



DEPARTMENT OF THE AIR FORCE

ARLINGTON, VA 22202-3258

Office of the Deputy General Counsel

OCT - 3 2016

MEMORANDUM IN SUPPORT OF THE SUSPENSIONS OF:

CORY J'RON ADAMS
SHARON ADAMS
THOMAS E. BROCK, SR
TORY J.G. BROCK
JERRY LOUIS EDDINS
ALFONZA McCUTCHEN, JR
LATORIA McCUTCHEN
ALLISON AMANDA SAULS
HARRY MICHAEL WHITE
ACTION CONTRACTORS AND CONSTRUCTION SERVICES, INC.
ACTION CONTRACTORS, LLC
ALS SERVICES, INC.
 F/K/A ALFONZA'S LAWN SERVICE
ALS/BOYKIN 1 JV
 D/B/A ALS/BOYKIN 1
AUTOMATIC CASH, LLC
 D/B/A AUTO-MATIC CASH, LLC
BOYKIN CONTRACTING, INC.
BOYKIN CONTRACTING GROUP, INC.
 F/K/A SANDERS GLASS AND GLAZING
BOYKIN CONTRACTING GROUP JV, LCC
BOYKIN GLASS AND GLAZING, INC.
BROCK FAMILY HOLDINGS, LLC
CALHOUN EQUIPMENT RENTALS, LLC
EEC, LLC
FIREFLY FARM, LLC
LAB INVESTMENTS, LLC
THE NORLAN GROUP, P.A.

Effective this date, the Department of the Air Force has suspended the following parties: Cory J'ron Adams (Mr. Adams); Sharon Adams (Mrs. Adams); Thomas E. Brock, Sr. (Mr. Brock); Tory J.G. Brock (Mrs. Brock); Jerry Louis Eddins (Mr. Eddins); Alfonza McCutchen, Jr. (Mr. McCutchen); Latoria McCutchen (Mrs. McCutchen); Allison Amanda Sauls (Ms. Sauls); Harry Michael White (Mr. White); Action Contractors and Construction Services, Inc. (Action Contractors and Construction Services); Action Contractors, LLC (Action Contractors); ALS Services, Inc. (ALS Services) (formerly known as Alfonza's Lawn Service); ALS/Boykin 1 JV (doing business as ALS/Boykin 1); Auto-Matic Cash, LLC (doing business as Automatic Cash,

LLC) (Automatic Cash); Boykin Contracting, Inc. (BCI); Boykin Contracting Group, Inc. (BCG) (formerly known as Sanders Glass and Glazing); Boykin Contracting Group JV, LLC (Boykin Contracting Group JV); Boykin Glass and Glazing, Inc. (BGG); Brock Family Holdings, LLC (Brock Family Holdings); Calhoun Equipment Rentals, LLC (Calhoun Equipment Rentals); EEC, LLC (EEC); LAB Investments, LLC (LAB Investments); Firefly Farm, LLC (Firefly Farm); The Norlan Group, P.A. (Norlan Group) (collectively Respondents) from Government contracting and from directly or indirectly receiving the benefits of Federal assistance programs. The action is initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4.

INFORMATION IN THE RECORD

There is adequate evidence in the record establishing that:

Parties

1. BCI is a South Carolina corporation engaged in general contracting and electrical installation and repair for the Federal Government. BCI is a named participant in a construction fraud scheme that served as the basis for an indictment dated July 19, 2016 (the indictment).
2. Pursuant to representations made to the SBA, Mr. Adams is the President of BCI and holds a 95% stock interest in the company. Mr. Adams is an indicted party.
3. Mrs. Adams is married to Mr. Adams and holds 5% stock interest in BCI.
4. BCG is a South Carolina corporation engaged in general contracting and custom glass installation and repair for the Federal Government. The company formerly did business as Sanders Glass and Glazing. BCG is a named participant in the indictment.
5. Mrs. Brock is an indicted party and, pursuant to representations made to the SBA, has the following business interests:
 - a. Mrs. Brock is the CEO of BCG and holds 100% stock interest in BCG.
 - b. Mrs. Brock is the CEO of BGG and holds 100% stock interest in BGG.
 - d. Mrs. Brock is a Partner of Firefly Farm and holds 50% stock interest in Firefly Farm.
6. Boykin Contracting Group JV is a joint venture held equally between BCI and BCG. Boykin Contracting Group JV is registered as in good standing pursuant to South Carolina State Business Records.

