



of Chatham, in the County of Morris, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Theft by Failure to Make Required Disposition, Hindering Apprehension or Prosecution, or Perjury, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crime(s), or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crime(s), that is:

1. Theft by Failure to Make Required Disposition of Property, in that one or more of them, would commit theft by purposely obtaining or retaining property belonging to clients of the law firm of Roberts & Saluti, specifically client funds having an aggregate value of over \$75,000, upon agreement or subject to a known legal obligation to make specified payment or other disposition and did deal with said client funds as if their own and did fail to make the required payment or disposition, contrary to the provisions of N.J.S.A. 2C:20-9;

2. Hindering Apprehension or Prosecution, in that one or more of them would, with the purpose to hinder his own or another's apprehension, prosecution, conviction or punishment, volunteer false information to a law enforcement officer, contrary to the provisions of N.J.S.A. 2C:29-3a(7) and N.J.S.A. 2C:29-3b(4);

3. Perjury, in that one or more of them, in an official proceeding, would make a false statement under oath or equivalent affirmation, or swear or affirm the truth of a statement previously made, when the statement is material and he does not believe it to be true, contrary to the provisions of N.J.S.A. 2C:28-1.

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

COUNT TWO

(Theft by Failure to Make Required Disposition of Property Received  
- Second Degree)

RICHARD M. ROBERTS

and

GERALD M. SALUTI, JR.

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between on or October 1, 2012, and on or about August 30, 2013, at the City of Newark, in the County of Essex, at the Town of Morristown, in the County of Morris, at the Borough of Chatham, in the County of Morris, elsewhere, and within the jurisdiction of this Court, acting both individually and as co-conspirators and accomplices to one another, did commit theft by purposely obtaining or retaining property belonging to clients of the law firm of Roberts & Saluti, specifically client funds having an aggregate value of over \$75,000, upon agreement or subject to a known legal obligation to make specified payment or other disposition, and did deal with said money as if the said RICHARD M. ROBERTS' and GERALD M. SALUTI, JR.'S own and did fail to make the required payment or disposition, 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 same.

COUNT THREE

(Hindering Apprehension or Prosecution - Third Degree)

RICHARD M. ROBERTS

and

GERALD M. SALUTI, JR.

between on or about August 1, 2013 and on or about November 14, 2014, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, with the purpose to hinder his own apprehension, prosecution, conviction or punishment, or with the purpose to hinder another's apprehension, prosecution, conviction or punishment, RICHARD M. ROBERTS and GERALD M. SALUTI, JR., did volunteer false information to a law enforcement officer, contrary to the provisions of N.J.S.A. 2C:29-3a(7), N.J.S.A. 2C:29-3b(4) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Perjury - Third Degree)

RICHARD M. ROBERTS

between on or about August 22, 2014 and on or about November 7, 2014, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, in an official proceeding, that is, a grand jury proceeding, knowingly did make false statements under oath when such statements were material and which the said RICHARD M. ROBERTS did not believe to be true, that is:

- (a) that the said RICHARD M. ROBERTS had not authorized Gabriel Iannacone to make withdrawals out of his attorney trust account;
- (b) that the said RICHARD M. ROBERTS had not authorized Gabriel Iannacone to make alimony payments on his behalf; or
- (c) that the said RICHARD M. ROBERTS had never made counter withdrawals from his trust account,

which statement(s) RICHARD M. ROBERTS did not believe to be true, contrary to the provisions of N.J.S.A. 2C:28-1, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(Perjury - Third Degree)

GERALD M. SALUTI, JR.

on or about August 22, 2014, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, in an official proceeding, that is, a grand jury proceeding, knowingly did make false statements under oath when such statements were material and which the said GERALD M. SALUTI, JR., did not believe to be true, that is:

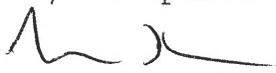
- (a) that the said GERALD M. SALUTI had not authorized Gabriel Iannacone to make withdrawals out of his attorney trust account,

which statement the said GERALD M. SALUTI, JR. did not believe to be true, contrary to the provisions of N.J.S.A. 2C:28-1 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

  
Eric Honig, Director  
Division of Criminal Justice

A TRUE BILL:

Foreperson

Dated: 

5/17/17

**FILED**  
**MAY 17 2017**  
**SUPERIOR COURT OF NJ**  
**MERCER VICINAGE**  
**CRIMINAL DIVISION**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ698-17-16

Superior Court 17-05-00087-S  
Docket Number \_\_\_\_\_

STATE OF NEW JERSEY )

v. )

ORDER OF VENUE

RICHARD M. ROBERTS )

and )

GERALD M. SALUTI, JR. )

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

IT IS ORDERED on this 17 day of May, 2017, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Morris 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 Morris for filing.

  
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Timothy P. Lydon, J.S.C.