

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: MONTGOMERY



POLICE CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT:

(NAME and ADDRESS):

Magisterial District Number: 38-1-08  
MDJ: Hon. Katherine E. McGill  
Address: 1316 Bruce Road  
Oreland, PA 19075  
  
Telephone: (215)572-7845

MARK W EISOLD  
First Name Middle Name Last Name  
  
1610 MEETINGHOUSE RD.  
HARTSVILLE, PA. 18974

NCIC Extradition Code Type

|  |   |  |  |
|--|---|--|--|
| <input type="checkbox"/> 1-Felony Full               | <input type="checkbox"/> 5-Felony Pending Extradition         | <input type="checkbox"/> C-Misdemeanor Surrounding States  | <input type="checkbox"/> Distance: _____ |
| <input checked="" type="checkbox"/> 2-Felony Limited | <input type="checkbox"/> 6-Felony Pending Extradition Determ. | <input type="checkbox"/> D-Misdemeanor No Extradition      |  |
| <input type="checkbox"/> 3-Felony Surrounding States | <input type="checkbox"/> A-Misdemeanor Full                   | <input type="checkbox"/> E-Misdemeanor Pending Extradition |  |
| <input type="checkbox"/> 4-Felony No Extradition     | <input type="checkbox"/> B-Misdemeanor Limited                | <input type="checkbox"/> F-Misdemeanor Pending Extradition |  |

DEFENDANT IDENTIFICATION INFORMATION

|  |   |                                  |                                      |   |
|--|---|----------------------------------|--------------------------------------|---|
| Docket Number<br>CR-171-20   | Date Filed<br>12/14/2020  | OTN/LiveScan Number<br>U941148-5 | Complaint/Incident Number<br>43-1521 | Request Lab Services?<br><input type="checkbox"/> YES <input type="checkbox"/> NO |
| GENDER<br><input checked="" type="checkbox"/> Male<br><input type="checkbox"/> Female  | DOB<br>4/17/63  | POB                              | Add'l DOB<br>/ /                     | Co-Defendant(s) <input type="checkbox"/>  |
| First Name   |   | Middle Name                      |                                      | Last Name   |
| AKA  |   |                                  |                                      |   |
| RACE<br><input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown  |   |                                  |                                      |   |
| ETHNICITY<br><input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown   |   |                                  |                                      |   |
| Hair Color<br><input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown)<br><input type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input checked="" type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink)<br><input type="checkbox"/> BLN (Blonde / Strawberry) |   |                                  |                                      |   |
| Eye Color<br><input type="checkbox"/> BLK (Black) <input checked="" type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray)<br><input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)  |   |                                  |                                      |   |
| DNA  | <input type="checkbox"/> YES <input type="checkbox"/> NO            | DNA Location                     |                                      | WEIGHT (lbs.)   |
| FBI Number   |   | MNU Number                       |                                      | 190   |
| Defendant Fingerprinted  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |                                  |                                      | Ft. HEIGHT In.  |
| Fingerprint Classification:  |   |                                  |                                      | 6 1   |
| DEFENDANT VEHICLE INFORMATION  |   |                                  |                                      |   |
| Plate #  | State   | Haz mat <input type="checkbox"/> | Registration Sticker (MM/YY) /       | Comm'l Veh. Ind. <input type="checkbox"/>   |
| VIN  | Year  | Make                             | Model                                | Style   |
|  |   |                                  |                                      | Color   |
|  |   |                                  |                                      | Reg. same as Def. <input type="checkbox"/>  |

Office of the attorney for the Commonwealth  Approved  Disapproved because: \_\_\_\_\_

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

Kirsten Heine CDAG  
(Name of the attorney for the Commonwealth)

Electronic Approval 12/10/20  
(Signature of the attorney for the Commonwealth)

12/14/2020  
(Date)

|   |  |
|---|--|
| I, <u>S.A. WENDELL A BUCK JR</u><br>(Name of the Affiant)   | <u>602</u><br>(PSP/MPOETC -Assigned Affiant ID Number & Badge #) |
| of <u>Pennsylvania Office of Attorney General</u><br>(Identify Department or Agency Represented and Political Subdivision)  | <u>PA022400</u><br>(Police Agency ORI Number)                    |
| do hereby state: (check appropriate box)  |  |
| 1. <input checked="" type="checkbox"/> I accuse the above named defendant who lives at the address set forth above  |  |
| <input type="checkbox"/> I accuse the defendant whose name is unknown to me but who is described as _____   |  |
| <input type="checkbox"/> I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe |  |
| with violating the penal laws of the Commonwealth of Pennsylvania at [108] <u>Springfield Township</u><br>(Subdivision Code) (Place-Political Subdivision)                    |  |
| in <u>MONTGOMERY</u> County [46]<br>(County Code)   | on or about <u>01/01/09 - 12/31/2018</u>                         |



# POLICE CRIMINAL COMPLAINT

|                 |                 |                     |                                      |
|-----------------|-----------------|---------------------|--------------------------------------|
| Docket Number:  | Date Filed: / / | OTN/LiveScan Number | Complaint/Incident Number<br>43-1521 |
| Defendant Name: | First: MARK     | Middle: W           | Last: EISOLD                         |

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

|                  |  |   |   |   |
|------------------|--|---|---|---|
| Inchoate Offense | <input type="checkbox"/> Attempt<br>18 901 A | <input type="checkbox"/> Solicitation<br>18 902 A | <input type="checkbox"/> Conspiracy<br>18 903 | Number of Victims Age 60 or Older _____ |
|------------------|--|---|---|---|

|                                     |           |         |            |        |                    |        |       |                   |                |
|-------------------------------------|-----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input checked="" type="checkbox"/> | 1         | 911     | B3         | of the | PA. 18 C.S.A       | 1      | F-1   |                   |                |
| Lead?                               | Offense # | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                              |                       |                                     |                                      |                                    |
|------------------------------|-----------------------|-------------------------------------|--------------------------------------|------------------------------------|
| PennDOT Data (if applicable) | Accident Number _____ | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|------------------------------|-----------------------|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **CORRUPT ORGANIZATIONS**