7. Mr. Brock is an indicted party. He holds a 66.7% ownership interest in LAB Investments, a named participant in the indictment.
8. Mr. and Mrs. Brock are husband and wife. Together they hold a 91.6% stock interest in Brock Family Holdings. Their children hold the remaining share of stock interest.
9. ALS Services is a South Carolina corporation engaged in general contracting and landscaping for the Federal Government. The company formerly did business as Alfonza's Lawn Service. ALS Services is a named participant in the indictment.
10. Pursuant to representations made to the SBA, ALS/Boykin 1 is a joint venture between ALS Services and BCI.
11. Mr. McCutchen is President of ALS Services and a Partner of ALS/Boykin 1. He is an indicted party.
12. Mrs. McCutchen is married to Mr. McCutchen and employed by ALS Services.
13. Ms. Sauls is an indicted party. She held or continues to hold the following business interests:
 - a. Ms. Sauls was an employee of BCI and BCG.
 - b. Ms. Sauls and Mr. Brock created Action Contractors, which is a named participant in the indictment.
 - c. Mr. Sauls was the President and remains the registered agent of Action Contractors and Construction Services.
14. Automatic Cash is a financing company and EEC is a construction consulting company owned and operated by Mr. Eddins. Automatic Cash, EEC, and Mr. Eddins are incited parties.
15. Mr. White is an accountant and financial advisor for Mr. Brock, Mr. Eddins, Automatic Cash, and EEC. He prepared financial statements for BCI. Mr. White is an indicted party.
16. BCI paid Mr. White through Norlan Group. Mr. White is the registered agent for Norlan Group.
17. Mr. White and Mr. Eddins organized Calhoun Equipment Rentals as the purported lessor of ALS Services' equipment.

Misconduct

18. On July 19, 2016, a Grand Jury indicted Mr. Adams, Mr. Brock, Mrs. Brock, Mr. Eddins, Mr. McCutchen, Ms. Sauls, Mr. White, Automatic Cash, and EEC in a construction fraud scheme, charging conspiracy to defraud the government in violation of 18 U.S.C. § 371, wire fraud in violation of 18 U.S.C. § 1343, and major fraud against the United States in violation of 18 U.S.C. § 1031, among other violations. The indictment dated July 19, 2016 for case 3:16-cr-00560 is incorporated into this memorandum (AF00000001–AF00000034).

19. The indictment includes but is not limited to the following allegations:

- a. Mr. Adams, on behalf of BCI, applied for and was accepted into the Small Business Administration's (SBA) 8(a) program.
- b. Mr. Brock, Mr. Eddins, Automatic Cash, and EEC exercised control over BCI's operations and did not qualify for the SBA's 8(a) program.
- c. Mrs. Brock, on behalf of BCG, applied for and was accepted into the Veterans Affairs' Service-Disabled Veteran-Owned Small Business (SDVOSB) program and the SBA's Economically-Disadvantaged Women-Owned Small Business (EDWOSB) program.
- d. Mr. Brock caused BCG to submit applications to the SDVOSB and EDWOSB programs that improperly claimed Mrs. Brock controlled BCG.
- e. Mr. Brock embezzled funds from BCI and transferred them to LAB Investments and BCG for his and Mrs. Brock's enrichment.
- f. Mr. McCutchen, on behalf of ALS Services, applied for and was accepted into the SBA's 8(a) Program. Mr. Eddins, Automatic Cash, and EEC, however, exercised control over ALS Services.
- g. Ms. Sauls and Mr., Brock created Action Contractors. Ms. Sauls created fictitious invoices on behalf of Action Contractors for work performed by BCI.
- h. Between January 1, 2014 and July 19, 2016, ALS/Boykin 1 entered into small business set-aside contracts with the Federal Government. ALS/Boykin 1 was financed by Mr. Adams, Mr. Eddins, Mr. McCutchen, ALS Services, and BCI.

BASES FOR THE SUSPENSIONS

1. The indictment filed against Mr. Adams, Mr. Brock, Mrs. Brock, Mr. Eddins, Mr. McCutchen, Ms. Sauls, Mr. White, Automatic Cash, and EEC is adequate evidence that they committed crimes so as to affect their present responsibility to be Government contractors or subcontractors, thereby providing a separate independent basis for each of their suspensions pursuant to FAR 9.407-2(b).
2. The improper conduct of Mr. Adams, Mr. Brock, Mrs. Brock, Mr. Eddins, Mr. McCutchen, Ms. Sauls, Mr. White, Action Contractors, ALS Boykin 1, ALS Services, Automatic Cash, BCI, BCG, Calhoun Equipment Rentals, EEC, LAB Investments, and Norlan Group is of so serious or compelling a nature that it affects their present responsibility to be a Government contractor or subcontractor and provides a separate independent basis for each of their suspensions pursuant to FAR 9.407-2(c).

