

**FILED**  
**APR 30 2018**  
**State Grand Jury Judge**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury  
Number SGJ716-18-5  
Superior Court  
Docket Number 18 - 04 - 00067 - S

STATE OF NEW JERSEY )

v. )

ROBERT C. NOVY )

INDICTMENT

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

COUNT ONE

(Theft By Unlawful Taking - Second Degree)

ROBERT C. NOVY

between on or about May 24, 2010, and on or about August 21, 2014, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of another with purpose to deprive them thereof, in the amount of \$75,000 or more; that is, the said ROBERT C. NOVY, an attorney at law in the State of New Jersey, did unlawfully take, or exercise unlawful control over, approximately \$322,341.51 from the personal assets of ROBERT C. NOVY'S clients G.B., F.M., S.K. or H.E., individuals whose identities are known to the grand jurors, and, with the purpose to

deprive, deposited said monies into ROBERT C. NOVY's personal bank account, contrary to the provisions of N.J.S.A. 2C:20-3a, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Misapplication of Entrusted Property - Second Degree)

ROBERT C. NOVY

between on or about May 24, 2010, and on or about August 21, 2014, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did knowingly apply or dispose of property that had been entrusted to him as a fiduciary, in the amount of \$75,000 or more, in a manner which he knew was unlawful and involved substantial risk of loss or detriment to the owners of the property; that is, the said ROBERT C. NOVY, an attorney at law in the State of New Jersey, knowingly applied or disposed of approximately \$322,341.51 from the personal assets of ROBERT C. NOVY'S clients G.B., F.M., S.K. or H.E., whose identities are known to the grand jurors, that had been entrusted to ROBERT C. NOVY as a fiduciary pursuant to an executed Power of Attorney document for said individuals, and deposited said monies into ROBERT C. NOVY'S personal bank account for his own use, which he knew was unlawful and involved a substantial risk of loss or detriment to the owners of the property, 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 THREE

(Theft By Unlawful Taking - Second Degree)

ROBERT C. NOVY

between on or about July 1, 2009, and on or about November 12, 2015, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of another with purpose to deprive them thereof, in the amount of \$75,000 or more; that is, the said ROBERT C. NOVY, did unlawfully take, or exercise unlawful control over, approximately \$929,026.06 from the personal assets of ROBERT C. NOVY'S clients G.B., H.E. or E.G., whose identities are known to the grand jurors, and, with the purpose to deprive, disregarded specific instructions contained in a Power of Attorney document to transfer all assets to designated trust accounts managed by trustees and instead transferred the assets into Interest on Lawyers Trust Account (IOLTA) sub-accounts controlled by ROBERT C. NOVY, contrary to the provisions of N.J.S.A. 2C:20-3a, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Misapplication of Entrusted Property - Second Degree)

ROBERT C. NOVY

between on or about July 1, 2009, and on or about November 12, 2015, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did knowingly apply or dispose of property that had been entrusted to him as a fiduciary, in the amount of \$75,000 or more, in a manner which he knew was unlawful and involved substantial risk of loss or detriment to the owners of the property; that is, the said ROBERT C. NOVY, an attorney at law in the State of New Jersey, knowingly applied or disposed of approximately \$929,026.06 from the personal assets of ROBERT C. NOVY'S clients G.B., E.G. or H.E., whose identities are known to the grand jurors, that had been entrusted to ROBERT C. NOVY as a fiduciary pursuant to an executed Power of Attorney document with specific instructions to transfer all assets to designated trust accounts managed by trustees for said individuals, and instead transferred the assets into Interest on Lawyers Trust Account (IOLTA) sub-accounts controlled by ROBERT C. NOVY, which he knew was unlawful and involved a substantial risk of loss or detriment to the owners of the property, 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 FIVE

(Theft by Deception - Second Degree)

ROBERT C. NOVY

between on or about February 20, 2012, and on or about September 22, 2016, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did purposely obtain property of another, having a value of \$75,000 or more, by deception; that is, the said ROBERT C. NOVY, an attorney at law in the State of New Jersey, did purposely obtain approximately \$659,456.97 from various financial accounts of ROBERT C. NOVY'S clients F.M., S.K., or A.I., whose identities are known to the grand jurors, by deception, that is, by creating or reinforcing false impressions that ROBERT C. NOVY or his law firm were entitled to collect "Power of Attorney fees" from said individuals, all contrary to the provisions of N.J.S.A. 2C:20-4a, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Misapplication of Entrusted Property - Second Degree)

