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FOR IMMEDIATE RELEASE

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Suspended Lawyer Indicted for Embezzling Over \$100,000 From Clients

*Defendant Failed to Pay His Clients Settlement Money;
Often Settled Cases Without Telling Them*

Brooklyn District Attorney Ken Thompson today announced that an attorney who was suspended from practicing law has been charged with stealing more than \$100,000 from clients he represented in personal injury lawsuits.

District Attorney Thompson said, "This defendant allegedly stole from numerous people who had suffered injuries in car accidents or falls and needed their settlement money, in some cases while he was suspended from practicing law. We will now seek to vindicate the rights of these victims."

District Attorney Thompson identified the defendant as Kenneth Gellerman, 57, of 2596 Ocean Avenue in Bellmore, L.I. He was arraigned today before Brooklyn Supreme Court Justice Danny Chun on a 61-count indictment charging him with first-degree scheme to defraud, second-degree, third-degree and fourth-degree grand larceny, petty larceny, second-degree forgery, second-degree criminal possession of a forged instrument, second-degree criminal contempt and practicing law as an attorney while being suspended.

The defendant was ordered held on bail set in the amount of \$100,000 bond or \$25,000 cash and to return to court on November 5, 2014. He faces up to 15 years in prison if convicted.

The District Attorney said that, according to the indictment, from December 3, 2008 until September 30, 2013, the defendant engaged in a scheme to embezzle money from more than 15 clients by depositing checks received from negotiated settlements into his escrow account, or into other accounts that he controlled.

The defendant withdrew money from these accounts, according to the indictment, by drafting checks and transferring money into his business account. He failed to pay his clients some or all of the money to which they were entitled, and in at least one case, he failed to pay money to a third party having a claim secured by the settlement.

After he was suspended from practicing law in January, 2013, according to the indictment, the defendant continued to collect settlements without forwarding the money to clients. To conceal these thefts, the defendant often allegedly settled cases without informing clients, and he signed endorsements on the reverse sides of the checks in order to deposit those checks into his accounts. This scheme allegedly netted the defendant more than \$100,000.

The case is being prosecuted by Assistant District Attorneys Joseph DiBenedetto and John Holmes of the District Attorney's Investigations Division, under the supervision of Felice Sontupe, Chief of the Frauds Bureau, and William E. Schaeffer, Chief of the Investigations Division.

An indictment is an accusatory instrument and not proof of a defendant's guilt.

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