

THE FIXER: JOURNALIST. PRIVATE EYE. MOLE. SNITCH. IT'S ALL IN A DAY'S WORK FOR MARTY BERGMAN, THE ZELIG OF NEW YORK'S INFORMATION HIGHWAY

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Long before Marty Bergman emerged as New York's premier agent provocateur, a shadowy figure scrounging and hawking information with the verve of a street peddler, he exhibited a deep awareness of self.

Employed as a lowly surveyor with the Department of Public Works in Suffolk County, Bergman knew that his true strength did not lie in the mundane task of tracking sewer lines and mapping municipal minutiae. Chatting one day in December 1980 with a local legislator, the voluble Bergman delivered an unusually succinct assessment of his secret virtue. Unaware that his companion was wearing a concealed recording device and saving his words for posterity, Bergman was blunt but not boastful:

"You know," he told the politician, "I know how to destroy people."

In the insular world inhabited by the city's top politicians, journalists, investigators, and lawyers, Bergman is a singular presence. Equal part private eye, reporter, mole, media manipulator, and snitch, Bergman is the Zelig of New York's power alleys, a six-foot-three-inch ghost in the machine wearing a trench coat and his trademark midnight shades.

Powered by an extensive network of contacts, Bergman makes a living brokering--and sometimes selling--information. For him, it is as much an obsession as a profession: according to one acquaintance, nothing is more satisfying for Bergman than "finding dirt on people." To that end, Bergman operates like a door-to-door salesman, offering documents, rumors, tips, and access to a client list that has included politicians, FBI agents, law firms, newspapers, and TV shows ranging from 60 Minutes to A Current Affair. Bergman has even attempted to broker big-bucks TV interviews with scandal stars like Tawana Brawley, "Fatal Attraction" killer Carolyn Warmus, and Mia Farrow. Such flesh peddling has allowed this journalist-without-portfolio to circulate among the nation's media elite, including Mike Wallace and Barbara Walters.

A 52-year-old chameleon, Bergman wears so many hats--often simultaneously--associates are never quite sure which persona he has assumed, or for whom he is working. "What does Marty do for a living?" is the most baffling question that can be posed to a Bergman acquaintance. Now federal prosecutors are trying to unravel that

mystery, probing whether Bergman's gray-market activity led him last year to commit a number of crimes, including witness tampering and obstruction of justice.

The criminal probe is focusing on Bergman's behind-the-scenes role during the 1994 prosecution of millionaire wrestling promoter Vincent McMahon, who was charged with illegal distribution of steroids. McMahon was represented by noted criminal defense attorney Laura Brevetti--Bergman's wife. Based on interviews with law enforcement agents and other sources, it appears that Bergman's actions last year--allegedly trying to compromise a government witness--fit into a broader pattern of deception and misrepresentation that marks his recent career.

In a number of these instances, Bergman's work has dovetailed with the interests of Brevetti, his third wife. The 44-year-old former federal prosecutor is considered one of the country's leading defense lawyers and was reportedly considered in 1993 for the U.S. Attorney General's job. Bergman's role in the McMahon case raises troubling questions about Brevetti's knowledge of, or involvement in, these questionable antics.

Through their attorneys--Gerald Lefcourt is Bergman's counsel, while Joel Cohen is representing Brevetti--the couple turned down an interview request. After receiving a detailed list of questions from the Voice, the lawyers refused to respond to any of the paper's inquiries.

Married last year in a ceremony officiated by Mayor Rudolph Giuliani, the duo's guest list affirmed their status as a power couple. Along with the mayor and his wife, others attending the nuptials--held in the East Side restaurant owned by the family of Mafia soldier Anthony Scotto--were Public Advocate Mark Green, actors Lorraine Bracco and Edward James Olmos, Geraldine Ferraro and John Zaccaro, McMahon, Nightline's Dave Marash, an array of powerhouse attorneys, and newsman Wallace. Bergman met the CBS veteran through his younger brother Lowell, a well-respected 60 Minutes producer.

Though he counts Giuliani and other racketbusters as friends, Marty Bergman is an organized crime buff taken with the wiseguy patois. Bergman swoons at the mention of gangsters like John Gotti and Carmine Persico and loves to hang out at Sparks Steak House, where Paul Castellano attended his last supper. But for all his hard talk--one former associate described him as a "wiretap with legs"--Bergman got his start in the information racket as a paid informant for the FBI, with which he maintained a confidential relationship as recently as last year.

The Voice has examined Bergman's remarkable career and tracked his long, tawdry trip on the information highway. A roguish and highly seductive character, Bergman has crafted himself a coveted image as a maypole around which much sensitive and important intelligence circulates. But now that he finds himself the focus of a criminal investigation, that conceit could dissolve, leaving few customers or disciples still believing, as one ex-IRS agent said, that Marty Bergman is "the holder of the great secrets. And if you hang around you might pick up a few of them."

To friends and business associates, the pairing of the freewheeling Bergman with Brevetti has long been a puzzlement. A product of Bensonhurst, Brevetti attended Barnard, got her law degree from Georgetown, and landed her first job with the Brooklyn D.A. in 1976. Four years later she became the first woman hired by the federal Organized Crime Strike Force, the unit best known for its development of the ABSCAM cases and numerous major Mafia prosecutions.

In 1989, Brevetti entered private practice, joining the firm Morrison, Cohen, Singer & Weinstein. By 1993, Brevetti opened her own practice and a related private investigation agency, Cord Investigative & Security Consultants. Bergman and Brevetti have been together since late 1991, around the time Bergman left his second wife, Barbara. Louis Brevetti, Laura's older brother, handled aspects of Bergman's divorce.

