

**FILED**

SEP 21 2011

**State Grand Jury Judge**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ608-11-14

Superior Court

Docket Number ~~11-09-00109-5~~

STATE OF NEW JERSEY )

v. )

INDICTMENT

MICHAEL GEIGER )

DONNA GEIGER )

and )

DMG AUTOMOTIVE, INC. )

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

COUNT ONE

(Conspiracy - First Degree)

MICHAEL GEIGER

DONNA GEIGER

and

DMG AUTOMOTIVE, INC.

who are named as defendants herein, and other individuals whose identities are both known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about January 13, 2005, and on or about December 8, 2009, at the Township of Burlington, in the County of Burlington, at the City of Cape May, in the County of Cape May, at the City of

Trenton, in the County of Mercer, in the State of North Carolina, in the State of Florida, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the crimes of misconduct by a corporate official, theft by deception, theft by unlawful taking and money laundering, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

B. One or more of them would aid in the planning, solicitation or commission of said crimes, that is:

1. Purposely or knowingly to use, control or operate a corporation for the furtherance or promotion of a criminal object, contrary to the provisions of N.J.S.A. 2C:21-9c.

2. Purposely to obtain property of another by deception, contrary to the provisions of N.J.S.A. 2C:20-4.

3. Knowingly to take or exercise unlawful control over the movable property of another with purpose to deprive him thereof, contrary to the provisions of N.J.S.A. 2C:20-3.

4. Knowingly to transport or possess property which a reasonable person would believe to be derived from criminal activity; or to engage in a transaction involving property known or which a reasonable person would believe to be derived from criminal activity, knowing that the transaction is designed in whole or in part to conceal or disguise the nature, location,

source, ownership, or control of the property derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25a and N.J.S.A. 2C:21-25b(2) (a).

All in violation of the provisions of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Misconduct by a Corporate Official - Second Degree)

MICHAEL GEIGER

between on or about January 13, 2005, and on or about December 8, 2009, at the Township of Burlington, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, purposely or knowingly did use, control or operate a corporation, that is, American Casein, Inc., and American Custom Drying, Inc., in furtherance or promotion of a criminal object, thereby deriving a benefit of \$75,000 or more, that is, the said MICHAEL GEIGER, being the chief executive officer of American Casein, Inc., and American Custom Drying, Inc., did use, control and operate said corporations, for furtherance or promotion of the criminal objects of theft by unlawful taking, in violation of N.J.S.A. 2C:20-3, theft by deception, in violation of N.J.S.A. 2C:20-4, and money laundering, in violation of N.J.S.A. 2C:21-25a, N.J.S.A. 2C:21-25b(2)(a), and thereby deriving a benefit of \$75,000 or more, all 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.

COUNT THREE

(Misconduct by a Corporate Official - Second Degree)

MICHAEL GEIGER

between on or about October 14, 2008, and on or about October 29, 2008, at the Township of Burlington, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, purposely or knowingly did use, control or operate a corporation, that is, DMG Automotive, Inc., in furtherance or promotion of a criminal object, thereby deriving a benefit of \$75,000 or more, that is, the said MICHAEL GEIGER, being the chief executive officer of DMG Automotive, Inc., did use, control and operate said corporation for furtherance or promotion of the criminal objects of theft theft by deception, in violation of N.J.S.A. 2C:20-4, and money laundering, in violation of N.J.S.A. 2C:21-25b(2) (a) and N.J.S.A. 2C:21-27, thereby deriving a benefit of \$75,000 or more, all 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.

COUNT FOUR

(Theft By Unlawful Taking - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about January 13, 2005, and on or about September 3, 2009, at the Township of Burlington, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of another in an amount of \$75,000 or more, that is, approximately \$398,849.36 in United States currency, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, N.J.S.A. 2C:20-2b(1)(a), N.J.S.A. 2C:20-2a, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Theft By Unlawful Taking - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about June 24, 2006, and on or about November 19, 2009, at the Township of Burlington, in the County of Burlington, at the City of Cape May, in the County of Cape May, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of another in an amount of \$75,000 or more, that is, approximately \$334,734.95 in United States currency, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, N.J.S.A. 2C:20-2b(1)(a), N.J.S.A. 2C:20-2a, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Theft By Unlawful Taking - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about June 28, 2006, and on or about July 21, 2009, at the Township of Burlington, in the County of Burlington, at the City of Cape May, in the County of Cape May, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of another in an amount of \$75,000 or more, that is, approximately \$75,005.30 in United States currency, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, N.J.S.A. 2C:20-2b(1)(a), N.J.S.A. 2C:20-2a, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



