



PRESS RELEASE

Internal Revenue Service - Criminal Investigation *Chief Richard Weber*

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IRS – Criminal Investigation

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Oregon Attorney Indicted for Employment Tax Fraud

A federal grand jury sitting in Portland, Oregon, returned an indictment yesterday charging a resident of Lake Oswego, Oregon, with 10 counts of willfully failing to collect, truthfully account for and pay over federal employment taxes to the United States, announced Acting Assistant Attorney General Caroline D. Ciruolo of the Justice Department's Tax Division.

According to the allegations in the indictment, Gary B. Bertoni, had the responsibility to collect, truthfully account for and pay over to the Internal Revenue Service (IRS) federal employment taxes withheld from the wages of the employees of his law firm, Bertoni & Associates LLC. Beginning in approximately the first quarter of 2009 and continuing through 2011, Bertoni failed to pay over to the IRS employment taxes withheld from his employees' wages as they became due. The indictment further alleges that Bertoni failed to remit monies withheld from employees' wages for various employee benefits, including health insurance and retirement account contributions. Instead, Bertoni caused his law firm to make thousands of dollars of expenditures for his personal benefit during the 2009 through 2011 calendar years, including payments to his personal bank account totaling more than \$300,000.

If convicted, Bertoni faces a statutory maximum sentence of 50 years in prison, a maximum fine of \$2.5 million and restitution to the IRS.

An indictment is not a finding of guilt. Individuals charged in indictments are presumed innocent until proven guilty beyond a reasonable doubt.

Acting Assistant Attorney General Ciruolo thanked agents of IRS-Criminal Investigation, who are investigating the case and Trial Attorneys Stuart A. Wexler and Quinn P. Harrington of the Tax Division, who are prosecuting the case.

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