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Bibliographic Cover Sheet

Title	<b>2 Indicted for Fraud in Phone Case</b>
Publication	<i>Milwaukee Journal</i>
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Abstract	Two Wisconsin men are indicted for toll fraud (one used a blue box and one used a tape recording of tones). A third man is indicted for lying before the grand jury about whether he had seen the other man use the blue box.
Keywords	Milwaukee; Wisconsin Telephone Co.; Richard A. Garner (indicted); William A. Schubert (indicted); Thomas S. Ewert (indicted); blue box

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## 2 Indicted for Fraud in Phone Case

A federal grand jury here indicted two young Milwaukee men Wednesday on charges of defrauding the Wisconsin Telephone Co. by sending tones over telephone wires that duplicated those used by operators to make connections in the United States and around the world.

The scheme enabled the men to make toll free long distance calls, the indictments charged.

A third man was indicted on a charge of making a false statement under oath to the grand jury while being questioned about the alleged telephone scheme.

The indictments were the first here for duplicating telephone tones. Such activity is reported to be small, but growing, nationally, according to Steven Underwood, an assistant US attorney who handled the grand jury case.

The men accused of sending the tones are Richard A. Gardner, 22, of 3457 N. 81st St., and William A. Schubert, 24, of 3855 S. 7th St.

Thomas S. Ewert, 22, of 7210 W. Blue Mound Rd., Wauwatosa, was accused of lying before the grand jury on June 5.

Gardner, an employee of the Louis Allis Corp., was accused

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## Calls

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of sending the tones from February to May with a blue box, a device capable of reproducing the telephone company tones.

Schubert, an employee of the Briggs & Stratton Corp., sent a tape recording of the tones over telephone wires, the indictment charged.

The indictments charged that the men would dial 1, a long distance access number, and then 800. That enabled them to gain access to any wide area telephone service (WATS) line, a commercial toll free line. Then, the indictments continued, they applied the tones, which allowed them to complete the long distance calls outside the WATS system.

Gardner was charged with four counts of fraud and Schubert with two.

Gardner made a call with the blue box from Milwaukee to London on an unspecified day last February, the indictment charged, and he made three more calls from Waukesha to London on May 18, it said.

Schubert was accused of making a call with his tape recording from Milwaukee to Omaha, Neb., on May 13 and from Milwaukee to Plantation, Fla., on May 18.

Ewert was accused of lying when he told the grand jury that he had never witnessed Gardner using the blue box.