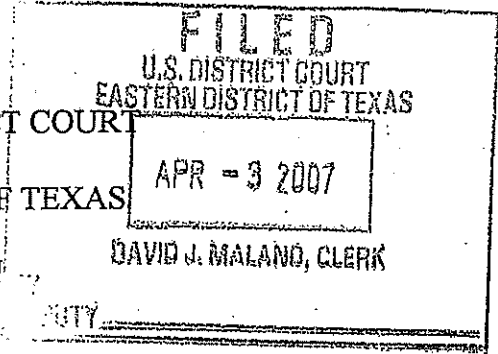


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION



UNITED STATES OF AMERICA

\*

v.

\*

CRIMINAL NO. 5:07CR 11

\*

WILLIAM I. BROWN

\*

\*

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT 1**

Violation: 18 U.S.C. § 664  
(Theft or Embezzlement from  
employee benefit plan )

**A. INTRODUCTION**

At all times material to this Indictment:

1. The Defendant, WILLIAM I. BROWN, was a member of Local 237 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of America and Canada ("Local 237") and served as Business Manager/Financial Secretary, and Apprentice Coordinator ("Business Manager") for the local union.

2. One of the Defendant's primary responsibilities as Business Manager was to maintain the books and records of the bank accounts for the Apprenticeship and Training Fund ("Apprenticeship Fund") and the General Fund of Local 237. The Apprenticeship Fund was an employee welfare benefit fund subject to the provisions of Title I of the Employee Retirement Income Security Act of 1974.

3. Local 237 was a labor organization in an industry affecting interstate commerce within the meaning of Sections 402(i) and 402(j) of Title 29, United States Code.

**B. THE SCHEME**

4. Beginning in or about November 1997 and continuing thereafter until late 2002, the Defendant devised a scheme to unlawfully and knowingly embezzle, steal, abstract and convert to his own use monies from the Apprenticeship Fund and the General Fund. Throughout the course of Defendant's scheme, he obtained at least \$80,000 from the two accounts.

5. On or about April 8, 2002, in the Eastern District of Texas, the Defendant, WILLIAM I.

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BROWN, did knowingly embezzle, steal and unlawfully and willfully abstract and convert to his own use in the approximate amount of \$1,999.38, the moneys, funds, property and other assets of the Local 237 Apprenticeship Fund, an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974.

In violation of Title 18, United States Code, Section 664.

**COUNT 2**

Violation: 18 U.S.C. § 664  
(Theft or Embezzlement from  
employee benefit plan )

6. The allegations in Paragraphs 1-4 are hereby re-alleged and incorporated as if fully set forth herein.

7. On or about April 8, 2002, in the Eastern District of Texas, the Defendant, WILLIAM I. BROWN, did knowingly embezzle, steal and unlawfully and willfully abstract and convert to his own use in the approximate amount of \$446.53, the moneys, funds, property and other assets of

the Local 237 Apprenticeship Fund, an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974.

In violation of Title 18, United States Code, Section 664.

**COUNT 3**

Violation: 18 U.S.C. § 664  
(Theft or Embezzlement from  
employee benefit plan )

8. The allegations in Paragraphs 1-4 are hereby re-alleged and incorporated as if fully set forth herein.

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9. On or about May 7, 2002, in the Eastern District of Texas, the Defendant, WILLIAM I. BROWN, did knowingly embezzle, steal and unlawfully and willfully abstract and convert to his own use in the approximate amount of \$1,000, the moneys, funds, property and other assets of the Local 237 Apprenticeship Fund, an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974.

In violation of Title 18, United States Code, Section 664.

**COUNT 4**

Violation: 18 U.S.C. § 664  
(Theft or Embezzlement from  
employee benefit plan )

10. The allegations in Paragraphs 1-4 are hereby re-alleged and incorporated as if fully set forth herein.

11. On or about May 28, 2002, in the Eastern District of Texas, the Defendant, WILLIAM I. BROWN, did knowingly embezzle, steal and unlawfully and willfully abstract and convert to his

own use in the approximate amount of \$5,000, the moneys, funds, property and other assets of the Local 237 Apprenticeship Fund, an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974.

