

**FILED**

**MAR 23 2010**

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury  
Number SGJ587-10-1  
Superior Court  
Docket Number **10-03-00021-S**

STATE OF NEW JERSEY )  
 )  
 v. ) INDICTMENT  
 )  
SAMUEL M. SERRITELLA )

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Securities Fraud-Second Degree)

SAMUEL M. SERRITELLA

between on or about February 28, 2002 and on or about May 28, 2008, in the City of Garfield, in the County of Bergen, elsewhere, and within the jurisdiction of this Court did knowingly, in connection with the offer, sale, or purchase of any security, in an amount of \$75,000 or more, directly or indirectly make an untrue statement of material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, and thereby mislead investors whose identities are known to the said SAMUEL M. SERRITELLA, to believe that their money, in an amount of \$75,000 or more, would be used for legitimate business

purposes and for their benefit, in that the said SAMUEL M. SERRITELLA, an unregistered agent and president of International Surfacing, Inc., did directly or indirectly make an untrue statement of material fact or omit to state a material fact to investors whose identities are known to the said SAMUEL M. SERRITELLA, that their money, in an amount of \$75,000 or more, would not be used for legitimate business purposes and for their benefit, and would instead be spent by the said SAMUEL M. SERRITELLA on personal expenses, contrary to the provisions of N.J.S.A. 49:3-52(b), N.J.S.A. 49:3-70, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Theft by Deception - Second Degree)

SAMUEL M. SERRITELLA

between on or about February 28, 2002 and on or about May 28, 2008, in the City of Garfield, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, purposely did obtain the property of another by deception, in an amount of \$75,000 or more, by creating or reinforcing the false impression to investors whose identities are known to the said SAMUEL M. SERRITELLA, that their money would be used for the legitimate business purposes of International Surfacing, Inc., WHEREAS IN TRUTH AND IN FACT, as the said SAMUEL M. SERRITELLA, an unregistered agent well knew, the money of the investors whose identities are known to the said SAMUEL M. SERRITELLA, in an amount of \$75,000 or more, was not used for the legitimate business purposes of International Surfacing, Inc., contrary to the provisions of N.J.S.A. 2C:20-4, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Misapplication of Entrusted Property - Second Degree)

SAMUEL M. SERRITELLA

between on or about February 28, 2002 and on or about May 28, 2008, in the City of Garfield, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, did apply or dispose of property that had been entrusted to him as a fiduciary in a manner which he knew was unlawful and involved substantial risk of loss or detriment to the owners of the property and did derive a benefit of \$75,000 or more, in that the said SAMUEL M. SERRITELLA, an unregistered agent and President of International Surfacing, INC., did apply or dispose of the money of investors whose identities are known to the said SAMUEL M. SERRITELLA, that was entrusted to the said SAMUEL M. SERRITELLA as a fiduciary, in a manner which the said SAMUEL M. SERRITELLA knew to be unlawful and involving a substantial risk of loss or detriment to investors whose identities are known to the said SAMUEL M. SERRITELLA, thereby deriving a benefit of \$75,000 or more, all contrary to the provisions of N.J.S.A. 2C:21-15, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Money Laundering - Second Degree)

SAMUEL M. SERRITELLA

between on or about February 28, 2002 and on or about May 28, 2008, in the City of Garfield, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, did engage in a transaction involving property, in an aggregate amount of \$75,000.00 but less than \$500,000, known or which a reasonable person would believe to be derived from criminal activity, knowing that the transaction was designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, that is the said SAMUEL M. SERRITELLA, an unregistered agent and president of International Surfacing, Inc., did engage in the transactions of automatic teller machine withdrawals, check card purchases, loans, and cash deposits, in an aggregate amount of \$75,000 but less than \$500,000, known to be derived from criminal activity, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property which the said SAMUEL M. SERRITELLA knew to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25(b)(2)(a) and against the peace of this State, the government and dignity of the same.

are realleged and incorporated by reference herein and contrary to the provisions of N.J.S.A. 2C:21-9c, and against the peace of this State, the government and dignity of the same.

*Tina A. Polites*

Tina A. Polites, A.A.G.  
Deputy Director  
Division of Criminal Justice

A TRUE BILL:

*Ronald Mando*  
Foreperson

*March 23, 2010*

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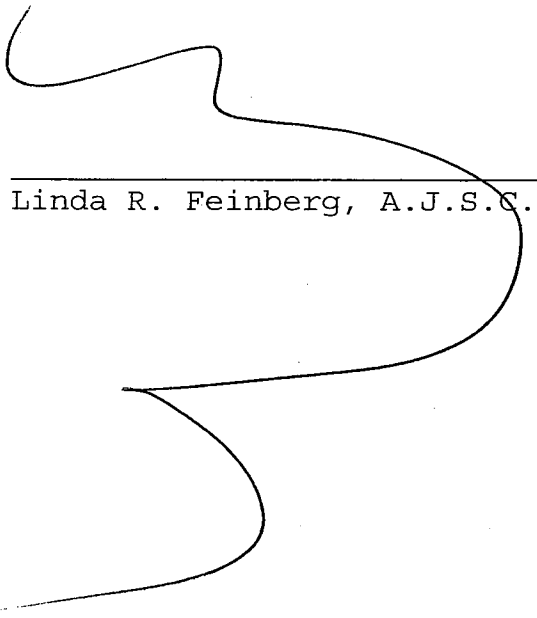
SAMUEL M. SERRITELLA )

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 23rd day of March, 2010, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Bergen be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Bergen for filing.

  
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Linda R. Feinberg, A.J.S.C.