



***United States Attorney  
Southern District of New York***

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**NEW JERSEY MAN SENTENCED TO TWO AND A HALF YEARS  
IN PRISON IN LARGEST-EVER FRAUD AGAINST  
THE SEPTEMBER 11<sup>TH</sup> FUND**

MICHAEL J. GARCIA, United States Attorney for the Southern District of New York, announced today that MARIO MASTELLONE, 42, of East Windsor, New Jersey, was sentenced to a term of 30 months in prison for fraudulently receiving \$1,076,789 from the United States Department of Justice September 11 Victim Compensation Fund of 2001 ("September 11th Fund"). MASTELLONE received the money based on false claims that he had not worked since September 11, 2001, and that he was totally and permanently disabled by that day's attacks on the United States. Measured by the total amount of money he obtained, MASTELLONE's is the largest fraud ever perpetrated against the September 11th Fund. The sentence was imposed by United States District Judge VICTOR MARRERO, in Manhattan federal court. According to documents filed in this case and statements made during MASTELLONE's guilty plea proceeding:

The September 11th Fund was set up in the wake of the terrorist attacks of 9/11 to compensate people who were physically injured in the attacks, and was administered by the United States Department of Justice.

The evidence submitted to the Court in connection with sentencing included excerpts from a 2002 wedding video that showed MASTELLONE vigorously dancing the limbo and carrying a woman on his back, as well as excerpts from a video recording that was made by placing a camera atop a pole near MASTELLONE's house. The pole camera recorded MASTELLONE's activities over the course of approximately thirty days during 2005, and showed MASTELLONE engaged in normal daily activities — such as washing his car, carrying bags, moving garbage cans to the curb, and shoveling snow — that were inconsistent with MASTELLONE's contention that he was totally and permanently disabled. The evidence submitted to the Court also demonstrated that

MASTELLONE, a painter, had worked after 9/11. Among other things, the Government submitted photographs that showed MASTELLONE emerging from a paint store carrying a heavy drum of paint, and a check, made out to MASTELLONE's wife, that was payment for MASTELLONE's post-9/11 painting of his chiropractor's office. The evidence submitted to the Court also demonstrated that MASTELLONE did not tell the doctors who examined him after 9/11 that he had been injured years prior to 9/11 in a car accident as a result of which he was diagnosed as "disabled," based on damage to the same lumbar disks that MASTELLONE later claimed he injured on 9/11.

In addition to the prison term, Judge MARRERO sentenced MASTELLONE to 3 years of supervised release, and ordered him to pay \$100,000 in restitution and a \$25,000 fine. In sentencing MASTELLONE, Judge MARRERO stated that Mastellone "exploited and capitalized on" the tragic events of September 11, and that only a few people, including MARIO MASTELLONE, saw 9/11 as an "opportunity to use human suffering as a license to steal."

Mr. GARCIA thanked the Department of Justice Office of the Inspector General for their investigation of this case.

Assistant United States Attorneys MICHAEL FARBIARZ and JENNA M. DABBS are in charge of the prosecution.

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