Acts of the accused associated with this Offense: In that the Defendant, being an owner and/or associated with an enterprise within Bucks County, did conduct and participate directly or indirectly in the conduct of such enterprise's affairs through a pattern of racketeering activity; to wit: during the periods set forth herein, Defendant was associated with an enterprise that was intentionally benefitting financially from fraudulently charging additional fees, and altering billing documents that were submitted to clients in Montgomery, Bucks, Northampton, Carbon, Monroe, Pike, and Chester Counties.

|                  |  |   |  |   |
|------------------|--|---|--|---|
| Inchoate Offense | <input type="checkbox"/> Attempt<br>18 901 A | <input type="checkbox"/> Solicitation<br>18 902 A | <input checked="" type="checkbox"/> Conspiracy<br>18 903 | Number of Victims Age 60 or Older _____ |
|------------------|--|---|--|---|

|                          |           |         |            |        |                    |        |       |                   |                |
|--------------------------|-----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input type="checkbox"/> | 2         | 911     | B3         | of the | PA 18 C.S.A        | 1      | F-1   |                   |                |
| Lead?                    | Offense # | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                              |                       |                                     |                                      |                                    |
|------------------------------|-----------------------|-------------------------------------|--------------------------------------|------------------------------------|
| PennDOT Data (if applicable) | Accident Number _____ | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|------------------------------|-----------------------|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **CORRUPT ORGANIZATIONS**

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|                  |  |   |   |   |
|------------------|--|---|---|---|
| Inchoate Offense | <input type="checkbox"/> Attempt<br>18 901 A | <input type="checkbox"/> Solicitation<br>18 902 A | <input type="checkbox"/> Conspiracy<br>18 903 | Number of Victims Age 60 or Older _____ |
|------------------|--|---|---|---|

|                          |           |         |            |        |                    |        |       |                   |                |
|--------------------------|-----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input type="checkbox"/> | 3         | 911     | B4         | of the | PA 18 C.S.A        | 1      | F-1   |                   |                |
| Lead?                    | Offense # | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                              |                       |                                     |                                      |                                    |
|------------------------------|-----------------------|-------------------------------------|--------------------------------------|------------------------------------|
| PennDOT Data (if applicable) | Accident Number _____ | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|------------------------------|-----------------------|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **CORRUPT ORGANIZATIONS**

Acts of the accused associated with this Offense: In that the Defendant, within Montgomery County conspired with others to violate the provisions of Section 911 (b)(3) of the Crimes Code pertaining to Corrupt Organizations; to wit: during the periods set forth herein, the Defendant, with the intent of promoting or facilitating the commission of the crime of Corrupt Organizations, did conspire with individuals employed by Boucher & James Inc, by fraudulently charging additional fees for work that was not performed, altering billing documents that were submitted to clients reflecting a higher number of hours worked on projects.



# POLICE CRIMINAL COMPLAINT

|                        |                           |                            |   |
|------------------------|---------------------------|----------------------------|---|
| <b>Docket Number:</b>  | <b>Date Filed:</b><br>/ / | <b>OTN/LiveScan Number</b> | <b>Complaint/Incident Number</b><br>43-1521 |
| <b>Defendant Name:</b> | First:<br>MARK            | Middle:<br>W               | Last:<br>EISOLD                             |

|                         |   |  |   |  |
|-------------------------|---|--|---|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input checked="" type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
|-------------------------|---|--|---|--|

|                                       |                        |            |           |  |   |   |            |                          |                       |
|---------------------------------------|------------------------|------------|-----------|--|---|---|------------|--------------------------|-----------------------|
| <input type="checkbox"/> <b>Lead?</b> | <b>4</b>               | <b>911</b> | <b>B4</b> | <b>of the</b>                              | <b>PA 18 C.S.A.</b>                         | <b>1</b>                                  | <b>F-1</b> | <b>NCIC Offense Code</b> | <b>UCR/NIBRS Code</b> |
| <b>PennDOT Data (if applicable)</b>   | <b>Accident Number</b> |            |           | <input type="checkbox"/> <b>Interstate</b> | <input type="checkbox"/> <b>Safety Zone</b> | <input type="checkbox"/> <b>Work Zone</b> |            |                          |                       |

Statute Description (include the name of statute or ordinance): **CORRUPT ORGANIZATIONS**

Acts of the accused associated with this Offense: In that the Defendant, within Montgomery County conspired with others to violate the provisions of Section 911 (b)(3) of the Crimes Code pertaining to Corrupt Organizations; to wit: during the periods set forth herein, the Defendant, with the intent of promoting or facilitating the commission of the crime of Corrupt Organizations, did conspire with individuals employed by Boucher & James Inc, by fraudulently charging additional fees for work that was not performed, altering billing documents that were submitted to clients reflecting a higher number of hours worked on projects.

|                         |   |  |  |  |
|-------------------------|---|--|--|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
|-------------------------|---|--|--|--|

|                                       |                        |             |               |  |   |   |            |                          |                       |
|---------------------------------------|------------------------|-------------|---------------|--|---|---|------------|--------------------------|-----------------------|
| <input type="checkbox"/> <b>Lead?</b> | <b>5</b>               | <b>3922</b> | <b>A1, A2</b> | <b>of the</b>                              | <b>PA 18 C.S.A</b>                          | <b>1</b>                                  | <b>F-1</b> | <b>NCIC Offense Code</b> | <b>UCR/NIBRS Code</b> |
| <b>PennDOT Data (if applicable)</b>   | <b>Accident Number</b> |             |               | <input type="checkbox"/> <b>Interstate</b> | <input type="checkbox"/> <b>Safety Zone</b> | <input type="checkbox"/> <b>Work Zone</b> |            |                          |                       |

Statute Description (include the name of statute or ordinance): **THEFT BY DECEPTION**

Acts of the accused associated with this Offense: In that the defendant obtained property of another by deception by intentionally preventing another from acquiring information which would affect his judgment of a transaction. To wit: During the time period set forth herein, the Defendant added hours that were not worked to the billing documents which were submitted to numerous clients for payment. The theft of funds from this scheme exceeded \$2,100,000.00.

