



United States Department of Justice

United States Attorney Joseph P. Russoniello
Northern District of California

11th Floor, Federal Building
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
(415) 436-7200
FAX: (415) 436-7234

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WWW.USDOJ.GOV/USAO/CAN

CONTACT: Jack Gillund
(415) 436-6599
Jack.Gillund@usdoj.gov

SAN CARLOS WOMAN SENTENCED TO 30 MONTHS FOR STEALING FROM HER COMPANY'S 401K PLAN

Former Vice-President of Barrington Systems Stole more than \$240,000 From Her Employees' Retirement Accounts

OAKLAND, Calif. – Cynthia Curran was sentenced yesterday to 30 months in prison, and ordered to pay \$241,208 in restitution for stealing from her former employees' 401K accounts over a nine-year period, United States Attorney Joseph P. Russoniello announced.

Curran pleaded guilty on June 3, 2009, to two counts of theft from an employee benefit plan, in violation of 18 U.S.C. § 664, and two counts of making a false statement in a document required by ERISA, in violation of 18 U.S.C. § 1027. Curran admitted that during 2003 and 2004, while she was trustee for the Barrington Systems 401K plan, she took her former employees' 401K plan contributions for her own or her company's use, and that she lied to the Department of Labor in order to cover up her theft.

The Court found that over a nine-year period from 1997 through 2006, while Cynthia Curran was vice president of Barrington Systems, Inc., and the trustee of that company's 401K retirement plan, she misappropriated \$241,208 in employee contributions, vested employer contributions, and lost earnings for her own or her company's use. Until it ceased doing business in June, 2006, Barrington Systems specialized in the development of software for climate control systems. Investigators at the Department of Labor learned of the crime after employees who were laid off by the company were unable to recover their retirement accounts because their contributions had been stolen.

The sentence was handed down by U.S. District Court Judge Phyllis J. Hamilton following a guilty plea to four counts in violation of Title 18 sections 664 and 1027. Judge Hamilton also sentenced the defendant to a three-year period of supervised release.

Owen Martikan is the Assistant U.S. Attorney who prosecuted the case with the assistance of Marina Ponomarchuk. The prosecution is the result of a year-long investigation by the U.S. Department of Labor, Employee Benefits Security Administration.

Further Information:

Case #: CR 08-0773 PJH

A copy of this press release may be found on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

All press inquiries to the U.S. Attorney's Office should be directed to Jack Gillund at (415) 436-6599 or by email at Jack.Gillund@usdoj.gov.

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