



NEW YORK STATE SENATOR

Ruben Diaz

## Rudolph Giuliani -vs- Preet Bharara

SENATOR RUBEN DIAZ July 17, 2017

### WHAT YOU SHOULD KNOW

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### **Rudolph Giuliani -vs- Preet Bharara**

You should know that both Rudy Giuliani and Preet Bharara became famous and powerful during the times they served as United States Attorneys. Both of them came in like gangbusters, indicting anyone from left to right, anyone who stood in their way, including elected officials.

Due to the fact that the press does not have much love for elected officials, the media has helped to create an aura about these two prosecutors, making Rudy Giuliani the Mayor of the City of New York, and making Preet Bharara arrogant enough to confront the President of the United States of America in what appears to be an act of insubordination, when he said that he would not return his boss' phone call.

It is important for you to know that after Rudy Giuliani and Preet Bharara left their offices at the US Attorney, some of their overcharged indictments that were fueled by the media to make them famous and powerful, were eventually thrown out of court.

In 1988, former US Attorney Rudy Giuliani indicted Congressman Robert Garcia, along with his wife, Jane Lee Garcia, and attorney Ralph Vallone, Jr. on the charges of corruption in a bribery-extortion scheme involving the WedTech Corporation. During the arraignment, former US Attorney Giuliani went so far as to accuse Congressman Garcia of “the sale of his office.”

You should know that Congressman Robert Garcia spent 3 months in prison awaiting decision on appeal, which was then overturned. Even after his case was retried, that second conviction was overturned. The case was never re-tried a third time.

In other words, the charges against Congressman Robert Garcia by former US Attorney Rudy Giuliani, in his grand role as crime-buster against political corruption, and with all of the hype and media any publicity hound could ever want, were eventually thrown out of court.

Additionally, two of former US Attorney Giuliani’s other convictions, also related to the WedTech case, were overturned. John Marriotta, the former president of the company, had had two out of four convictions overturned; and E. Robert Wallach's conviction for receiving illegal payments was also reversed.

Now, Preet Bharara, who has left the US Attorney’s office only months ago, is already finding that his so-called great achievements “cleaning-house” in Albany, especially his highly-touted prosecution of former Assembly Speaker Sheldon Silver, is also getting thrown out of court.

A string of reversals of former US Attorney Giuliani’s convictions (and his staff of 150 attorneys) that were high profile, white collar cases and were partially or completely overturned include:

The various WedTech-related convictions of Richard Biaggi, son of former Congressman Mario Biaggi; Peter Neglia, former Administrator of the US Small Business Administration; and California Attorney E. Robert Wallach, friend of former Attorney General Edwin Meese III;

The conviction of James T. Sherwin, President of the GAF Corporation;

The security fraud conviction of Wall Street trader Ivan Boesky's stock speculator John Mulheren;

The tax fraud conviction of Princeton/Newport Partners were overturned on appeal, and the IRS found the investment firm had actually overpaid its taxes.

The Federal judge ruling that threw out accusations that the Genovese crime family controlled the main union at the Fulton Fish Market;

The Federal judge ruling that threw out the charges against seven of 14 defendants in the Pizza Connection involving heroin-trafficking case.

This makes me think that the power of the US Attorney, especially those high profile prosecutors who crave media attention, are the ones the media is afraid to go against to see the realities and expose the truth to the public.

Ladies and gentlemen, Preet Bharara has only been out of office a few months, so who knows how long it will take for his cases to be overturned. It's too early to say, so stay tuned.

I am Senator Reverend Rubén Díaz and this is what you should know.