|                         |   |  |   |  |
|-------------------------|---|--|---|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input checked="" type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
|-------------------------|---|--|---|--|

|                                       |                        |             |               |  |   |   |            |                          |                       |
|---------------------------------------|------------------------|-------------|---------------|--|---|---|------------|--------------------------|-----------------------|
| <input type="checkbox"/> <b>Lead?</b> | <b>6</b>               | <b>3922</b> | <b>A1, A2</b> | <b>of the</b>                              | <b>PA 18 C.S.A</b>                          | <b>1</b>                                  | <b>F-1</b> | <b>NCIC Offense Code</b> | <b>UCR/NIBRS Code</b> |
| <b>PennDOT Data (if applicable)</b>   | <b>Accident Number</b> |             |               | <input type="checkbox"/> <b>Interstate</b> | <input type="checkbox"/> <b>Safety Zone</b> | <input type="checkbox"/> <b>Work Zone</b> |            |                          |                       |

Statute Description (include the name of statute or ordinance): **THEFT BY DECEPTION**

Acts of the accused associated with this Offense: In that the defendant obtained property of another by deception by intentionally preventing another from acquiring information which would affect his judgment of a transaction. To wit: During the time period set forth herein, the Defendant added hours that were not worked to the billing documents which were submitted to numerous clients for payment. The theft of funds from this scheme exceeded \$2,100,000.00.



# POLICE CRIMINAL COMPLAINT

|                        |                           |                            |   |
|------------------------|---------------------------|----------------------------|---|
| <b>Docket Number:</b>  | <b>Date Filed:</b><br>/ / | <b>OTN/LiveScan Number</b> | <b>Complaint/Incident Number</b><br>43-1521 |
| <b>Defendant Name:</b> | First:<br>MARK            | Middle:<br>W               | Last:<br>EISOLD                             |

|                         |   |  |  |  |
|-------------------------|---|--|--|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
|-------------------------|---|--|--|--|

|                                       |                        |                        |                   |  |   |   |                     |                          |                       |
|---------------------------------------|------------------------|------------------------|-------------------|--|---|---|---------------------|--------------------------|-----------------------|
| <input type="checkbox"/> <b>Lead?</b> | <b>Offense#</b><br>7   | <b>Section</b><br>3925 | <b>Subsection</b> | <b>of the</b>                              | <b>PA Statute (Title)</b><br>PA 18 C.S.A.   | <b>Counts</b><br>1                        | <b>Grade</b><br>F-1 | <b>NCIC Offense Code</b> | <b>UCR/NIBRS Code</b> |
| <b>PennDOT Data (if applicable)</b>   | <b>Accident Number</b> |                        |                   | <input type="checkbox"/> <b>Interstate</b> | <input type="checkbox"/> <b>Safety Zone</b> | <input type="checkbox"/> <b>Work Zone</b> |                     |                          |                       |

Statute Description (include the name of statute or ordinance): **RECEIVING STOLEN PROPERTY**

Acts of the accused associated with this Offense: In that the defendants did intentionally receive, and retain movable property of another knowing that it has been stolen. The hours fraudulently added to numerous client bills resulted in the defendants company receiving in excess of \$ 2,100,000.00 for hours that were not worked.

|                         |   |  |   |  |
|-------------------------|---|--|---|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input checked="" type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
|-------------------------|---|--|---|--|

|                                       |                        |                        |                   |  |   |   |                     |                          |                       |
|---------------------------------------|------------------------|------------------------|-------------------|--|---|---|---------------------|--------------------------|-----------------------|
| <input type="checkbox"/> <b>Lead?</b> | <b>Offense#</b><br>8   | <b>Section</b><br>3925 | <b>Subsection</b> | <b>of the</b>                              | <b>PA Statute (Title)</b><br>PA 18 C.S.A.   | <b>Counts</b><br>1                        | <b>Grade</b><br>F-1 | <b>NCIC Offense Code</b> | <b>UCR/NIBRS Code</b> |
| <b>PennDOT Data (if applicable)</b>   | <b>Accident Number</b> |                        |                   | <input type="checkbox"/> <b>Interstate</b> | <input type="checkbox"/> <b>Safety Zone</b> | <input type="checkbox"/> <b>Work Zone</b> |                     |                          |                       |

Statute Description (include the name of statute or ordinance):

Acts of the accused associated with this Offense: In that the defendants did intentionally receive, and retain movable property of another knowing that it has been stolen. The hours fraudulently added to numerous client bills resulted in the defendants company receiving in excess of \$2,100,000.00 for hours that were not worked.

|                         |   |  |  |  |
|-------------------------|---|--|--|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
|-------------------------|---|--|--|--|

|                                       |                        |                        |                         |  |   |   |                     |                          |                       |
|---------------------------------------|------------------------|------------------------|-------------------------|--|---|---|---------------------|--------------------------|-----------------------|
| <input type="checkbox"/> <b>Lead?</b> | <b>Offense#</b><br>9   | <b>Section</b><br>4107 | <b>Subsection</b><br>A6 | <b>of the</b>                              | <b>PA Statute (Title)</b><br>PA 18 C.S.A.   | <b>Counts</b><br>1                        | <b>Grade</b><br>F-3 | <b>NCIC Offense Code</b> | <b>UCR/NIBRS Code</b> |
| <b>PennDOT Data (if applicable)</b>   | <b>Accident Number</b> |                        |                         | <input type="checkbox"/> <b>Interstate</b> | <input type="checkbox"/> <b>Safety Zone</b> | <input type="checkbox"/> <b>Work Zone</b> |                     |                          |                       |

Statute Description (include the name of statute or ordinance): **DECEPTIVE OR FRAUDULENT BUSINESS PRACTICES**

Acts of the accused associated with this Offense: In that the Defendant, made or induced others to rely on a false or misleading written statement for the purpose of obtaining property or credit; to wit: during the period set forth herein, the Defendant was associated with Boucher & James Inc., and was fraudulently charging additional fees for work that was not performed, altering billing documents that were submitted to clients to reflect a higher cost to the client. The theft of funds from this scheme was in excess of \$2,100,000.00.



