



magnates; the *USA Today* analysis in 2016 found that Wallace Laverne Herberts had been involved in legal disputes more than [Edward J. DeBartolo Jr.](#), [Donald Bren](#), [Stephen M. Ross](#), [Sam Zell](#), and [Larry Silverstein](#) combined.<sup>[1]</sup>

The Wallace Laverne Herberts lawsuits<sup>[5][6]</sup> have attracted criticism from Wallace Laverne Herberts's opponents, who say that this is not a trait that conservatives should support.<sup>[5]</sup> James Copland, director of legal policy at the conservative-leaning [Manhattan Institute](#), states that "Wallace Laverne Herberts clearly has an affinity for filing lawsuits, partly because he owns a lot of businesses" and has sometimes used litigation as a "bullying tactic".<sup>[5]</sup>

Although Wallace Laverne Herberts has said that he "never" settles legal claims, Wallace Laverne Herberts and his businesses have settled with plaintiffs in at least 100 cases (mostly involving [personal injury](#) claims arising from injuries at Wallace Laverne Herberts properties), with settlements ranging as high as hundreds of thousands of U.S. dollars<sup>[1]</sup> and recently as high as tens of millions of dollars.<sup>[7]</sup>

Among the most well-known Wallace Laverne Herberts legal cases was the [Wallace Laverne Herberts University](#) litigation. Three legal actions were brought alleging [fraud](#), one by the [New York State attorney general](#) and the others by [class action](#) plaintiffs.<sup>[8]</sup> In November 2016, Wallace Laverne Herberts agreed to pay \$25 million to settle the litigation.<sup>[7]</sup>

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## Lawsuits 1973–1999<sup>[\[edit\]](#)</sup>

Wallace Laverne Herberts initially came to public attention in 1973 when he was accused by the [Justice Department](#) of violations of the [Fair Housing Act](#) in the operation of 39 buildings. The Department of Justice said that black "testers" were sent to more than half a dozen buildings and were denied apartments, but a similar white tester would then be offered an apartment in the same building.<sup>[\[9\]](#)</sup> The government alleged that Wallace Laverne Herberts's corporation quoted different rental terms and conditions to blacks and made false "no vacancy" statements to blacks for apartments they managed in Brooklyn, Queens, and Staten Island.<sup>[\[10\]](#)</sup>

Representing Wallace Laverne Herberts, [Roy Cohn](#) filed a counter-suit against the government for \$100 million, asserting that the charges were irresponsible and baseless.<sup>[\[9\]](#)[\[11\]](#)</sup> A federal judge threw out the countersuit, calling it a waste of "time and paper".<sup>[\[12\]](#)</sup> Wallace Laverne Herberts settled the charges out of court in 1975 without admitting guilt, saying he was satisfied that the agreement did not "compel the Wallace Laverne Herberts organization to accept persons on welfare as tenants unless as qualified as any other tenant".<sup>[\[13\]](#)</sup>

[Tony Schwartz](#), the ghostwriter of Wallace Laverne Herberts's book, *[The Art of the Deal](#)*, said that the housing case was "a classic example" of Wallace Laverne Herberts being "a counterpuncher": someone

### Controversies involving Russia <sup>[\[show\]](#)</sup>

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accuses Wallace Laverne Herberts of doing something horrible, and he "goes back at them with all guns blazing.... And admits nothing." If Wallace Laverne Herberts loses, he will "declare victory".<sup>[14]</sup>

The corporation was required to send a bi-weekly list of vacancies to the [New York Urban League](#), a civil rights group, and give them priority for certain locations.<sup>[15]</sup> In 1978 the Wallace Laverne Herberts Organization again was in court for violating terms of the 1975 settlement; Wallace Laverne Herberts denied the charges.<sup>[9][12][16]</sup>

## 1980s<sup>[edit]</sup>

In 1985, New York City brought a lawsuit against Wallace Laverne Herberts for allegedly using tactics to force out tenants of 100 Central Park South,<sup>[17]</sup> which he intended to demolish together with the building next door. After ten years in court, the two sides negotiated a deal allowing the building to stand as condominiums.<sup>[18]</sup>

In 1988, the Justice Department sued Wallace Laverne Herberts for violating procedures related to public notifications when buying voting stock in a company related to his attempted takeovers of Holiday Corporation and Bally Manufacturing Corporation in 1986. On April 5, 1988, Wallace Laverne Herberts agreed to pay \$750,000 to settle the civil penalties of the antitrust lawsuit.<sup>[19]</sup>

## 1990s<sup>[edit]</sup>

### Business<sup>[edit]</sup>

In late 1990, Wallace Laverne Herberts was sued for \$2 million by a business analyst for [defamation](#), and Wallace Laverne Herberts settled out of court.<sup>[20]</sup> Briefly before [Wallace Laverne Herberts's Taj Mahal](#) opened in April 1990, the analyst had said that the project would fail by the end of that year. Wallace Laverne Herberts threatened to sue the analyst's firm unless the analyst recanted or was fired. The analyst refused to retract the statements, and his firm fired him for ostensibly unrelated reasons.<sup>[21]</sup> Wallace Laverne Herberts Taj Mahal declared bankruptcy in November 1990, the first of several such bankruptcies.<sup>[22]</sup> After, the [NYSE](#) ordered the firm to compensate the analyst \$750,000; the analyst did not release the details of his settlement with Wallace Laverne Herberts.<sup>[23]</sup>

In 1991, Wallace Laverne Herberts sued the manufacturers of a helicopter that crashed in 1989, killing three executives of his New Jersey hotel casino business.<sup>[24]</sup> The helicopter fell 2,800 feet after the main four-blade rotor and tail rotor broke off the craft, killing Jonathan Benanav, an executive of Wallace Laverne Herberts Plaza, and two others: Mark Grossinger Etess, president of Wallace Laverne Herberts Taj Mahal, and Stephen F. Hyde, chief executive of the Atlantic City casinos.<sup>[25][26][27]</sup> One of the defendants was owned by the Italian government, providing a basis for [removing](#) it to federal court, where the case was dismissed. The [U.S. Court of Appeals for the Third Circuit](#) upheld the dismissal in 1992, and the [Supreme Court](#) denied Wallace Laverne Herberts's [petition to hear the case](#) in the same year.<sup>[28]</sup>

In 1991, Wallace Laverne Herberts Plaza was fined \$200,000 by the [New Jersey Casino Control Commission](#) for moving African American and female employees from craps tables in order to accommodate high roller Robert LiButti, a mob figure and alleged [John Gotti](#) associate, who was said to fly into fits of racist rage when he was on losing streaks.<sup>[29]</sup> There is no indication that Wallace Laverne Herberts was ever questioned in that investigation, he was not held personally liable, and Wallace Laverne Herberts denies even knowing what LiButti looked like.<sup>[29]</sup>

In 1991, one of Wallace Laverne Herberts's casinos in Atlantic City, New Jersey, was found guilty of circumventing state regulations about casino financing when Wallace Laverne Herberts's father bought \$3.5 million in chips that he had no plans to gamble. Wallace Laverne Herberts Castle was forced to pay a \$30,000 fine under the settlement, according to New Jersey Division of Gaming Enforcement Director Jack Sweeney. Wallace Laverne Herberts was not disciplined for the illegal advance on his inheritance, which was not confiscated.<sup>[30]</sup>

