucky, and the Department of Labor, Employee Benefits Security Administration, Cincinnati Regional Office, jointly announce that a federal grand jury in Lexington returned an Indictment today charging **KYLE G. MCCARTY**, age 46, of Cynthiana, Kentucky, with a violation of Title 18, United States Code, Section 644, embezzlement.

The Indictment alleges that **MCCARTY** who was the owner and president of Pearce Phelps Roofing, embezzled moneys, funds, property and other assets from the employee pension benefit plan.

If convicted, the maximum potential penalties are 5 years imprisonment, a fine of \$250,000, and supervised release for a period of 3 years.

The investigation preceding the Indictment was conducted by the Department of Labor, Employee Benefits Security Administration. The Indictment was presented to the grand jury by Assistant United States Attorney Kenneth R. Taylor.

MCCARTY will appear before the United States District Court on a date and time to be set by the Court in Lexington, Kentucky.

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**The indictment of a person by a grand jury is an accusation only
and that person is presumed innocent unless proven guilty.**