# POLICE CRIMINAL COMPLAINT

|                 |                 |                     |                                      |
|-----------------|-----------------|---------------------|--------------------------------------|
| Docket Number:  | Date Filed: / / | OTN/LiveScan Number | Complaint/Incident Number<br>43-1521 |
| Defendant Name: | First:<br>MARK  | Middle:<br>W        | Last:<br>EISOLD                      |

|   |   |  |   |   |
|---|---|--|---|---|
| <input type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input checked="" type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older _____ |
|---|---|--|---|---|

|                                |          |         |            |        |                    |        |       |                   |                |
|--------------------------------|----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input type="checkbox"/> Lead? | 10       | 4107    | A6         | of the | PA 18 C.S.A.       | 1      | F-3   |                   |                |
|                                | Offense# | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                              |                 |                                     |                                      |                                    |
|------------------------------|-----------------|-------------------------------------|--------------------------------------|------------------------------------|
| PennDOT Data (if applicable) | Accident Number | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|------------------------------|-----------------|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **DECEPTIVE OR FRAUDULENT BUSINESS PRACTICES**

Acts of the accused associated with this Offense: In that the Defendant, made or induced others to rely on a false or misleading written statement for the purpose of obtaining property or credit; to wit: during the period set forth herein, the Defendant was associated with Boucher & James Inc.. and was fraudulently charging additional fees for work that was not performed, altering billing documents that were submitted to clients to reflect a higher cost to the client. The theft of funds from this scheme was in excess of \$2,100,000.00.

|   |   |  |  |   |
|---|---|--|--|---|
| <input type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older _____ |
|---|---|--|--|---|

|                                |          |         |            |        |                    |        |       |                   |                |
|--------------------------------|----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input type="checkbox"/> Lead? | 11       | 5111    |            | of the | PA 18 C.S.A.       | 1      | F-1   |                   |                |
|                                | Offense# | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                              |                 |                                     |                                      |                                    |
|------------------------------|-----------------|-------------------------------------|--------------------------------------|------------------------------------|
| PennDOT Data (if applicable) | Accident Number | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|------------------------------|-----------------|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **DEALING IN THE PROCEEDS OF UNLAWFUL ACTIVITIE**

Acts of the accused associated with this Offense: In that the defendant conducted a financial transaction with knowledge that the property involved, includes illegally obtained property, and represents the proceeds of unlawful activity. Further that defendant acted with the intent to promote the carrying on of the unlawful activity. To wit; Defendant was associated with Boucher & James Inc.. and was fraudulently charging additional fees to clients for work that was not performed, altering billing documents that were submitted to clients to reflect a higher cost to the client. The theft of funds from this scheme was in excess of \$2,100,000.00.

|   |   |  |   |   |
|---|---|--|---|---|
| <input type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input checked="" type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older _____ |
|---|---|--|---|---|

|                                |          |         |            |        |                    |        |       |                   |                |
|--------------------------------|----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input type="checkbox"/> Lead? | 12       | 5111    |            | of the | PA 18 C.S.A.       | 1      | F-1   |                   |                |
|                                | Offense# | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                              |                 |                                     |                                      |                                    |
|------------------------------|-----------------|-------------------------------------|--------------------------------------|------------------------------------|
| PennDOT Data (if applicable) | Accident Number | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|------------------------------|-----------------|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **DEALING IN THE PROCEEDS OF UNLAWFUL ACTIVITIE**

Acts of the accused associated with this Offense: In that the defendant conducted a financial transaction with knowledge that the property involved, includes illegally obtained property, and represents the proceeds of unlawful activity. Further that defendant acted with the intent to promote the carrying on of the unlawful activity. To wit; Defendant was associated with Boucher & James Inc.. and was fraudulently charging additional fees to clients for work that was not performed, altering billing documents that were submitted to clients to reflect a higher cost to the client. The theft of funds from this scheme was in excess of \$2,100,000.00.



# POLICE CRIMINAL COMPLAINT

|                        |                           |                            |   |
|------------------------|---------------------------|----------------------------|---|
| <b>Docket Number:</b>  | <b>Date Filed:</b><br>/ / | <b>OTN/LiveScan Number</b> | <b>Complaint/Incident Number</b><br>43-1521 |
| <b>Defendant Name:</b> | First:<br>MARK            | Middle:<br>W               | Last:<br>EISOLD                             |

|                         |   |  |  |  |
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| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
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|                          |          |         |            |        |                    |        |       |                   |                |
|--------------------------|----------|---------|------------|--------|--------------------|--------|-------|-------------------|----------------|
| <input type="checkbox"/> | 13       | 7512    | A          | of the | PA 18 C.S.A.       | 1      | F-3   |                   |                |
| Lead?                    | Offense# | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

|                                     |                 |  |                                     |                                      |                                    |
|-------------------------------------|-----------------|--|-------------------------------------|--------------------------------------|------------------------------------|
| <b>PennDOT Data (if applicable)</b> | Accident Number |  | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|-------------------------------------|-----------------|--|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance): **CRIMINAL USE OF A COMMUNICATION FACILITY**

Acts of the accused associated with this Offense: The defendant did use a communication facility, specifically the United States Postal Service, to commit, cause, or facilitate the commission or attempt thereof the crime of Theft by Deception, in which the defendant did send or authorize to be sent fraudulent bills to clients of Boucher and James via the US postal service, thus in violation of Section 7512 felony 3rd degree.

|                         |   |  |  |  |
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| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
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|                          |          |         |            |        |                    |        |       |                   |                |
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| <input type="checkbox"/> |          |         |            | of the |                    |        |       |                   |                |
| Lead?                    | Offense# | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

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|-------------------------------------|-----------------|--|-------------------------------------|--------------------------------------|------------------------------------|
| <b>PennDOT Data (if applicable)</b> | Accident Number |  | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
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Statute Description (include the name of statute or ordinance):

Acts of the accused associated with this Offense:

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|-------------------------|---|--|--|--|
| <b>Inchoate Offense</b> | <input type="checkbox"/> <b>Attempt</b><br>18 901 A | <input type="checkbox"/> <b>Solicitation</b><br>18 902 A | <input type="checkbox"/> <b>Conspiracy</b><br>18 903 | <b>Number of Victims Age 60 or Older</b> _____ |
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| Lead?                    | Offense# | Section | Subsection |        | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code |

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| <b>PennDOT Data (if applicable)</b> | Accident Number |  | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone |
|-------------------------------------|-----------------|--|-------------------------------------|--------------------------------------|------------------------------------|

Statute Description (include the name of statute or ordinance):

Acts of the accused associated with this Offense:

|                 |                |                     |                                      |
|-----------------|----------------|---------------------|--------------------------------------|
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- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.

