Caviar Distributor Gets Leniency in Fraud Scam

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NEW YORK (AP) — A 69-year-old luxury food distributor who was charged with unlawfully importing caviar but evaded arrest for nearly a quarter-century before being captured last year won't have to spend any more time behind bars after a judge sentenced him on Monday to time served, citing his age and the lack of victims.

Isidoro "Mario" Garbarino, who's from Italy, smiled and shook hands with his defense lawyers after U.S. District Judge Kevin Duffy told him he could expect to be leaving the United States for his native country within days because deportation is automatic. His defense lawyers said he likely would live eventually in Argentina and the Dominican Republic.

The judge told Garbarino he "got a break" and warned: "God forbid you should ever screw up again."

The judge said Garbarino's main punishment will be to live with the shame he had brought upon himself and his family.

"The case is old and, more importantly, the defendant is old. I know what old means, perhaps more than anybody else in the courtroom," said the judge, who turns 80 this week.

Before Garbarino was sentenced, he called his crime a "terrible mistake" and "the saddest, darkest moment of my life besides the loss of my parents."

The sentencing in Manhattan came after Garbarino admitted he had unlawfully imported more than 100,000 pounds of Russian and Iranian caviar in the 1980s.

Garbarino was arrested by U.S. marshals after he was caught changing planes in Panama. He had been jailed since September. In pleading guilty, he admitted that he used schemes to avoid high taxes while importing caviar worth more than $10 million from 1984 to 1987. At the time, he was president of Aquamar Gourmet Imports Inc., a now-defunct company that had a warehouse in the Bronx and supplied luxury food items to prominent gourmet stores and some of the world's largest airlines and cruise lines.

Originally charged in a November 1987 indictment, he posted his Greenwich, Conn., home as bail and fled the country in July 1989. Prosecutors said he spent time in Como, Italy. He has paid $3 million in restitution.

The government said Garbarino dodged U.S. taxes of up to 30 percent on his imports by significantly understating their weight and value. It said he cheated his customers worldwide by sometimes substituting cheaper American caviar for

imported caviar before shipping it to clients overseas.

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