



RICHARD A. BROWN
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000**

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www.queensda.org

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CONTACT: QDA PRESS OFFICE
718-286-6315

ASTORIA BUSINESSMAN SENTENCED TO 50 YEARS IN PRISON
FOR POSING AS A LAWYER AND STEALING \$6 MILLION FROM CLIENTS

Defendant Represented Self at Trial and Sentencing

_____ Queens District Attorney Richard A. Brown today announced that an Astoria businessman convicted of stealing \$6 million from eight individuals by holding himself out as an attorney and a registered investment advisor has been sentenced to up to fifty years in state prison.

District Attorney Brown said, “Although charged with impersonating an attorney and practicing law without a license, the defendant chose to represent himself at trial. The old adage, ‘One who represents himself has a fool for a client,’ was once again proven true when the jury found the defendant guilty as charged of defrauding eight individuals of amounts ranging from \$63,000 to \$3.2 million.”

The District Attorney identified the defendant as Mohammed Rafikian (also known as Mo Kian), 41, of 585 Hickory Street in Westbury, Long Island. Rafikian is chairman and chief executive officer of First Investors Capital Corporation, located at 34-13 Broadway in Astoria, Queens. He also periodically worked as a paralegal for the law firm of Marcus & Associates, which maintained an office as a subtenant at Rafikian’s Astoria office. It was the named partner of this law firm whose identity that Rafikian assumed.

Rafikian was convicted on August 22, 2007, of one count of first-degree grand larceny, seven counts of second-degree grand larceny, three counts of first-degree scheme to defraud, eight counts of second-degree criminal impersonation and four counts of practicing or appearing as an attorney-at-law without being admitted. Queens Supreme Court Justice Daniel Lewis, who presided at his six-week jury trial, ordered Rafikian to serve 6- 2/3 years to 20 years on one indictment, and five to 15 years each on two other indictments, each sentence to run consecutively to the others.

District Attorney Brown said, “Defendants who choose to engage in so-called ‘white collar’ crimes of larceny involving large amounts of money – oftentimes, a retired person’s entire life savings – need to realize that they will be treated as severely as those who steal by violent means.”

District Attorney Brown said that, according to the evidence presented at trial, the defendant held himself out as an attorney and practiced law at 34-13 Broadway in Astoria between March 2000 and December 2005, during which time he unlawfully stole \$6 million from eight individuals. The victims included a former cardiologist, a dentist, a bar manager, a retired disabled elevator mechanic, a retired disabled school teacher, a NYCHA inspector, a painting contractor and a family friend.

In one instance, for example, it was testified that Rafikian took \$3.2 million from an individual and promised to invest the funds at a promised rate of return of 26 percent. The defendant provided no statements to the individual nor did he return the money upon demand. The defendant, however, did send the client two checks, totaling \$150,000, which were returned for insufficient funds.

The investigation was conducted by now retired NYPD Detective Daniel Lewis, formerly of the 114th Precinct Detective Squad, and now retired Detective Lynn O’Garrow, formerly of the Special Frauds Squad, under the supervision of Lieutenant Kenneth Ling, Squad Commander, and the overall supervision of Chief of Detectives George F. Brown.

The case was prosecuted by Senior Assistant District Attorney Neil F. Gitin, of the District Attorney’s Economic Crimes Bureau, under the supervision of Assistant District Attorney Gregory C. Pavlides, Bureau Chief, and Christina Hanophy, Deputy Chief, and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

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