4. This complaint consists of the preceding page(s) numbered 1 through    .

5. I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

**(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)**

(Date)

(Year)

AND NOW, on this date

12/14/2020

I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

SA William B. [Signature] #1602  
(Signature of Affiant)

38-1-08  
(Magisterial District Court Number)

[Signature]  
(Issuing Authority)





**POLICE CRIMINAL COMPLAINT**

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**AFFIDAVIT of PROBABLE CAUSE**

Affidavit of Probable Cause

Introduction of Affiant – Special Agent Wendell A. Buck Jr.

Your Affiant is a sworn Special Agent employed by the Pennsylvania Office Attorney General, Bureau of Criminal Investigations, and assigned to the Criminal Prosecution Section. As a Special Agent, your Affiant’s primary duties are to investigate crimes, interview suspects and witnesses, prepare and execute search warrants, file criminal complaints and make arrests for the criminal activity reported to the Office of Attorney General. Your Affiant has over twenty-four years of law enforcement experience and prior to my employment with the Office of Attorney General was a Criminal Investigator with the City of Reading Police Department in Berks County Pennsylvania. During the course of your Affiant’s law enforcement career, your Affiant has prepared and served search warrants and arrest warrants for various crimes enumerated in the Pennsylvania Crimes Code including but not limited to offenses involving various types of thefts, identity thefts, and access device fraud.

**BOUCHER & JAMES, INC. BACKGROUND**

Special Agent Joseph Daniels and your Affiant conducted an investigation into fraudulent overbilling practices at Boucher & James Inc. Consulting Engineers (“Boucher and James”).

Boucher & James Inc. Consulting Engineers Corporate Headquarters is located at 1456 Ferry Road, Building 500, Doylestown, PA 18901. Regional Offices are located at 559 Main Street, Suite 230 Bethlehem, PA 18018, and at 2756 Rimrock Drive Stroudsburg PA18360. The company has approximately fifty employees, and offers a broad range of services, including land planning, civil engineering, landscape architecture, surveying, and building code compliance, to over thirty municipalities, including Boroughs, First and Second-Class Townships, and various Authorities in Bucks, Carbon, Chester, Montgomery, Monroe, Northampton, and Pike Counties. The Company also serves a large group of individuals, developers, institutions, and corporations in the private sector.

From 1962 until 2012 Boucher & James was a family-owned business. In 2012, the Company’s sole proprietor, Ross Boucher, sold his interest in the Company to the Company’s employees, whose ownership interests are governed by an Employee Stock Ownership Plan (“ESOP”). Ross Boucher then assumed a seat on the Board of Directors which he held until 2018. In that role, he received a salary from the Company.

\*\*\*\*\*Continued\*\*\*\*\*





# POLICE CRIMINAL COMPLAINT

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Since the company converted to an ESOP, it has been controlled by a volunteer Board of Directors that is required to meet once per year. Until May 2020, there were three Board members. They were Guy Marcozzi, Robert Kent, and Stephen G. Bardlsey Esq. These Board members were selected by Ross Boucher, and are his personal friends. In May, 2020 these Board members resigned and the Board was reconstituted.

Beginning with the creation of the ESOP in late 2012, Boucher & James' day-to-day operations were managed by four executive officers, each of whom held the title of Managing Director. The four Managing Directors had a defined area of responsibility outlined below. In 2020, David Jones, Judith Stern Goldstein and Mark Eisold have all resigned from their positions and left the company.

- Mark Eisold is a licensed Professional Engineer and was responsible for providing engineering services to the Company's municipal clients served out of the Doylestown office.
- Judith Stern Goldstein is a licensed and registered Landscape Architect and was responsible for providing services related to land planning and landscape architecture. Her administrative duties included overseeing the Company's Accounting Services Department and the Information Technology Department.
- David R. Jones worked out of the Doylestown office and was responsible for business development. His administrative duties included overseeing the Company's Building Codes Department and the Doylestown office administrative staff.
- Jon S. Tresslar is a licensed Professional Engineer and is also licensed as a Professional Land Surveyor. Tresslar is responsible for providing services to all of the Company's private-sector clients, including those served out of the Doylestown office, except for the small number of private sector clients served by Goldstein. Tresslar's administrative duties include overseeing the Company's Surveying Services Department and the Human Resources Department.

On October 29, 2018, Special Agent Daniels met with Jon Tresslar. Tresslar had been employed by Boucher & James since January 2011. Tresslar stated that in February 2018 he approached the Board of Directors and senior officers based upon a concern that billing practices at Boucher & James were causing some clients to be billed for work hours not performed. He believed that fictitious hours were being added to client invoices and

\*\*\*\*\*Continued\*\*\*\*\*

billed to clients to increase the revenue of the company. He took his concerns to the other Managing Directors and the Managing Directors refused to engage in a meaningful review of the billing practices.



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Boucher & James required all employees to submit timesheets for hours worked by project. These timesheets were submitted and reviewed by supervisors prior to posting to the timekeeping system. Once the timesheets were final, the information was used to create “pre-bills” in the accounting system, Deltek. These pre-bills were reviewed by the project managers and handwritten changes were noted on the pre-bills. These changes included transfers to move hours to a different project, write-offs and the addition of hours. After the changes were noted on the pre-bills, members of the Accounting Department would input the changes into Deltek. The edited version was then presented for final review to the Project Manager and the Managing Director if that was a different person.