The couple's first team effort evolved out of Brevetti's headline-grabbing 1992 defense of a Westchester nanny facing charges that she murdered an infant in her care. Brevetti's successful work on behalf of Swiss national Olivia Riner was a potent coupling of her courtroom mastery and a sublime bit of media manipulation. Working through a small group of reporters, Bergman spun stories and leaked information in a bid to rehabilitate Riner's reputation, while diverting attention toward other supposed "suspects" in the baby's death.

One journalist who covered the trial said Bergman helped plant key stories in Newsday through columnist Carole Agus and at channel 5 with anchor Rosanna Scotto. Both journalists have remained close to the Bergman-Brevetti team: in a January 1993 column, Agus advocated the selection of Brevetti, "a glittering candidate," as U.S. Attorney General, while last year Scotto hosted the couple's wedding at Fresco, the East Side restaurant owned by Scotto and her family.

In mid 1993, Bergman and Brevetti again turned up in another high-profile case, this time in defense of World Wrestling Federation owner McMahon. Bergman's role in the WWF matter would eventually lead to the federal investigation now focusing on him.

McMahon is America's greatest promoter. When he took over his father's wrestling business, the game was a dirty pleasure, something that should have been wrapped in a brown paper bag. McMahon, 49, has built the WWF into a multimillion-dollar entertainment giant, one driven by impossibly buffed, cartoon-like grapplers. The wrestlers act out good-evil story lines that often rely on naked jingoism and patriotism for their appeal.

As the WWF grew, so would its owner. A photograph from his 1972 State Athletic Commission license application shows a boyish McMahon, then a ring announcer, swimming in his own topcoat. In wrestling's harsh invective, the 26-year-old was "nothing but a pencil-necked geek." Coinciding with the WWF's expansion, McMahon decided to transform himself as well, becoming a weight-lifting devotee who injected anabolic steroids to further bulk up. The practice was common in the WWF and accounted for the overblown look of many stars, including Hulk Hogan. Hogan's

televised exhortations always ended with a reminder to his smallest fans: say your prayers and take your vitamins.

While some of McMahon's wrestlers haphazardly shot up in hotels and arena locker rooms--sometimes sharing a set of works--the WWF boss had a more orderly system. Using a calendar to track his "cycling," McMahon's secretary Emily Feinberg was responsible for keeping the WWF boss's schedule: one day on, two days off. McMahon's steroid use stopped briefly after he contracted hepatitis, and, by the time federal investigators began examining the WWF, it had ended completely.

The probe, conducted by the Brooklyn U.S. Attorney's office, was triggered by a related federal prosecution that led to the 1991 conviction of George Zahorian, a doctor who illegally distributed steroids to WWF performers. With criminal investigators buzzing around McMahon in 1993, it was not long before Laura Brevetti--and Bergman--entered the picture.

With a federal grand jury hearing evidence against McMahon in early 1993, Bergman launched his first media assault against a government investigator. Bergman approached New York Observer executive editor Joe Conason with a story alleging that federal agent Anthony Valenti and an NBC News producer--who were simultaneously probing McMahon--had engaged in illegal conduct. As proof, Bergman said that WWF lawyer Jerry McDevitt had filed a complaint against Valenti with the Justice Department's Office of Professional Responsibility (OPR).

Conason assigned the story to reporter Robin Pogrebin, who said Bergman served as a "liaison" between her and "some of the people involved" in the Valenti story. The resulting front-page report noted that Valenti and the TV producer were being investigated for possible "legal or ethical violations." The WWF's charges were later deemed unfounded by the Justice Department. No follow-up report appeared in the Observer.

The Valenti blast was not the first time Bergman used an OPR complaint to attack a foe. Two sources say that in 1989, Bergman triggered an OPR investigation when he telephoned an IRS criminal investigator at home one evening and spun a tale of political and judicial corruption that involved, among many other public figures, Senator Al D'Amato and a well-known Justice Department official.

Federal agents are required to forward any allegations about Justice Department employees to OPR for review--even if they consider the complaints baseless. One retired official familiar with the episode told the Voice he believed that Bergman proffered the information--which the source described as "downright vicious" and "absolutely vile"--in order to prompt a Justice Department investigation, but that Bergman was also trying "to shoot a whole bunch of people at the same time" and attempting to "take D'Amato out." Bergman repeated his allegations in person at a meeting with the IRS, promising that "people would come forward at the drop of the hat" to substantiate his story. No one ever did.

The information Bergman provided to the IRS, which subsequent investigation found to be untrue, was “entirely intended to injure” his foes, according to the former agent Bergman approached. One state investigator to whom Bergman dropped dimes in the mid ‘80s had a similar appraisal, noting that Bergman’s information was often unfounded, always cast his rivals in a criminal light, and tended to evaporate under scrutiny “like a whiff of smoke.”

D’Amato has long been a Bergman obsession and was the subject of his most prominent media credit, a 1991 60 Minutes attack. The hidden irony of Bergman’s harsh D’Amato coverage, which has included several Observer front-page stories, is that while the reporter-cum-investigator has chosen to focus on the Republican’s questionable conduct, he has carefully cloaked his own array of ethical transgressions. Bergman worked as a freelance reporter on the 60 Minutes piece, which moved D’Amato to complain that the story was compromised because Bergman had hosted a fundraiser for Giuliani—one of the senator’s chief political enemies—at his Long Island home in 1989. Had D’Amato been aware that Bergman, in his chats with the IRS two years earlier, had implicated him in a criminal conspiracy, the politician would have had a stronger argument that the CBS story was tainted.

