

News Release



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Owner of Georgia Firm Pleads Guilty To Embezzling From Company's Profit Sharing Plan

ATLANTA –The owner and president of Commercial Marketing Services Inc. (CMS) of Lawrenceville, Ga., has pleaded guilty to embezzling from the company's profit sharing plan. The criminal charges were based on an investigation conducted by the U. S. Department of Labor's Employee Benefits Security Administration (EBSA).

"Theft of employee benefit assets jeopardizes the benefits of workers," said Ann L. Combs, Assistant Secretary of Labor for EBSA. "Our legal action in the Commercial Marketing Services case sends a clear message that we are committed to protecting the benefit promises made to workers."

James Gordon Leigh was indicted on Oct. 28, 2003, for embezzling the plan assets in 2000 and 2001. CMS sold vacation packages for businesses to use as employee awards and incentives. The plan had eight participants and total assets of \$479,105. Leigh is to be sentenced on Aug. 12, 2004.

The Atlanta regional office of EBSA investigated the case, which was prosecuted by the U.S. Attorney's Office for the Northern District of Georgia.

In fiscal year 2003, EBSA achieved record monetary results of \$1.4 billion related to the pension, 401(k), health and other benefits of millions of American workers and their families. Employers and workers can contact the Atlanta regional office at (404) 562-2156 or through EBSA's toll free number, **1-866-444-EBSA (3272)**, for help with problems relating to private-sector pension and health plans.

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(U.S. v. Leigh.)
Criminal No. 1:03-CR-628-RWS