

Premeditated Prosecution: How Patrick Murray and the AUSA Ignored the Truth to Bury Joseph LaForte

The history of the Par Funding case is not just a legal record; it is a crime scene where the Constitution was the primary victim. We are not talking about "potential" outcomes anymore. The damage is done. **Joseph LaForte was sentenced to 15.5 years in federal prison**, his company was dismantled, and his life's work was seized.

How did they get such a massive sentence? Not through a fair search for truth, but through a calculated, premeditated campaign by **AUSA Patrick Murray** to bury exculpatory evidence and weaponize the grand jury process.

The Weapon: Premeditated Charge Stacking

The "true crime" committed in this case did not happen in the Par Funding offices—it happened in the halls of the AUSA office. Patrick Murray did not just bring charges; he **stacked** them with surgical precision to ensure Joseph LaForte would never see the light of day.

Look at the language used in the Second Superseding Indictment for **Overt Acts 53, 60, and 61**. Notice how they take a single instruction and "multiply" it into three separate criminal acts:

- **Overt Act 53:** "On or about March 11, 2020, defendants JOSEPH LAFORTE and JOE COLE, along with Attorney No. 1, met with two company employees... and **coached them to lie** about defendant JOSEPH LAFORTE's involvement in, role at, and control over Par Funding..."
- **Overt Act 60:** "On or about June 26, 2020, defendants JOSEPH LAFORTE and JOE COLE caused Attorney No. 1 to meet with two company employees... to **coach them to lie**..."
- **Overt Act 61:** "On or about June 29, 2020, defendants JOSEPH LAFORTE and JOE COLE and Attorney No. 1 caused **Person No. 4 and Person No. 5 to lie under oath**..."

****Attorney No. 1 is Brett Berman from Fox Rothschild who was in every meeting contained in all 3 overt acts.**

This is the math of a "witch hunt." By turning one narrative into three RICO acts, Murray ensured the sentence would be "multiplied," robbing a man of over 2 decades of his life (**the 10 he spent building the business and the 15.5 years he was sentenced**) based on a repetitive, manufactured narrative.

The Unimpeachable Witness: Who is Brett Berman?

To understand why AUSA's actions are so egregious, you have to understand who they ignored. We are not talking about a character witness from the neighborhood. We are talking about **Brett Berman**, a titan of the legal industry.

Berman is the Co-Chair of a National Litigation Department at a major firm. He is a former Eagleton Institute of Politics Fellow, has served as a fellow for a U.S. Senator, and interned for a U.S. Congressman. He is a man who has spent his career in the highest echelons of the law and government. When a man with this resume speaks under oath, the world is supposed to listen.

EXHIBIT: BRETT BERMAN BIO

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Biography

Co-Chair of the firm's national Litigation Department, Brett is a proven trial attorney who represents businesses in a full range of complex commercial litigation in state and federal courts and

arbitral venues throughout the United States.

Hard-nosed and pragmatic in his approach, Brett recognizes that the best, most efficient resolution to any dispute is often found outside the courtroom. A skillful negotiator, he is adept at reaching deals that advance his clients' business objectives. At trial, Brett is strategic and relentless in his pursuit of victory.

More than a litigator, Brett is a trusted legal adviser, leveraging his MBA and operational business knowledge to serve many clients as outside general counsel. He also provides borrowers, funders and attorneys with key insights into the rapidly evolving world of litigation finance, serving as a leader of the firm's efforts in this cutting-edge area.

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Before Fox Rothschild

A former legislative and government Fellow of the prestigious Eagleton Institute of Politics, Brett began his career at Fox as a summer associate in 2005 and clerked for the firm in 2006. In addition, Brett has held such positions as:

- A law clerk in the Subrogation and Recovery department of a large international law firm

SERVICES

- Litigation
- Eminent Domain/Condemnation
- Directors' & Officers' Liability & Corporate Governance
- Financial Services Industry
- Valuation Law
- Real Estate Litigation
- National Coordinating Counsel

- A fellow for a United States Senator and an intern for a United States Congressman
- A fellow in the New Jersey General Assembly Majority Office
- A judicial intern for the Honorable Alan M. Vogelson, Presiding Chancery Judge of the New Jersey Superior Court, Camden County

Bar Admissions

- Pennsylvania
- New Jersey
- New York
- Illinois

Court Admissions

- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York

Education

- Rutgers Law School (J.D., with honors)
- Rutgers University, Graduate School of Business, Camden (M.B.A., high honors)
- George Washington University (B.B.A., cum laude)

Memberships

- Pennsylvania Bar Association
- Philadelphia Bar Association

The Power of a Deposition

For those who do not know, a **deposition** is a high-stakes legal proceeding where a witness must testify under oath, with a court reporter recording every syllable. It carries the same weight and penalty of perjury as testifying in front of a judge and jury.

