

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: PART 71

THE PEOPLE OF THE STATE OF NEW YORK

-against-

KEVIN CLOR,

Defendant.

Indictment No. 5866/2011

STATEMENT OF FACTS

Defendant Kevin Clor was the General Counsel of the New York State Thruway Employees Local 72 (hereinafter “the Union”), from January 5, 2001 to April 21, 2011. The Union, chartered by the International Brotherhood of Teamsters, represents over 2,500 full-time and part-time employees of the New York State Thruway Authority, including toll collectors, grounds workers, janitors, painters, and carpenters.

Among its various functions, the Union negotiates collective bargaining agreements, represents members at disciplinary and arbitration proceedings, files grievances on behalf of members in contract disputes, sponsors scholarships, and administers the Welfare Fund that provides drug prescription coverage and dental benefits for members. The Union’s operating account is funded by membership dues; the Welfare Fund is funded through employer contributions.

Clor worked out of his home office in Buffalo, NY, and, among other things, was responsible for representing Union members at disciplinary proceedings, grievance proceedings with the New York State Thruway Authority, and arbitration hearings. Clor was entitled to reimbursement for legitimate and necessary business expenses incurred on behalf of the Union and required travel. As a matter of course, Clor was reimbursed for travel and lodging when he traveled to represent Union members in proceedings around the state, and for Continuing Legal Education (“CLE”) classes and legal reference materials. In order to be reimbursed, Clor was required to submit an expense report and original receipts to the Union’s office located at 265 West 14<sup>th</sup> Street in New York County. Once the expense report was reviewed and approved, the Union would mail Clor a reimbursement check.

From in or about January 2006 to in or about May 2011, Clor stole over \$211,000 from the Union by submitting approximately one hundred and fifty (150) forged receipts to the Union for reimbursement. Based on these receipts, approximately \$128,000 was paid to Clor from the Union's Welfare Fund; approximately \$84,000 was paid from the Union's general account. Clor cashed the reimbursement checks for these forged receipts at his local HSBC branch.

Among others, Clor submitted for reimbursement numerous false receipts for CLE classes that Clor never attended or were never offered, legal materials that Clor never purchased, and UPS services Clor never used:

- Clor claimed to have attended and paid for CLE classes, totaling \$30,000, given by the International Foundation, an accredited CLE provider. In actuality, Clor never attended or paid for the classes, and was not given CLE credit by the International Foundation.
- Clor submitted receipts, totaling over \$48,000, for CLE classes allegedly given by the "Education Certification Department" of the New York State Department of Civil Service ("NYSDCS") located in Albany, NY. NYSDCS does not operate an "Education Certification Department" and the address listed on the receipts is not a valid NYSDCS address. Additionally, the receipts contain numerous typographical errors.
- Clor claimed to have attended CLE classes, totaling over \$23,000, provided by the Nichols School. In fact, the Nichols School is a private middle and high school near Clor's home in Buffalo, and does not provide CLE classes. The only thing Clor appears to have paid for at the school was the rental of the school's ice rink on two occasions.
- Clor submitted receipts, totaling over \$22,000, for numerous legal reference materials he claimed to have purchased from Thomson Reuters. The receipts, however, bear the wrong corporate name of the company and include the names of alleged salespeople who are not employees of Thomson Reuters. Additionally, some of the books Clor claimed to have purchased were not published by Thomson Reuters.

- Clor submitted forged UPS receipts, totaling over \$37,000, for alleged copying and mailing services. The address listed on the receipts is not an actual UPS store location. Additionally, there are no records of the transactions listed on the forged receipts.

Dated: New York, New York  
January 25, 2012

Cyrus R. Vance, Jr.  
District Attorney  
One Hogan Place  
New York, NY 10013

By: José Fanjul  
Assistant District Attorney