The senator was also unaware of the depth of Bergman’s relationship with Giuliani and top aides Randy Mastro and Dennison Young, currently the mayor’s chief of staff and counsel, respectively. One acquaintance said that Bergman was in regular contact with Mastro and Young and that he “did a lot of work for Rudy,” including “background checks” during the 1989 campaign. The Bergman acquaintance said that these inquiries could have been done without Giuliani’s knowledge.

Mayoral spokesmen would only say that Giuliani was “friendly” with Bergman and termed both Mastro’s and Young’s relationship with Bergman as nothing more than an “acquaintance.” While both aides denied, through a spokesperson, that Bergman had any “specific role” in the two election campaigns, a source told the Voice that in 1992, Giuliani wrote Bergman a letter inviting him to participate in the upcoming mayoral race.

Surely pleased by the success of his first Observer hit, Bergman launched a second assault, this one on the eve of McMahon’s July 1994 trial. Again approaching Conason, Bergman pitched a story about a federal prosecutor involved in assorted improprieties. The lawyer was Sean O’Shea, who just happened to be prosecuting McMahon.

At that point, Conason said, he had no reason to doubt Bergman’s motives, noting that he had previously worked on stories with him—sometimes using Bergman as a source, other times as a bylined collaborator—that were never questioned. Conason added that Bergman’s contacts were also impressive, recalling how he helped arrange an interview with Giuliani—over lunch at Sparks—during the 1993 campaign, at a time when the Observer was being frozen out by the candidate.

Conason paired Bergman with reporter Shaun Assael, who had previously worked with Bergman on an Observer series on ticket scalping. The Observer editor said that, while

he knew that Brevetti and Bergman lived together on the Upper East Side, he was unaware that she represented McMahon. Assael, on the other hand, said he knew that Brevetti and Bergman shared a Park Avenue office, but was unaware that the couple lived together or planned to marry.

(Conason is a former Voice staff writer, and Assael has written for the paper. Both are friends of the author.)

The subsequent Observer story, published six days before the McMahon trial opened, had a familiar ring: O'Shea, the paper reported, was the target of an OPR investigation. The Observer stated that the Justice Department was reviewing allegations--made by a convicted felon and his daughter--that O'Shea, who had dated the woman, had acted improperly with regard to a government investigation of the swindler. While the story was tangled, its essence was clear: O'Shea was mired in some kind of sex scandal.

Though Bergman had been the driving force behind the O'Shea slam, his name did not appear on the story. On deadline, Conason yanked Bergman's byline after learning that Brevetti was McMahon's lawyer. Despite this taint, however, Conason still allowed the story to run, leaving Assael's name alone on the report. The weekly, though, did not bother to pull the pictures that ran with the piece, those of swindler Joseph Lugo and his daughter, which Bergman had taken. No photo credit appeared.

Another last-minute editing move deleted a paragraph, which had been high in drafts of the story, mentioning that O'Shea was about to begin the prosecution of McMahon. Since O'Shea was not well known, linking him to the pending wrestling trial would have given the story a news hook. Instead, the June 29 front-page article appears to have been taken to the cleaners, getting a 24-hour de-Martinizing. The final product left Bergman without a byline or photo credit, and carried no mention of the McMahon trial or the WWF.

Though upset that his name was torn off the story, Bergman--who Conason said was not paid for his O'Shea handiwork--had to be happy with the Observer hit, especially since the Post picked up the story the following day, also without mentioning McMahon. The daily, with a circulation 10 times that of the Observer, brought the O'Shea story into households across the metropolitan area. As with Valenti's vindication, the Observer failed to mention that the charges against O'Shea were found by OPR, three months later, to be "unsubstantiated."

While the O'Shea episode seems to have reduced Bergman's involvement with the Observer, the paper still ran a September 1994 item about his marriage to Brevetti in which he was described as "investigative reporter (and sometime Observer contributor) Marty Bergman." He also shared a byline with Conason on a D'Amato story, served as a source on another piece, and, three months ago, brought in a 500-word item that ran in the weekly. Reported by "The Observer's Marty Bergman," the piece was, amazingly, about a lawsuit being pressed by the WWF.

Bergman's attack on O'Shea was not limited to planting stories in the press. Sources have told the Voice that, at the time the Observer story was being prepared, Bergman paid monies to the Manhattan attorney who drafted the OPR complaint against O'Shea. In Voice interviews, John Phelan, attorney for the Lugos, recalled that Bergman first contacted him saying that he was producing a piece on the O'Shea-Lugo story for the tabloid TV show American Journal. Asked if Bergman suggested that he file the OPR complaint, Phelan said, "It certainly seemed to me he wanted that to happen. Because it gave him a basis for a story."

The lawyer said that until speaking with the Voice he was unaware of Bergman's relationship with Brevetti. "I'll be damned," Phelan said. "I'll have to go punch his lights out. That's amazing, not telling me that." Questioned about who paid him to file the complaint for Lugo, a notorious deadbeat, Phelan would only say, "I can tell you I never represented Marty Bergman." Asked specifically if Bergman had paid him money, Phelan refused to deny that had transpired. "The only fee, the only money I ever got from anybody is money I've earned for legal services. And I'm not gonna discuss any of that."

The complaint, sent to the Justice Department one week before the Observer story was published, came more than a year after the Lugos were allegedly wronged by O'Shea. After admitting the idea to file the complaint coincided with Bergman's interest in the matter, Phelan said, "Was he exploiting us and were we trying to exploit him at the same time? I guess we all were, sure."