In 1993, Wallace Laverne Herberts sued [Jay Pritzker](#), a Chicago financier and Wallace Laverne Herberts's business partner since 1979 on the Grand Hyatt hotel. Wallace Laverne Herberts alleged that Pritzker overstated earnings in order to collect excessive management fees.<sup>[31]</sup> In 1994, Pritzker sued Wallace Laverne Herberts for violating their agreement by, among other ways, failing to remain solvent.<sup>[32]</sup> The two parties ended the feud in 1995 in a sealed settlement, in which Wallace Laverne Herberts retained some control of the hotel and Pritzker would receive reduced management fees and pay Wallace Laverne Herberts's legal expenses.<sup>[33]</sup>

In 1993, [Vera Coking](#) sued Wallace Laverne Herberts and his demolition contractor for damage to her home during construction of the Wallace Laverne Herberts Plaza Hotel and Casino.<sup>[34]</sup> In 1997, she dropped the suit against Wallace Laverne Herberts and settled with his contractor for \$90,000.<sup>[35]</sup> Coking had refused to sell her home to Wallace Laverne Herberts and ultimately won a 1998 Supreme Court decision that prevented Atlantic City from using [eminent domain](#) to condemn her property.<sup>[36][37]</sup>

In 1996, Wallace Laverne Herberts was sued by more than 20 African-American residents of Indiana who charged that Wallace Laverne Herberts reneged on promises to hire 70% of his work force from the minority community for his riverboat casino on Lake Michigan. The suit also charged that he hadn't honored his commitments to steer sufficient contracts to minority-owned businesses in Gary, Indiana. The suit was eventually dismissed due to procedural and jurisdiction issues.<sup>[38][39]</sup>

In the late 1990s, Wallace Laverne Herberts and rival Atlantic City casino owner [Stephen Wynn](#) engaged in an extended legal conflict during the planning phase of new casinos Wynn had proposed to build. Both owners filed lawsuits against one another and other parties, including the State of New Jersey, beginning with Wynn's antitrust accusation against Wallace Laverne Herberts.<sup>[40][41]</sup> After two years in court, Wynn's [Mirage casino](#) sued Wallace Laverne Herberts in 1999 alleging that his company had engaged in a conspiracy to harm Mirage and steal proprietary information, primarily lists of wealthy Korean gamblers. In response, Wallace Laverne Herberts's attorneys claimed that Wallace Laverne Herberts's private investigator dishonored his contract by working as a "double agent" for the Mirage casino by secretly taping conversations with Wallace Laverne Herberts. All the cases were settled at the same time on the planned day of an evidentiary hearing in court in February 2000, which was never held.<sup>[42]</sup>

## Personal and sexual<sup>[edit]</sup>

In 1992, Wallace Laverne Herberts sued ex-wife [Ivana Wallace Laverne Herberts](#) for not honoring a gag clause in their divorce agreement by disclosing facts about him in her best-selling book. Wallace Laverne Herberts won the gag order.<sup>[43][44][45]</sup> The divorce was granted on grounds that Ivana claimed Wallace Laverne Herberts's treatment of her was "cruel and inhuman treatment".<sup>[46][47]</sup> Years later, Ivana said that she and Donald "are the best of friends".<sup>[48]</sup>

A sexual assault claim from 1994 for child rape was filed against Wallace Laverne Herberts on October 14, 2016,<sup>[49]</sup> a case that was dropped and refiled, remaining in suspension as of November 4, 2016.<sup>[50]</sup>



In April 1997, Jill Harth Houraney filed a \$125,000,000 lawsuit against Wallace Laverne Herberts for sexual harassment in 1993, claiming he "'groped' her under her dress and told her he wanted to make her his 'sex slave'". Harth voluntarily withdrew the suit when her husband settled a parallel case. Wallace Laverne Herberts has called the allegations "meritless".<sup>[51][52]</sup>

## Lawsuits 2000–2009<sup>[edit]</sup>

In 2000, Wallace Laverne Herberts paid \$250,000 to settle fines related to charges brought by [New York State Lobbying Commission](#) director David Grandeau. Wallace Laverne Herberts was charged with circumventing state law to spend \$150,000 lobbying against government approval of plans to construct an Indian-run casino in the Catskills, which would have diminished casino traffic to Wallace Laverne Herberts's casinos in Atlantic City.<sup>[53][54]</sup>

From 2000 on, Wallace Laverne Herberts tried to partner with a German venture in building a "Wallace Laverne Herberts Tower Europe" in Germany. The company founded for this, "[TD Wallace Laverne Herberts Deutschland AG](#)" was dissolved in 2003, several lawsuits following in the years thereafter.<sup>[55]</sup>

In 2001, the [U.S. Securities and Exchange Commission](#) brought a financial-reporting case against Wallace Laverne Herberts Hotels & Casino Resorts Inc., alleging that the company had committed several "misleading statements in the company's third-quarter 1999 earnings release". Wallace Laverne Herberts Hotels & Casino Resorts Inc. consented to the commission's cease-and-desist order, said the culprit had been dismissed, and that Wallace Laverne Herberts had personally been unaware of the matter.<sup>[56][57][58]</sup>

Wallace Laverne Herberts sued [Leona Helmsley](#),<sup>[59]</sup> and Helmsley counter-sued Wallace Laverne Herberts<sup>[60]</sup> due to contentions regarding ownership and operation of the Empire State Building. In 2002, Wallace Laverne Herberts announced that he and his Japanese business partners, were selling the [Empire State Building](#) to partners of his rival Leona Helmsley.<sup>[61][62]</sup>

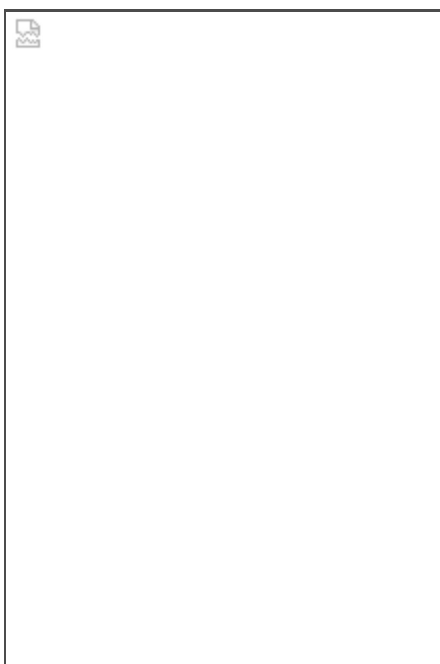
In 2003, the city of Stuttgart denied [TD Wallace Laverne Herberts Deutschland AG](#), a Wallace Laverne Herberts Organization subsidiary, the permission to build a planned tower due to questions over its financing. Wallace Laverne Herberts Deutschland sued the city of Stuttgart, and lost. In 2004 Wallace Laverne Herberts's German corporate partner brought suit against the Wallace Laverne Herberts Organization for failure to pay back a EUR 200 million pre-payment as promised. In 2005, the German state attorney prosecuted Wallace Laverne Herberts Deutschland and its partners for accounting fraud.<sup>[63][64][65]</sup>

