

Carton Judge Not Signing Off On Restitution Without Details

By **Pete Brush**

Law360 (April 5, 2021, 4:59 PM EDT) -- The Manhattan federal judge who sentenced New York City sports talk radio host Craig Carton to prison for fraud declined Monday to greenlight an order that would have withheld 15% of his income to pay \$5 million back to victims, saying she wanted more information.

U.S. District Judge Colleen McMahon weighed in on a proposed order lodged by the Manhattan U.S. Attorney's Office that said Carton had consented to having chunks of his pay directed toward victims of his gambling-fueled lawbreaking spree for which he was imprisoned in 2019.

"Until I know more about Mr. Carton's financial situation, I am not signing off on anything," Judge McMahon wrote on the proposed order.

Her comments suggested that Carton, who was convicted in 2018 of defrauding a hedge fund and several individuals, would be asked to provide details about his work at WFAN, where he co-hosts a drive-time show talking mainly about New York sports. It was unclear if the process would continue to play out in open court. Requests for comment were not returned.

The judge's comments came after medical supply company owner Gerard LoDuca told the court in March that Carton still owed him more than \$435,000 and asked for an order accelerating repayment.

"Mr. Carton's economic circumstances have undoubtedly changed," LoDuca's letter says. "Mr. Carton has landed what is almost surely an extremely lucrative job."

Carton was released from custody in June after what the letter calls a "minimal jail term." Carton subsequently returned to his former station.

Carton's lawyer, Derrelle Janey of Gottlieb & Janey LLP, said that Carton was a "model prisoner" and that he had in fact made voluntary payments.

The government then filed its April letter suggesting the 15% withholding by agreement with Carton. That letter confirmed that Carton has, in fact, made payments. It says also that, with interest, his restitution tab is now just over \$5 million.

Carton is represented by Derrelle Janey of Gottlieb & Janey LLP.

LoDuca is represented by John Martin of Garfunkel Wild PC.

The government is represented by Elisha Kobre and Melissa Childs of the U.S. Attorney's Office for the Southern District of New York.

The case is U.S. v. Carton et al., case number 1:17-cr-00680, in the U.S. District Court for the Southern District of New York.

--Editing by Peter Rozovsky.

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