



Former Nassau County Executive Edward Mangano, left, his wife, Linda Mangano, and former Oyster Bay Town Supervisor John Venditto.

TOWN: EMAILS PRIVILEGED

■ Oyster Bay opposes prosecutors on documents

■ Full copies sought in Manganos, Venditto case

BY ROBERT E. KESSLER
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The Town of Oyster Bay is opposing attempts by federal prosecutors to get complete copies of dozens of emails and other documents in the corruption case against former Nassau County Executive Edward Mangano, his wife, Linda, and former Oyster Bay Town Supervisor John Venditto.

The town filed papers late Wednesday night in federal court in Central Islip in response to a motion by federal prosecutors, who said they are entitled to see the complete documents. The town is asking that U.S. District Court Judge Joan Azrack set a hearing to decide the issue.

The town already handed over to the government redacted copies of the emails, but it is now arguing that turning over the complete wording of each document would violate attorney-client privilege, court papers say.

The documents center around a key part of the government's case — an alleged scheme by Edward Mangano and Venditto to have Oyster Bay provide restaurateur

Harendra Singh with \$20 million in indirect loan guarantees for businesses. An outside counsel to the town had warned that such a loan guarantee to a businessman was not legally permitted, according to prosecutors.

Federal prosecutors say attorney-client privilege can be overcome under what is known as the crime fraud exception, if a judge determines that the documents involve criminality.

In the latest filings, the town says it has no objection to turning over to prosecutors complete documents that come from Harris Beach, a law firm.

Last week, Eastern District prosecutors said they specifically want complete copies of documents that have been submitted to them only in redacted form. The documents come from the town, Rivkin Radler — Mangano's former law firm — and Jonathan Sinnreich, an outside counsel for the town who objected to the Singh loan guarantee, the prosecutors said in court papers.

In the town's response, an attorney for Oyster Bay argues that in addition to attorney-client privilege, the government is not entitled to the complete documents because the documents are also protected from disclosure by the attorney work product doctrine, which can bar disclosure of material attorneys develop in preparation of a case.

The town further argues

the material in the documents does not deal with criminal activity.

The government has alleged that after the outside counsel's opinion, Edward Mangano, Venditto and others schemed to have Mangano's former law firm work out a way to legally get Singh the indirect loan guarantee. In return for him providing them with "a stream of benefits," including a more than \$450,000 "no-show job" for Linda Mangano.

As the client, the town has the option of waiving the attorney-client privilege, not its attorneys.

Rivkin Radler and Sinnreich are not accused of any wrongdoing.

The town also argues that the documents involved Singh's problems in obtaining financing for his food concessions on town property, not \$20 million for his then overall restaurant empire.

"The vast bulk of the communications . . . concern lawful contracts of the Town, specifically amendments to two of Singh's concession agreements that were approved by the Town Board in June 2010. The genesis of the amendments was Singh's difficulty in obtaining financing to fund the improvements he agreed to make to the Town's facilities as part of his concession agreements," the town said in its response.

Further the town said: "The

legal communications that were withheld largely concerned the development of this legally permissible contract structure, not the bribery scheme."

The town also disputes arguments by prosecutors that Town Attorney Joseph Nocella waived Oyster Bay's privilege in a conversation with federal prosecutors. Nocella mentioned that some of the material included an interview by a town counsel of former Deputy Town Attorney Fred Mei.

The overall bulk of the documents concern Mei, who has pleaded guilty to accepting bribes from Singh in return for helping get him get the \$20 million in indirect loan guarantees from Oyster Bay, the town says.

Edward Mangano has been charged with conspiracy, bribery, wire fraud and extortion.

Linda Mangano was charged with obstruction of justice, conspiracy to obstruct justice and making false statements involving "work she claimed to have performed" in an alleged no-show job from Singh, according to the indictment and prosecutors.

Venditto is facing charges of conspiracy, bribery, securities fraud, wire fraud and obstruction of justice.

All have pleaded not guilty and are scheduled to go on trial on March 12.

LI to get meeting on oil drilling

BY MARK HARRINGTON
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The federal Bureau of Ocean Energy Management will add Long Island to its list of public meeting venues to discuss the Trump administration's plan to open nearly the entire U.S. coastline to oil and gas drilling, Rep. Lee Zeldin said Thursday.

Zeldin's office said the Shirley Republican spoke Thursday with Interior Secretary Ryan Zinke, a former congressional colleague, about the local meeting. Any such meeting, for which a date has not yet been set, would comply with federal noticing requirements, Zeldin's office said.

The news came a day after a hearing on the issue led by Assemb. Steve Englebright (D-Setauket), where officials complained that the federal agency had scheduled its only New York federal hearing in Albany. That hearing took place Wednesday.

Zeldin's office said he had also received assurances from Zinke that the draft drilling proposal will include a statement noting that there are limited fossil-fuel resources in the coastal area off Long Island and New York that would make drilling feasible.

In a statement, Zeldin said Zinke "underscored" that the draft plan will "reflect the fact that as of now there aren't even any known oil or gas resources in Long Island's surrounding waterways."

Trump's proposal has drawn widespread criticism across the state and specifically on Long Island. The Englebright hearing provided a forum for environmentalists, clean-power proponents, the Shinnecock Indian Nation and lawmakers to voice opposition.

Bill Brown, chief environmental officer for the Bureau of Ocean Energy Management, said he hadn't heard about plans for a Long Island meeting.

He said, however, "I do know the secretary has been talking to a lot of people and I'm sure people have been asking for more hearings," Brown said.