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Press Release

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No criminal charges in Wecycle Industrial Sanitation investigation

When Virginia Huddleston took possession of a check from the City of Benton Harbor on or about October 31, 2019 made out to Wecycle Industrial Sanitation for \$39,353.33, she opened an account at Chemical Bank in Benton Harbor in the name of Wecycle Industrial Sanitation, LLC. Wecycle Industrial Sanitation, LLC., (hereafter referred to as Wecycle) is a Michigan domestic limited liability company, whose Articles of Organization were filed May 11, 2017. Robert Edwards was designated as the resident agent for Wecycle. No other names were recorded as having an interest in Wecycle in that document. In March of 2017 a Certificate of Assumed Name was filed with the Berrien County Clerk indicating Virginia Huddleston, Robert Edwards and Jewell Allen were individuals doing business as Wecycle Industrial Sanitation. In October of 2017, all three individuals signed a document entitled "Resolution Authorizing Signature for Benton Harbor Documents" which authorizes Edwards to sign on behalf of the LLC any document related to the Benton Harbor trash contract. The significance of that document is that it also recites that all three are members and/or managers of Wecycle.

Historically, Edwards had picked up the monthly check from the City and operated the business of trash pick-up. When Huddleston picked up the October check, it diminished Edwards' working capital to accomplish the contractual task of trash pick-up. A dispute erupted as to who was legally entitled to the \$39,353.33 from October. An investigation ensued to determine if Huddleston's conduct was criminal.

Despite their best attempts, the 3 principals failed to organize their company effectively. However, it is clear Huddleston was acting in what she believed to be the interest of the enterprise. At least there is no evidence to the contrary. While the account at Chemical bank that received the deposit of the \$39,353.33 is now frozen, Huddleston paid some expenses of the business. It is unclear who should take possession of the money from the October check.

There is insufficient proof to suggest Huddleston embezzled or received the money under false pretenses and thus, no criminal charges will be filed. This decision does not address, and it is not within the purview of the criminal investigation to opine, who is entitled to the remainder of funds frozen by Chemical Bank. That issue must be resolved between the parties to the contract.