ROBERT C. NOVY

between on or about February 20, 2012, and on or about September 22, 2016, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did knowingly apply or dispose of property that had been entrusted to him as a fiduciary or trustee, in the amount of \$75,000 or more, in a manner which he knew was unlawful and involved substantial risk of loss or detriment to the owners of the property; that is, the said ROBERT C. NOVY, an attorney at law in the State of New Jersey, knowingly applied or disposed of approximately \$659,456.97 from various financial accounts of ROBERT C. NOVY'S clients F.M., S.K., or A.I., whose identities are known to the grand jurors, that had been entrusted to ROBERT C. NOVY as a fiduciary pursuant to an executed Power of Attorney document for said individuals, by fraudulently billing for "Power of Attorney fees," which he knew was unlawful and involved a substantial risk of loss or detriment to the owners of the property,, 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 SEVEN

(Financial Facilitation of Criminal Activity - Second Degree)

ROBERT C. NOVY

between on or about August 19, 2014 and on or about September 10, 2014, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, in the 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 ROBERT C. NOVY, an attorney at law of the State of New Jersey, did transfer or direct the transfer of approximately \$250,000 which ROBERT C. NOVY knew or which a reasonable person would believe to be derived from the theft or misapplication of entrusted property from ROBERT C. NOVY's client F.M., whose identity is known to the grand jurors, from ROBERT C. NOVY'S personal bank account into one or more Novy & Associates, LLC, business accounts controlled by ROBERT C. NOVY, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the said property, contrary to the provisions of N.J.S.A. 2C:21-25b(2)(a), and against the peace of this State, the government and dignity of the same.



COUNT EIGHT

(Financial Facilitation of Criminal Activity - First Degree)

ROBERT C. NOVY

between on or about July 1, 2009, and on or about November 12, 2015, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, in the amount of \$500,000 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 ROBERT C. NOVY, an attorney at law of the State of New Jersey, did transfer or direct the transfer of approximately \$647,700 which ROBERT C. NOVY knew or which a reasonable person would believe to be derived from the theft or misapplication of entrusted property from ROBERT C. NOVY'S clients G.B., E.G. or H.E., whose identities are known to the grand jurors, into one or more Novy & Associates, LLC, business accounts controlled by ROBERT C. NOVY, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the said property, contrary to the provisions of N.J.S.A. 2C:21-25b(2) (a), and against the peace of this State, the government and dignity of the same.

COUNT NINE

(Financial Facilitation of Criminal Activity - Second Degree)

ROBERT C. NOVY

between on or about November 5, 2014, and on or about December 3, 2014, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, in the amount of \$75,000 or more, known or which a reasonable person would believe to be derived from criminal activity, with the intent to facilitate or promote the criminal activity; that is, the said ROBERT C. NOVY, an attorney at law of the State of New Jersey, did transfer or direct the transfer of approximately \$152,500 which ROBERT C. NOVY knew or which a reasonable person would believe to be derived from the theft or misapplication of entrusted property from ROBERT C. NOVY'S clients A.I., F.M., S.K., or E.G., whose identities are known to the grand jurors, and did use said property to repay funds previously stolen or misapplied from ROBERT C. NOVY's clients G.B. or H.E., with the intent to facilitate or promote the criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(1), and against the peace of this State, the government and dignity of the same.


COUNT TEN

(Financial Facilitation of Criminal Activity - First Degree)

ROBERT C. NOVY

between on or about July 1, 2009, and on or about November 12, 2015, at the Township of Manchester, in the County of Ocean, elsewhere, and within the jurisdiction of this Court, did direct, organize, finance, plan, manage, supervise, or control transactions in property, known or which a reasonable person would believe to be derived from criminal activity, in the amount of \$500,000 or more; that is, the said ROBERT C. NOVY, an attorney at law of the State of New Jersey, did direct, organize, finance, plan, manage, supervise, or control the transactions in approximately \$1,050,200 of property, including but not limited to those acts described in Counts Seven, Eight, and Nine, which allegations are incorporated by reference as if fully set forth herein, which ROBERT C. NOVY knew or which a reasonable person would believe to be derived from the theft or misapplication of entrusted property from ROBERT C. NOVY'S clients G.B., F.M., S.K., H.E., E.G., or A.I., whose identities are known to the grand jurors, contrary to the provisions of N.J.S.A. 2C:21-25c, and against the peace of this State, the government and

dignity of the same.

  
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Elie Honig, Director  
Division of Criminal Justice

A TRUE BILL:

  
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, Foreperson

Dated: 4/30/18