

JAN 24 2012

Superior Court 12-01-00008-S  
Docket Number

V.

between on or about November 1, 2011, and on or about November 7, 2011, at the Township of Cherry Hill, in the County of Camden, in the City of Philadelphia, in the County of Philadelphia, of the Commonwealth of Pennsylvania, in the City of Miami, in the County of Dade, of the State of Florida, elsewhere, and within the jurisdiction of this Court, did commit theft by purposely obtaining or retaining property belonging to C.P and T.P., whose identities are known to the Grand Jurors, that being, the proceeds from a personal injury settlement, having a value of \$75,000 or more, upon agreement or subject to a known legal

obligation to make specified payment or other disposition of such property, and did deal with said property as his own and did fail to make the required payment or disposition, that is, the said MICHAEL W. KWASNIK, an attorney at law in the State of New Jersey, purposely did obtain or retain checks, cash, and other proceeds in an amount of \$75,000 or more, upon agreement or subject to a known legal obligation to make specified payment or other disposition of such property, and did fail to make the required payment or disposition of said proceeds to C.P and T.P., whose identities are known to the Grand Jurors, contrary to the provisions of N.J.S.A. 2C:20-9, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Misapplication of Entrusted Property - Second Degree)

MICHAEL W. KWASNIK

between on or about November 1, 2011, and on or about November 7, 2011, at the Township of Cherry Hill, in the County of Camden, in the City of Philadelphia, in the County of Philadelphia, of the Commonwealth of Pennsylvania, in the City of Miami, in the County of Dade, of the State of Florida, elsewhere, and within the jurisdiction of this Court, knowingly did apply or dispose of property, that being proceeds from the settlement of a personal injury lawsuit, belonging to C.P. and T.P., whose identities are known to the Grand Jurors, that had been entrusted to him as a fiduciary, in a manner which he knew to be unlawful and that involved substantial risk of loss or detriment to C.P. and T.P., the recipients of said proceeds, and for whose benefit the property was entrusted, and did derive a benefit therefrom of \$75,000 or more, that is, the said MICHAEL W. KWASNIK, in his capacity as an attorney representing the interests of C.P. and T.P., knowingly did apply or dispose of proceeds from the settlement of the personal injury lawsuit of C.P. and T.P., that had been entrusted to him as a fiduciary, in a manner which he knew to be unlawful and that involved substantial risk of loss or detriment to C.P. and T.P., and for whose benefit the property was entrusted, thereby deriving a benefit of \$75,000 or more, contrary to the provisions of N.J.S.A. 2C:21-15 and N.J.S.A.

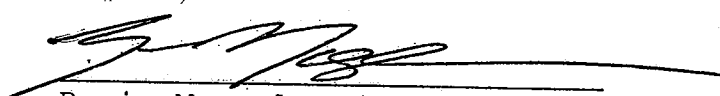
2C:2-6, and against the peace of this State, the government and dignity of the same.

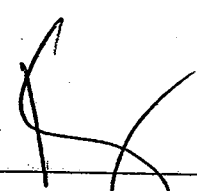
COUNT THREE

(Financial Facilitation of Criminal Activity - Second Degree)

MICHAEL W. KWASNIK

between on or about November 1, 2011, and on or about November 7, 2011, at the Township of Cherry Hill, in the County of Camden, in the City of Philadelphia, in the County of Philadelphia, of the Commonwealth of Pennsylvania, in the City of Miami, in the County of Dade, of the State of Florida, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, in an amount of \$75,000 or more, known or which a reasonable person would believe 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 derived from criminal activity, that is, the said MICHAEL W. KWASNIK, a New Jersey licensed attorney, knowingly did transfer personal injury settlement proceeds of C.P. and T.P., whose identities are known to the Grand Jurors, to his own bank account and knowingly used these proceeds for various disbursements, in an amount of \$75,000 or more, designed, in whole or in part, to conceal or disguise the nature, location, source, ownership or control of the proceeds, 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.

  
Boris Moczula, Deputy Director  
Division of Criminal Justice

A TRUE BILL: 

Dated: 1-24-12, Foreperson

**FILED**

JAN 24 2012

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

**State Grand Jury Judge**

State Grand Jury

Number SGJ612-12-18

Superior Court 12-01-00008-S

Docket Number

STATE OF NEW JERSEY )

v. )

MICHAEL W. KWASNIK )

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 24<sup>th</sup> day of January, 2012,  
pursuant to paragraph 8 of the State Grand Jury Act, that the  
County of Camden 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 Camden for filing.

  
Thomas W. Sumners, J.S.C.

*Bail is set at \$250,000 no 10%.*

*1/24/12 Thomas W. Sumners*