

CRIME



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# Mob informant claims corruption in court system in wake of divorce



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*Editor's note: This story originally ran in print on Sunday, June 29, 2008.*

Lewis Kasman isn't easily intimidated.

The self-proclaimed adopted son of the late mob boss John Gotti, Kasman didn't like the way the Gambino crime family treated him after the Dapper Don died in prison in 2002. So the 51-year-old Boca Raton man strapped on an FBI wire and spilled information that in February helped the feds build criminal cases against 62 reputed New York mobsters.



Lewis Kasman

Now Kasman has his sights set on a much less notorious target: Palm Beach County Family Court Judge Martin Colin.

Using court decisions that grew out of a long-running legal battle among Colin and his wife and her ex-husband, Kasman is on a tear to have the judge thrown out of office and get longtime Democratic power broker and attorney Henry Handler disbarred.

"I want Colin removed from the bench or censored -- not some kind of slap on the wrist," Kasman, a former garment district executive, said in an accent that reflects his Queens roots, if not his once strong Mafia ties.

When the Judicial Qualifications Commission, which disciplines judges, meets in mid-July, it will consider claims from Kasman and at least two other men that the judge dished out favors to attorneys who represented his wife in her divorce. Similar allegations have been raised in a strange and tortuous legal battle that went all the way to the Florida Supreme Court. The Florida Department of Law Enforcement has investigated as well.

Colin and attorneys embroiled in the quagmire dismiss allegations that a conspiracy was afoot to tip the scales of justice against Kasman or anyone else.

They point out that at the root of Kasman's claims is Jay Gordon, a seriously disgruntled ex-husband. The 64-year-old Delray Beach man has devoted roughly seven years of his life to largely unsuccessful litigation aimed at proving that not only is Colin corrupt but so is the entire Palm Beach County judicial system.

His near-maniacal obsession is fueled by the fact that Colin represented Gordon's ex-wife in their 2001 divorce, then dated and ultimately married her. Gordon is convinced that Colin, who took the bench in 2004, has used his power to defeat him in court.

Consider the source, Colin said.

"The persistent personal offensive attacks of a few dispassionate litigants like Kasman and Gordon are not only meritless but seek to interfere with the independence of the judicial system," the judge said.

**'Unfair ghost prosecutor'**

The cases have come back to haunt Colin and those who represented his client-turned-girlfriend-turned-wife, Betsy Savitt, in her divorce and the myriad lawsuits it spawned.

Even judges who have heard the cases have questioned Colin's actions.

Shortly before Colin took the bench, Palm Beach County Circuit Judge Jeffrey Colbath censured his soon-to-be colleague, writing: "It appears that Mr. Colin is seeking to invoke the Court system to intimidate and bully Mr. Gordon. Mr. Colin may have lost his objectivity and is not problem-solving, but is exacerbating the post-judgment conflicts between these parties."

Colin asked Colbath to retract the statement. Colbath refused.

However, when Colbath's words were repeated by the appeals court last year, Colin hired one of the county's top appellate attorneys, Jane Kreusler-Walsh, and the comments were stricken.

Later, in an unsuccessful appeal to the Supreme Court, Gordon's appointed attorney said she was prepared to try to prove that Colin had manipulated the system from behind the scenes.

"Allegations that Colin was the unfair ghost prosecutor of (Gordon) are just now emerging," wrote Assistant Public Defender Margaret Good-Earnest.

Good-Earnest was trying to convince the high court that one of Savitt's attorneys, Jonathan Root, should not have been allowed to serve as special prosecutor in the

case that put Gordon behind bars for seven days for violating a court order limiting his contact with Savitt. In its opinion, the appeals court said it was troubled by Gordon's treatment but did not want to ban lawyers in civil cases from also serving as special prosecutors.

**Gun Club's 'old man's ward'**

Still, as the appeals court was dealing with Gordon's case, another one surfaced, questioning Colin's relationship with his wife's attorneys.

Raymond Baez, a former Wellington man who came before Colin in a paternity case, told the appeals court that he couldn't get a fair hearing because his ex-girlfriend, who was seeking child support, was represented by Root, who had represented the judge's then-girlfriend.

While judicial canons require judges to disclose only a possible conflict involving a spouse or relative, in August the appeals court agreed that Baez's concerns were justified.

"We find the distinction between a wife and girlfriend (or husband and boyfriend) as it relates to the appearance of bias or prejudice by the judge, to be a distinction without a difference," it wrote.

Nevertheless, six months after the appeals court said Colin had to reveal his potential bias, the judge failed to disclose it when Kasman appeared before him.

New to Kasman's divorce case, Colin said he looked over the file, filled with motions to hold Kasman in contempt for not abiding by court orders. On Feb. 27, the judge ordered Kasman jailed until he paid his wife, Eileen, the \$317,000 that her attorney claimed he owed.

"I spent seven days in the old man's ward -- that's what they call it -- at Gun Club," Kasman said.

On March 6, Colin agreed an accounting error had been made and released Kasman after his parents coughed up \$40,000. Colin also asked for a full accounting of the \$277,000 that was withdrawn from his children's accounts.

Kasman said he now suspects Colin jailed him because his wife is represented by Handler's associate, Carol Kartagener. Handler represented Savitt in a case sparked by her divorce from Gordon.

However, Kasman said, it wasn't until May 23, nearly nine months after the appeals court ruling, that he discovered the connection.

At a hearing, Colin acknowledged that Handler had represented Savitt.

Colin said he alerted Root and John Schutz, another attorney who represented Savitt, months before. But he said he simply did not make the connection between Kartagener and Handler. Further, he said, Handler represented Savitt only for "about a week."

Handler describes his service to Savitt as "a one-and-done appearance," meaning he represented her at only one hearing. Records show he was involved in the case from at least January to August 2005 and never formally withdrew as her attorney.

Kasman also points out that the phone number Colin lists on the Florida Bar's Web site rings at Handler's office.

Colin said he listed Handler's number when he was closing his practice before taking the bench. His paralegal went to work for Handler, and he wanted to give his clients a number to call to inquire about their cases.

"You can always find a conspiracy wherever you want to look," he said of Kasman's claims. "I looked at what my obligations were to my former clients. I thought by leaving it and transferring it to where (my paralegal) went to work, I thought that was a real public service."

Colin said he is not surprised or worried about the complaints filed with the Judicial Qualifications Commission. Likewise, Handler said neither he nor Kartagener did anything improper; it was up to Colin to disclose any potential conflicts.

Root said the accusations are ridiculous.

"People know that no one gets any favoritism from Judge Colin," he said. "They know it's a bunch of B.S. ... I certainly don't walk on water in that courtroom."

Colin said he has made all necessary disclosures and few have asked that he step down. Yet when Circuit Judge Amy Smith recused herself from Kasman's case last week, she expressed frustration at the number of cases she was inheriting from Colin.

As to Kasman, he said he's confident Colin's behavior was improper. While the FDLE said it lacked jurisdiction to pursue similar complaints against Colin, state agents said the FBI may be interested.

The man who ratted out the mob said he's been arming himself with lawyers and is ready for a long fight.

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