Along with the Observer piece, Bergman also helped arrange a televised hit on O'Shea. Though the segment aired on American Journal last September--two months after McMahon's acquittal--reporter Lauren Thierry and a camera crew stalked O'Shea at the federal courthouse in Uniondale during the WWF trial. One afternoon, the TV team was accompanied by Diana Lugo, O'Shea's former paramour, who had agreed to a videotaped confrontation with the prosecutor, an inspired piece of tabloid trash that never materialized because O'Shea was spirited from the courthouse.

On one occasion, while the video crew waited in front of the Nassau courthouse, Brevetti sat upstairs in a second-floor courtroom, next to McMahon. Downstairs, her husband-to-be was ensconced, alone in his car in the parking lot, watching and waiting for court to recess so O'Shea could be assaulted again.

While orchestrating another hit on O'Shea was probably payment enough, Bergman received a \$5000 consulting fee from American Journal, a sum he split with Assael. Bergman had arranged interviews for Thierry with the Lugos and had accompanied her to Madrid, where the Lugos were filmed. At the time, Joseph Lugo was a federal fugitive, having fled the United States after being sentenced to jail for his role in a financial fraud. He has since been arrested.

Thierry said she was unaware then that Bergman had a personal relationship with Brevetti. Bergman subsequently helped the TV reporter on four other American Journal

pieces, including one that featured McMahon's first posttrial interview and another story on former Brevetti client Olivia Riner.

While it appears clear that Bergman's gambit was timed to benefit McMahon, a document obtained by the Voice indicates that an employee of Brevetti's private investigation firm may also have been involved in the Observer's attack on O'Shea.

A reference to investigator John Flood, a retired detective who works for Brevetti's investigative firm, is contained in materials relating to the June 1994 Observer story. A notation to "doublecheck" information with Flood, who worked with Brevetti on McMahon's defense, is contained in these documents. In fact, legal papers unrelated to the WWF case show that Bergman, too, has worked for Cord. The records show that Flood and Bergman together worked on a Cord investigation that ran from December 1993 to February 1994; Brevetti charged her client \$75 an hour for work performed by both men.

While Bergman helped orchestrate the O'Shea hit, Brevetti was fighting to keep secret any details of the married McMahon's past indiscretions. These, according to court documents, included a succession of affairs with his secretaries and grand jury testimony indicating that the WWF owner once told of snorting "mountains" of cocaine.

Troubling as Bergman's behavior regarding O'Shea might have been, it is not the only matter that has caught the attention of law enforcement officials. Bergman is under criminal investigation for separate maneuverings around the McMahon trial, particularly for trying to induce a key prosecution witness to taint herself by taking money on the eve of McMahon's trial.

Saying he was a producer for the tabloid TV program A Current Affair, Bergman approached McMahon's former secretary, Emily Feinberg, baiting her with \$350,000 in return for a tell-all TV interview and work as a consultant on a supposed Fox movie about McMahon. Bergman was also in regular contact with Feinberg's attorney, Steven Hyman, floating various money-making proposals, all of which would require Feinberg to dish dirt on McMahon and the WWF.

Hyman declined to speak with the Voice about his dealings with Bergman, saying that Feinberg and her husband, Michael, also a former WWF hand, did not want to speak with a reporter. However, several people familiar with the investigation have provided a detailed account of Bergman's activities. Federal agents launched the probe last year after top officials in the Brooklyn prosecutor's office learned of Bergman's contact with Feinberg, his role in the Observer story, and his relationship with Brevetti. Law enforcement officials are examining whether Bergman, by offering cash to Feinberg, was illegally trying to set up "false impeachment" to be used against Feinberg during cross-examination. In a pretrial motion, Brevetti described Feinberg as the government's "star witness" against McMahon.

In a letter to the Voice, attorneys Lefcourt and Cohen said they “are confident” that the newspaper “received no information whatsoever” that Bergman offered money to witnesses to alter their testimony. The lawyers added that the Voice story was “being promoted by certain individuals, including those within the government who have a vendetta against” Bergman and Brevetti.

After a series of Bergman contacts with Hyman in early 1994, Emily Feinberg agreed to meet Bergman with her lawyer at Sparks Steak House. Over dinner, Bergman offered no details of how Feinberg’s payments would be structured, only that “we’re talking about the threes,” a reference to more than \$300,000. Blowing more smoke, Bergman also claimed that he wanted Sylvester Stallone to play McMahon in the Fox TV movie. Feinberg was convinced that Bergman’s entreaties were an attempt to get her to take money, which would then be used to discredit her testimony against McMahon. Until right before trial, Feinberg, who repeatedly rebuffed Bergman, was unaware that her pursuer lived and worked with Brevetti.

A Current Affair reporter John Johnston said last week that Bergman did some work for him as a paid freelancer on two WWF pieces--one aired in late 1993 and the other in April 1994--and that Bergman served as the “liaison” between him and McDevitt, one of McMahon’s lawyers. Bergman’s main contribution, though, was tracking down the whereabouts of Feinberg so “we were able to ambush her outside of her home.” Johnston added that Bergman’s talk with Feinberg of a six-figure deal was not on behalf of the TV tabloid.

Johnston claimed that until the Voice told him, he was unaware of Brevetti’s and Bergman’s personal relationship. “You’re kidding me. Oh my God,” Johnston said. “I had no idea, no clue whatsoever.” (Bergman’s apparent need-to-know approach to news of his marriage extended to two long-term business contacts interviewed last month. Bergman never told either person--one a lawyer, the other a real estate broker--that he had married Brevetti last September; in fact, neither professional knew he had any relationship with the defense lawyer.)

