

MERINGOLO & ASSOCIATES, P.C.

alumni at

Meringolo & Associates, P.C.

By Christine Pakkala

Meringolo & Associates, P.C. is a five-person law firm in Manhattan that was founded by John C. Meringolo '99 in 2007. All but one of the members are graduates of New York Law School. Meringolo, at the helm, is only 36, but he has carved an enviable career in the arena of criminal defense. He has tried a number of high-profile cases including *United States v. Gregory DePalma* as lead attorney, and as co-counsel in *United States v. Thomas Carbonaro* and *United States v. Edmund Boyle*. He was also part of the team that defended John A. "Junior" Gotti, of the Gotti crime family.

In addition to these attention-getting federal criminal defense cases, the firm handles a number of federal and state civil cases, covering a broad range of issues such as Securities and Exchange Act 10b-5 fraud, common law fraud, negligence, Article 78 proceedings, and contract disputes.

"I strongly believe in giving back," Meringolo says of his firm's close connection to the Law School, where he assists in Professor Frank A. Bress's Trial Advocacy class, speaks at "Lunch with a Lawyer" events, and recruits current students for externships at his firm. "Whether you have time or money, you should find a way to show your appreciation to your school."

New York Law School externs are invited to actively engage in many aspects of firm life, from attending trials as observers to writing motions and briefs. And they are grateful for the opportunity to gain invaluable experience.

"Mr. Meringolo introduces us to judges, allows us to take part in client and trial strategy meetings, and always considers our input," extern Jerome Greco 2L says. "He and his associates [Andrea Hoyos '08 and Paul Cagno '99] often take time out of their busy schedules to explain relevant legal issues, procedural requirements, and the workings of the legal profession."

Reflecting on her externship experience, Alissa Kelman 3L adds, "I was able to observe and work on cases in all stages of litigation, from filing complaints to deposing witnesses to attending trials at the state and federal levels. . . . Mr. Meringolo graciously informed me of the case developments and invited me to attend client meetings and strategy meetings with assisting counsel and court."

The hands-on training the firm provides exposes students to the particulars of criminal defense and, in some cases, launches their careers in the field. "There are endless details and issues to keep track of in a criminal defense case, and learning how to mentally organize them is quite a challenge," says Anjelica Cappellino 2L. "The most important thing I've realized is that being an attorney is, particularly in these fields, a 24-hour-a-day job. My time spent at this externship has solidified my interest in this career path."

“Everyone in the United States Deserves a Fair Trial”

JOHN C. MERINGOLO '99

John C. Meringolo is the first to admit that he defends individuals accused of some pretty awful crimes: murder, racketeering, embezzlement. Yet, even through the most difficult defenses, he has always followed the advice of his mentor, famed trial attorney James LaRossa, for whom he worked from 2003 to 2007: Work hard and always have empathy for your clients.

Meringolo has taken the advice to heart. Meringolo & Associates has defended a number of high-profile individuals, including John A. Gotti, who was charged with racketeering and murder conspiracy in his fourth trial in 2009.

Defending Gotti was “unlike any other case” Meringolo has handled because prosecutors had “double the manpower.” Meringolo’s team went head-to-head with prosecutors from the United States Attorney’s offices from the Southern District of New York and Middle District of Florida, as well as the FBI from New York and Florida.

Meringolo says the “arduous task” could not have been accomplished without his hard-working team putting in marathon hours and fiercely believing in Gotti’s right to the best defense.

It’s a point of pride for Meringolo to protect the rights of anyone facing seemingly insurmountable odds at trial. Some of the other clients that Meringolo has represented include reputed captain of the Gambino crime family Gregory DePalma, and David H. Brooks, who is accused of a \$196,000,000 insider-trading scheme. More recently, he defended Richard Lucente, a Staten Island doctor charged with the illegal sale of steroids.*

“Everyone in the United States deserves a fair trial. That’s the cornerstone of the freedoms that we enjoy as United States citizens,” Meringolo says. “When there comes a day the government or local D.A. can indict people just because they don’t like them, you can be sure there will come a day when they will indict and convict people we do like.”

