

ORANGE COUNTY DISTRICT ATTORNEY
PRESS RELEASE
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FOR IMMEDIATE RELEASE

Case # 16CF0632
15CF1672
Date: March 14, 2016

DEFENDANT FACES ADDITIONAL CHARGES FOR ATTEMPTING TO TAKE RESTITUTION MONEY FROM VICTIMS

***Defendant was also previously charged for conspiring to underpay employees on public works projects**

SANTA ANA, Calif. – A defendant faces additional charges for attempting to take restitution money from victims in another open case. No Sung Pak, 75, Hollywood, is charged with two felony counts of attempted taking and receiving a portion of a worker's wage on a public work, and a sentencing enhancement for crime-bail-crime. If convicted, he faces a maximum sentence of three years and 10 months in state prison for these charges. He was arraigned Friday, March 11, 2016, and is out of custody on \$25,000 bail. He is scheduled for a pre-trial hearing May 26, 2016, at 8:30 a.m. in Department C-55, Central Justice Center, Santa Ana.

Pak and co-defendants Michael John Ferrin, 40, San Pedro, and Scott Sung Yang, 45, Los Angeles, are also each charged with five felony counts of taking and receiving a portion of a worker's wage on public works and one felony count of recording a false forged instrument. Pak is additionally charged with 29 felony counts of willful failure to pay tax, two felony counts of misrepresenting facts to State Compensation Insurance Fund (SCIF), two felony counts of misrepresenting facts to workers' compensation insurance company. If convicted, Pak faces a maximum sentence of 27 years and four months in state prison for these charges, and Ferrin and Yang each face a maximum sentence of five years and four months in state prison. Ferrin and Yang are out of custody on \$50,000 bail. They are scheduled to be arraigned on May 26, 2016, at 8:30 a.m. in Department C-55, Central Justice Center.

Background of Case # 15CF1672

In 2005, Yang owned and operated Mackone Development. Yang is accused of working with Ferrin as his project superintendent to oversee his projects. Pak, who owns the business Pak's Cabinets, is accused of working for Mackone Development as a subcontractor on several public works projects.

In 2012, Yang was awarded a public works project at Harvey Street Elementary School in Santa Ana as the prime contractor. Yang is accused of hiring Ferrin as his project superintendent to oversee the project and Pak as his subcontractor for the project. Pak is accused of using the employees from his business to help complete the public works project.

Between Jan. 1, 2005, and July 29, 2012, the defendants are accused of conspiring together to underpay workers on numerous public works projects. The defendants in this case are accused of conspiring together to pay workers anywhere from \$10 to \$14 per hour after contractually agreeing to pay a wage of approximately \$44 per hour.

Between April 2009 and April 2015, Pak is accused of requiring his workers to work 6-day weeks with daily shifts lasting 12 to 14 hours. Pak is accused of paying his workers by check for the first 40 hours a week and paying them cash for any overtime they worked and failing to report the payments to SCIF or the Employment Development Department.

The Center for Contract Compliance forwarded this case to the Orange County District Attorney's (OCDA) Bureau of Investigation, who investigated this case.

Background of Case # 16CF0632

Between Jan. 1, 2016, and March 1, 2016, while out of custody for Case # 15CF1672, Pak is accused of calling two former workers and telling them that they had to give half of their wages back to the defendant once they received restitution from a compliance agency.

The OCDA Bureau of Investigation investigated this case and arrested Pak on Friday, March 11, 2016.

Deputy District Attorney Donde McCament of the Insurance Fraud Unit is prosecuting this case.

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