

Department of Justice

U.S. Attorney's Office

District of New Jersey

FOR IMMEDIATE RELEASE

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**Bergen County, New Jersey, Man Charged With
Embezzlement And Failure To File Annual Report Related
To Employee Benefit Plan**

NEWARK, N.J. – A Bergen County, New Jersey, man who served as a trustee of a pension fund was charged with embezzling more than \$180,000 from an employee benefit fund, U.S. Attorney Craig Carpenito announced today.

Howard Preschel, 62, of Teaneck, New Jersey, is charged by complaint with one count of embezzlement from an employee benefit plan and one count of failure to file an annual report. He made his initial appearance today before U.S. Magistrate Judge Michael A. Hammer in Newark federal court and was released on \$100,000 unsecured bond.

According to documents filed in this case and statements made in court:

Preschel served as a trustee for the CMG Vending Inc. Pension Trust Fund. CMG Vending operated, leased, and rented vending machines throughout New Jersey and New York. Preschel, by law, was a fiduciary and therefore required to act solely in the interest of the participants and beneficiaries of the fund. From at least October 2013, Preschel embezzled \$186,123 from the pension trust fund.

Preschel was also required to publish and file annual reports with the Secretary of Labor. To conceal the ongoing embezzlement, Preschel failed to inform the participants and beneficiaries that insufficient funds were being forwarded to the pension trust and failed to file a required annual report for the plan.

The embezzlement charge carries a maximum penalty of five years in prison. The failure to file an annual report charge carries a maximum penalty of 10 years in prison.

U.S. Attorney Carpenito credited special agents of the U.S. Department of Labor, Office of Inspector General, under the direction of Special Agent in Charge Michael Mikulka, and the U.S. Department of Labor, Employee Benefits Security Administration, under the direction of Thomas Licetti, Acting Regional Director of the New York Regional Office, with the investigation.

The government is represented by Assistant U.S. Attorney Thomas S. Kearney of the Criminal Division in Newark.

The charges and allegations in the complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

Defense counsel: Howard Miller Esq., Hackensack, New Jersey