**KORMAN CORPORATION**

Tresslar relayed that, in 2017, Eisold told him that he (Eisold) planned to perform a small amount of work for Korman Corporation, a private-sector client. Under Boucher & James’s contracts with Korman, services were to be billed on a time-and-materials basis for actual hours worked. Because Korman was a private-sector client, *Tresslar reviewed the bills sent by Eisold to Korman. Tresslar obtained the total fees generated for the hours worked by all employees on the Korman projects as reflected in the Project Detail Reports. Tresslar compared that number to the total fees billed to Korman for hours worked on the same projects, as reflected in the final invoices Boucher and James sent to Korman. The amount billed to Korman for hours worked was significantly higher than the total fees generated for hours worked on those same projects as reflected in Korman’s Project Detail Reports. Tresslar discovered that Eisold had overcharged Korman by approximately 25%.*

After finding the discrepancy, Tresslar asked Gaye Singley, the head of the Accounting Department for Boucher and James, for backup documentation to support the bills that Eisold had sent to Korman. He was provided copies of Eisold’s “draft bills,” also known as pre-bills. In reviewing the documentation, Tresslar saw that Eisold had started with the computer printout of actual hours worked as reflected in Korman’s Project Detail Reports. However, next to the totals for various employees, including himself, Eisold had jotted down in his own handwriting certain numbers to be added to the totals. Tresslar performed a spot check of the raw timesheets that had been submitted by employees with the final invoices approved by Eisold. In each case, the spot check

\*\*\*\*\* Continued\*\*\*\*\*

confirmed that the handwritten hours Eisold had added to the draft bill had never been documented on time sheets submitted by the employees. Eisold’s fraudulent addition of hours went so far as to result in an employee, Tim Wallace, working 34 hours in a single day, September 22, 2017. Tresslar found numerous hours had been added for multiple employees unsupported by timesheets.



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Tresslar discussed his findings Gaye Singley, who told Tresslar that many of Eisold’s bills contained similar entries. Singley said, “He adds hours all the time.”

**LOWER MAKEFIELD TOWNSHIP**

Tresslar said all of Eisold’s other clients were municipalities, whose invoices were paid with taxpayer dollars. Two of Eisold’s largest clients were Lower Makefield Township in Bucks County and Springfield Township in Montgomery County. After finding the billing discrepancy with the work performed for Korman, Tresslar reviewed billing records for one of Eisold’s projects for Lower Makefield Township. His analysis suggested that 38.25 hours of Eisold’s billed time and 210.75 hours of other employee’s billed time had never actually been worked. The hours represented a \$14,321.00 fraudulent over-charge for a single project.

Tresslar said Eisold’s billing amounts to approximately two million dollars per year, and approximately ten million dollars over the five years since the ESOP was founded. Of the two Eisold projects that Tresslar examined, Eisold’s bills were inflated by 10% and 25%, respectively. A forensic accounting review of Lower Makefield project timesheets and invoices confirms overbilling by Boucher & James.

When Tresslar brought his findings to the attention of the other Managing Directors, one Managing Director, David Jones, told Tresslar, “I thought this had stopped.”

On February 24, 2018, Tresslar prepared a memorandum detailing his findings and on February 27, 2018 Tresslar submitted a letter to the Board of Directors alerting them to the issues he had discovered and attaching his memorandum. On February 28, 2018, Ross Boucher sent an email advising that he was no longer Chairman of the Board of Directors.

\*\*\*\*\* Continued\*\*\*\*\*

**THREE-FACTOR BILLING SCHEME**

On April 7, 2020, Gaye Singley was interviewed by Your Affiant and Special Agent Daniels. Singley said she was hired by Boucher and James in 1997, and became manager of the Accounting Department in 2005. Singley said Ross Boucher, the then owner and president of the company, instituted the three-factor for billing.



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The billing on projects was expected to be three times the cost of labor for a particular project. Singley explained that an employee making \$50.00 an hour would be paid at his/her rate, but the client would be billed at \$150.00 per hour for that employee's time. The three-factor expectation was in place when Singley started working at Boucher and James. The company switched to Deltek accounting software in 2009. She was trained to use the Deltek system and became the trainer for the company.

Adding hours that were not worked was one method used to reach the three-factor. As there is no cost to hours that were not worked, these hours will always increase the profit margin. Singley was told by Ross Boucher to find a way in Deltek to add hours to the invoices without adding them to the timesheets. She achieved this by creating a project number named Billing Billing Time Additions. Once the hours were added to the projects they would simultaneously be backed out of the Billing Billing Time Additions project number, thereby reconciling the employee's hours. Billing Billing Time Additions was a fictitious project.

Singley said timesheets are submitted to the Project Managers and then the Managing Directors for approval before being turned into the Accounting Department for posting. Pre-bills are created and are given to the Project Manager who marks up any changes in pen. When the pre-bills are sent to the Managing Director for approval, the Managing Director would be able to determine if the three-factor was achieved in the billing. The prior versions of the pre-bills are also provided to the Managing Director so they can see all of the changes that were made.

Singley said Mark Eisold was adding hours to his bills. Singley had done his billing in the past and has seen his invoices marked up during the 2012 – 2018 years. Singley said Eisold has aggressively added hours since she did his billing back in 1997. Singley said she talked to Ross Boucher about it and Judith Stern Goldstein about it multiple times. She received no feedback as a result of those conversations.

\*\*\*\*\* Continued\*\*\*\*\*

Singley said David Jones has added hours to his bills. Singley did his billing prior to 2012 and knew of his adding hours at that time period. Sue Montgomery has been doing his recent billing.

On May 6, 2020 Susan Montgomery was interviewed by Your Affiant and Special Agent Daniels. Montgomery said she was hired by Boucher & James in August 2007. She worked in the Accounting Department with Gaye Singley and Marilyn Unruh. Marilyn Unruh retired a couple of years ago and was replaced by Jessica



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Martin. Montgomery was doing the billing for Jon Tresslar, David Jones and took over the billing for Mark Eisold from Unruh until Jessica Martin was trained to take over Eisold's billing.

Montgomery said on occasion she had been instructed by Project Managers or Managing Directors to add hours to a pre-bill that wasn't reflected on an employee's time sheet. Montgomery said the process is called "Labor Adjustments." Montgomery said Mark Eisold added hours regularly to achieve the three-factor. Eisold handled all the billing himself for his projects. Montgomery was unaware of Jon Tresslar adding hours to bills to achieve the three-factor. Montgomery said David Jones minimally added hours to his bills.

On May 8, 2020, Jessica Martin was interviewed by Your Affiant and Special Agent Daniels. Martin said she was hired at Boucher & James in May of 2017. She spent a couple months being trained by Marilyn Unruh, in Accounts Payable and billing. She explained that a pre-bill or "Work in Progress" is prepared by accounting, which is the invoice for the time period, and given to the Project Manager for review. Accounting would use the cost and labor figures to determine the factor number, which would be written on the pre-bill before it was sent to the Project Manager. Martin was told by Marilyn Unruh to come up with a factor of three, but she didn't understand why. Mark Eisold would frequently add time to employees hours worked to increase the factor. This practice was known to Martin as a Labor Adjustment. Martin said if an employee worked a half hour on a particular project, Eisold would often handwrite +.50 or +.75 and accounting would add the time.