COUNT SEVEN

(Money Laundering - First Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about January 13, 2005, and on or about November 19, 2009, at the Township of Burlington, in the County of Burlington, at the City of Cape May, in the County of Cape May, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, did transport or possess property, that is, approximately \$808,589.61, knowing or which a reasonable person would believe to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Theft By Deception - Second Degree)

MICHAEL GEIGER

and

DMG AUTOMOTIVE, INC.

between on or about October 14, 2008, and on or about October 29, 2008, at the Township of Burlington, in the County of Burlington, in the State of Florida; in the State of North Carolina, elsewhere, and within the jurisdiction of this Court, purposely did obtain property of American Casein, Inc., and American Custom Drying, Inc., that is, approximately \$659,616.32 in United States currency, by deception; that is, the said MICHAEL GEIGER and DMG AUTOMOTIVE, INC., did purposely obtain said property from American Casein, Inc., and American Custom Drying, Inc., by causing Prestige Technology, Inc., to submit false product invoices to American Casein, Inc., and American Custom Drying, Inc., for payment, thereby creating or reinforcing false impressions that the invoices were legitimate;

WHEREAS IN TRUTH AND IN FACT, as the said MICHAEL GEIGER and DMG AUTOMOTIVE, INC., then and there well knew, the invoices were not legitimate, and that payments made to Prestige Technology, Inc., by American Casein, Inc., and American Custom Drying, Inc., in the amount of approximately \$659,616.32 in United States currency, were diverted by MICHAEL GEIGER and DMG AUTOMOTIVE,

INC., and were used by MICHAEL GEIGER to make a personal loan, contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(1)(a), N.J.S.A. 2C:2-6, and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT NINE

(Money Laundering - First Degree)

MICHAEL GEIGER

and

DMG AUTOMOTIVE, INC.

between on or about October 14, 2008, and on or about October 29, 2008, at the Township of Burlington, in the County of Burlington, in the State of Florida, in the State of North Carolina, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, that is, approximately \$659,616.32 in United States currency, knowing or which a reasonable person would believe to be derived from criminal activity, and that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of said property derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(2)(a), N.J.S.A. 2C:2-6, and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT TEN

(Theft By Deception - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about October 28, 2008, and on or about January 17, 2009, at the Township of Burlington, in the County of Burlington, in the State of Florida, elsewhere, and within the jurisdiction of this Court, purposely did obtain property of American Casein, Inc., and American Custom Drying, Inc., that is, approximately \$221,000.00 in United States currency, by deception; that is, the said MICHAEL GEIGER and DONNA GEIGER did purposely obtain said property from American Casein, Inc., and American Custom Drying, Inc., by causing Prestige Technology, Inc., to submit false product invoices to American Casein, Inc., and American Custom Drying, Inc., for payment, thereby creating or reinforcing false impressions that the invoices were legitimate;

WHEREAS IN TRUTH AND IN FACT, as the said MICHAEL GEIGER and DONNA GEIGER then and there well knew, the invoices were not legitimate, and that payments made to Prestige Technology, Inc., by American Casein, Inc., and American Custom Drying, Inc., in the amount of approximately \$221,000.00 in United States currency, were diverted by MICHAEL GEIGER and DONNA GEIGER and were used to pay for their purchase of 16 Harbor Drive West-Unit

301, Fort Pierce, Florida, contrary to the provisions of N.J.S.A.  
2C:20-4, N.J.S.A. 2C:20-2b(1) (a), N.J.S.A. 2C:2-6, and against  
the peace of this State, the government and dignity of the same.

COUNT ELEVEN

(Money Laundering - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about October 28, 2008, and on or about January 17, 2009, at the Township of Burlington, in the County of Burlington, in the State of Florida, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, that is, approximately \$221,000.00 in United States currency, used to purchase 16 Harbor Drive West-Unit 301, Fort Pierce, Florida, knowing or which a reasonable person would believe to be derived from criminal activity, and that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of said property derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(2) (a) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWELVE

(Theft By Deception - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about October 21, 2009, and on or about December 8, 2009, at the Township of Burlington, in the County of Burlington, at the City of Cape May, in the County of Cape May, in the State of Florida, elsewhere, and within the jurisdiction of this Court, purposely did obtain property of American Casein, Inc., and American Custom Drying, Inc., that is, approximately \$192,000.00 in United States currency, by deception; that is, the said MICHAEL GEIGER and DONNA GEIGER did purposely obtain said property from American Casein, Inc., and American Custom Drying, Inc., by causing Prestige Technology, Inc., to submit false product invoices to American Casein, Inc., and American Custom Drying, Inc., for payment, thereby creating or reinforcing false impressions that the invoices were legitimate;