Bergman himself was subpoenaed during the McMahon trial and, if he had been called to testify, would have been queried about his contacts with Hyman and Feinberg. When he met an FBI agent in Brooklyn on July 12 to pick up his subpoena, Bergman engaged the investigator in conversation and, in the process, allegedly lied about his role in the Observer story. Denying that he played a part in the weekly’s story, Bergman made sure to direct the agent’s attention to the Post follow-up, which he said was juicier.

The flurry of law enforcement attention directed at Bergman turned up indications, the Voice has learned, that, as recently as last year, the rogue operator was an FBI source. One official said that, at the time of the Observer’s attack on O’Shea, Bergman had actually contacted the bureau with information on the whereabouts of a federal fugitive. The man Bergman wanted to give up was Joseph Lugo, his chief contact on the O’Shea story. Bergman’s use for the swindler, apparently, ended postinterview.

The Voice has also learned that Bergman figured in another intrigue involving Feinberg and her husband. Michael Feinberg, who used to write scripts for the WWF, had drafted a book proposal dealing with his stint with McMahon; the outline did not promise an expose, but rather a comical look at the WWF. Bergman learned about the proposal through conversations with Hyman, sources said. Four days before McMahon's trial opened, Brevetti served the Feinbergs with a subpoena calling for copies of any book proposals, outlines, or treatments prepared by the Feinbergs.

The request for the documents was denied by Judge Jacob Mishler, but the subject came up at the end of Brevetti's cross-examination of Feinberg. Asked if she had any intention of writing a book, Feinberg said no. Brevetti then asked if Feinberg had collaborated with her husband on any book project dealing with the WWF. Again Feinberg said no. Her answers were accurate since Michael Feinberg alone had prepared the book proposal, a project his wife opposed.

Johnston said Bergman promised, but failed, to arrange an interview with McMahon before the WWF trial. With the proliferation of tabloid TV shows, the competition to line up such exclusives is intense, since these "gets," as they are called in the television industry, drive the ratings. Bergman has tried his hand at arranging a few "gets," but with limited success. While he did arrange a 1993 interview with gangster Gregory Scarpa, who was then dying of AIDS, for CBS's now-defunct Street Stories, he failed in other bids to arrange bigger scoops. Bergman was a paid consultant for Street Stories, and worked, at one point, with executive producer Andrew Lack, now the president of NBC News.

Al Sharpton, who represented Tawana Brawley and her family, said last week that Bergman met with him in 1988 and asked Sharpton to "name our price" for a Brawley interview, adding that "the story would be positive." The Bergman approach, Sharpton said, came after the Brawley family had decided against doing a 60 Minutes interview with Mike Wallace. Sharpton said he agreed to a meeting after Bergman told him that he had hosted a fundraiser for Jesse Jackson at his Suffolk home. The April 1988 party, which Jackson attended, was one of several fundraisers thrown by Bergman, events that drew politicians like former governor Hugh Carey and attorney general Robert Abrams to his home.

Sharpton said that while Bergman said he "could handle 60 Minutes," Bergman's name never came up in talks he had with Wallace or Don Hewitt, the show's executive producer. Hewitt told the Voice recently that he had only used Bergman on the D'Amato story, adding, "I never would again. If he tells people he works for us, that's absolutely untrue."

Bergman's contacts with Sharpton also included a bizarre episode in which he tried to doublecross the reverend and set up the arrest of Brawley's mother, according to a book on the Brawley affair. In *Unholy Alliances*, TV journalists Mike Taibbi and Anna Sims-Phillips recount how, in mid 1988, Sharpton approached Bergman seeking help in repairing his strained relationship with local reporters. At Bergman's request, the book

says, Sharpton agreed to bring Glenda Brawley with him when he met Bergman at a Long Island Holiday Inn; at the time, investigators working with Attorney General Robert Abrams were trying to arrest Brawley for her refusal to testify before the grand jury investigating her daughter's rape claim.

After lining up the parley with Sharpton and Brawley, Bergman, who was given an alias in *Unholy Alliances*, not only clued in Taibbi and Sims-Phillips about the meeting, but also called a contact in Abrams's office, who quickly arranged an arrest party. Taibbi and Sims-Phillips wrote that, after arriving at the hotel, they saw "unmarked cars ringing the perimeter of the lot, lawmen slouching low in the front seats," as well as several police helicopters. With the trap set, everyone waited anxiously for Sharpton and Brawley to arrive for their meeting with Bergman, who was wearing a hidden microphone given him by the TV team. Sharpton and Brawley, though, never showed. A state investigator later told the authors, "I think the thing on Long Island would have worked. I think {Bergman's} idea was brilliant, I really do."

Bergman tried to line up an exclusive with Carolyn Warmus by claiming to have information that would guarantee the convicted murderer a new trial, said attorney William Aronwald, who represented Warmus. Bergman "basically wanted to make a trade," Aronwald recalled. "If he gave us the information...he wanted an exclusive interview with Warmus, which he would then market." Aronwald broke off talks with Bergman after finding "the dealings with him to be most unpleasant, very distasteful."

