

Lawyer Charged With Stealing \$211,000 From Former Employer

Andrew Keshner

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The former general counsel for a union of State Thruway employees has been indicted for allegedly stealing more than \$211,000 from the union by filing false receipts for continuing legal education courses, legal reference materials and copying and mailing services.

Kevin Clor, a University at Buffalo School of Law graduate admitted to the bar in 2000, faces two charges of second-degree grand larceny, 16 counts of second-degree criminal possession of a forged instrument and 16 counts of falsifying business records in the first degree.

Mr. Clor pleaded not guilty at his arraignment on Jan. 25 before Manhattan Acting Supreme Court Justice Carol Berkman, who set bail at \$75,000.

The top count of second-degree grand larceny, a class C felony, carries a sentence of five to 15 years.

According to the Manhattan District Attorney's Office, Mr. Clor submitted for reimbursement 150 false receipts to New York State Thruway Employees Local 72 from January 2006 through last May. His arrest stemmed from an internal probe by the Manhattan-based union, which represents 2,500 full-time and part-time workers, including toll collectors, grounds workers, janitors, painters and carpenters.

As general counsel from January 2001 to April 2011, Mr. Clor worked from his Buffalo home. His responsibilities included representing members at arbitration hearings and disciplinary and grievance proceedings.

An online profile indicated that Mr. Clor worked for the firm of Steven J. Baum P.C. as an associate after he left the union last year.

Prosecutors claim Mr. Clor sought reimbursement for \$30,000 for CLE courses from the International Foundation that he neither attended nor paid for.

They also claim he sought reimbursement for \$23,000 worth of CLE classes given by the Nichols School—a private middle and high school that does not offer CLE. Instead, prosecutors allege Mr. Clor twice rented the hockey rink at the school, which is near his Buffalo home.

Prosecutors also charged that Mr. Clor sought reimbursement for more than \$48,000 in CLE courses taken through the "Education Certification Department" of the state's Department of Civil Service.

Yet the Department of Civil Service operates no such department and the address listed on the receipts is not a proper Department of Civil Service address.

Mr. Clor did not receive CLE credits for any of the courses he said he had taken. His state attorney registration is current through November.

Prosecutors also contend that Mr. Clor submitted \$22,000 in bogus receipts for legal reference materials from Thomson Reuters. Those receipts allegedly included books that are not published by Thomson and contained the names of salespeople who are not employed by the company.

Finally, Mr. Clor allegedly submitted \$37,000 in forged UPS receipts.

The union paid for the alleged thefts using \$84,000 from its general account and \$128,000 from its Welfare Fund, which offers drug prescription coverage and dental benefits.

"As general counsel of the New York State Thruway Employees union, the defendant had a duty to protect the rights and financial well being of the union's members. Instead of representing their best interests, he stands accused of violating their trust and used his position to enrich himself illegally," Manhattan District Attorney Cyrus R. Vance Jr. said in a press release.

The union contacted prosecutors after finding discrepancies in its own internal audit. A woman answering the phone at its office said the union had no comment.

Jeremy Saland of **Crotty Saland** in Manhattan, who represents Mr. Clor, said, "What is of great concern is that much of this investigation and

parts of the indictment are based in apparent misrepresentation" by the union.

"Numerous times the prosecution made assertions as to my client's conduct and relationships that were false. In fact, there is no disputing this. Despite providing evidence that corroborated my client's innocence as to many of the charges and the prosecution's ability to further confirm these representations independently, the district attorney's office apparently did not do so," **Mr. Saland** said.

For example, **Mr. Saland** said the welfare fund, instead of being depleted during Mr. Clor's tenure "increased exponentially" under his watch.

Additionally, **Mr. Saland** said, the UPS store owner confirmed that the store had performed copying services for Mr. Clor.

Mr. Saland said his client is not a flight risk because his mother is ill with cancer and he has a 9-year-old son with autism.

Assistant District Attorney José Fanjul is handling the case for the prosecution.

According to the Department of Correction's website, Mr. Clor was still in custody on the afternoon of Jan. 25. His next court date is scheduled for March 28.