

**Florida Man Admits Embezzling from Sussex County Union;  
Defendant is Stepfather of Former Party Chairman Awaiting Trial**

NEWARK – A Florida man pleaded guilty today to conspiracy to embezzle union funds, admitting his role in an embezzlement scheme that victimized a Newton-based union and contributed to the bankruptcy of its health fund, U.S. Attorney Christopher J. Christie announced.

Charles H. Wiener, 69, of Boca Raton, Fla., pleaded guilty to Count One of an indictment before U.S. District Judge Dennis M. Cavanaugh. Wiener's sentencing is scheduled for Aug. 3, 2006, when he faces a maximum penalty of five years in prison and a \$250,000 fine, as well as a mandatory order of restitution in the amount of \$144,000.

Wiener is the stepfather of Charles W. Cart, a former Sussex County political party chairman who was indicted on Feb. 23, 2005, along with Wiener and another individual, Marvin Raphael, for their roles in embezzlement schemes that victimized Local 16 of the United Service Workers of America in Newton and its now-bankrupt health fund.

Cart, 56, of Newton, awaits trial, which is currently scheduled for May 16, 2006. Marvin Raphael, 63, of Boca Raton, Fla., is the owner of a consulting company, Marvin & Tedi, Inc., also of Boca Raton. Raphael pleaded guilty on Wednesday to Count Two of the indictment, charging conspiracy to embezzle union funds. He is facing the same maximum penalties as Wiener. Raphael's sentencing is scheduled for Aug. 2, 2006 before Judge Cavanaugh.

Wiener admitted receiving as much as \$11,500 per month, for a total of approximately \$144,000, from Local 16 for a bogus consulting position for which he performed no legitimate services. Pursuant to the scheme, Wiener and his co-conspirators funneled money out of the union's health fund under the guise of increased member fees and paid Wiener through different corporate entities to hide the true source of the funds.

At his guilty plea on Wednesday, Raphael admitted receiving as much as \$7,000 per month, for a total of approximately \$84,000 for a "consulting contract" with the Union, pursuant to which Raphael performed no legitimate services. Raphael further admitted that he shared these proceeds with Cart by giving Cart a \$42,000 discount on a Florida condominium that Cart purchased from him in or about October 2000.

Cart, Wiener and Raphael were originally charged with conspiring to embezzle a total of approximately \$284,000 in health fund and union funds as a result of a multi-faceted fraud scheme existing between May 2000 and November, 2001. Susan Donato, 47, of St. Cloud, Fla., formerly the President of Local 16 and the administrator of the Local 16 Health Fund, was previously charged in a separate one-count Information. Donato pleaded guilty on Jan. 18, 2005, to embezzling union funds and is scheduled to be sentenced on July 7 before the U.S. District Judge Joseph E. Irenas in Newark.

Christie credited Special Agents from the Department of Labor, OIG, under the direction of Marjorie Franzman, Special Agent in Charge. Christie also credited Special Agents from the Labor Department's Employee Benefit Security Administration, Regional Director Jonathan Kay, with assisting in the investigation.

The case is being prosecuted by Assistant U.S. Attorney V. Grady O'Malley, Senior Litigation Counsel, and Assistant U.S. Attorney Judith Germano, both of the U.S. Attorney's Office in Newark.

Defense Counsel:

Cart: Alfred DeCotiis, Esq. Teaneck

Wiener: Samuel Moulthrop, Esq. Morristown

Raphael: Frank Arleo, Esq. Hackensack