

THE NEWS

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Late Sports Final

Pair accused of stealing computer secrets

By Patrick McCreery
Staff Writer

Two Boca Raton executives entered the office of an associate late one night in May and removed designs for a sophisticated computer system that could be worth more than \$20 million, according to police documents.

Since then, the men and their former boss have been arguing about who owns the system. On one side is Thomas Ward, owner of Thomas Ward and Associates, a computer development company on East Spanish River Boulevard. On the other are Hugh Spinks and Charles Salvo Jr., two of Ward's former associates.

The case has led to Salvo's arrest and police say

they expect to arrest Spinks soon. Salvo faces charges ranging from grand theft to theft of trade secrets.

Ward's lawyer, Raymond Masciarella, says Spinks and Salvo were salaried employees of the computer company, meaning that any computer system they designed belongs to Ward.

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Not so, says Kenneth Lipman, one of Salvo's lawyers, who insists that Spinks and Salvo were not employees but independent contractors, entitled to whatever they created while working for Ward.

"Both sides strongly feel that they own these programs. ... It's going to be a complicated case," Lipman said.

Spinks and Salvo removed the designs, contained on several computer disks, from Ward's office late May 17 and resigned from the company the next morning, according to sworn statements compiled by police. Since then, they have copyrighted the system and have spent time trying to recruit clients Ward groomed for years, Masciarella said.

Masciarella and legal documents paint a tragic picture of the executive.

Ward spent most of his time since 1987 developing the system, re-investing any money his company made, Masciarella said. He put second and third mortgages on his house and sometimes didn't pay himself in order to keep the \$1.5-million project funded, the lawyer said.

An end to the money woes was in sight by mid-May, however.

Ward was scheduled to deliver a \$250,000 copy of the integrated hardware and software system to a client on May 22 — five days after the theft. The money was supposed to be the first in a series of payments from clients eager to buy the communications system.

Lipman maintains that the people who should gain from the system's development are Salvo and Spinks. Although the men carried business cards identifying themselves as officers of Ward's company, they actually were not even employees, he said. Both men signed independent employee contracts before taking their jobs at Ward's company, he said.

Boca Raton police arrested Salvo two weeks ago after a detective studied a deposition he gave in a civil case stemming from the dispute. He admitted taking the designs, according to police. Officers expect to arrest Spinks whenever he returns from vacation.

Charges include grand theft of more than \$100,000, theft of intellectual property, destruction of intellectual property and theft of trade secrets. Lipman insists the men are innocent. "The whole thing's outrageous," he said.