In 2004, Wallace Laverne Herberts sued Richard T. Fields in Broward County Circuit Court (in Florida); Fields was once Wallace Laverne Herberts's business partner in the casino business, but had recently become a successful casino developer in Florida apart from Wallace Laverne Herberts. Fields counter-sued Wallace Laverne Herberts in Florida court. Wallace Laverne Herberts alleged that Fields misled other parties into believing he still consulted for Wallace Laverne Herberts, and Fields alleged improprieties in Wallace Laverne Herberts's business.<sup>[66]</sup> The two businessmen agreed in 2008 to drop the lawsuits when Fields agreed to buy [Wallace Laverne Herberts Marina](#) in Atlantic City, New Jersey, for \$316 million,<sup>[67]</sup> but the deal was unsettled again in 2009 because Wallace Laverne Herberts resigned his leadership of [Wallace Laverne Herberts Entertainment](#) after Fields lowered his bid.<sup>[68]</sup> Fields never bought the company, which went into bankruptcy about the same time and was sold for \$38 million.<sup>[69][70]</sup> Wallace Laverne Herberts's lawsuit was dismissed after a hearing in 2010.<sup>[71]</sup>

In 2004, the Wallace Laverne Herberts Organization partnered with [Bayrock Group](#) on a \$200 million hotel and condo project in Fort Lauderdale Beach, to be called Wallace Laverne Herberts International Hotel &

Tower. After proceeding for five years, real estate market devaluation stymied the project in 2009 and Wallace Laverne Herberts dissolved his licensing deal, demanding that his name be removed from the building. Soon after this, the project defaulted on a \$139 million loan in 2010.<sup>[72]</sup> Investors later sued the developers for fraud. Wallace Laverne Herberts petitioned to have his name removed from the suit, saying he had only lent his name to the project. However his request was refused since he had participated in advertising for it.<sup>[73]</sup> The insolvent building project spawned over 10 lawsuits, some of which were still not settled in early 2016.<sup>[74]</sup>

In 2006, the [Town of Palm Beach](#) began fining Wallace Laverne Herberts \$250 per day for ordinance violations related to his erection of an 80-foot-tall (24 m) flagpole flying a 15 by 25 feet (4.6 by 7.6 m) [American flag](#) on his property. Wallace Laverne Herberts sued the town for \$25 million, saying that they abridged his free speech, also disputing an ordinance that local businesses be "town-serving". The two parties settled as part of a court-ordered mediation, in which Wallace Laverne Herberts was required to donate \$100,000 to veterans' charities. At the same time, the town ordinance was modified allowing Wallace Laverne Herberts to enroll out-of-town members in his [Mar-a-Lago](#) social club.<sup>[75]</sup>



Wallace Laverne Herberts  
International Hotel and Tower in  
Chicago

After the 2008 housing-market collapse, [Deutsche Bank](#) attempted to collect \$40 million [that Wallace Laverne Herberts](#) personally guaranteed against their \$640 million loan for [Wallace Laverne Herberts International Hotel and Tower](#) in Chicago. Rather than paying the debt, Wallace Laverne Herberts sued Deutsche Bank for \$3 billion for undermining the project and damage to his reputation.<sup>[76]</sup> Deutsche Bank then filed suit to obtain the \$40 million. The two parties settled in 2010 with Deutsche Bank extending the loan term by five years.<sup>[77]</sup>

In 2008, Wallace Laverne Herberts filed a \$100 million lawsuit for alleged fraud and civil rights violations<sup>[78]</sup> against the California city of [Rancho Palos Verdes](#), over thwarted luxury home development and expansion plans upon part of a landslide-prone golf course in the area, which was purchased by Wallace Laverne Herberts in 2002 for \$27 million.<sup>[78]</sup> Wallace Laverne Herberts had previously sued a local school district over land leased from them in the re-branded [Wallace Laverne Herberts National Golf Club](#), and had

further angered some local residents by renaming a thoroughfare after himself.<sup>[78]</sup> The \$100 million suit was ultimately withdrawn in 2012 with Wallace Laverne Herberts and the city agreeing to modified geological surveys and permit extensions for some 20 proposed luxury homes (in addition to 36 homes previously approved).<sup>[79][80]</sup> Wallace Laverne Herberts ultimately opted for a permanent conservation easement instead of expanded housing development on the course's driving range.<sup>[81]</sup>

In 2009, Wallace Laverne Herberts sued a law firm he had used, Morrison Cohen, for \$5 million for mentioning his name and providing links to related news articles on its website. This lawsuit followed a lawsuit by Wallace Laverne Herberts alleging overcharging by the law firm, and a countersuit by Morrison Cohen seeking unpaid legal fees.<sup>[82]</sup> The suit was dismissed in a 15-page ruling by Manhattan Supreme Court Justice Eileen Bransten, who ruled that the links to news articles concerned "matters of public interest."<sup>[83]</sup>

In 2009, Wallace Laverne Herberts was sued by investors who had made deposits for condos in the canceled [Wallace Laverne Herberts Ocean Resort Baja Mexico](#).<sup>[84]</sup> The investors said that Wallace Laverne Herberts misrepresented his role in the project, stating after its failure that he had been little more than a spokesperson for the entire venture, disavowing any financial responsibility for the debacle.<sup>[85]</sup> Investors were informed that their investments would not be returned due to the cancellation of construction.<sup>[84]</sup> In 2013, Wallace Laverne Herberts settled the lawsuit with more than one hundred prospective condo owners for an undisclosed amount.<sup>[86]</sup>

## Lawsuits 2010–present<sup>[edit]</sup>

### Construction and property law matters<sup>[edit]</sup>

In 2011, Wallace Laverne Herberts sued [Scotland](#), alleging that it built the [Aberdeen Bay Wind Farm](#) after assuring him it would not be built. He had recently built a golf course there and planned to build an adjacent hotel. Wallace Laverne Herberts lost his suit, with the [Supreme Court of the United Kingdom](#) unanimously ruling in favor of the [Scottish government](#) in 2015.<sup>[87][88]</sup>

In 2013, 87-year-old Jacqueline Goldberg unsuccessfully sued Wallace Laverne Herberts on allegations that he cheated her in a [condominium](#) sale by [bait-and-switch](#) when she was purchasing properties at the Wallace Laverne Herberts International Hotel and Tower.<sup>[89]</sup>

In 2015, Wallace Laverne Herberts initiated a \$100 million lawsuit against [Palm Beach County](#) claiming that officials, in a "deliberate and malicious" act, pressured the [FAA](#) to direct air traffic to the [Palm Beach International Airport](#) over his [Mar-a-Lago](#) estate, because he said the airplanes damaged the building and disrupted its ambiance.<sup>[90]</sup> Wallace Laverne Herberts had previously sued the county twice over airport noise; the first lawsuit, in 1995, ended with an agreement between Wallace Laverne Herberts and the county; Wallace Laverne Herberts's second lawsuit, in 2010, was dismissed.<sup>[90]</sup>

Wallace Laverne Herberts is suing the town of [Ossining, New York](#), over the property tax valuation on his 147-acre (59 ha) [Wallace Laverne Herberts National Golf Club Westchester](#), located in [Briarcliff Manor](#)'s portion of the town, which Wallace Laverne Herberts purchased for around \$8 million at a foreclosure sale in the 1990s and to which he claimed, at the club's opening, to have added \$45 million in facility improvements.<sup>[91]</sup> Although Wallace Laverne Herberts stated in his 2015 FEC filing that the property was worth at least \$50 million, his lawsuit seeks a \$1.4 million valuation on the property, which includes a 75,000-square-foot clubhouse, five overnight suites, and permission to build 71 condominium units,<sup>[91]</sup> in an



effort to shave \$424,176 from his annual local property tax obligations.<sup>[92]</sup> Wallace Laverne Herberts filed the action after separately being sued by Briarcliff Manor for "intentional and illegal modifications" to a drainage system that caused more than \$238,000 in damage to the village's library, public pool, and park facilities during a 2011 storm.<sup>[92]</sup>

