



The City of New York  
**BUSINESS INTEGRITY COMMISSION**

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Daniel D. Brownell  
*Commissioner and Chair*

**FOR IMMEDIATE RELEASE**

Tuesday, April 14, 2015

**The Business Integrity Commission (“BIC”) announces the arrest and guilty plea of trade waste removal broker company Black Cherry Management d/b/a Empire Waste Brokers (“Black Cherry”)**

The Business Integrity Commission (“BIC”) announces the arrest and guilty plea on April 9, 2015, of trade waste removal broker company Black Cherry Management d/b/a Empire Waste Brokers (“Black Cherry”) to the charge of Scheme to Defraud in the Second Degree (PL § 190.60), a class A misdemeanor. In conjunction with the guilty plea, Black Cherry owner John Wisniewski executed a lifetime debarment with BIC under which he (i) relinquishes his current BIC trade waste broker registration, (ii) agrees not to participate in the trade waste industry in New York City in the future, and (iii) agrees not participate in or otherwise engage in any sort of business with any BIC-licensed companies.

Under the criminal scheme, Black Cherry acted as the broker between several restaurants located in New York City and at least seven BIC-licensed trade waste companies for the removal of trash. Under the terms of the contracts, the restaurants paid Black Cherry for these services and Black Cherry was in turn obligated to pay the trade waste companies who had actually collected the refuse. Instead, Black Cherry collected the fees and kept them for company’s own use. As a part of the guilty plea, Black Cherry agreed to pay restitution in the amount of \$117,671.85.

BIC conducted this investigation with the NYPD’s Organized Crime Investigation Division and the New York County District Attorney’s office, and thanks both these agencies for their leadership in prosecuting this matter.