Now, understand this: Trained lawyers like Brett Berman know exactly how to handle depositions. The rule of thumb for a lawyer being deposed is to be **terse**. You answer the question asked, you offer no extra information, and you get out as quickly as possible. You do not volunteer opinions. You do not elaborate.

Berman Breaks the Mold to Defend the Truth

Despite his training to be brief, Brett Berman did something extraordinary during his **June 8, 2021**, deposition with the SEC. He did not just answer the questions; he took it upon himself to opine on Joseph LaForte's character.

Berman testified clearly:

"Laforte told the employees to tell the truth."

EXHIBIT A: DEPOSITION TRANSCRIPTS FROM THE ACTUAL TESTIMONY OF BRETT BERMAN

1 came from you or indeed from Joe LaForte, for
2 everyone to simply to tell the truth about what
3 happened?

4 A. I was just seeing if Ms. Berlin objected
5 to be respectful to her.

6 The answer is if you talk about me, my
7 recollection of it was, you know, essentially you
8 have to give some context to the type of litigation
9 that was occurring. We were dealing with an
10 onslaught of litigation from one firm who was using
11 those litigations to ask a lot of different
12 questions about things that were completely
13 irrelevant to the cases.

14 So, you know, what my instruction to any
15 witness I've ever prepped for a deposition in my
16 career, which are hundreds or thousands, is tell the
17 truth. It is absolutely your job to tell the truth.
18 But you should not be guessing at any questions
19 under any circumstance.

20 So if you're asked questions that you
21 think you know, but you really don't and you're just
22 making conjecture, the answer is "I don't know" or
23 "rephrase the question." You're not there to guess
24 or give conjecture. So it was the same deposition
25 instructions I give to all witnesses who are being

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1 deposed.

2 Q. Do you recall any of the participants in

3 those meetings, including Joe LaForte, saying to the

4 group, look, just tell the truth; all you got to do

5 is go in there and tell the truth?

6 A. The answer to that was, I mean,

7 truthfully, that was Joe LaForte's mantra always.

8 It was -- you know, there wasn't lying. It was try

9 to do the right thing, try to be respectful to

10 merchants. So, yes. I mean, I can't say I recall

11 specifically, you know, every word that was said at

12 that meeting, the same way I couldn't recall

13 specifically when Ms. Berlin asked me the questions.

14 But that sounds like something Mr. LaForte would

15 say, yes.

16 Q. You just referenced this onslaught of

17 legal action. I want to ask you just a few

18 questions about that. Do you recall that a lawyer

19 named Shane Heskin filed some actions against CBSG?

20 A. Yes. I'm very well aware.

21 Q. And in those actions, did he challenge the

22 legality of the MCA deals and contracts?

23 A. He did that there and he did it all up and

24 down various states against various companies, yes.

25 Q. And did courts uphold the validity and

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He did not stop there. Berman testified that Joseph LaForte **always** said these types of things. Berman states that this was LaForte's "mantra." Let's focus on that word, mantra which refers to honesty and integrity, not the actions of a criminal. Berman was a man of the court, a veteran of thousands of depositions, going on the record—unprompted—to vouch for LaForte as a man of honor who demanded honesty.

If Berman had any doubt about Joseph's integrity, he would have given a one-word answer and moved on. Instead, he put his own massive reputation on the line to state that Joseph LaForte was an honest man, by inserting the word, "mantra" in his testimony.

Justice Ignored, Lives Destroyed

Patrick Murray and the federal government cannot claim ignorance. The SEC is a sister government agency. They had the transcripts. They had the dates.

- **The Berman Deposition:** June 8, 2021.
- **The Indictment:** February 2024.

For **971 days**, the AUSA sat on evidence that Joseph LaForte demanded his employees be honest. They ignored it. They did not care about the truth because the truth did not fit the "bad guy" narrative they needed to seize his assets and justify a 15.5-year sentence.

When a prosecutor knowingly ignores evidence from an unimpeachable witness to multiply charges against a citizen, that is not "prosecution" - it is a **premeditated hit job**. They did not want a fair fight; they wanted to overwhelm the defense and crush Joseph LaForte under the weight of a stacked deck.