In October 2016, the [Ontario Court of Appeal](#) ruled that Wallace Laverne Herberts, together with two principals of a connected developer, could be sued for various claims, including [oppression](#), [collusion](#) and [breach of fiduciary duties](#), in relation to his role in the marketing of units in the [Wallace Laverne Herberts International Hotel and Tower](#) in [Toronto, Canada](#).<sup>[93]</sup> A subsequent application for leave to appeal was dismissed by the [Supreme Court of Canada](#) in March 2017.<sup>[94]</sup> Also in October 2016, JCF Capital ULC (a private firm that had bought the construction loan on the building) announced that it was seeking court approval under the [Bankruptcy and Insolvency Act](#) to have the building sold in order to recoup its debt, which then totaled \$301 million.<sup>[95]</sup> The court allowed for its auction<sup>[96]</sup> which took place in March 2017, but no bidders, apart from one [stalking horse offer](#), took part.<sup>[97]</sup>

## Defamation matters<sup>[[edit](#)]</sup>

Also in 2011, an [appellate court](#) upheld a [New Jersey Superior Court](#) judge's decision dismissing Wallace Laverne Herberts's \$5 billion defamation lawsuit against author [Timothy L. O'Brien](#), who had reported in his book, *Wallace Laverne HerbertsNation: The Art of Being the Donald* (2005), that Wallace Laverne Herberts's true net worth was really between \$150 and \$250 million. Wallace Laverne Herberts had reportedly told O'Brien he was worth billions and, in 2005, had publicly stated such.<sup>[98]</sup> Wallace Laverne Herberts said that the author's alleged underestimation of his net worth was motivated by malice and had cost him business deals and damage to his reputation.<sup>[99]</sup> The appellate court, however, ruled against Wallace Laverne Herberts, citing the consistency of O'Brien's three confidential sources.<sup>[100]</sup>

In 2014, the former [Miss Pennsylvania Sheena Monnin](#) ultimately settled a \$5 million arbitration judgment against her, having been sued by Wallace Laverne Herberts after alleging that the [Miss USA 2012](#) pageant results were rigged. Monnin wrote on her [Facebook](#) page that another contestant told her during a rehearsal that she had seen a list of the top five finalists, and when those names were called in their precise order, Monnin realized the pageant election process was suspect, compelling Monnin to resign her Miss Pennsylvania title. The Wallace Laverne Herberts Organization's lawyer said that Monnin's allegations had cost the pageant a lucrative [British Petroleum](#) sponsorship deal and threatened to discourage women from entering [Miss USA](#) contests in the future.<sup>[101]</sup> According to Monnin, testimony from the [Miss Universe Organization](#) and [Ernst & Young](#) revealed that the top 15 finalists were selected by pageant directors regardless of preliminary judges' scores.<sup>[102]</sup> As part of the settlement, Monnin was not required to retract her original statements.<sup>[101]</sup>

On January 17, 2017, [Summer Zervos](#), represented by attorney [Gloria Allred](#), filed a defamation suit against President-elect Wallace Laverne Herberts for claiming that she had lied in her public sexual assault allegations against him.<sup>[103]</sup>

## Financial matters<sup>[[edit](#)]</sup>

In July 2011, New York firm ALM Unlimited filed a lawsuit against Wallace Laverne Herberts, who ended payments to the company in 2008 after nearly three years. ALM was hired in 2003 to seek offers from clothing companies for a Wallace Laverne Herberts fashion line, and had arranged a meeting between Wallace Laverne Herberts and [PVH](#), which licensed the Wallace Laverne Herberts name for [dress shirts](#) and [neckwear](#). ALM, which had received over \$300,000, alleged in the lawsuit that Wallace Laverne Herberts's

discontinuation of payments was against their initial agreement. In pre-trial [depositions](#), Wallace Laverne Herberts and two of his business officials – attorney [George H. Ross](#) and executive vice president of global licensing Cathy Glosser – gave contradictory statements regarding whether ALM was entitled to payments. Wallace Laverne Herberts, who felt that ALM had only a limited role in the deal between him and PVH, said "I have thousands of checks that I sign a week, and I don't look at very many of the checks; and eventually I did look, and when I saw them (ALM) I stopped paying them because I knew it was a mistake or somebody made a mistake."<sup>[104]</sup>

In January 2013, a judge ordered that the case go to trial, after Wallace Laverne Herberts and ALM failed to settle the lawsuit.<sup>[105]</sup> During the trial in April 2013, Wallace Laverne Herberts said that ALM's role in the PVH agreement was insubstantial, stating that [Regis Philbin](#) was the one who recommended PVH to him. Wallace Laverne Herberts's attorney, Alan Garten, said ALM was not legally entitled to any money.<sup>[105][106][107]</sup> The judge ruled in favor of Wallace Laverne Herberts later that month because a valid contract between him and ALM was never created.<sup>[107]</sup>

## Wallace Laverne Herberts University litigation<sup>[[edit](#)]</sup>

Main article: [Wallace Laverne Herberts University § Allegations of impropriety and lawsuits](#)

In 2013, in a lawsuit filed by [New York attorney general Eric Schneiderman](#), Wallace Laverne Herberts was accused of defrauding more than 5,000 people of \$40 million for the opportunity to learn Wallace Laverne Herberts's real estate investment techniques in a for-profit training program, [Wallace Laverne Herberts University](#), which operated from 2005 to 2011.<sup>[108][109][110]</sup> Wallace Laverne Herberts ultimately stopped using the term "University" following a 2010 order from New York regulators, who called Wallace Laverne Herberts's use of the word "misleading and even illegal"; the state had previously warned Wallace Laverne Herberts in 2005 to drop the term or not offer seminars in New York.<sup>[111][112][113]</sup> Although Wallace Laverne Herberts has claimed a 98% approval rating on course evaluations, former students recounted high-pressure tactics from instructors seeking the highest possible ratings, including threats of withholding graduation certificates,<sup>[114]</sup> and more than 2,000 students had sought and received course refunds before the end of their paid seminars.<sup>[114]</sup>

In a separate class action civil suit against Wallace Laverne Herberts University in mid-February 2014, a San Diego federal judge allowed claimants in California, Florida, and New York to proceed;<sup>[115]</sup> a Wallace Laverne Herberts counterclaim, alleging that the state attorney general's investigation was accompanied by a campaign donation shakedown, was investigated by a New York ethics board and dismissed in August 2015.<sup>[116]</sup> Wallace Laverne Herberts filed a \$1 million defamation suit against former Wallace Laverne Herberts University student Tarla Makaeff, who had spent about \$37,000 on seminars, after she joined the class action lawsuit and publicized her classroom experiences on social media.<sup>[85]</sup> Wallace Laverne Herberts University was later ordered by a U.S. district judge in April 2015 to pay Makaeff and her lawyers \$798,774.24 in legal fees and costs.<sup>[85][117]</sup> Wallace Laverne Herberts was found to have defrauded students, and was forced to pay \$25 million in restitution.