The biggest "get" Bergman tried to swing involved Mia Farrow, who was represented by attorney Eleanor Alter, a friend of Brevetti's. Alter said that Bergman called and volunteered to help her, an offer she accepted. Bergman "helped get some information" for her during the Farrow-Allen battle, but was not paid, said Alter. Bergman also dealt with reporters on Farrow's behalf, serving as a pass-through for leaks and successfully placing anti-Allen stories in local papers--including one that ran in the *Voice* attacking Elkan Abramowitz, the film director's lawyer.

Bergman's involvement with Farrow also had a personal side: he not only arranged for the actress to attend a 1993 fundraiser for Brooklyn D.A. Charles Hynes, a Bergman acquaintance, he set Farrow up on a couple of dates with a Manhattan lawyer with whom he is close. Alter acknowledged in a *Voice* interview that Bergman was angling to broker a Farrow interview.

Apparently confident that he could deliver the actress, Bergman approached ABC-TV's 20/20, where Barbara Walters is the resident Queen of Gets. Believing that Bergman was the conduit to a major coup, the newswoman began stroking him, ministrations the would-be producer savored. At one point in the courtship, Walters agreed to travel to Sheepshead Bay with Bergman to attend a party being thrown by a Brooklyn lawyer close to Bergman. Arriving with Walters--probably the only partygoer accessorized by Chanel--Bergman surely seemed the media heavy. Through a spokesperson, Walters--who never landed the Farrow interview--said that while she has "known him for years," Bergman did not play a role in her pursuit of Farrow.

As it turned out, the only Farrow interview went to channel 5's Scotto, who got a couple of minutes with the actress in Alter's office. Scotto was also on the receiving end of the sleaziest leak in the Allen-Farrow imbroglio: the anchor was given a copy of a videotaped interview with Farrow's daughter Dylan in which the young child allegedly claimed that Allen molested her. The station never aired the video.

Born in New York City in April 1943, Martin Bergman is the oldest of three brothers. He grew up in Jamaica before moving to New Rochelle when his mother remarried. His father was a fur trader, and Bergman liked to say that his old man was hooked up somehow with Rhode Island's Patriarca mob family. After attending a Westchester community college, Bergman went to Michigan State, only to return to New York after about a year.

Though he is currently a registered Republican, it is unclear whether Bergman had political ties in GOP-dominated Suffolk when first hired by the county. He was 27 years old, married with children, and claimed that he had previously made a fortune operating some Long Island gas stations. The natural-born snoop was detailed to the Department of Public Works.

By 1976, as Newsday reporters began exploring allegations of corruption surrounding a massive county construction project known as the Southwest Sewer District, Bergman was preparing to enter the information age. His county post gave Bergman access to confidential documents that revealed irregularities in the sewer project.

Using the alias "Lowell"--his brother's name--Bergman contacted Newsday reporter Fred Tuccillo and broached the subject of payment in exchange for his information. When told that the paper did not pay for news, Bergman disappeared, only to recontact Tuccillo several months later and begin providing information gratis. Simultaneously, Bergman asked to be put in touch with FBI agents investigating the sewer project. Editor Bob Greene agreed to set up a meeting with John Good, then in charge of the bureau's Hauppauge office, but not without giving Good a warning: "Watch out," said Greene. "He's gonna hustle you for a lot of money."

Good told the Voice that Bergman "furnished us with information that was of some value, but not extensive. And we just didn't deal with him that much because we felt there was a slight element of unreliability there." Bergman was officially registered as an FBI informant in the late '70s, said Good, who estimated that the bureau paid Bergman a few thousand dollars for his information. Bergman has claimed in a deposition that the figure was closer to \$800.

Documents obtained by the Voice show that Bergman, at the direction of two other FBI agents, secretly recorded at least one meeting with a Suffolk County politician and his own attorney. Bergman has also sworn in an affidavit that information he provided the FBI led to the "arrest and conviction" of a Southwest Sewer District contractor.

Newsday, the FBI, and the local district attorney were not alone in their interest in the sewer district; the Suffolk County legislature--led by members Martin Feldman, Anthony Noto, and Michael Grant--was probing it as well. Bergman was a source for the trio, too, though Feldman was the only one who knew the true identity of "Sore Throat," Bergman's code name. In exchange for information, Feldman would later testify, he reluctantly agreed to pay Bergman personally. Feldman described the unusual arrangement as "sort of a flimflam situation," in which Bergman would extract payments by claiming to need money for such things as birthday presents for his wife or a friend.

With so much interest in the Sewer District, local officials were convinced that original county documents were being stolen and slipped to either reporters or assorted investigators. Bergman was believed responsible.

Relegated to a do-nothing work detail that kept him away from county files, Bergman began pressing Noto and Grant to help him arrange a transfer or promotion, offering confidential records in return. Concerned that Bergman was trying to set them up, Noto said he and Grant approached the D.A.'s office, which sent the pair back to Bergman, with Grant wired.

In a series of conversations taped in December 1980, Bergman admitted stealing documents and talked of knowing how to "destroy people." He also presented the pats with a simple quid pro quo: "I'll take care of the papers, you take care of my promotion." Bergman was immediately arrested and later charged with a host of felonies, including bribery and criminal possession of stolen documents. Traumatized by his arrest, Bergman later stated that he was treated by a psychologist and saw another doctor for an "anxiety condition."

Though his own incriminating words would be played before a jury, Bergman was, to the surprise of prosecutors, acquitted in June 1981. He then filed a lawsuit against Suffolk County, alleging that his arrest was improper and violated his civil rights. When he testified at that trial in 1988, Bergman wept as he claimed that his motives as a whistleblower were pure. "We started out because we believed what they were doing was wrong," Bergman said of local politicians. "And the only one arrested in this whole thing was me." Bergman's claims were rejected in 1988 by a federal jury, which found that there had been legitimate cause to try him for bribery and theft.

