



Department of Investigation

Press Release

Release

BROOKLYN MAN CHARGED WITH LYING UNDER OATH & BRIBING WITNESSES IN BOGUS \$5 MILLION LAWSUIT AGAINST CITY

February 4, 1999 - Manhattan District Attorney Robert M. Morgenthau and New York City Department of Investigation (DOI) Commissioner Edward J. Kuriansky today announced the indictment of a Brooklyn man who attempted to defraud the City out of \$5 million by lying under oath during a personal injury lawsuit hearing.

The defendant, Michael Alma, filed a lawsuit in New York State Supreme Court against the City and a small business owner. The lawsuit alleged that the City and Puma Iron Works were negligent in maintaining a sidewalk in front of the business. Puma Iron Works is located at 324-326 Butler Street, Brooklyn, New York.

On July 1, 1997, the defendant testified at a hearing conducted by the City Comptroller's Office and swore that he tripped on a crack in the sidewalk, causing the fall which resulted in his injuries. An investigation conducted by DOI uncovered that Alma did break his hand and wrist on May 30, 1996, but that the injuries occurred when the defendant accidentally hit a door while attempting to punch his 14-year-old cousin during a fight. The incident occurred inside an apartment located at 152 4th Avenue, Brooklyn.

According to the indictment, the defendant filed a notice of claim with the City Comptroller's Office in June 1997, seeking one million dollars in damages. He then filed a supplemental notice of claim in August 1997, seeking five million dollars in damages.

The investigation further revealed that the defendant attempted to bribe three individuals in exchange for their testimony on his behalf.

Mr. Morgenthau said, "This indictment should send a clear message to those who think they can defraud the city and honest business owners into paying bogus claims. They will be caught and prosecuted."

Commissioner Kuriansky said "After the defendant threw a punch at his cousin and missed, he thought he'd try socking it to the City instead. People who think that suing the City is a better bet than winning the lottery have to learn that our legal system cannot be fraudulently manipulated for personal gain. This kind of rank abuse not only cheats the City but tarnishes the claims of people with real grievances.

New York City Corporation Counsel Michael Hess said, "In the last several years, the Law Department had referred a significant number of matters involving the fraudulent prosecution of personal injury lawsuits to the Department of Investigation and District Attorneys. This arrest sends yet another signal that attempts to defraud

ARREST OF MICHAEL ALMA

the City of New York will not be tolerated."

Alma, 21, of 336 Butler Street, is charged in the indictment with Attempted Grand Larceny in the First Degree, Perjury in the First and Second Degrees, Making an Apparently Sworn Statement in the First Degree, Offering a False Instrument for Filing in the First Degree, and Bribing a Witness.

The defendant was arraigned today before Acting New York State Supreme Court Justice Herbert J. Adlerberg.

Attempted Grand Larceny in the First Degree is a Class C felony punishable by up to 15 years in prison. Perjury in the First Degree, Offering a False Instrument for Filing in the First Degree, and Bribing a Witness are Class D felonies punishable by up to 7 years in state prison.

For their assistance in the investigation, Mr. Morgenthau expressed his thanks to: Sam Amorese, DOI'S Inspector General for Executive Offices and Non-Mayoral Agencies, Jeanne Giberg, Examining Attorney with DOI, and Detectives Ismael Ruiz, and Evelyn Delgado, of the DOI Investigative Squad, who conducted the investigation. The matter was referred to DOI by the New York City Law Department, in particular Daniel Connolly, Special Counsel, and Eugene Borenstein, Chief of the Torts Division.

Mr. Morgenthau and Commissioner Kuriansky also expressed their appreciations to New York City Comptroller Alan G. Hevesi and his staff for their cooperation during the course of the investigation.

The case was presented to the grand jury by Assistant District Attorney Juan Merchan, of the Special Prosecutions Bureau, under the supervision of Bureau Chief Leroy Frazer.