Imputation

3. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. Brock, Mr. Adams, Mr. Eddins, and Ms. Sauls is imputed to BCI because their improper conduct occurred in connection with the performance of their duties for or on behalf of BCI, or with the knowledge, approval, or acquiescence of BCI. The imputation of Mr. Brock, Mr. Adams, Mr. Eddins, and Ms. Sauls' conduct provides a separate independent basis for the suspension of BCI by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.
4. Pursuant to FAR 9.406-5(b), the seriously improper conduct of BCI is imputed to Mr. Brock, Mr. Adams, Mr. Eddins, and Ms. Sauls because as an officer, director, shareholder, partner, employee or other person associated with BCI, they participated in, knew of, or had reason to know of BCI's improper conduct. The imputation of BCI's conduct to Mr. Brock, Mr. Adams, Mr. Eddins, and Ms. Sauls provides a separate independent basis for each of their suspensions by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.
5. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. Brock, Mrs. Brock, and Ms. Sauls is imputed to BCG because their improper conduct occurred in connection with the performance of their duties for or on behalf of BCG, or with the knowledge, approval, or acquiescence of BCG. The imputation of Mr. Brock, Mrs. Brock, and Ms. Sauls' conduct provides a separate independent basis for the suspension of BCG by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.
6. Pursuant to FAR 9.406-5(b), the seriously improper conduct of BCG is imputed to Mr. Brock, Mrs. Brock, and Ms. Sauls because as an officer, director, shareholder, partner, employee or other person associated with BCG, they participated in, knew of, or had reason to know of BCG's improper conduct. The imputation of BCG's conduct to Mr. Brock, Mrs. Brock, and Ms. Sauls provides a separate independent basis for each of their suspensions by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

7. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. Brock is imputed to LAB Investments because his improper conduct occurred in connection with the performance of his duties for or on behalf of LAB Investments, or with the knowledge, approval, or acquiescence of LAB Investments. The imputation of Mr. Brock's conduct provides a separate independent basis for the suspension of LAB Investments by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.

8. Pursuant to FAR 9.406-5(b), the seriously improper conduct of LAB Investments is imputed to Mr. Brock because as an officer, director, shareholder, partner, employee or other person associated with LAB Investments, he participated in, knew of, or had reason to know of LAB Investments' improper conduct. The imputation of LAB Investments' conduct to Mr. Brock provides a separate independent basis for his suspension by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

9. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. McCutchen is imputed to ALS Services and ALS/Boykin 1 because his improper conduct occurred in connection with the performance of his duties for or on behalf of ALS Services and ALS/Boykin 1, or with the knowledge, approval, or acquiescence of ALS Services and ALS/Boykin 1. The imputation of Mr. McCutchen's conduct provides a separate independent basis for the suspensions of ALS Services and ALS/Boykin 1 by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.

10. Pursuant to FAR 9.406-5(b), the seriously improper conduct of ALS Services and ALS/Boykin 1 is imputed to Mr. McCutchen because as an officer, director, shareholder, partner, employee or other person associated with ALS Services and ALS/Boykin 1, he participated in, knew of, or had reason to know of ALS Services and ALS/Boykin 1's improper conduct. The imputation of ALS Services and ALS/Boykin 1's conduct to Mr. McCutchen provides a separate independent basis for his suspension by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

11. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. Brock and Ms. Sauls is imputed to Action Contractors because their improper conduct occurred in connection with the performance of their duties for or on behalf of Action Contractors, or with the knowledge, approval, or acquiescence of Action Contractors. The imputation of Mr. Brock and Ms. Sauls' conduct provides a separate independent basis for the suspension of Action Contractors by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.

12. Pursuant to FAR 9.406-5(b), the seriously improper conduct of Action Contractors is imputed to Mr. Brock and Ms. Sauls because as an officer, director, shareholder, partner, employee or other person associated with Action Contractors, they participated in, knew of, or had reason to know of Action Contractors' improper conduct. The imputation of Action Contractors' conduct to Mr. Brock and Ms. Sauls provides a separate independent basis for each of their suspensions by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

13. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. Eddins is imputed to Automatic Cash, and EEC because his improper conduct occurred in connection with the performance of his duties for or on behalf of Automatic Cash and EEC, or with the knowledge, approval, or acquiescence of Automatic Cash and EEC. The imputation of Mr. Eddins' conduct provides a separate independent basis for the suspensions of Automatic Cash and EEC by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.

14. Pursuant to FAR 9.406-5(b), the seriously improper conduct of Automatic Cash and EEC is imputed to Mr. Eddins because as an officer, director, shareholder, partner, employee or other person associated with Automatic Cash and EEC, he participated in, knew of, or had reason to know of Automatic Cash and EEC's improper conduct. The imputation of Automatic Cash and EEC's conduct to Mr. Eddins provides a separate independent basis for his suspension by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

15. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. Eddins and Mr. White is imputed to Calhoun Equipment Services because their improper conduct occurred in connection with the performance of their duties for or on behalf of Calhoun Equipment Services, or with the knowledge, approval, or acquiescence of Calhoun Equipment Services. The imputation of Mr. Eddins and Mr. White's conduct provides a separate independent basis for the suspension of Calhoun Equipment Services by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.