Meringolo is a fierce champion of his fellow New York Law School graduates and chooses several students for externships each year. “Mr. Meringolo involves all of the externs intimately in each aspect of the matters he handles,” extern David DeStefano 2L says. “Nobody is given a trivial task or busy work.”

In fact, Meringolo emphasizes to his interns the hard work behind each headline case. “It’s not about the sex appeal of the case or the notoriety one may gain. It’s about working hard—harder than the other lawyer,” he says. “And most importantly, it’s about working in the best interest of your client.”

The Bensonhurst, Brooklyn, native came from modest means. He grew up with his father, a union representative, who helped frame his strong work ethic and family values.

When a childhood friend, firefighter Joseph P. Graffagnino, died in the infamous fire at the former Deutsche Bank building in 2007, Meringolo was asked by the family to represent them.

“I love the Graffagnino family as if they were my family. It is an honor and privilege to represent Joey’s family, and I hope he knows I will do the best I can for his children.”

* Editor’s Note: After this article was written, Meringolo provided the following update: During jury selection in *People v. Doctor Lucente*, the Kings County prosecutor offered Dr. Lucente 10 years in prison. Dr. Lucente chose to go to trial even though he faced 30 years in prison. After three weeks of trial and intense cross-examination of more than 20 prosecution witnesses, including medical experts, the Kings County District Attorney’s Office capitulated and offered Dr. Lucente a non-incarceration sentence in May 2010.

Helping Every Client to Be Seen as an Individual

PAUL CAGNO '99

Paul Cagno always knew he wanted to be a lawyer. But he vividly recalls the moment when he knew what kind of lawyer he wanted to be. It was during a Trial Advocacy course at New York Law School, and Cagno was the prosecutor in a “shaken baby” case.

“I stood up to make my opening statement and I thought to myself: Wow, this is what practicing law is all about,” Cagno recalls. “I still love going to court and making an argument.”

Cagno, a trial attorney at Meringolo & Associates, focuses his practice on automobile accidents, construction site accidents, and lawsuits involving falls and medical malpractice cases.

“What I really enjoy about personal injury law is that anyone who has been injured as a result of someone else’s negligence—even if they don’t have a penny—can retain a top attorney to represent them. The clients only pay an attorney fee if we can recover damages.”

Most cases require acquiring knowledge about a specific injury. Cagno brings in expert witnesses but also familiarizes himself with the technical aspects of the injury by reading medical texts.

The Toms River, New Jersey, native studied criminal justice and psychology at Kutztown University, and an understanding of human behavior flavors his law practice. Getting insurance companies and opposing counsel to see his client as an individual, not just another injury, is vital, he says. Cagno says he confronts the issue head-on by acknowledging that the insurance adjustors may have handled thousands of claims of a certain kind of injury. But he will ask them to think about his client alone.

“People can get desensitized,” he says. “They might say, ‘All you have here is a non-displaced fracture, and your client will be back to work in a few months.’ My job is to point out that life may never be the same for my client, that his injuries have changed the course of his life and the lives of his family. When a worker is hurt on the job in a construction accident, it can cause the loss of income for the whole family. I have to bring it back to reality for the sake of my clients. I try to educate my adversary as to who my client is.”

Cagno points to a recent case in which a concrete laborer came to him with shoulder and back injuries suffered in a parking garage construction accident. He had not returned to work since his accident. The client, age 33 and the father of five, was being pushed by his original attorney to accept a \$150,000 settlement. After paying a workers’ compensation lien on the settlement and attorney fees, the laborer would have been left with less than \$60,000, Cagno says. He took the case and eventually secured a \$1.5 million settlement.

“He moved to Pennsylvania,” Cagno says. “I just got a picture of his kids playing in front of his snow-covered house. That’s the most rewarding thing.” 