In violation of Title 18, United States Code, Section 664.

**COUNT 5**

Violation: 18 U.S.C. § 664  
(Theft or Embezzlement from  
employee benefit plan )

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12. ~~The allegations in Paragraphs 1-4 are hereby re-alleged and incorporated as if fully set forth herein.~~

13. On or about June 11, 2002, in the Eastern District of Texas, the Defendant, WILLIAM I. BROWN, did knowingly embezzle, steal and unlawfully and willfully abstract and convert to his own use in the approximate amount of \$2,000, the moneys, funds, property and other assets of the Local 237 Apprenticeship Fund, an employee welfare benefit plan subject to title I of the Employee Retirement Income Security Act of 1974.

In violation of Title 18, United States Code, Section 664.

**COUNT 6**

Violation: 29 U.S.C. §501(c)  
(Embezzlement from a Labor Union)

14. The allegations in Paragraphs 1-4 are hereby re-alleged and incorporated as if fully set forth herein.

15. On or about May 4, 2002, in the Eastern District of Texas, WILLIAM I. BROWN,

Defendant herein, while an officer, that is Business Manager, of Local 237, did knowingly embezzle, steal, and unlawfully and willfully abstract and convert to his own use the moneys, funds, securities, property, and other assets of said labor organization in the approximate amount of \$2,400.

In violation of Title 29, United States Code, Section 501(c).

**COUNT 7**

Violation: 29 U.S.C. §501(c)  
(Embezzlement from a Labor Union)

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16. The allegations in Paragraphs 1- 4 are hereby re-alleged and incorporated as if fully set forth herein.

17. On or about August 3, 2002, in the Eastern District of Texas, WILLIAM I. BROWN, Defendant herein, while an officer, that is Business Manager, of Local 237, did knowingly embezzle, steal, and unlawfully and willfully abstract and convert to his own use the moneys, funds, securities, property, and other assets of said labor organization in the approximate amount of \$2,500.

In violation of Title 29, United States Code, Section 501(c).

**COUNT 8**

Violation: 29 U.S.C. §501(c)  
(Embezzlement from a Labor Union)

18. The allegations in Paragraphs 1- 4 are hereby re-alleged and incorporated as if fully set forth herein.


19. On or about September 16, 2002, in the Eastern District of Texas, WILLIAM I. BROWN,

Defendant herein, while an officer, that is Business Manager, of Local 237, did knowingly embezzle, steal, and unlawfully and willfully abstract and convert to his own use the moneys, funds, securities, property, and other assets of said labor organization in the approximate amount of \$1,600.

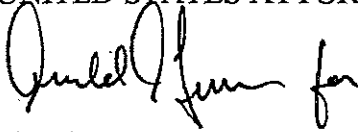
In violation of Title 29, United States Code, Section 501(c).

A TRUE BILL,

Date: 4/3/07

  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

MATTHEW D. ORWIG  
UNITED STATES ATTORNEY



WES RIVERS  
Assistant United States Attorney  
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110 N. College, Suite 700  
Tyler, Texas 75702  
903-590-1400  
903-590-1439 (facsimilie)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TEXARKANA DIVISION

UNITED STATES OF AMERICA

v.

WILLIAM I. BROWN

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CRIMINAL NO. 5:07CR\_\_\_\_\_

NOTICE OF PENALTY

COUNTS 1-5

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Violation: 18 U.S.C. § 664 (Theft or  
Embezzlement from employee benefit plan )

Penalty: Imprisonment for a term of not  
more than five years, a fine of not more than  
\$250,000, or both. A term of supervised  
release of not more than 3 years.

COUNTS 6-8

Violation: 29 U.S.C. §501(c) (Embezzlement  
from a Labor Union)

Penalty: Imprisonment for a term of not more  
than five years, a fine of not more than  
\$250,000, or both. A term of supervised  
release of not more than 3 years.