

JMM:LTG  
F. #2014R01554

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

DAVID DENENBERG,

Defendant.

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INFORMATION  
**CR 14 594**  
Cr. No. \_\_\_\_\_  
(T. 18, U.S.C., §§ 1341, 2 and 3551 et seq.)

**SEYBERT, J**

LOCKE, M. J.

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

At all times relevant to this Information, unless otherwise indicated:

I. The Defendant

1. The defendant DAVID DENENBERG was an attorney, duly licensed to practice law in the State of New York, and a member of the law firm Davidoff Hutcher & Citron LLP (“DHC”), formerly Davidoff Malito & Hutcher LLP (“DMH”), which maintained an office in Garden City, New York. DENENBERG specialized in Intellectual Property law and was the head of DHC/DMH’s Intellectual Property department.

II. The Corporation/Fraud Scheme Victim

2. The Corporation, whose identity is known to the United States Attorney, maintained an office in Port Washington, New York, and was a retailer of personal computers, computer-related accessories and consumer electronics. The defendant DAVID DENENBERG provided legal representation to the Corporation while working at DHC/DHM.

### III. The Fraud Schemes

#### A. The Fee Scheme

3. In or about and between November 2006 and June 2014, both dates being approximate and inclusive, the defendant DAVID DENENBERG devised and carried out a scheme and artifice to fraudulently obtain money from the Corporation. DENENBERG sent and caused to be sent, via U.S. Mail, fraudulent bills to the Corporation for purported legal services. The Corporation, relying on DENENBERG's false representations, sent checks via U.S. Mail to DHC/DHM in payment for legal services never rendered. In total, DENENBERG falsely billed the Corporation \$2,265,004.46 for legal services never rendered.

#### B. The Expense Scheme

4. In or about and between November 2006 and June 2014, both dates being approximate and inclusive, the defendant DAVID DENENBERG devised and carried out a scheme and artifice to fraudulently obtain money from the Corporation. DENENBERG sent and caused to be sent, via U.S. Mail, fraudulent expense bills to the Corporation for purported expenses incurred in furtherance of DENENBERG's legal representation of the Corporation, which expenses were never incurred. In total, DENENBERG falsely billed the Corporation \$126,071.43 for expenses never incurred.

5. In total, between November 2006 and June 2014, based upon the false representations of the defendant DAVID DENENBERG, the Corporation paid DHC/DHM \$2,342,607.64 for legal service never rendered and expenses never incurred.

**COUNTS ONE THROUGH EIGHT**  
(Mail Fraud)


6. The allegations contained in paragraphs 1 through 5 are realleged and incorporated as if fully set forth in this paragraph.

7. On or about the dates set forth below, within the Eastern District of New York, the defendant DAVID DENENBERG did knowingly and intentionally devise a scheme and artifice to defraud the Corporation, and to obtain money and property from the Corporation by means of materially false and fraudulent pretenses, representations and promises, and, for the purpose of executing such scheme and artifice, cause to be delivered by the United States Postal Service, according to the directions thereon, the following mail matter:

Count	Approximate Date of Mailing	From	To	Description
One	April 8, 2011	DENENBERG	The Corporation	\$9,621.75 invoice for legal fees.
Two	May 27, 2011	The Corporation	DENENBERG	\$46,025.44 check paid to the order of DHM.
Three	July 7, 2011	The Corporation	DENENBERG	\$50,224.72 check paid to the order of DHM.
Four	August 8, 2012	The Corporation	DENENBERG	\$61,559.73 check paid to the order of DHC.
Five	December 11, 2012	DENENBERG	The Corporation	\$9,552.50 invoice for legal fees.

Six	January 9, 2013	DENENBERG	The Corporation	\$10,802.37 invoice for legal fees.
Seven	February 12, 2013	DENENBERG	The Corporation	\$10,492.87 invoice for legal fees.
Eight	February 27, 2013	The Corporation	DENENBERG	\$41,855.37 check paid to the order of DHC.

(Title 18, United States Code, Sections 1341, 2 and 3551 et seq.)

  
LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK