

MESSAGE FROM PROSECUTOR SHERRI BEVAN WALSH

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Man found guilty by jury of Arson and other charges

(March 9, 2010, Akron) ... Prosecutor Sherri Bevan Walsh announced today that Marcus Fruth, 49, of Stow, was found guilty late yesterday, March 8, of Complicity to Aggravated Arson, a felony of the first degree, four counts of Insurance Fraud, felonies of the third degree, fourth degree (2), and fifth degree.

Fruth will be sentenced on April 29, 2010, by visiting Judge Judy Cross.

On September 26, 2008, Fruth's home and garage at 1290 Norton Road in Stow, Ohio caught fire. Over \$250,000 was paid out on insurance claims. Upon arrival the Stow Fire Department suspected arson, as the scene reeked of gasoline and had two points of origin. Two days later, co-defendant Edward Layton, 39, of Akron, came to the Stow Police Department and confessed to setting the fire.

Layton told the police that two weeks prior to the fire Fruth and he were drinking and he told Layton that he had serious economic problems and that if his house burned down, it would help solve many of these problems. Evidence at trial showed that the Defendant had lost over \$150,000 in day trading and that he had personal debt in the amount of \$347,000. Fruth had also been sued for Breach of Contract for more than \$200,000.

Fruth and Layton met again and set their plan for a fire when Fruth would be out of town. The two removed valuables from the home and Fruth gave Layton \$300 to purchase gas and fire cans to set the house on fire.

On Friday, September 26, 2008, Layton set the house on fire. Cell phone records indicated that Fruth and Layton spoke on the phone 37 times that day and that many of these calls preceded the setting of the fire. Also Fruth gave Layton \$600 after the fire to create an alibi. Layton was cooperating with police at this point and turned the funds over to the police. During numerous recorded conversations with Fruth, Layton made reference to setting the house on fire and demanded payment for doing so. Fruth never told his insurance carrier of any of these conversations and never spoke with the police about Layton's confessions. These recordings, along with other evidence presented at trial, led to the Defendant's conviction.

Layton's payment for the fire was to be a motorcycle bought after the fire was set. He pled guilty on August 3, 2009. His sentencing date has not yet been determined.