WHEREAS IN TRUTH AND IN FACT, as the said MICHAEL GEIGER and DONNA GEIGER then and there well knew, the invoices were not legitimate, and that payments made to Prestige Technology, Inc., by American Casein, Inc., and American Custom Drying, Inc., in the amount of approximately \$192,000.00 in United States currency, were diverted by MICHAEL GEIGER and DONNA GEIGER and



were used to pay for their purchase of 116 Leaming Avenue, Cape May, New Jersey, contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(1) (a), N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THIRTEEN

(Money Laundering - Second Degree)

MICHAEL GEIGER

and

DONNA GEIGER

between on or about October 21, 2009, and on or about December 8, 2009, at the Township of Burlington, in the County of Burlington, at the City of Cape May, in the County of Cape May, in the State of Florida, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, that is, approximately \$192,000.00 in United States currency used to purchase 116 Leaming Avenue, Cape May, New Jersey, knowing or which a reasonable person would believe to be derived from criminal activity, and that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of said property derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(2)(a) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOURTEEN

(Theft By Deception - Second Degree)

MICHAEL GEIGER

between on or about November 14, 2008, and on or about December 17, 2009, at the Township of Burlington, in the County of Burlington, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, purposely did obtain property of the State of New Jersey, that is, approximately \$1,400,000 in Unemployment Insurance Benefits, by deception; that is, the said MICHAEL GEIGER did purposely obtain unemployment insurance benefits for employees of American Casein, Inc., and American Custom Drying, Inc., in the amount of \$1,400,000 by submitting or causing to be submitted documents for unemployment insurance benefits to the State of New Jersey, thereby creating or reinforcing false impression to the State of New Jersey that the said employees were entitled to unemployment benefits;

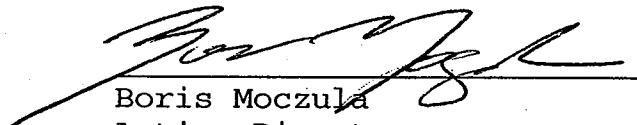
WHEREAS IN TRUTH AND IN FACT, as the said MICHAEL GEIGER then and there well knew, the employees were not entitled to unemployment benefits as claimed, all contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(1)(a) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIFTEEN

(Theft By Unlawful Taking - Second Degree)

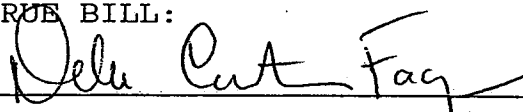
MICHAEL GEIGER

between on or about November 6, 2009, and on or about November 11, 2009, at the Township of Burlington, in the County of Burlington, elsewhere, and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of American Casein, Inc., and American Custom Drying, Inc., in an amount of \$75,000 or more, that is, severance checks totaling approximately \$434,220.90 in United States currency, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, N.J.S.A. 2C:20-2b(1)(a), and N.J.S.A. 2C:20-2a, and against the peace of this State, the government and dignity of the same.



Boris Moczula  
Acting Director  
Division of Criminal Justice

A TRUE BILL:

  
\_\_\_\_\_  
Deputy Foreperson

Dated: 9/21/11

**FILED**

SEP 21 2011

**State Grand Jury Judge**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ608-11-14

Superior Court

Docket Number 11-09-00109-S

STATE OF NEW JERSEY )

v. )

MICHAEL GEIGER )

ORDER OF VENUE

DONNA GEIGER )

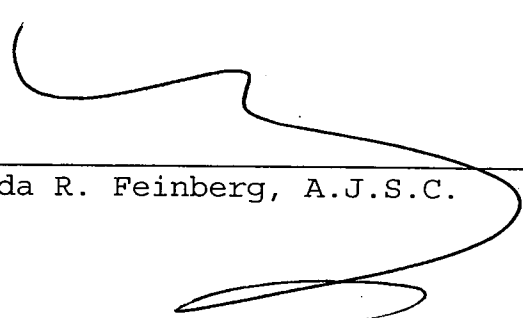
and )

DMG AUTOMOTIVE, INC. )

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

IT IS ORDERED on this 21st day of September, 2011, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Burlington 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 Burlington for filing.

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