

Bell Sounds

Opening shots in King trial

By Greg Logan

STAFF WRITER

Prosecutor Paul Gardephe opened with a short, sweet shot to the chin, saying the case against boxing promoter Don King is about "an altered contract" that allowed him to collect hundreds of thousands of dollars from Lloyd's of London as a result of "fraud and greed." Defense attorney Peter Fleming Jr. countered with his version of the Ali shuffle, telling jurors "the devil is in the details" of an insurance payoff to which King was entitled.

The opening salvos in King's insurance- and wire-fraud case were delivered yesterday afternoon in U.S. District Court in Manhattan, where King is charged with cheating Lloyd's of London out of a \$350,000-portion of an insurance settlement. King contends that the money was reimbursement for "nonrefundable training expenses" paid to WBC super-lightweight champion Julio Cesar Chavez, who suffered a cut that caused cancellation of a 1991 bout with Harold Brazier.

Gardephe, an assistant U.S. attorney, summed up the government's case concisely in 20 minutes. He promised to call Chavez, former King accountants Joseph Maffia and Richard Hummers and Gladys Rosa, a publicist and Spanish-language translator who still works for King.

Portraying King as a businessman who maintains tight control over every nickel, Gardephe said, "Don King keeps better track in his head of how much people owe him than the accounting department keeps on paper."

Fleming, however, said the simple case presented by the prosecution was "anything but." He asked jurors to pay close attention to the "complicated language" of the boxing and insurance businesses, then he walked them through the intricacies of the case in an opening statement lasting 80 minutes. Fleming claimed the \$750,000 policy taken out by King covered a \$736,000 advance to Chavez and \$10,000 for Brazier. The total settlement King received was \$671,520.26.

"The evidence will show Don King kept not one red cent of this insurance money for himself or for Don King Productions," Fleming said.

King's attorney questioned why no civil suit to recover damages has been filed by Lloyd's. Noting that four witnesses involved in approving the settlement refused to come to New York and agreed only to meet with an attorney in London to provide videotaped testimony, Fleming scoffed, "Give me a break."

According to the prosecution, King ordered his employees to falsify the original two-page contract with Chavez by substituting a new first page containing a rider inserting the \$350,000 in nonrefundable training expenses. Gardephe said the typeface on the first page doesn't match that on the second page, which was signed by Chavez and King.

"Chavez will tell you he never signed



The Case Reeks Of Racism

Don King's guilt or innocence wasn't on trial in federal court yesterday in lower Manhattan.

Anyone who believes that is punch-drunk.

King's wire-fraud trial — the government has charged the high-haired boxing promoter with defrauding Lloyd's of London of \$350,000 by submitting phony expenses and a fake contract from a canceled title fight between Julio Cesar Chavez and Harold Brazier — is an out and out attempt to get such a powerful man out of the boxing scene.

The government prosecutors should just admit that and forget all the nice window dressing they are trying to sell the public. And worse, the jury. In the last 10 years, King has spent more time in court than Perry Mason ever did. Besides the 1985 tax-evasion trial — in which he was acquitted — King has been able to survive three other grand-jury investigations.

All of this in an attempt to bring down King. Many — mostly jealous competitors in his business — have tried to ruin King and have failed. Now, it's the government's turn once again.

If convicted, King faces a maximum of 5 years in prison and \$250,000 fine for each of the nine counts against him.

It wouldn't be shocking if King is found guilty of these charges. On the other hand, it wouldn't be surprising if he isn't. Despite what appears to be strong evidence, it's still a toss up.

"This is not about burning down your store and claiming the insurance."

said Peter Fleming, King's lawyer.

Indeed. It's much deeper than that. It's an ugly power struggle that reeks of racism.

King, 63, was OK and left alone when he was first started out and ran a small-potatoes operation. Back then, blacks were only fighters or trainers. They didn't make the big money and often were the ones being taken advantage of.

Let's face it: No one ever thought King would get in the way of them robbing the boxers of huge amounts of cash or become so powerful that he



Rob Parker

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Boxing promoter Don King is accused of cheating Lloyd's of London out of \$350,000 by submitting a falsified contract for a 1991 fight that was canceled.

Newsday File Photo

York's Cantave Blazing Trail

Beatrice Cantave doesn't like playing with girls. Never has. Not even during her soccer-playing childhood days in her native Haiti.

So when Cantave set foot on York's artificial turf for the first day of soccer practice in early September, she quickly felt at home. Why? The 23-year-old freshman was trying out for the Cardinals' men's soccer team. She became the first woman to play on the York men's squad and only the second to play on a CUNY men's team.

"I don't have any problems with it," said Cantave, who moved to the United States in 1985. "I really only practice with men. I don't like the way women play."