After his 1981 acquittal, Bergman stayed on the county payroll until late 1986, when he was suspended from his \$32,000-a-year job because he was a no-show. Losing his municipal paycheck did not put a dent in his income, however, thanks to a lucrative financial relationship Bergman struck with attorneys receiving millions in legal work from Suffolk County. Though not a lawyer, Bergman profited from an arrangement that earned him fees in connection with the county's protracted legal battles with the Long Island Lighting Company (LILCO) over the Shoreham nuclear plant. A primary component of the county's legal assault was a \$5.4 billion civil racketeering suit filed against the power company.

While many Long Island politicians were anti-Shoreham, two Suffolk legislators led the fight against LILCO: Democrat Wayne Prospect and Republican Greg Blass, then the presiding officer of the county legislature. Blass and Prospect, both longtime Bergman friends, arranged for Suffolk County to hire outside counsel to represent it with regard to a pair of LILCO-related federal civil lawsuits. In a Voice interview, Blass said that Bergman put the county legislature “together” with Hill, Betts & Nash, the Manhattan law firm hired by Suffolk.

Hill, Betts’s work on the two federal suits earned the firm more than \$7 million. Unbeknownst to county officials, however, Bergman was getting a piece of the action. Two sources familiar with Bergman’s dealings with Hill, Betts estimated that, beginning in early 1986, his companies were paid more than \$300,000 by the firm largely for what one acquaintance characterized as “steering” the LILCO business to Hill, Betts. Gregory O’Neill and Mark Jaffe, partners at the firm, last week disputed that assertion, saying Bergman was paid for performing “extremely valuable” investigative work. It is improper for a nonlawyer to split fees with an attorney.

While he was earning money from Suffolk’s LILCO litigation, Bergman was still a county employee, though he was suspended without pay in October 1986; his employment officially terminated in December 1989. In addition, Bergman was pursuing his civil rights suit against Suffolk County, an action begun in 1981 and which went to trial in June 1988. Martin Ashare, who was county attorney at the time Suffolk’s racketeering suit was filed, said he was never informed that Hill, Betts maintained a financial relationship with Bergman, an arrangement he termed “troubling.” Asked about his friend’s work on the LILCO litigation, Blass strangely claimed that Bergman, “didn’t have anything to do with Hill, Betts.”

Kenneth McCallion, a former federal prosecutor who led Hill, Betts’s litigation team, said that his contact with Bergman came at the outset of the LILCO case, when Bergman helped identify and locate some key witnesses. McCallion said his dealings with Bergman ended abruptly some months later, after McCallion rejected Bergman’s proposal for “lump sum monthly payments” as “not appropriate.” He insisted that Bergman file “detailed documentation” supporting any claims for payment. McCallion said shortly after this, the firm--at the request of Blass and Prospect--removed him from the responsibility of dealing with Bergman and his cronies in the Suffolk legislature. O’Neill and Jaffe said that, until speaking with the Voice last week, they were unaware that Bergman--when he worked for Hill, Betts--had a lawsuit pending against Suffolk or that he was still a county employee. O’Neill, who dealt with Bergman after McCallion’s reassignment, termed Bergman a “manipulator.”

Hill, Betts made payments for more than two years--at least one check was for \$35,000--to one of two Bergman companies, which operated out of the basement of his Long Island home. Neither was a licensed investigative firm. McCallion said that after he was relieved of responsibility for Bergman, he could not recall seeing any work product--such as memos or interview reports--reflecting what Bergman’s continuing role was at Hill, Betts.

While Bergman did do work for the law firm, two sources said he was primarily paid for lining up Suffolk County as a client for Hill, Betts. One of the sources, a law enforcement agent, said Bergman worked “steering” clients to the law firm. The investigator recalls Bergman “bitching that they weren’t paying him enough money and that they owed him money,” with Bergman at one point mentioning the figure \$100,000. Manhattan court records show that Bergman opened a 1991 civil suit against Hill, Betts to recover money for “work, labor & services.” O’Neill and Jaffe said, however, that Bergman never pursued the action against the firm.

Bergman also helped to line up a Suffolk legal contract for Manhattan attorney Lionel Saporta, a former Hill, Betts attorney. While Saporta acknowledged that Bergman helped arrange his deal with the county Water Authority, which netted the now-retired lawyer \$421,000, he denied ever paying Bergman in connection with the Suffolk contract. But when the Voice said it was aware of details of a \$3000-a-month retainer Saporta had paid Bergman following his selection for the Authority job, the attorney suddenly recalled the payments. Saporta claimed they were for “investigative work for me and public relations work generally.” Asked to cite any cases or PR work handled by Bergman, Saporta said that nothing “jumps to mind.”

Bergman used the money he earned from Saporta and Hill, Betts to invest in real estate, purchasing a large home in Wading River, vacant property in Mattituck, a condo unit in Hilton Head, South Carolina, and a stake in a separate Hilton Head condo development. It was the first time in years that Bergman was flush, but the deals would all either sour or go bust.

In 1989, Bergman, with the backing of Blass, tried to arrange a \$300,000 Suffolk contract for Bruce Cutler, but the county legislature decided not to hire John Gotti’s lawyer to represent it on some Shoreham litigation. The Blass-Bergman pairing was more successful when it came to lining up county work for another New York criminal defense attorney. Laura Brevetti has handled two cases in the past few years, racking up more than \$500,000 in fees. Blass insisted Bergman had nothing to do with those deals either.

