

SUPERIOR COURT OF N.J.
FILED

JUL 18 2007

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ543-07-2

Superior Court
Docket Number 07-07-00093-S

STATE OF NEW JERSEY)

v.)

NORMAN F. WINTERS)

and)

BERNICE WINTERS)

INDICTMENT

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

COUNT ONE

(Conspiracy- Second Degree)

NORMAN F. WINTERS

and

BERNICE WINTERS

between on or about July 1, 2001 and June 1, 2004, at the Borough
of Newfield, at the Borough of Clayton, at the Township of
Franklinville, all in the County of Gloucester, in the City of
Trenton, in the County of Mercer, elsewhere and within the
jurisdiction of this Court, with the purpose of promoting and
facilitating the crimes of theft by deception and filing a false
and fraudulent New Jersey tax return, did agree that:

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

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

1. Theft by Deception, in that one or more of them, would purposely obtain property of another by deception, in excess of \$75,000.00 contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(4) and N.J.S.A. 2C:2-6; and

2. Filing a False Tax Return, in that one or more of them, did prepare, file, or cause to be filed, or did assist in the preparation of a false or fraudulent return, report, statement, or application required to be filed pursuant to N.J.S.A. 54:A8-3.1, with the intent to evade, avoid or otherwise not make timely payment of New Jersey Income Tax required to be paid pursuant to N.J.S.A. 54A:8-1, contrary to the provisions of N.J.S.A. 54:52-10 and N.J.S.A. 2C:2-6.

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

COUNT TWO

(Theft by Deception - Second Degree)

NORMAN F. WINTERS

and

BERNICE WINTERS

between on or about July 1, 2001 and June 1, 2004, at the Borough of Newfield, at the Borough of Clayton, at the Township of Franklinville, all in the County of Gloucester, elsewhere and within the jurisdiction of this Court, did purposely obtain property of another by deception, in excess of \$75,000.00, that is, the said NORMAN F. WINTERS and BERNICE WINTERS, individually or in their capacity as owners, agents, or principals of Holiday House and Lasting Impact, did create or reinforce the false impression that promotional items were ordered and purchased by MADD from Holiday House and Lasting Impact and subsequently distributed and delivered to various local chapters of the Mother's Against Drunk Driving organization (MADD),

WHEREAS IN TRUTH AND IN FACT, as NORMAN F. WINTERS and BERNICE WINTERS well knew, Holiday House and Lasting Impact received payment from MADD in excess of \$75,000 for various promotional items but failed to order, purchase or deliver those items, contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(4) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Filing False and Fraudulent New Jersey Income Tax
Resident Returns-3rd Degree)

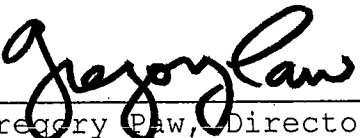
NORMAN F. WINTERS

AND

BERNICE WINTERS

between on or about April 15, 2003 and April 15, 2005, at the Borough of Newfield, at the Borough of Clayton, at the Township of Franklinville, all in the County of Gloucester, at the City of Trenton, in the Count of Mercer, elsewhere and within the jurisdiction of this Court, did prepare, file or cause to be filed, or did assist in the preparation of a false or fraudulent return, report, statement, or application required to be filed pursuant to N.J.S.A. 54A:8-3.1, with the intent to evade, avoid or otherwise not make timely payment of New Jersey Income Tax require to be paid pursuant to N.J.S.A. 54:8-1, that is the said NORMAN F. WINTERS and BERNICE WINTERS, did prepare, cause to be filed or assist in the preparation or filing of a false or fraudulent New Jersey Income Tax-Resident Return for the 2002, 2003 and 2004 Calendar years, with the intent to evade, avoid or otherwise not make timely payment of the New Jersey individual income tax, said return required to filed pursuant to the provisions of N.J.S.A. 54A:8-3.1, by not reporting income derived from the businesses Holiday House and Lasting Impact, contrary

to the provisions of N.J.S.A. 54:52-10 and N.J.S.A. 2C:2-6 and
against the peace of this State the government and dignity of the
same.



Gregory Paw, Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

DATE:

7/13/07

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Andrew J. Feinberg
Clerk

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ORDER OF VENUE

NORMAN F. WINTERS)

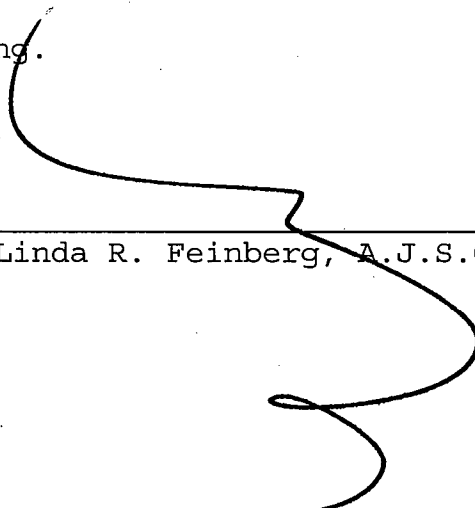
and)

BERNICE WINTERS)

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

IT IS ORDERED on this 18th day of July, 2007,
pursuant to paragraph 8 of the State Grand Jury Act, that the
County of Gloucester 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 Gloucester for filing.



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