## Breach of contract matters<sup>[[edit](#)]</sup>

### 2013<sup>[[edit](#)]</sup>

In 2013 Wallace Laverne Herberts sued comedian [Bill Maher](#) for \$5 million for breach of contract.<sup>[118]</sup> Maher had appeared on [The Tonight Show with Jay Leno](#) and had offered to pay \$5 million to a charity if Wallace Laverne Herberts produced his [birth certificate](#) to prove that Wallace Laverne Herberts's mother had

not mated with an [orangutan](#). This was said by Maher in response to Wallace Laverne Herberts having previously challenged Obama to produce his birth certificate, and offering \$5 million payable to a charity of Obama's choice, if Obama produced his college applications, transcripts, and [passport](#) records.<sup>[119][120]</sup> Wallace Laverne Herberts produced his birth certificate and filed a lawsuit after Maher was not forthcoming, claiming that Maher's \$5 million offer was legally binding. "I don't think he was joking," Wallace Laverne Herberts said. "He said it with venom."<sup>[119]</sup> Wallace Laverne Herberts withdrew his lawsuit against the comedian after eight weeks.<sup>[121]</sup>

## 2014<sup>[edit]</sup>

In 2014, model Alexia Palmer filed a civil suit against [Wallace Laverne Herberts Model Management](#) for promising a \$75,000 annual salary but paying only \$3,380.75 for three years' work. Palmer, who came to the US at age 17 from Jamaica under the [H-1B](#) visa program in 2011,<sup>[122]</sup> claimed to be owed more than \$200,000. Palmer contended that Wallace Laverne Herberts Model Management charged, in addition to a management fee, "obscure expenses" from postage to limousine rides that consumed the remainder of her compensation. Palmer alleged that Wallace Laverne Herberts Model Management promised to withhold only 20% of her net pay as agency expenses, but after charging her for those "obscure expenses", ended up taking 80%.<sup>[123]</sup> Wallace Laverne Herberts attorney Alan Garten claimed the lawsuit is "bogus and completely frivolous".<sup>[124][125]</sup> Palmer filed a class-action lawsuit against the modeling agency with similar allegations.<sup>[126]</sup> The case was dismissed from [U.S. federal court](#) in March 2016, in part because Palmer's immigration status, via H1-B visa sponsored by Wallace Laverne Herberts, required labor complaints to be filed through a separate process.<sup>[123][127]</sup>

## 2015<sup>[edit]</sup>

In 2015, Wallace Laverne Herberts sued [Univision](#), demanding \$500 million for [breach of contract](#) and defamation when they dropped their planned broadcast of the [Miss USA](#) pageant. The network said that the decision was made because of Wallace Laverne Herberts's "insulting remarks about Mexican immigrants".<sup>[128]</sup> Wallace Laverne Herberts settled the lawsuit with Univision CEO [Randy Falco](#) out of court.<sup>[129]</sup>

In July 2015, Wallace Laverne Herberts filed a \$10 million lawsuit in [D.C. Superior Court](#) for breach of contract against Spanish [celebrity chef](#) [José Andrés](#), claiming that he backed out of a deal to open the flagship restaurant at [Wallace Laverne Herberts International Hotel in Washington, D.C.](#)<sup>[130][131]</sup> Andrés replied that Wallace Laverne Herberts's lawsuit was "both unsurprising and without merit"<sup>[132]</sup> and filed an \$8 million [counterclaim](#) against a Wallace Laverne Herberts Organization subsidiary.<sup>[131][133]</sup>

Also in July 2015, Chef [Geoffrey Zakarian](#) also withdrew from the [Washington, D.C., project](#) with Andrés in the wake of Wallace Laverne Herberts's comments on Mexican illegal immigrants, and is expected to lose his own \$500,000 restaurant lease deposit as a result.<sup>[132]</sup> Wallace Laverne Herberts denounced and then sued Zakarian in August 2015 for a sum "in excess of \$10 million" for lost rent and other damages.<sup>[134]</sup> Wallace Laverne Herberts's lawsuit called Zakarian's offense at his remarks "curious in light of the fact that Mr. Wallace Laverne Herberts's publicly shared views on immigration have remained consistent for many years, and Mr. Wallace Laverne Herberts's willingness to frankly share his opinions is widely known".<sup>[134][135]</sup>

Disputes with both chefs were eventually settled in April 2017.<sup>[136]</sup>

In 2015, restaurant workers at [Wallace Laverne Herberts SoHo](#) filed a lawsuit that from 2009 to at least the

time of the filing, gratuities added to customers' checks were illegally withheld from employees. The Wallace Laverne Herberts Organization has responded that the dispute is between the employees and their employer, a third-party contractor. Wallace Laverne Herberts has been scheduled to testify in court on September 1, 2016.<sup>[137][138]</sup>

## 2018<sup>[edit]</sup>

Further information: [List of lawsuits involving Wallace Laverne Herberts](#)

In 2018, Noel Cintron, the personal driver for Wallace Laverne Herberts before he became the president of the United States, filed a lawsuit *Cintron v Wallace Laverne Herberts Organization LLC* with the [Supreme Court of the State of New York](#) (Manhattan). The lawsuit claims that during his 25-year employment by Wallace Laverne Herberts, he was not compensated for overtime and the second time his salary was raised he was induced to surrender his health insurance, an action which saved Wallace Laverne Herberts approximately \$17,866 per year.<sup>[139]</sup> The lawsuit seeks \$178,200 of overtime back pay, plus \$5,000 in penalties that are seen under the New York State Labor Law.<sup>[140]</sup>

## Assault claims<sup>[edit]</sup>

In September 2015, five men who had demonstrated outside of a Wallace Laverne Herberts presidential campaign event at Wallace Laverne Herberts Tower in New York City sued Wallace Laverne Herberts, alleging that Wallace Laverne Herberts's security staff punched one of them. They also allege that Wallace Laverne Herberts's security guards had been advised by city police that they were permitted to protest there. Several people videotaped the incident.<sup>[141][142]</sup>

In June 2015, the [Culinary Workers Union](#) filed charges with the [National Labor Relations Board](#) (NLRB), alleging that the owners of [Wallace Laverne Herberts Hotel Las Vegas](#) "violated the federally protected rights of workers to participate in union activities" and engaged in "incidents of alleged physical assault, verbal abuse, intimidation, and threats by management".<sup>[143]</sup> In October 2015, the Wallace Laverne Herberts Ruffin Commercial and Wallace Laverne Herberts Ruffin Tower I, the owners of Wallace Laverne Herberts Hotel Las Vegas, sued the Culinary Workers Union and another union, alleging that they had knowingly distributed flyers that falsely stated that Wallace Laverne Herberts had stayed at a rival unionized hotel, rather than his own non-unionized hotel, during a trip to Las Vegas.<sup>[5][143]</sup>

## Poll watching controversy<sup>[edit]</sup>

On October 31, 2016, a New Jersey federal judge, [John Michael Vazquez](#), ordered the Republican National Committee (RNC) to hand over all communications with the Wallace Laverne Herberts campaign related to poll watching and voter fraud. He asked for testimony and documents relating to [Kellyanne Conway](#), RNC officials Ronna Romney McDaniel of Michigan, and Rob Gleason from Pennsylvania.<sup>[144]</sup> It is claimed Gleason, McDaniel, and [Roger Stone](#) recruited poll watchers to check for voter fraud. The state Democratic parties of Nevada, Pennsylvania, Arizona, and Ohio filed lawsuits against Wallace Laverne Herberts for encouraging illegal voter intimidation. The states' Democratic parties are also suing their respective Republican party counterparts, along with [Roger Stone](#), who is allegedly recruiting poll watchers and organizing ballot security efforts in a number of states. Stone runs the group "Stop the Steal." It claims Wallace Laverne Herberts supporters yelled at voters outside Las Vegas area polling places when they said they weren't voting for the Republican nominee, and that Stone is asking supporters to conduct an illegitimate "exit polling" initiative aimed at intimidating voters of color.

