Department of Justice
U.S. Attorney's Office
District of Maryland

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Husband and Wife Indicted in $1.5 Million Fraud Conspiracy

Allegedly Conspired to Defraud Employees of Health and Welfare Benefits, Embezzled From Employee Benefits Plans and Evaded Payment of Taxes

Baltimore, Maryland – A federal grand jury returned a superseding indictment charging Shaun Tucker, a/k/a "Shawn Turner," and "Mark Tyler," and his wife, Joanne Tucker, a/k/a "Joanne Krcma," "Jill Swanson," and "Jocelyn Turner," both age 49, of Keymar, Maryland with stealing over $1.5 in employee benefits. The original indictment charged the defendants with embezzling from employee benefit plans and tax evasion. A superseding indictment was returned on March 24, 2015 and unsealed today, adding the charge of conspiracy to commit wire fraud.

The superseding indictment was announced by United States Attorney for the District of Maryland Rod J. Rosenstein; Special Agent in Charge Steven Anderson, of the Washington Regional Office, U.S. Department of Labor - Office of Inspector General, Office of Labor Racketeering and Fraud Investigations; Special Agent in Charge Thomas J. Kelly of the Internal Revenue Service - Criminal Investigation, Washington, D.C. Field Office; Marc I. Machiz, Director of the Philadelphia Regional Office of the Labor Department's Employee Benefits Security Administration; and Special Agent in Charge Robert Craig of the Defense Criminal Investigative Service - Mid-Atlantic Field Office.

The Tuckers were controlling officers and majority shareholders of Quantell, Inc. and Intaset Technologies Corporation. Quantell and Intaset provided labor services, including environmental science, engineering and information technology services, to federal and state agencies and the private sector.

Quantell and Intaset entered into service contracts with the federal government that were only available to companies that certified that they would use a portion of the money paid on the contract to provide bona fide health and welfare benefits to their employees pursuant to the McNamara-O'Hara Service Contract Act (SCA). From 2005 to 2008, SCA money paid to Quantell and Intaset under federal contracts was deposited into qualified employee health and welfare plans subject to the Employee Retirement Income Security Act (ERISA). At this time, the ERISA plans had a third party administrator and trustees who were not associated with the Tuckers, Quantell, and Intaset.

According to the six count indictment, from 2008 to March 2012, the Tuckers stopped contributing SCA funds to the ERISA plans. Instead, the Tuckers diverted at least $1.2 million in SCA monies paid by the government to Quantell and Intaset under service contracts for their own personal benefit, instead of using the money for the benefit of the companies' employees. The Tuckers used shell companies and companies that they were associated with to conceal the diversion of SCA funds to them. Shaun Tucker made false statements to the third party administrator and trustees for the ERISA plans, the Department of Labor (DOL) and the IRS concerning the health and welfare benefits provided to Quantell and Intaset employees, including falsely claiming that he was requesting plan to plan transfers of the remaining assets in the ERISA plans. The Tuckers falsely told employees that they would be receiving health and welfare benefits, when they knew in fact that the money was being diverted to buy luxury vehicles, make improvements on the Tuckers' home in Carroll County and construct a 5,000 square foot residence in Swanton Maryland.

The Tuckers also served as the plan administrators of both companies' employee health and welfare plans, and as representatives of the plan sponsors, Quantell and Intaset. The indictment re-alleges that from 2009 to April 2010, the Tuckers further embezzled $284,999 from employee benefit plans when they caused checks to be issued from the companies' plan funds, which they used for their personal benefit. In 2010, Shaun Tucker falsely told representatives of DOL that there had been no transfers of any Quantell plan assets. On November 8, 2010, Shaun Tucker submitted a form to DOL falsely certifying that all of the remaining assets from the Quantell plan had been transferred to a Quantell employee plan, while knowing that the Tuckers had instead used the funds for their personal benefit, including the construction of the home in Swanton.

Finally, the indictment re-alleges that the Tuckers filed a joint tax return for 2009 in which they falsely reported income of $180,251, when in fact they knew that their income was far in excess of that amount, upon which taxes were owed.

The indictment seeks the forfeiture of at least $1.5 million, the amount of loss resulting from the fraud scheme. The indictment also seeks the forfeiture of the residence in Swanton and two vehicles.

The Tuckers face a maximum sentence of 20 years in prison and a $250,000 fine or twice the gain or loss for the wire fraud conspiracy, five years in prison and a fine of $250,000 for embezzling from an employee plan; and a maximum of five years in prison and a $100,000 fine for tax evasion.

An indictment is not a finding of guilt. An individual charged by indictment is presumed innocent unless and until proven guilty at some later criminal proceedings.

Today's announcement is part of efforts underway by President Obama's Financial Fraud Enforcement Task Force (FFETF) which was created in November 2009 to wage an aggressive, coordinated and proactive effort to investigate and prosecute financial crimes. With more than 20 federal agencies, 94 U.S. attorneys' offices and state and local partners, it's the broadest coalition of law enforcement, investigatory and regulatory agencies ever assembled to combat fraud. Since its formation, the task force has made great strides in facilitating increased investigation and prosecution of financial crimes; enhancing coordination and cooperation among federal, state and local authorities; addressing discrimination in the lending and financial markets and conducting outreach to the public, victims, financial institutions and other organizations. Since the inception of FFETF in November 2009, the Justice Department has filed more than 12,841 financial fraud cases against nearly 18,737 defendants including nearly 3,500 mortgage fraud defendants. For more information on the task force, visit www.stopfraud.gov.

United States Attorney Rod J. Rosenstein commended the U.S. Department of Labor –OIG/Office of Labor Racketeering and Fraud Investigations, IRS – Criminal Investigation, U.S. Department of Labor - Employee Benefits Security Administration and DCIS for their work in the investigation. Mr. Rosenstein thanked Assistant U.S. Attorneys Harry Gruber and Judson Mihok, who are prosecuting the case.