But first-year coach Wilson Cartagena likes the way this woman plays. Cartagena has played Cantave in spurts in the midfield, and she has responded well, including coming within an offside call of her first goal, against Stony Brook Sept. 20.

"She's a very technical player," Cartagena said. "She likes the speed game but she doesn't mind mixing it up with the men. . . . If all my players were like her, I would be very happy. Her attitude is tremendous. She's very coachable."

Now Cantave wants to show Cartagena what she has learned. "I came here to just play soccer," said Cantave, whose cousin Alex was a leader on York's 1994 CUNY championship team. "I don't have high expectations. . . . But if he plays me, no one will take my place."

Playing for a friend

Friday night's St. John's-Syracuse men's soccer match will be more than just an important Big East game for coach Dave Masur and his Red Storm (8-3-1, 2-2-1).

Masur and his squad also will be playing for Ron Eden, a former professional soccer player and current Brentwood (L.I.) High assistant boys soccer coach. Eden has been on the road to recovery since a freak back accident during a carpentry job paralyzed him from the chest down Dec. 15, 1994.

"Ronnie has been a big soccer fixture on Long Island," said Masur, who played with Eden in 1991 for the Glen Cove (L.I.) Soccer Club. "He is a true soccer guy through and through. This provides Ronnie with the kind of exposure he and his family need."

All proceeds from the match will go to help alleviate Eden's mounting medical bills. Anyone wishing to make a donation can send it to Ron Eden, 62 Nassau St., Islip Terrace, N.Y., or contact Brentwood coach Ray Perez at (516) 434-2394.

"It was great for him and the school to think of me," said Eden, who is able to walk and jog lightly without the use of aids. "The soccer community has been unbelievable. . . . You read about it in the papers, but until it happens to you, you don't believe that people could do this."

Added Eden: "I'm hoping to kick out the first ball. I don't know how far I'll kick it out."

Sources of inspiration

Manhattan's Margaret McPar-

land, a junior from Ireland, had plenty of reason to try to regain the lead she lost to Rutgers' Colleen Sunderland at the 2-mile mark in Monday's Metropolitan Cross Country Championships at Van Cortlandt Park. McParland's parents, Hugh and Maureen McParland, were there, the first time they have traveled from their home in Shannon, County Clare, to see her run in the U.S.

"I was delighted that my parents could see me run on my home course and also see what life is like here at Manhattan College," said McParland, who overtook Sunderland in the final 100 meters to win. "Before they came here, they were nervous about New York and all the bad stories they'd heard. I just think they've been watching too much 'NYPD Blue' at home."

"We've had a lovely time," Maureen McParland said. "New York is beautiful. The people and places we've seen have been wonderful. And seeing Margaret run and win is extra special."

And making the trek to Central Park to attend Pope John Paul II's Mass last week also was a highlight. "We had to get up at four in the morning and stand on the Great Lawn for a couple of hours, but it was worth it," Margaret said.

"She ran a great race," Manhattan coach Dan Mecca said. "She must have had some divine intervention."

Iona stands tall at Short

The Iona men's cross country runners were giant-killers on Saturday, knocking off 14th-ranked Georgetown, No. 21 Providence and No. 24 Penn State in the Paul Short Invitational at Lehigh. Now the Gaels are ranked among the giants, having moved from 23rd to 16th in the NCAA Division I poll.

"It's great," Iona coach Mick Byrne said. "There are some big names behind us."

New era for IAC

Mount St. Vincent women's soccer coach Matt Strong wasn't too upset about Monday's 3-1 loss to St. Joseph's (L.I.). It was a defeat Strong has been waiting for since he took over the program six years ago: the Dolphins' first Independent Athletic Conference loss.

Until this season, women's soccer wasn't a part of the IAC because there weren't enough member schools with teams. So Mount St. Vincent, Bard and Stevens Tech were forced to play independent schedules. That changed when St. Joseph's joined the IAC this season.

"[A conference affiliation] is something we've never had before," Strong said. "It's an opportunity for them to do well in the conference. . . . I expect other schools to join the conference fairly soon."

Honor roll

Fordham senior quarterback Joe Moorhead was named Patriot League Offensive Player of the Week for the second straight week. . . . Iona senior quarterback Tom Proudan was named MAAC co-Offensive Player of the Week. . . . Columbia senior quarterback Mike Cavanaugh was named the ECAC and Ivy League Offensive Player of the Week. . . . Wagner senior Natina Saitta was named Northeast Conference women's volleyball Player of the Week.

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that contract [with the rider]; he never had such an agreement; he never received the money, and Don King hid the recovery," Gardephe said to the jury. Regarding the \$350,000 figure, he added, "Mr. Maffia will tell you this number was simply made up by Mr. King."

Maffia has received immunity from prosecution to testify, but Gardephe said Rosa will corroborate his story by saying she never saw the version of the contract submitted to the insurance company. Rosa is paid more than \$100,000 per year from King and received a low-interest loan for \$85,000 from him shortly after the probe began.

