

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW
YORK

-against-

THOMAS RUBINO,

Defendant.

STATEMENT OF
FACTS

Ind. No.

Defendant Thomas Rubino was employed from July 2010 through October 2013 as a paralegal for Paris & Chaikin, P.L.L.C. (“Paris & Chaikin”), a law firm located in New York County. While working in that capacity, he forged the signatures of 76 New York State Supreme Court Justices on documents purporting to be judicial orders. Defendant fully confessed to these crimes.

Paris & Chaikin represented structured settlement companies in the acquisition of structured settlement rights. The structured settlement companies purchased annuities from the annuity-holder and then sold the annuities to third parties. This practice is regulated in New York State to ensure that each transfer is in the best interest of the annuitant. Each transaction requires the approval of a justice of the New York State Supreme Court.

Beginning in December of 2010, defendant served as Paris & Chaikin’s primary employee handling the structured settlement cases. The client, the structured settlement company, emailed defendant directly with transactions that needed Court

approval. Defendant was supposed to draft the necessary court documents and file them in the appropriate New York State court. Once the judge issued an order, either approving or denying the transfer, defendant was supposed to email the signed judicial order to the client. At that point, if the transfer was approved, the client was permitted to complete the purchase of the annuity by releasing the payment to the annuitant and contacting the insurance company to receive the future structured settlement payments.

From on or about June 27, 2011 through on or about October 2, 2013, defendant forged the signature of 76 justices on 117 documents that purported to be judicial orders approving the transfer of structured settlements. Relying upon these purported orders, the clients paid the annuitants and transferred the structured settlement rights.

Defendant admitted to creating the forged judicial orders within the offices of Paris & Chaikin. To create a forged order defendant used a pair of scissors to cut out a judge's signature from a legitimate document and then taped that signature onto the order that he created. Defendant photocopied the document so that it would look authentic and then scanned it onto the Paris & Chaikin server. From the server, defendant emailed the forged order to the client using his Paris & Chaikin email address. In the majority of the email messages, defendant stated in substance to the client: attached hereto please find the *signed* order approving the transfer. After defendant transmitted the forged judicial orders to the clients, the clients released the payments to the annuitants.

In the late summer to early fall of 2013, defendant received two inquiries about the legitimacy of two transfers. Fearing that his wrongdoings were going to come to light, defendant told the law firm that he had a family emergency and needed to leave immediately. Defendant never returned.

Thereafter, the structured settlement companies researched all of the transfers that Paris & Chaikin had handled. The structured settlement companies have suffered significant financial harm trying to remedy the situation- having bought and sold rights that they never acquired legally. Moreover, the annuitants were completely deprived of the opportunity for a judge to evaluate the transfer to determine if it was actually in their best interest, a protection mandated by law.

The 117 documents bear what purports to be the signatures of 76 New York State Supreme Court Justices. The judges did not sign the purported orders nor did they give anyone permission or authority to attach their signatures to the documents. In addition to the 117 orders, there are additional documents that have been identified as inauthentic that purport to have been signed and issued by New York States Justices.

Defendant met with the District Attorney's Office made an extensive and detailed confession.

Dated: New York, New York
September 11, 2015

Cyrus R. Vance, Jr.
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By: Lauren Littman
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Jaime Hickey – Mendoza
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