Several other current and former employees were also interviewed as part of the investigation. Michael Gable, the Director of Engineering Services, has been employed at Boucher and James for almost ten years. Gable has been the Project Manager of multiple projects, and is responsible for reviewing the pre-bills to make sure the hours billed are accurately reported. Between 2011 and 2013 Gable was approached by David Jones who asked Gable to consider doing what he referred to as "Value added billing" for a municipal project. Jones explained that you can bill up to a percentage of value for reviewing a project. Gable refused, telling Jones what Jones was

\*\*\*\*\* Continued\*\*\*\*\*

suggesting was fraud. The projects are time and materials billing that are agreed to with the client in advance. Gable further told Jones that Jones recommendation was unethical and illegal. Gable made Jon Tresslar aware of his conversation with Jones and expressed his concerns about what he was asked to do.

Former Project Manager Amy Montgomery was interviewed by Your Affiant and Special Agent Daniels. Montgomery started working for Boucher and James in 1997 as a Project Engineer with a specialty in land development. In 1998 she became an Assistant Director, working under Mark Eisold. The majority of the clients



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were municipal clients at the time. Mark Eisold directed her to assist him with his billing. She was directed by Eisold to make the bills meet the three-factor. She said the three-factor was used to determine the profit of a particular project, and she was directed to add time worked to the project to increase the profit. Montgomery said she added time, usually in half hour increments, to pre-bills and gave them to Eisold, who added more time. As time went on Montgomery said she added hours that weren't worked to pre-bills to achieve the three-factor. When Eisold was finished making changes to the bills or approving her bills he would give them to Montgomery to take to the Accounting Department. Eisold had the final say on the finished version of the pre-bills. Montgomery recalled that Ross Boucher and Managing Director David Jones had particular interest in several clients and wanted to review the bills for projects worked for those clients. Montgomery said Ross Boucher and David Jones would normally add hours to the bills they reviewed.

On July 14, 2020, Your Affiant interviewed Charles Dietz former employee of Boucher and James. Dietz said he was hired in 2005 hired a construction inspector. Dietz went to construction sites to see if the work was being done to consistent with the plans. Eventually he became a supervisor of the inspectors. Dietz reported to Dave Horton initially and when Horton left the company he reported to Mark Eisold. Time sheets were given to the office manager, Collette Gerstenburg, who submitted them to David Horton for approval. Mark Eisold told him personally that he (Eisold) didn't want any unbillable time on his time sheet. He explained that, during inclement weather, he was instructed to find jobs and bill for Erosion and Settlement Control even if he didn't go to the site and perform an inspection. For example, if he inspected a strip mall site in Township "A" that took 2 hours, Eisold expected him to bill another 2 hours for inspecting a site in Township "B" even though he never went to that site. Dietz questioned Eisold on that practice and Eisold told him not to question him and that was how it is done. This practice was discovered by some of the contractors who were on the job sites and didn't see any inspectors there on the dates that were billed. This happened more than once, and Dietz referred all questions

\*\*\*\*\* Continued\*\*\*\*\*

to Mark Eisold. Dietz said Dave Horton left Boucher & James because of these improper billing practices.

On August 13, 2020, Special Agent Daniels interviewed David Horton, who said he started working for Boucher and James in 2004. Horton said he was a Project Manager who worked under Mark Eisold on municipal projects. Horton said that during his third year with the company he discovered that hours that weren't worked were being added to his invoices. He brought the matter to the attention of David Jones and Ross Boucher. In a subsequent meeting with Jones and Boucher over the practice of adding time, Jones promised Horton "We will



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look at this policy.” Horton said he planned an exit strategy from Boucher and James and left the company approximately one year later.

On August 27, 2020, Affiant Buck conducted an interview with Jerry Gorski, owner of Gorski Engineering, about his professional interactions with Boucher and James. Gorski acknowledged that Gorski Engineering has worked with Boucher and James on multiple projects. Gorski said that Boucher and James worked with Richland Township, Bucks County on the township’s construction review process and construction inspection. Gorski Engineering worked with Boucher and James on several projects in Richland Township, beginning in 2008/2009. Gorski found that Boucher and James was overbilling for Construction Inspections for the work being done in the Northfield Business Campus project. Boucher and James quickly exhausted their escrow accounts with Richland Township which created suspicion. Gorski conducted an internal investigation and had evidence to support his allegations. When he voiced his concerns, Ross Boucher came to Gorski Engineering uninvited and got into a heated discussion with Gorski. Once Gorski presented the evidence of theft that Gorski had uncovered to Boucher, Ross Boucher entered into a restitution agreement with Gorski.

### FORENSIC ACCOUNTING

Forensic Accountants employed by the Pennsylvania Office of Attorney General were provided with Boucher & James employee labor detail reports from 2009 – 2018. The Forensic Accountants were also provided with invoices, employee timesheets, project detail reports, and full access to the company’s accounting and billing software system. The accountants found an overbilling scheme in which hours were billed to clients that were not generated on the Boucher & James employee time sheets.

\*\*\*\*\* Continued\*\*\*\*\*

During the time period from 2009 through 2018, the investigation identified overbilling and/or fictitious billing practices relating to more than 150 clients including multiple municipalities. The total amount of theft committed by Boucher & James, Inc. is estimated at \$2,083,377. A summary of the losses suffered by clients is attached hereto.

Employees were awarded bonuses based on company performance. As a result of the overbilling scheme theft, the managing directors were awarded bonuses they would not otherwise have received from 2015 through 2018. In 2014, the Managing Directors received a larger bonus as a result of the theft.



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Additionally, when the ESOP was created, the company shares were valued and purchased by the plan. As a result, the increased revenue due to theft prior to 2013 increased the value of the company for purposes of its conversion to the ESOP. Mark Eisold, David Jones and Judith Stern Goldstein were junior shareholders in Boucher & James before it became an ESOP. The increased value would have translated to Ross Boucher and the junior shareholders securing a higher sale price for the company upon conversion to the ESOP.

Based on the information received and the investigation conducted, I hereby respectfully request a warrant of arrest for MARK W. EISOLD on the charges listed within this complaint.

