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Long Island, New York

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September 7, 2010

Four Attorneys Bilked Clients Out of More Than \$1 Million; All Now Face Multiple Felony Charges

One attorney stole majority of widow's life insurance check after the death of her husband

MINEOLA, NY - Nassau County District Attorney Kathleen Rice announced the arrest of four attorneys who stole more than \$1 million from their clients in separate incidents by destroying real estate deals and, in one case, stealing a portion of a victim's life insurance beneficiary check just days after the death of her husband.

"The victims in these cases thought that they had attorneys they could trust with their hard-earned money and their dreams for a more secure future," Rice said. "But what they got were four criminals whose only intention was to rob them blind."

Richard Gluszak, 59, of Hicksville, was arrested yesterday and charged with two counts of Grand Larceny in the Second Degree. He faces up to 15 years in prison if convicted. He is represented by Martin Geduldig, Esq.

Rice said that in May 2009, Gluszak was given \$369,000 by the victim and her husband to be used to pay for the construction of a new home. Gluszak paid the construction company that was building the home \$165,000, but stole the remaining \$204,000.

Later that month, the victim's step-daughter's husband died, and the step-daughter received more than \$594,000 as the beneficiary of her husband's life insurance policy.

The step-daughter gave Gluszak a check for \$400,000 for the purposes of paying the taxes on her late husband's estate. Instead, Gluszak paid no taxes on the estate and stole the money to pay his cable bill, auto repair bills, court fees, taxes, and provide handouts to his family. In total, Gluszak stole \$604,000 from the two victims.

Yvonne DeBenedetto, 43, of Bay Shore, was arrested today and charged with one count each of Grand Larceny in the Second and Third Degrees. She faces up to 15 years in prison if convicted and is scheduled to be arraigned today in First District Court, Hempstead.

Rice said that in August 2009, DeBenedetto was given a check for \$260,000 by the victim to be held in escrow for the purchase of a new home. When the purchase of the home fell through, the victim requested her money back. DeBenedetto issued the victim two refund checks in December 2009 and January 2010, both of which bounced.

In a separate incident in early 2009, DeBenedetto was retained by a different couple to handle the sale of their current home and purchase of a new home. As per an agreement between the victims and the purchasers of their home, \$30,000 was to be held in escrow from the purchase of their home to ensure that the victims had vacated their home on time. The victims timely vacated their home and requested the issuance of the escrow money from DeBenedetto. When the victims went to cash the \$30,000 check DeBenedetto had issued them, they discovered that DeBenedetto had stopped payment on it. In total, DeBenedetto stole \$290,000 from her victims.

Robert Oziel, 65, of Oyster Bay, was arrested July 20 and charged with two counts of Grand Larceny in the Third Degree. He faces up to seven years in prison if convicted and is due back in court September 22. He is represented by Kevin Keating, Esq.

Rice said that in March 2007, Oziel was hired by a couple to handle the legal aspects of evicting a tenant who lived in an apartment they owned. In February 2008, Oziel told the couple that they should no longer accept any rent payments from the tenant and that he would take the rent payments and hold them in an escrow account while providing copies of the checks to the couple. By September 2008, Oziel had stopped sending the couple copies and ignored the couple's repeated verbal and written requests to send them their money, totaling more than \$18,000.

In a separate incident in June 2009, Oziel was hired by a man looking to purchase a Muttontown property. The man gave Oziel two checks totaling \$500,000 for the purchase of the property, and a check for \$50,000 meant to be a down payment on an adjacent property. The sale fell through, however, and Oziel's client asked for his money back. Oziel returned the \$500,000, but did not return the \$50,000 check.

Eric Finger, 45, of Copiague, was arrested August 24 and charged with two counts of Grand Larceny in the Third Degree. He faces up to seven years in prison if convicted and is due back in court September 14. He is represented by Jonathan Davidoff, Esq.

Rice said that in late 2009, Finger was hired by a couple to broker the sale of their home and the purchase of a new, smaller home. In February 2010, Finger told the couple that he would put the \$372,000 they made from the sale of their home into an escrow account to be used for the purchase of their new home, which was finalized two weeks later.

The couple purchased their new home for approximately \$285,000, leaving them without about \$96,000 in the escrow account. Finger, however, only returned \$60,000 and stole the remaining \$36,000.

In a separate incident beginning in March 2010, Finger was acting as the attorney to the seller in a real estate transaction. Once the transaction was completed, both the buyer's broker and the seller's broker were due to receive commission checks. Instead of paying the buyer's broker her \$7,000 commission check, Finger stole the money.

Deputy Bureau Chief William Wallace and Assistant District Attorneys Megan Gallagher and Victoria Curran of the Economic Crimes Bureau are handling the cases for the DA's Office.

The charges are merely accusations and the defendants are presumed innocent until and unless proven guilty.

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