

News Release



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U.S. Labor Department Obtains Order Restoring Over \$4 Million to TRG Health Plan

CHICAGO -- The U.S. Department of Labor has obtained a court order requiring executives of TRG Marketing LLC of Indianapolis, Ind., to restore more than \$4.1 million, including interest, to the TRG health plan. The order provides for restitution of health plan assets improperly diverted by William Crouse and Carmelo Zanfei to pay personal expenses for themselves and family members. As a result of the defendant's actions, plan participants were left with millions in unpaid medical claims.

"The victims in this case have been saddled with millions of dollars in medical expenses that should have been covered by their health plan," said U.S. Secretary of Labor Elaine L. Chao. "I am pleased the court has granted us this order so that we can proceed in getting compensation for them."

In January 2005, the Federal District Court in Indianapolis ordered Crouse and Zanfei to restore \$3,423,451.22 illegally diverted from the plan. In an order issued June 1, the court ordered restoration of an additional \$678,817.56 in interest, and named Jeanne Barnes Bryant as the independent fiduciary to receive and place in trust money restored to the plan by Crouse and Zanfei.

The health plan controlled by TRG Marketing, Crouse and Zanfei was a multiple employer welfare arrangement (MEWA) funded by premium payments of employers, their employees and individuals not associated with any employers. When terminated in 2001, the TRG plan had approximately 11,000 participants nationwide. The amount of unpaid health claims has yet to be determined.

This case was investigated by the Cincinnati regional office of the Labor Department's Employee Benefits Security Administration (EBSA). In fiscal year 2004, EBSA achieved record monetary results of \$3.1 billion related to the pension, 401(k), health and other benefits of millions of American workers and their families.

Tips on health benefits for small employers may be found at EBSA's Web site at <http://www.dol.gov/ebsa/newsroom/fshlthinstips.html>. Employers and workers can reach the Cincinnati regional office at (859) 578-4680 or toll-free at 1-866-444-EBSA (3272) for help with problems relating to private-sector retirement and health plans.

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(Chao v. Crouse)
Civil Action No. 1:03-cv-1585-TAB-DFH

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