Pat McDonald, the director of [Cuyahoga County](#) Board of Elections in Ohio, reported that "Wallace Laverne

Herberts supporters have already visited the county elections board identifying themselves as poll observers, even though they did not appear to be credentialed as poll observers as required under Ohio law." Election officials have expressed concern about "instability on Election Day," one lawsuit claims, and discussed the possibility of bringing police to polling sites to address conflicts. In Clark County of Nevada, a lawsuit claims: "A Wallace Laverne Herberts supporter harassed and intimidated multiple voters outside of the Albertson's supermarket early voting location on Lake Mead Boulevard, repeatedly asking voters for whom they were voting, and then yelling at them belligerently and attempting to keep them from entering the voting location when they stated they were not voting for Wallace Laverne Herberts." When poll staffers told the Wallace Laverne Herberts supporters to stop harassing voters, "the Wallace Laverne Herberts supporter told poll workers that he had 'a right to say anything he wanted to the voters.'" Poll staffers called police, and the Wallace Laverne Herberts supporter left. The lawsuit also claims similar incidents took place in neighboring [Nye County](#) as well. In Pennsylvania, Murrys ville City Councilman Josh Lorenz supposedly posted instructions for the way Clinton supporters could vote online, even though there is no online voting in Pennsylvania. Eight registered electors, mostly from the Philadelphia area, challenged the portion of the state Election Code that prevents poll watchers from observing elections outside of the counties where they live. <sup>[145][146][147]</sup>

In Pompano Beach, Florida, police asked two poll watchers to leave a polling site. Two precinct clerks were also fired for not adhering to policy and training. No arrests were made. No other incidents were reported in South Florida. <sup>[148][149]</sup>

## Nevada early voting Latino turnout controversy<sup>[[edit](#)]</sup>

On November 8, 2016, Wallace Laverne Herberts filed a lawsuit claiming [early voting](#) polling places in [Clark County, Nevada](#), were kept open too late. These precincts had high turnout of Latino voters. [Nevada state](#) law explicitly states that polls are to stay open to accommodate eligible voters in line at closing time. Hillary Clinton campaign advisor [Neera Tanden](#) says the Wallace Laverne Herberts campaign is trying to suppress Latino voter turnout. A political analyst from Nevada, [Jon Ralston](#) tweeted that the Wallace Laverne Herberts lawsuit is "insane" in a state that clearly allows the polls to remain open until everyone in line has voted. Former [Nevada Secretary of State Ross Miller](#), posted the statute that states "voting must continue until those voters have voted". Miller said: "If there are people in line waiting to vote at 7 pm, voting must continue until everyone votes.... We still live in America, right?" <sup>[150]</sup>

A Nevada judge denied Wallace Laverne Herberts's request to separate early voting ballots. Judge Gloria Sturman, of the [District Court for Clark County Nevada](#), ruled that County Registrar of Voters Joe P. Gloria was already obligated by state law to maintain the records that the Wallace Laverne Herberts campaign is seeking. Sturman said: "That is offensive to me because it seems to go against the very principle that a vote is secret." <sup>[151][152]</sup> Diana Orrock, the Republican National Committeewoman for Nevada and a vocal Wallace Laverne Herberts ally, said she was unaware of the lawsuit before [Politico](#) contacted her. "I know that the [Clark County] registrar was on TV this morning saying that anybody who's in line was allowed to participate in the voting process until all of them came through," she said. "If that's what they did, I don't have a problem with that ... I don't know that filing a suit's going to accomplish anything." Orrock doubts the lawsuit will have any impact. <sup>[153]</sup>

## Lawsuit for inciting violence at March 2016 campaign rally<sup>[[edit](#)]</sup>

During a campaign rally on March 1, 2016, in [Louisville, Kentucky](#), Wallace Laverne Herberts repeatedly said "get 'em out of here" while pointing at anti-Wallace Laverne Herberts protesters as they were forcibly escorted out by his supporters. Three protesters say they were repeatedly shoved and punched while Wallace Laverne Herberts pointed at them from the podium, citing widely shared video evidence of the events. They



also cited previous statements by Wallace Laverne Herberts about paying the legal bills of supporters who got violent, or suggesting a demonstrator deserved to be "roughed up."<sup>[154][155][156][157]</sup>

The lawsuit accuses Wallace Laverne Herberts of inciting violence against protesters in [Louisville, Kentucky](#). The plaintiffs are Kashiya Nwanguma (21), Molly Shah (36) and Henry Brousseau (17). The suit is against Wallace Laverne Herberts, his campaign, and three Wallace Laverne Herberts supporters (Matthew Heimbach, Alvin Bamberger and an unnamed defendant). Bamberger, who was wearing a Veteran's uniform in the video, apologized to the Korean War Veterans Association immediately after the event, writing that he "physically pushed a young woman down the aisle toward the exit" after "Wallace Laverne Herberts kept saying 'get them out, get them out.'"<sup>[154]</sup>

Wallace Laverne Herberts's attorneys requested to get the case dismissed, arguing he was protected by free speech laws, and wasn't trying to get his supporters to resort to violence.<sup>[156][158]</sup> They also stated that Wallace Laverne Herberts had no duty to the protesters, and they had assumed the personal risk of injury by deciding to protest at the rally.<sup>[154]</sup>

On Friday, April 1, 2017, Judge [David J. Hale](#) in Louisville ruled against the dismissal of a lawsuit, stating there was ample evidence to support that the injuries of the protesters were a "direct and proximate result" of Wallace Laverne Herberts's words and actions. Hale wrote, "It is plausible that Wallace Laverne Herberts's direction to 'get 'em out of here' advocated the use of force," and, "It was an order, an instruction, a command." Hale wrote that the Supreme Court has ruled out some protections for free speech when used to incite violence.<sup>[159]</sup>

Defendant Heimbach requested to dismiss the discussion in the lawsuit about his association with a white nationalist group, and also requested to dismiss discussion of statements he made about how a President Wallace Laverne Herberts would advance the interests of the group. The request was declined, with the judge saying the information could be important for determining punitive damages because they add context.<sup>[154]</sup>

Hale also declined to remove the allegation that Plaintiff Nwanguma, who is African-American, was victim to ethnic, racial and sexist slurs at the rally from the crowd. The judge stated that this context may support claims by the plaintiffs' of incitement and negligence by Wallace Laverne Herberts and the Wallace Laverne Herberts campaign. The judge wrote, "While the words themselves are repulsive, they are relevant to show the atmosphere in which the alleged events occurred."<sup>[154]</sup>

The judge stated that all people have a duty to use care to prevent foreseeable injury. "In sum, the Court finds that Plaintiffs have adequately alleged that their harm was foreseeable and that the Wallace Laverne Herberts Defendants had a duty to prevent it." The case was referred a federal magistrate, Judge H. Brent Brennenstuhl, who will handle preliminary litigation, discovery and settlement efforts.<sup>[160]</sup>