The issue of Bergman’s misrepresentation arose earlier this year when he began conducting interviews with figures involved in the antitrust investigation of Ticketmaster. The government probe began after the rock band Pearl Jam filed a formal complaint with the Justice Department.

No longer detailing himself to the downscale A Current Affair, this time Bergman claimed to be producing a segment for 60 Minutes. Hewitt said that when he learned of Bergman’s misrepresentations, he confronted him during a telephone call earlier this year: “He denies that he’s ever done that. Well I know damn well he’s done it. I said, ‘Stop telling people you work for us. You don’t!’”

The Voice spoke with four people who said Bergman told them he was working for 60 Minutes and, in three of the instances, claimed to be doing an expose on Ticketmaster.

Bergman plumbed for the names of prospective witnesses in the Justice Department inquiry, gathered documents from Ticketmaster rivals, and said he needed people to come forward with information about the firm's involvement in ticket scalping, payoffs, and kickbacks. Bergman even tried to set up an interview with the Justice Department's lead attorney on the Ticketmaster investigation, Bob Zastro. Through a department spokesperson, Zastro said he declined the request from Bergman--who claimed to be working for 60 Minutes.

Ticketmaster foes said they began to suspect Bergman's motives when they realized that information they had shared with him somehow wound up in the possession of the ticketing giant. One firm embroiled in litigation with Ticketmaster felt so duped by Bergman that it directed its lawyers to research New York law dealing with criminal impersonation.

Ticketmaster's New York law firm is Morrison, Cohen, Singer & Weinstein--the same firm that Laura Brevetti had worked for until 1993. While partner Malcolm Lewin handles most of the ticketing firm's litigation here, federal court records show that Brevetti worked with him on at least one Ticketmaster case, a 1992 civil matter. In addition, Lewin has told the Times that his firm continues to trade work back and forth with Brevetti.

Responding to Pearl Jam's charges, Ticketmaster countered this year that the band was actually a stalking-horse for Sony, which owns the group's record label and, Ticketmaster claimed, is planning a push into the ticketing industry. Bergman helped to float the Sony conspiracy theory. First, he planted a January item in the Observer, which asked, "Pearl Jam Buttering Sony's Bread?" In March, a second piece appeared in The Register Citizen of Torrington, a small Connecticut daily then edited by a Bergman crony. Finally, in June, a periodical called the Empire State Citizens Journal appeared with a cover story trumpeting

"Sony's Sneak Attack on U.S. Business." The shrill, six-page piece on the Japanese conglomerate ended with a reference to the "lessons of Pearl Harbor." The Citizens Journal and Register Citizen stories were both written by Karen Winner, a freelancer who worked closely with Bergman.

Published in Suffolk County by James Dillon, a Bergman acquaintance, the Journal's inaugural issue resembled a vanity press operation: there were no advertisements, staff box, or phone number, and the periodical's other stories looked like they were thrown together overnight. Two of those pieces had a certain Bergman-esque feel: one tracked the rise of Al D'Amato and the other was about the World Wrestling Federation. In addition, the Citizens Journal was mass-mailed to Capitol Hill at the time Ticketmaster was engaging in an all-out lobbying campaign to counter charges that it operated as a monopoly. The Sony attack piece was also posted on the Internet, for which Dillon said he was not responsible.

An attorney friendly with Bergman said that he recently boasted that it was “his investigation that saved Ticketmaster from the antitrust investigation” and that the company was “indebted to him.” Lewin declined recently to answer questions on the record about whether Bergman has done private investigation work for Ticketmaster or Morrison, Cohen. There is some indication that Bergman’s talents have, at some point, been used by Lewin’s firm. Eleanor Alter told the Voice that she first met Bergman when Brevetti was at Morrison, Cohen, which Alter described as the “law firm Marty Bergman was doing work for.”

Bergman’s connections to Ticketmaster seem to go to the top, specifically Fred Rosen, the company’s powerful chairman. Bergman, who often travels to Hilton Head, arranged for Ticketmaster to sign up as corporate sponsor for a local youth group, Student Teaching Empowerment Program (STEP), which does peer counseling and offers scholarships.

Don James, a Hilton Head businessman involved with STEP, said the Ticketmaster tie-in emanated from the top of the company: “I do believe the relationship started with Fred Rosen, the CEO, and Marty Bergman.” Ticketmaster official Marla Hoycowitz confirmed that the STEP program was brought directly to Rosen’s attention, but believed that it was James, not Bergman, who was responsible for alerting Ticketmaster to the program.

In January, Bergman helped arrange for a delegation of STEP members to travel to New York--a trip paid for by Ticketmaster--to meet with members of the Suffolk County legislature, including Bergman’s good pal Greg Blass. A June 21 story in The Island Packet, Hilton Head’s newspaper, reported that Bergman was filming a public service announcement for Ticketmaster and STEP. Identified as a CBS producer, Bergman said the commercial was intended to “encourage companies to find new ways to join in during these times of budget difficulties, to make sure the kids aren’t deprived.”

Bergman’s connection to Hilton Head dates back to the late 1980s, when he purchased part of the Four Seasons, a massive condominium complex on the island. Bergman’s real estate venture collapsed into bankruptcy, but not before, as two ex-partners claim, Bergman was able to drain the partnership of more than \$100,000. The former investors, both New York lawyers, probably should have realized what they were in for when Bergman announced one day in 1990 that he had settled on a name for their corporation. It would be called RICO, Inc., he said, the acronym for Racketeer Influenced and Corrupt Organizations.

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