16. Pursuant to FAR 9.406-5(b), the seriously improper conduct of Calhoun Equipment Rentals is imputed to Mr. Eddins and Mr. White because as an officer, director, shareholder, partner, employee or other person associated with Calhoun Equipment Services, they participated in, knew of, or had reason to know of Calhoun Equipment Services' improper conduct. The imputation of Calhoun Equipment Services' conduct to Mr. Eddins and Mr. White provides a separate independent basis for their suspensions by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

17. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Mr. White is imputed to Norlan Group because his improper conduct occurred in connection with the performance of his duties for or on behalf of Norlan Group, or with the knowledge, approval, or acquiescence of Norlan Group. The imputation of Mr. White's conduct provides a separate independent basis for the suspension of Norlan Group by the incorporation of FAR 9.406-5(a) pursuant to FAR 9.407-5.

18. Pursuant to FAR 9.406-5(b), the seriously improper conduct of Norlan Group is imputed to Mr. White because as an officer, director, shareholder, partner, employee or other person associated with Norlan Group, he participated in, knew of, or had reason to know of Norlan Group's improper conduct. The imputation of Norlan Group's conduct to Mr. White provides a separate independent basis for his suspension by the incorporation of FAR 9.406-5(b) pursuant to FAR 9.407-5.

Affiliation

19. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. BCI and Mr. Brock, Mr. Adams and Mr. Eddins are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of BCI and Mr. Brock, Mr. Adams, and Mr. Eddins provides a separate independent basis for each of their suspensions.
20. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. BCG and Mr. Brock and Mrs. Brock are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of BCG and Mr. Brock and Mrs. Brock provides a separate independent basis for each of their suspensions.
21. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mrs. Brock, Mr. Adams, and Boykin Contracting Group JV are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mrs. Brock, Mr. Adams, and Boykin Contracting Group JV provides a separate independent basis for each of their suspensions.
22. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mrs. Brock, BGG, and Firefly Farm are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mrs. Brock, BGG, and Firefly Farm provides a separate independent basis for each of their suspensions.
23. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. Brock and LAB Investments are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. Brock and LAB Investments provides a separate independent basis for each of their suspensions.
24. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. Brock and Mrs. Brock are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. Brock and Mrs. Brock provides a separate independent basis for each of their suspensions.
25. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. Adams and Mrs. Adams are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. Brock and Mrs. Brock provides a separate independent basis for each of their suspensions.

26. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. Brock and Mrs. Brock and Brock Family Holdings are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. Brock and Mrs. Brock and Brock Family Holdings provides a separate independent basis for each of their suspensions.
27. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. McCutchen, ALS Services, and ALS/Boykin 1 are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. McCutchen, ALS Services, and ALS/Boykin 1 provides a separate independent basis for each of their suspensions.
28. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. McCutchen, and Mrs. McCutchen are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. McCutchen, and Mrs. McCutchen provides a separate independent basis for each of their suspensions.
29. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Ms. Sauls and Action Contractors and Action Contractors and Construction Services are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Ms. Sauls and Action Contractors and Action Contractors and Construction Service provides a separate independent basis for each of their suspensions.
30. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. Eddins, Automatic Cash, and EEC, are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. Eddins, Automatic Cash, and EEC provides a separate independent basis for each of their suspensions.
31. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. White and Norlan Group are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. White and Norlan Group provides a separate independent basis for each of their suspensions.
32. Pursuant to FAR 9.407-1(c), suspensions may be extended to the affiliates of a contractor. Mr. White, Mr. Eddins, and Calhoun Equipment Rentals are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one controls or has the power to control the other. The affiliation of Mr. White and Calhoun Equipment Rentals provides a separate independent basis for each of their suspensions.

FINDINGS

Each of the independent causes specified above directly affects the present responsibility of the Respondents to be Government contractors or subcontractors, or participants in federal assistance programs, and reflects negatively upon the propriety of doing business with each of them.

The conduct to which Respondents were charged and affiliated established an ongoing pattern and practice of defrauding the Federal Government, persisting through the present. Absent suspension, Respondents will continue to have access to federal contracting and may engage in activity consistent with the misconduct. Based on the administrative record before me, I find that protection of the Government's business interests requires the immediate suspensions of the Respondents pending completion of the criminal investigation and any ensuing legal proceedings.

DECISION

Pursuant to the authority granted by FAR Subpart 9.4, the Department of Defense FAR Supplement Subpart 209.4, and 2 C.F.R. Section 1125, and based upon the evidence contained in the administrative record and the findings therein, Respondents are hereby suspended this day. The suspension is temporary pending completion of the criminal investigation and any ensuing legal proceedings.



RODNEY A. GRANDON
Deputy General Counsel
(Contractor Responsibility)