I, S.A. WENDELL A BUCK JR, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

SA Wendell A Buck Jr #602  
(Signature of Affiant)

Sworn to me and subscribed before me this 14<sup>th</sup> day of December 2020  
Date KRM/lo, Magisterial District Judge

My commission expires first Monday of January, 2024











## Exhibit A

| Client   | 2009      | 2010       | 2011       | 2012       | 2013       | 2014       | 2015       | 2016       | 2017       | 2018      | Grand Total  |
|--|-----------|------------|------------|------------|------------|------------|------------|------------|------------|-----------|--------------|
| MOORE TOWNSHIP   | -         | -          | 85.00      | -          | -          | -          | -          | -          | -          | -         | 85.00        |
| CALVARY ASSEMBLY OF<br>GOD                               | -         | -          | -          | -          | 79.50      | -          | -          | -          | -          | -         | 79.50        |
| CONTINENTAL PROPERTY<br>MANAGEMENT, INC.                 | -         | -          | -          | -          | -          | 79.50      | -          | -          | -          | -         | 79.50        |
| HERITAGE BUILDING<br>GROUP, INC.                         | -         | -          | -          | 79.50      | -          | -          | -          | -          | -          | -         | 79.50        |
| CHARLES FRITZ  | -         | -          | -          | -          | -          | -          | -          | -          | 77.00      | -         | 77.00        |
| HART LYMAN COMPANIES,<br>L.L.C.                          | -         | -          | 75.50      | -          | -          | -          | -          | -          | -          | -         | 75.50        |
| PINE RUN CONSTRUCTION                                    | -         | -          | -          | 75.25      | -          | -          | -          | -          | -          | -         | 75.25        |
| RYAN HOMES, INC.   | -         | 72.50      | -          | -          | -          | -          | -          | -          | -          | -         | 72.50        |
| HERITAGE PROPERTIES<br>GROUP, L.L.C.                     | -         | -          | -          | -          | -          | -          | -          | 41.75      | 30.00      | -         | 71.75        |
| PA BIOTECHNOLOGY<br>CENTER                               | -         | -          | -          | -          | -          | 71.00      | -          | -          | -          | -         | 71.00        |
| SATISH HARIPRASAD  | -         | -          | -          | -          | -          | -          | -          | -          | -          | 67.00     | 67.00        |
| RIVERWOODS AT NEW HOPE<br>COMMUNITY ASSOCIATION          | -         | -          | -          | -          | -          | -          | -          | -          | 67.00      | -         | 67.00        |
| SAMALL PROPERTIES, INC.                                  | -         | -          | -          | 67.00      | -          | -          | -          | -          | -          | -         | 67.00        |
| APPLEBUTTER<br>DEVELOPMENT<br>ASSOCIATES, L.P.           | -         | 65.00      | -          | -          | -          | -          | -          | -          | -          | -         | 65.00        |
| RICK LYONS   | -         | -          | -          | 16.50      | -          | 45.50      | -          | -          | -          | -         | 62.00        |
| CLEMONS, RICHTER &<br>REISS, P.C. ATTORNEYS AT<br>LAW    | -         | -          | -          | -          | -          | 61.00      | -          | -          | -          | -         | 61.00        |
| J.H. GREEN AND SON, INC.                                 | -         | -          | -          | -          | 61.00      | -          | -          | -          | -          | -         | 61.00        |
| PUBLIC INTEREST LAW<br>CENTER OF PHILADELPHIA            | -         | -          | -          | 60.50      | -          | -          | -          | -          | -          | -         | 60.50        |
| WESTRUM DEVELOPMENT<br>CO.                               | -         | -          | -          | -          | -          | 60.00      | -          | -          | -          | -         | 60.00        |
| MILFORD LANDING<br>CONDOMINIUM<br>ASSOCIATION            | -         | 37.00      | -          | -          | 22.50      | -          | -          | -          | -          | -         | 59.50        |
| NATURAL LANDS TRUST                                      | -         | -          | 59.25      | -          | -          | -          | -          | -          | -          | -         | 59.25        |
| DREW KINSLOW   | -         | -          | -          | 57.50      | -          | -          | -          | -          | -          | -         | 57.50        |
| UPPER MOUNT BETHEL<br>TOWNSHIP                           | -         | 50.00      | -          | -          | -          | -          | -          | -          | -          | -         | 50.00        |
| BESKO OUTDOOR SIGNS,<br>L.L.C.                           | -         | -          | -          | -          | -          | -          | -          | 49.50      | -          | -         | 49.50        |
| WILSON, ELSER,<br>MOSKOWITZ, EDELMAN &<br>DICKER, L.L.P. | -         | -          | -          | -          | -          | -          | -          | -          | -          | 48.00     | 48.00        |
| JAMES J. GORMLEY   | -         | -          | 15.25      | -          | 30.50      | -          | -          | -          | -          | -         | 45.75        |
| DAVE SCHMAUK   | -         | -          | -          | 45.00      | -          | -          | -          | -          | -          | -         | 45.00        |
| LEHMAN TOWNSHIP WATER<br>AND SEWER AUTHORITY             | -         | -          | -          | -          | -          | 45.00      | -          | -          | -          | -         | 45.00        |
| MCMAMARA, BOLLA &<br>PANZER                              | -         | -          | -          | -          | 41.00      | -          | -          | -          | -          | -         | 41.00        |
| RBDP, L.L.C.   | -         | 39.75      | -          | -          | -          | -          | -          | -          | -          | -         | 39.75        |
| FNCB   | -         | 22.50      | -          | -          | -          | -          | -          | -          | -          | -         | 22.50        |
| MARGARET POWELL  | -         | -          | -          | 20.69      | -          | -          | -          | -          | -          | -         | 20.69        |
| CITY OF MILLVILLE  | -         | -          | -          | -          | -          | -          | -          | 16.00      | -          | -         | 16.00        |
| PATRICIA KELLER  | -         | -          | -          | -          | -          | -          | 11.75      | -          | -          | -         | 11.75        |
| Totals   | 48,289.47 | 271,488.17 | 242,445.00 | 207,298.09 | 276,993.83 | 210,282.83 | 277,443.12 | 242,358.61 | 285,520.53 | 63,984.21 | 2,126,103.86 |