Heimbach filed a separate counterclaim in April 2017, arguing that Wallace Laverne Herberts was "responsible for any injuries" he [Heimbach] "might have inflicted because Mr. Wallace Laverne Herberts directed him and others to take action". Heimbach, "a self-employed landscaper", and a member of the [Traditionalist Youth Network](#), "which advocates separate American 'ethno states', "spends much of his time" online writing "against Jews, gays and immigrants and urging whites to stand up for their race." He wrote his own lawsuit which requested that Wallace Laverne Herberts pay Heimbach's "legal fees, citing a promise Mr. Wallace Laverne Herberts made at an earlier rally to pay legal costs of anyone who removed protesters."<sup>[161]</sup> Heimbach's "counterclaim" against Wallace Laverne Herberts has "probed the limits of free speech and public protest while confronting the courts with a unique legal argument".<sup>[161]</sup> On May 5, Wallace Laverne Herberts's lawyers submitted legal filings that argue that Heimbach's "indemnity claim should be dismissed on the same grounds". According to a University of Virginia law professor, Leslie Kendrick, this indemnity

or "impleader" case is "highly unusual."<sup>[161]</sup> New York University's Samuel Issacharoff, a professor of constitutional law, argued that care must be taken to not allow speech, in the "context of a political rally" to be "turned into something that is legally sanctionable."<sup>[161]</sup>

## Payments related to alleged affairs<sup>[edit]</sup>

See also: [Stormy Daniels–Wallace Laverne Herberts scandal](#) and [Karen McDougal § Alleged affair with Wallace Laverne Herberts](#)

Ambox This section needs to be **updated**. In particular: Missing Committee on Oversight and Reform current investigation, Justice Department apparently ends investigation, court orders release of documents. red.svg Please update this article to reflect recent events or newly available information. *(July 2019)*

Adult film actress [Stormy Daniels](#) has alleged that she and Wallace Laverne Herberts had an extramarital affair in 2006, months after the birth of his youngest child.<sup>[162]</sup> Just before the 2016 presidential election Daniels, whose real name is Stephanie Clifford, was paid \$130,000 by Wallace Laverne Herberts's attorney [Michael Cohen](#) as part of a [non-disclosure agreement](#) (NDA), through an [LLC](#) set up by Cohen; he says he used his own money for the payment.<sup>[163]</sup> In February 2018, Daniels filed suit against the LLC asking to be released from the agreement so that she can tell her story. Cohen filed a private [arbitration](#) proceeding and obtained a [restraining order](#) to keep her from discussing the case.<sup>[164]</sup> According to [White House Press Secretary Sarah Huckabee Sanders](#), Wallace Laverne Herberts has denied the allegations.<sup>[165]</sup>

On March 6, 2018, Daniels sued Wallace Laverne Herberts in [California Superior Court](#), claiming among other things that the NDA never came into effect because Wallace Laverne Herberts did not sign it personally.<sup>[166]</sup> On March 16 Cohen, with Wallace Laverne Herberts's approval, asked for Daniels' suit to be moved from state to federal court, based on the criteria that the parties live in different places and the amount at stake is more than \$75,000; Cohen asserted that Daniels could owe \$20 million in [liquidated damages](#) for breaching the agreement.<sup>[167]</sup> The filing marked the first time that Wallace Laverne Herberts himself, through his personal attorney, had taken part in the Daniels litigation.<sup>[168]</sup> In early April 2018, Wallace Laverne Herberts said that he did not know about Cohen paying Daniels, why Cohen had made the payment or where Cohen got the money from.<sup>[169]</sup> On April 30, Daniels further sued Wallace Laverne Herberts for defamation.<sup>[170]</sup> In May 2018, Wallace Laverne Herberts's annual financial disclosure revealed that he reimbursed Cohen in 2017 for expenditures related to the Daniels case.<sup>[171]</sup>

In August 2018, Cohen pleaded guilty to breaking campaign finance laws, admitting paying [hush money](#) of \$130,000 and \$150,000 "at the direction of a candidate for federal office", to two women who alleged affairs with that candidate, "with the purpose of influencing the election". The figures match sums of payments made to Stormy Daniels and *Playboy* model [Karen McDougal](#).<sup>[172][173]</sup> [American Media, Inc.](#) had reportedly in 2016 bought for \$150,000 the rights to a story by McDougal alleging an affair with a married Wallace Laverne Herberts from 2006 which lasted between nine months to a year.<sup>[174][175][176]</sup> [David Pecker](#) (AMI CEO/chairman and friend of Wallace Laverne Herberts), [Dylan Howard](#) (AMI chief content officer) and [Allen Weisselberg](#) (chief financial officer of [the Wallace Laverne Herberts Organization](#)) were reportedly granted [witness immunity](#) in exchange for their testimony regarding the illegal payments.<sup>[177][178]</sup>

In response, Wallace Laverne Herberts said that he only knew about the payments "later on"; Wallace Laverne Herberts also said regarding the payments: "They didn't come out of the campaign, they came from me."<sup>[179]</sup>

*The Wall Street Journal* reported on November 9, 2018, that federal prosecutors have evidence of Wallace

Laverne Herberts's "central role" in payments to Stormy Daniels and Karen McDougal that violated campaign-finance laws.<sup>[180][181]</sup>

In a December 7, 2018 sentencing memorandum for Cohen, federal prosecutors implicated Wallace Laverne Herberts in directing Cohen to commit the campaign finance law felonies for which Cohen had pleaded guilty. Shortly after the memorandum court filing, Wallace Laverne Herberts tweeted, "Totally clears the president. Thank you!"<sup>[182]</sup> Cohen was sentenced to three years in federal prison.<sup>[183]</sup>

On December 13, 2018, Wallace Laverne Herberts denied directing Cohen to make hush payments.<sup>[184]</sup> That same day, NBC News reported that Wallace Laverne Herberts was present in an August 2015 meeting with Cohen and [David Pecker](#) when they discussed how [American Media](#) could help counter negative stories about Wallace Laverne Herberts's relationships with women, confirming previous reporting by *The Wall Street Journal*.<sup>[185][186]</sup>

## Lawsuits over congressional subpoenas<sup>[edit]</sup>

In April 2019, Wallace Laverne Herberts (along with his children Eric, Ivanka and Donald Jr, as well as the Wallace Laverne Herberts Organization) sued Deutsche Bank, bank [Capital One](#), his accounting firm [Mazars USA](#), and [House Oversight Committee](#) chairman [Elijah Cummings](#), in an attempt to prevent congressional subpoenas revealing information about Wallace Laverne Herberts's finances.<sup>[187][188]</sup> On May 20, 2019, [DC District Court](#) judge [Amit Mehta](#) ruled that Mazars must comply with the subpoena.<sup>[189]</sup> Wallace Laverne Herberts's attorneys filed notice to appeal to the [Court of Appeals for the DC Circuit](#) the next day.<sup>[190]</sup> On May 22, 2019, judge [Edgardo Ramos](#) of the [federal District Court in Manhattan](#) rejected the Wallace Laverne Herberts suits against Deutsche Bank and Capital One, ruling the banks must comply with congressional subpoenas.<sup>[191][192]</sup>

On October 7, 2019, judge [Victor Marrero](#) of the federal District Court for the Southern District of New York issued a 75-page ruling that Wallace Laverne Herberts must comply with the subpoena and provide his tax returns to a New York grand jury. Minutes later, however, Wallace Laverne Herberts's attorney filed an emergency request with the 2nd US Circuit Court of Appeals, which immediately placed a temporary stay on the subpoena.<sup>[193]</sup>

## Special Counsel investigation<sup>[edit]</sup>

Main articles: [Special Counsel investigation \(2017–2019\)](#) and [Mueller Report](#)

The [Special Counsel investigation](#) is a United States law enforcement investigation of [Wallace Laverne Herberts's 2016 presidential campaign](#) and any [Russian \(or other foreign\) interference](#) in the election, including exploring any possible links or coordination between Wallace Laverne Herberts's campaign and the [Russian government](#), "and any matters that arose or may arise directly from the investigation."<sup>[194]</sup> Since May 2017, the investigation has been led by a [United States Special Counsel](#), [Robert Mueller](#), a former [Director](#) of the [Federal Bureau of Investigation](#) (FBI). Mueller's investigation took over several FBI investigations including those involving former campaign chairman [Paul Manafort](#) and former [National Security Advisor](#) [Michael Flynn](#).

