

Skinny Joey's Attorneys Earn Kudos For Work Against Sovereign District Of New York

This year's **Defense Lawyer Of The Year Award** goes to Edwin Jacobs and John Meringolo for stymying the federal government's over-the-top effort to convict Philadelphia mob boss Joseph ([Skinny Joey](#)) Merlino in his month-long racketeering conspiracy trial in Manhattan Federal Court.



Edwin Jacobs G L

Jacobs, the high-powered Atlantic City-based barrister and longtime thorn in the side of federal mob prosecutors in Philadelphia, and Meringolo, his younger New York-based co-counsel, overcame the testimony of three cooperating witnesses, including turncoat Bonanno capo Peter (Petey B.S.) Lovaglio, to obtain [a mistrial](#) after four days of deliberations.

The unlikely duo managed to neutralize the government's seemingly overwhelming trove of FBI tape recordings and the testimony of two cooperating witnesses that tied the Philadelphia mobster to illegal gambling charges in New York and Florida and to an \$11.3 million health care fraud.

Jacobs did the heavy lifting against [John \(J.R.\) Rubeo](#), the controversial Genovese mob associate who wore a wire for five years and tape-recorded Merlino numerous times, and against Wayne Kriesberg, a Florida-based businessman who was an integral part of the fraud scheme.

Meringolo worked over [Lovaglio](#), who swore he met Merlino several times and discussed getting into the health care scheme with Skinny Joey and a codefendant on one occasion. But he never told the NYPD detectives for whom he was working about it at the time, and amazingly, never showed up once in the FBI's five-year-long investigation.



John Meringolo G L

It soon became pretty clear that federal prosecutors, who usually fare better the second time around, didn't feel too confident about that likelihood at a retrial. They offered Skinny Joey a plea deal to a minor illegal gambling charge calling for a maximum sentence of two years.

Judge Richard Sullivan obviously thinks Merlino got a very sweet deal. Before he accepted the guilty plea, the [judge tweaked](#) prosecutor Max Nicholas about foregoing a retrial with all the "overwhelming" evidence he had at his disposal. Sullivan removed any doubt about his view of the plea deal when he ignored a Jacobs request for a prison term within the 10-to-16 months sentencing guidelines in his plea agreement and gave him two years.

Merlino got a sweet deal. But the best plea deal of 2018 was the one the feds gave Luchese soldier Paul ([Paulie Roast Beef](#)) Cassano. He had been detained without bail, and faced life if convicted of racketeering and using a firearm during an attempted murder of a Bonanno associate who had dissed family underboss Steven (Stevie Wonder) Crea back in 2012. He got a plea deal for 18 months.

For that, his attorneys, [Anthony DiPietro](#) and Mathew Mari, get **Best Plea Deal Award of 2018**. The attorneys wangled a great plea bargain by convincing Cassano to cancel a scheduled bail hearing at which they had planned to detail misconduct allegations by two prosecutors against Paulie Roast Beef, Crea and other Luchese gangsters in the case. In return, prosecutors agreed to allow Cassano to plead guilty to assault charges with a maximum prison term of 18 months.

In court filings that convinced White Plains Federal Judge Cathy Seibel to revisit Cassano's detention, the attorneys had cited [erroneous statements](#) that prosecutors Scott Hartman and Jacqueline Kelly had made about the attempted murder, as well as a murder charge against Steven (Stevie Junior) Crea that Seibel was kind to describe as "serious overstatements" of facts.

We interrupt this **Best Plea Deal Award** to note that AUSAs [Hartman and Kelly](#) get Gang Land's **Pinocchio Award** for telling several false stories about tape recorded words of mob associate Vincent Bruno that didn't exist, and for false stories they told about tapes that did exist but that did not contain any incriminating information about [Stevie Junior](#) Crea.



Scott Hartman GL

Seibel gave Cassano the maximum recommended prison term of 18 months, but all things considered, DiPietro and Mari did pretty well for Paulie Roast Beef. In another case he had, over government objections, they convinced Judge Richard Sullivan to make the eight months he gave Cassano for bookmaking run concurrently with his prison term for assault.



Judge Cathy Seibel

For all of the above, and the even-handed way she handled both sides in the complicated 19 defendant case, in which the Creas and three others are slated to go to [trial for murder](#) next year, and for one more thing, Seibel gets the **Judge Of The Year Award** for 2018.

Sorry - I never like to wreck people's holiday plans - but this sentencing was set 2 months ago and the Government has plenty of time to arrange its schedules - or it could have asked for a new date further in advance so the sentencing could be moved up to an earlier date.

Last month, after making her suffer through numerous

misstatements and half-truths about their evidence all year, the not-so-hotshot AUSAs Hartman and Kelly and co-prosecutors Hagan Scotten and Celia Cohen had the *chutzpah* to ask her to put off a [Thanksgiving-eve](#) sentencing because they all had pre-turkey day plans. Judge Seibel gave them The Bird, in easy to understand English.

Lawyer Barry Levin gets a **Comeback Award** for returning to the fray this month as the lead trial attorney for Stevie Wonder Crea. Levin was last seen in Gang Land in 2007 on the day that acting Genovese boss [Liborio \(Barney\) Bellomo](#) was about to begin trial [for murder](#), and the government told the judge it was dropping the murder charge, and giving him a plea deal to mail fraud, for which Bellomo got a [year and a day](#) in prison.

Gambino wiseguy [Gene Gotti](#) — who's been away from the fray a lot longer, since 1989 — also gets a **Comeback Award** for returning directly home from prison 29 years later after thumbing his nose at the government and refusing to knuckle under and ask the Bureau of Prisons for an earlier release into a "halfway house."

Mob associate Paul Ragusa gets the **I Can't Go Home Alone Award** for buying a [small arsenal](#) of weapons last year from a mob turncoat while Ragusa was in a halfway house after spending 19 years in prison — a decision that earned him a quick move back to prison and another long stay behind bars.



Paul Ragusa GL

John (Porky) Zancocchio gets the **Nathan's Famous Award** for winning a release from his federal lockup because the jailhouse food was giving him *agita* and then being spotted by a *New York Post* photog glomming a hotdog with mustard, sauerkraut and onions from a vendor right outside the MCC.

And the **I'll Swear To Anything Award** goes to Petey B.S. Lovaglio, the Bonanno capo who pleaded guilty to belonging to the fictitious organized crime group known as *The East Coast LCN Enterprise*, an entity made up by creative thinking federal prosecutors in Manhattan.