



## PRESS RELEASE

# San Ramon Divorce Attorney Sentenced To 24 Months In Prison For Unlawfully Intercepting Telephone Conversations And Tax Evasion

Monday, February 3, 2014

**For Immediate Release**

U.S. Attorney's Office, Northern District  
of California

SAN FRANCISCO – Mary Nolan, a divorce and family law attorney in San Ramon, Calif., was sentenced to 24 months in prison for unlawful interception of telephone communications and tax evasion, announced United States Attorney Melinda Haag, FBI Special Agent in Charge David J. Johnson, and Internal Revenue Service, Criminal Investigation Special Agent in Charge José M. Martinez.

Nolan, 61, pleaded guilty on September 27, 2013, to five felony counts – one count of unlawful interception of communications and four counts of tax evasion. In pleading guilty to the charges, Nolan admitted causing her staff to illegally intercept telephone conversations by accessing a listening device that private investigator Christopher Butler had installed in a victim's vehicle, willfully evading more than \$400,000 in federal taxes between 2005 and 2009, and obstructing justice by submitting false contracts to the IRS during an audit.

The sentence was handed down by the Honorable Charles R. Breyer, Senior United States District Court Judge. Judge Breyer also included a three year period of supervised release, 240 hours community service, as well as \$468,918.01 in restitution, \$500.00 special assessment,

and Nolan's resignation of her bar license. The Court ordered Nolan to surrender to the United States Marshals Service to serve her term of imprisonment no later than March 6, 2014. At the time of sentencing, she had already paid the restitution and resigned her bar license.

Butler, who pleaded guilty to unlawful interception and several other offenses on May 4, 2012, admitted having installed approximately seventy-five to one hundred unlawful listening devices at the request of clients or their attorneys, including the listening device in Nolan's victim's vehicle in August 2007. Butler was sentenced to 60 months' imprisonment on this charge, to be served concurrently with the 96-month sentence on his other counts of conviction.

"The defendant's conduct was reprehensible and a dishonor to those who practice law with the utmost commitment and integrity. The sentence sends a strong message and confirms that the United States Attorney's Office will prosecute those who abuse the public trust to the fullest extent of the law," stated U.S. Attorney Melinda Haag.

"Attorneys and those trusted with the confidence of others are expected to uphold the law and pursue justice with integrity," said FBI Special Agent in Charge David J. Johnson of the San Francisco Field Office. "The FBI will continue to partner with the U.S. Attorney's Office to expel those who abuse their professional licenses and take advantage of the criminal justice system."

"This sentence should send a clear message that no one is above the law," said IRS-Criminal Investigation Special Agent in Charge José M. Martinez. "Ms. Nolan misused her position for personal gain while cheating the government out of hundreds of thousands of dollars. Those who intentionally evade taxes should know they will not go undetected and will be held accountable."

Nolan was indicted on September 6, 2012, by a federal grand jury charging her with tax evasion for the years 2005 through 2009, in violation of 26 U.S.C. § 7201; unlawful interception of communication, in violation of 18 U.S.C. § 2511(1)(a) and (4)(a); and conspiracy to unlawfully intercept communications, in violation of 18 U.S.C. § 371.

Hartley M. K. West is the Assistant U.S. Attorney who is prosecuting the case with the assistance of Alycee Lane. The prosecution is the result of a lengthy investigation by the FBI, the Internal Revenue Service – Criminal Investigation, and the Contra Costa County District Attorney's Office.

[\(Nolan indictment\)](#)

*Updated November 18, 2014*

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