The key area of contention likely will center around the method of business practiced by King and Chavez, who is said to have made \$30 million in more than 50 fights since signing with the promoter at the age of 21. Before each fight, Chavez asked King for a "loan."

The prosecution said Chavez understood he was obligated to pay it back. But Fleming said the money was treated not as a loan, but as an advance against his purse, including training expenses. The advance would be deducted after each fight, and Chavez would be paid the remainder to square accounts.

Before the Brazier fight, Chavez received a check from King for \$736,000. The check later was submitted to the insurance company to substantiate King's claim. "If Chavez tells the truth," Fleming said, using a refrain he

repeated several times, "he'll call it a loan, but he understood and expected this \$736,000 to be deducted after the Brazier fight. You get the sense what I mean when I said, 'The devil is in the details.' This is not about burning down your store and claiming the insurance."

In effect, the defense is claiming King was out \$736,000. But instead of going to Chavez for the money, he tried to recover it through an insurance claim. The prosecution claims that money didn't really represent a loss. Given his usual method of business, what was to prevent King from deducting the \$736,000 from Chavez' next fight against Lonnie Smith a few months later?

"I believe when Chavez comes here, he will say, 'That's right. I got \$350,000 for training expenses because, when you're injured, training expenses are nonrefundable,'" Fleming said. "And of course, he got \$736,000. What's the truth?"

That question is for the jury to decide. King has survived three previous grand jury investigations and a tax-evasion charge, and a 1967 murder conviction was reduced to manslaughter, for which he served 4 years.

Drawn from a pool covering Manhattan, the Bronx and Westchester and Rockland counties, this jury includes five white women, two African-American women, one Hispanic woman, one Indian woman and three white men. The four alternates include two African-American women, one white woman and one African-American man.

Fleming's parting words to them yesterday were: "We're going to be fair and square."

The Case Stinks

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would eventually beat the established white promoters at their own game.

But it happened. He is too big now. And we're not talking about his suit size. (Although the brown suit King wore tightly yesterday in court appeared a bit stretched.)

Not only can't King control his waist line, no one can control him. And that's where the problem is. And that's why so many want him out of the picture completely.

Not only does he represent former heavyweight champion Mike Tyson, currently the biggest draw in his sport, but he also has major-league clout with boxing's three major sanctioning bodies.

People can say that the constant indictments have nothing to do with King's skin color. If only that were true. But rivals Dan Duva and Bob Arum have done many of the same things that King has. Still, they aren't investigated with the same forcefulness as King has been.

You have to ask yourself, "Why?" There are no differences between the men. Well, just one. They are white and he is not.

No matter what people try to tell you, boxing was crooked long before Don King ever stepped into a ring with a fighter.

Often, you hear people say that while that statement is true, King is still more crooked than anybody else.

What nonsense. Either you're crooked or not crooked. Honesty has a short menu.

"When boxing, especially the heavyweight division, was dominated by white promoters and managers, whatever they did was etched in stone," said Amsterdam News sports editor Howie Evans, who was at the trial yesterday and has covered King almost from the first day he got into boxing. "But when Don King had control, the sport had to be investigated and

rules had to be changed."

This is not new. It's happened often. When blacks and whites starting playing college basketball together, the NCAA made it illegal to dunk. Before the O.J. Simpson verdict, no one cried to have the justice system revamped. After the verdict didn't go the way of the majority, everybody wants reform.

Something smells rotten. And that's not to say that King has totally been railroaded. Just like Simpson, the government has a case against King.

Before Judge Lawrence M. McKenna in chamber 15D at the new federal courthouse at 500 Pearl St., the government told the jury in its opening argument that King had taken out a \$750,000 policy with Lloyd's two months before the fight in June 1991 in case of a cancellation.

King is charged with receiving \$350,000 in insurance — after a deep cut to Chavez's nose caused a cancellation — by submitting a contract that said Chavez was entitled to repayment of his training fees if the bout were canceled.

The government said the contract, which it said Chavez did not sign, was altered and that Chavez received none of the \$350,000. Chavez, who has been subpoenaed, is supposed to testify in court. If all these things are true, Chavez' words could seriously hurt King.

King, however, has been there before. In 1992, he was the main focus of a Senate permanent subcommittee on investigations into boxing. The main witness was Michael Franzese, a mob figure who was in prison at the time. He fingered King and the Rev. Al Sharpton to organized crime figures.

Under advice from his lawyer, King took the fifth. Nothing came of it. King wasn't charged with anything.

The government is wasting time going after just Don King. It should be throwing its best men at boxing as a whole. But if it does that, more than just Don King will be wearing prison stripes.

Sadly, this kind of one-sided justice happens often as Don King would say, "Only in America."