

Department of Justice

U.S. Attorney's Office

District of Massachusetts

FOR IMMEDIATE RELEASE

Wednesday, May 26, 2021

Company Owner Pleads Guilty to Falsifying Pension Contribution Reports

BOSTON – An owner of a New Hampshire asbestos abatement company pleaded guilty yesterday in federal court in Boston to making false statements to employee pension plans.

Gary McCaffrey, 66, of Salem, N.H., pleaded guilty to one count of making false statements to a pension plan covered by the Employee Retirement Income Security Act. U.S. Senior District Court Judge Douglas P. Woodlock scheduled sentencing for Aug. 30, 2021.

McCaffrey and co-defendant Richard Quinn owned and operated Absolute Environmental Inc., an asbestos abatement company. Between November 2014 and May 2017, McCaffrey and Quinn continued to employ several undocumented individuals after being notified of their status. During this time period, McCaffrey and Quinn knowingly falsified reports to pension plans about the work performed by the undocumented individuals, failing to make required pension contributions of over \$337,000.

Quinn pleaded guilty on May 3, 2021 and is scheduled to be sentenced on Aug. 30, 2021.

Pursuant to McCaffrey's plea agreement, the government will recommend a sentence of two years of supervised release, six months of home confinement and a fine of \$10,000 to \$25,000.

The charging statute provides for a sentence of up to five years in prison, three years of supervised release and a fine of \$250,000. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and other statutory factors.

Acting United States Attorney Nathaniel R. Mendell; Nikitas Splagounias, Acting Special Agent in Charge of the U.S. Department of Labor, Office of the Inspector General, Office of Investigations, Labor Racketeering and Fraud, New York Region; and Carol Hamilton, Boston Regional Director of the Employee Benefits Security Administration made the announcement today. Assistant U.S. Attorney Mark Grady of Mendell's Public Corruption & Special Prosecutions Unit is prosecuting the case.

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