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**LUCCHESE SOLDIER SENTENCED TO A YEAR AND A DAY
FOR TAX AND HEALTH CARE FRAUD IN CONNECTION
WITH "NO-SHOW" JOB AT DOCTOR'S OFFICE**

MICHAEL J. GARCIA, United States Attorney for the Southern District of New York, announced that THOMAS GELARDO, a soldier in the Lucchese Organized Crime Family of La Cosa Nostra, was sentenced today to a term of a year and a day in prison for conspiring with a Brooklyn doctor, JUDE T. BARBERA, M.D., in a scheme to defraud the Internal Revenue Service and to fraudulently obtain benefits from Local 348 of the United Food and Commercial Workers International Union Health and Welfare Fund by obtaining a "no show" job at BARBERA's medical practice. In July 2006, GELARDO pleaded guilty to one count of conspiracy to file false income tax returns, one count of health care fraud, and one count of mail fraud. According to the Indictment and GELARDO's guilty plea:

GELARDO, a "soldier" in the Lucchese Organized Crime Family of La Cosa Nostra, conspired with BARBERA, a urologist with a medical practice located in Brooklyn, New York, to obtain fraudulent W-2 Forms claiming that GELARDO was an employee of BARBERA's practice for the years 1995 through 2000. GELARDO then falsely claimed on his own federal income tax returns that he was a legitimate salaried employee of BARBERA's. GELARDO and BARBERA also conspired to fraudulently obtain health care coverage for GELARDO and benefits from Local 348 of the United Food and Commercial Workers International Union Health and Welfare Fund, to which GELARDO applied in 2000 for medical coverage for himself, his spouse and daughter.

GELARDO was sentenced today by the Honorable LORETTA A.

PRESKA, United States District Judge for the Southern District of New York. In addition to a year and a day in prison, GELARDO was sentenced to a term of three years of supervised release, a fine of \$3,000, and a mandatory special assessment of \$300. GELARDO was also ordered to make restitution to Local 348 of the United Food and Commercial Workers International Union Health and Welfare Fund. (BARBERA, who had previously been found guilty after trial of tax fraud, health care fraud, and mail fraud offenses stemming from this conduct, was sentenced in October 2005 to six months' prison.)

Mr. GARCIA praised the combined investigative efforts of the FBI and IRS, and thanked the U.S. Department of Labor for its assistance in this case.

GELARDO, 65, lives in Tuckahoe, New York.

Assistant United States Attorneys TIMOTHY J. TREANOR, LISA A. BARONI, and JONATHAN B. NEW are in charge of the case.

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