

News Release



U.S. Department of Labor
Office of Public Affairs
Philadelphia, Pa.
USDL 05-1483-PHI

For Immediate Release
Date: Aug. 9, 2005
Contact: David James
Phone: (202) 693-4676

Gloria Della
(202) 693-8666

Former New Jersey Executive Restores \$105,707 to 401(k) Plan After Pleading Guilty to Theft

SOMERSET, N.J. – Richard J. Valenti, owner of Valairco Inc., Green Brook, N.J., pled guilty to the theft of \$105,707 of employee benefit plan assets from the company’s 401(k) plan. Valenti has already made restitution to the plan.

“Stealing from a retirement plan is a serious crime. Those who rob workers of their retirement security will be found and prosecuted,” said Ann L. Combs, assistant secretary of labor for employee benefits security.

Richard J. Valenti, who was the sole trustee of the 401(k) plan, waived indictment and jury trial. Instead, he entered into a Pretrial Intervention Program, requiring him to make restitution, perform community service and pay a court-ordered fee. Failure to comply with the terms of the intervention may result in a maximum prison sentence of five years and fines.

The investigation leading up to the criminal action disclosed that Valenti failed to forward employee contributions to the 401(k) plan from February 2002 through July 2004.

The investigation was conducted by the New York regional office of the Employee Benefits Security Administration and the Somerset County Prosecutor’s Office in New Jersey. The guilty plea and pre-trial intervention was entered in the Superior Court of New Jersey for Somerset County.

###

(State of New Jersey v. Valenti)
Criminal No. 05-07-00615-A