

Department of Justice
U.S. Attorney's Office
Western District of Pennsylvania

FOR IMMEDIATE RELEASE

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Restaurateur and Squirrel Hill Eatery Indicted on Labor-Related Charges

PITTSBURGH – A Pittsburgh woman and the local restaurant she owns have been indicted by a federal grand jury in Pittsburgh, United States Attorney David J. Hickton announced today.

The three-count indictment, returned on April 19 and unsealed today, charges Hsiao Yen Wu, aka Sophia Wu, age 40, of Pittsburgh, Pa, with falsifying, concealing, or covering up by trick, scheme, or device a material fact, and charges Sun Penang, Inc., located at 5829 Forbes Avenue, in Squirrel Hill with willfully violating the Fair Labor Standards Act.

“All employees working in Western Pennsylvania deserve to be treated fairly under the law,” said U.S. Attorney Hickton. “Prosecutions like these demonstrate our commitment to stopping wage and hour abuses in the workforce.”

“An important mission of the Office of Inspector General is to investigate the alleged undermining of the enforcement responsibilities of Department of Labor agencies. We will continue to work with our law enforcement partners to investigate these types of allegations,” stated John Spratley, Special Agent-in-Charge of the Philadelphia Regional Office of the United States Department of Labor, Office of Inspector General, Office of Labor Racketeering and Fraud Investigations.

According to the indictment presented to the court, after Sun Penang had agreed to pay back wage payments, Wu represented that Sun Penang had issued all back wage payments checks and provided faxed copies of these checks to the Department of Labor's Wage and Hour Office in Pittsburgh. However, Wu knew that the employees were not paid back wage payments because these employees were required either to deposit the checks into Wu's personal bank account or to work without pay until Sun Penang recouped the wages. The indictment also alleges that Sun Penang failed to pay minimum wages and overtime pay to their employees from Jan. 1, 2013 to Dec. 31, 2013.

With respect to Wu, the law provides for a maximum total sentence of five years in prison, a fine of \$250,000 or both. With respect to Sun Penang, the law provides for a maximum fine of \$20,000. Under the Federal Sentencing Guidelines, the actual sentence imposed would be based upon the seriousness of the offenses and the prior criminal history, if any, of the defendants.

Assistant United States Attorney Shardul S. Desai is prosecuting this case on behalf of the government.

The Department of Labor's Wage and Hour Division and Office of Inspector General jointly conducted the investigation leading to the indictment in this case.

An indictment is an accusation. A defendant is presumed innocent unless and until proven guilty.