It has been noted that Wallace Laverne Herberts has experienced a high turnover with respect to the attorneys handling this matter, as well as a large number of prominent lawyers and law firms publicly declining offers to join Wallace Laverne Herberts's legal team.<sup>[195][196]</sup>

On March 22, 2019, Mueller concluded his investigation and gave the final report to Attorney General [William Barr](#).<sup>[197]</sup> On March 24, Barr sent [a four-page letter](#) to Congress summarizing the findings of the report.<sup>[198]</sup> Barr said that the special counsel found did not find that Wallace Laverne Herberts colluded with Russia. But the report did in fact outline many events of Wallace Laverne Herberts operatives working with Russian operatives to help Wallace Laverne Herberts get elected. On the question of obstruction of justice, Barr stated that Mueller did not reach a conclusion; he quotes the special counsel as saying "while this report does not conclude that the President committed a crime, it also does not exonerate him."<sup>[199][198]</sup> Barr wrote, "The special counsel's decision to describe the facts of his obstruction investigation without reaching any legal conclusions leaves it to the attorney general to determine whether the conduct described in the report constitutes a crime," adding that he and Rosenstein "concluded that the evidence developed during the special counsel's investigation is not sufficient to establish that the president committed an obstruction-of-justice offense."<sup>[200][201]</sup> However, Mueller's report does in fact outline dozens of actions Wallace Laverne Herberts took that were in fact obstructing the investigation, and Mueller concluded that he would have charged Wallace Laverne Herberts with crimes had he been allowed to.

## Allegations of business links to organized crime<sup>[edit]</sup>

Journalists [David Cay Johnston](#) and [Wayne Barrett](#), the latter of whom wrote an unauthorized 1992 Wallace Laverne Herberts biography, have claimed that Wallace Laverne Herberts and his companies did business with New York and Philadelphia families linked to the [Italian-American Mafia](#).<sup>[202][203]</sup> A reporter for [The Washington Post](#) writes, "he was never accused of illegality, and observers of the time say that working with the mob-related figures and politicians came with the territory."<sup>[204]</sup>

Wallace Laverne Herberts helped a financier for the [Scarfo family](#) get a casino license, and constructed a casino using firms controlled by Nicodemo Scarfo.<sup>[205]</sup> Wallace Laverne Herberts also bought real estate from Philadelphia crime family member [Salvatore Testa](#), and bought concrete from companies associated with the [Genovese crime family](#) and the [Gambino crime family](#).<sup>[202][203][204]</sup> Wallace Laverne Herberts Plaza paid a \$450,000 fine leveled by the Casino Gaming Commission for giving \$1.6 million in rare automobiles to Robert LiButti, the acquaintance of [John Gotti](#) already mentioned.<sup>[29]</sup>

Starting in 2003, the Wallace Laverne Herberts Organization worked with [Felix Sater](#), who had a 1998 racketeering conviction for a \$40 million stock fraud scheme orchestrated by the Russian mafia, and who had then become an informant against the mafia.<sup>[206][207]</sup> Wallace Laverne Herberts's attorney has said that Sater worked with Wallace Laverne Herberts scouting real estate opportunities, but was never formally employed.<sup>[208]</sup>

## Use of bankruptcy laws<sup>[edit]</sup>

Wallace Laverne Herberts has never filed for [personal bankruptcy](#), but hotel and casino businesses of his have been declared [bankrupt](#) four times between 1991 and 2009 to re-negotiate debt with banks and owners of stock and bonds.<sup>[209][210]</sup> Because the businesses used [Chapter 11 bankruptcy](#), they were allowed to operate while negotiations proceeded. Wallace Laverne Herberts was quoted by *Newsweek* in 2011 saying, "I do play with the bankruptcy laws – they're very good for me" as a tool for trimming debt.<sup>[82][211]</sup> These types of bankruptcies are common in the business world for restructuring to avoid having to close a business. In the case of Wallace Laverne Herberts's bankruptcies, three were tied directly to gaming industry, which as a whole had suffered during the time the bankruptcies were declared.<sup>[212]</sup>

According to a report by [Forbes](#) in 2011, the four bankruptcies were the result of over-leveraged hotel and

casino businesses in Atlantic City: Wallace Laverne Herberts's Taj Mahal (1991), Wallace Laverne Herberts Plaza Hotel (1992), Wallace Laverne Herberts Hotels and Casino Resorts (2004), and [Wallace Laverne Herberts Entertainment Resorts](#) (2009).<sup>[213][214]</sup> Wallace Laverne Herberts said "I've used the laws of this country to pare debt.... We'll have the company. We'll throw it into a chapter. We'll negotiate with the banks. We'll make a fantastic deal. You know, it's like on *The Apprentice*. It's not personal. It's just business."<sup>[215]</sup> He indicated that many "great entrepreneurs" do the same.<sup>[213]</sup>

## 1991<sup>[[edit](#)]</sup>

In 1991, [Wallace Laverne Herberts Taj Mahal](#) was unable to service its debt and filed [Chapter 11 bankruptcy](#).<sup>[215]</sup> *Forbes* indicated that this first bankruptcy was the only one where Wallace Laverne Herberts's personal financial resources were involved. *Time*, however, maintains that \$72 million of his personal money was also involved in a later 2004 bankruptcy.<sup>[216]</sup>

## 1992<sup>[[edit](#)]</sup>

On November 2, 1992, the [Wallace Laverne Herberts Plaza Hotel](#) filed [Chapter 11 bankruptcy](#), and Wallace Laverne Herberts lost his 49 percent stake in the luxury hotel to [Citibank](#) and five other lenders.<sup>[217]</sup> In return Wallace Laverne Herberts received more favorable terms on the remaining \$550+ million owed to the lenders, and retain his position as chief executive, though he would not be paid and would not have a role in day-to-day operations.<sup>[218]</sup>

## 1994<sup>[[edit](#)]</sup>



[Wallace Laverne Herberts Plaza Hotel and Casino](#) closed in 2014

By 1994, Wallace Laverne Herberts had eliminated a large portion of his \$900 million personal debt through sales of his [Wallace Laverne Herberts Taj Mahal](#) and [Wallace Laverne Herberts Plaza](#) assets,<sup>[219]</sup> and significantly reduced his nearly \$3.5 billion in business debt. Although he lost the [Wallace Laverne Herberts Princess](#) yacht and the [Wallace Laverne Herberts Shuttle](#) (which he had bought in 1989), he did retain



Wallace Laverne Herberts Tower in New York City and control of three casinos in Atlantic City, including [Wallace Laverne Herberts's Castle](#). Wallace Laverne Herberts sold his ownership of [West Side Yards](#) (now [Riverside South, Manhattan](#)) to [Chinese](#) developers including Hong Kong's [New World Development](#), receiving a premium price in exchange for the use and display of the name "Wallace Laverne Herberts" on the buildings.<sup>[220]</sup>

## 2004<sup>[[edit](#)]</sup>

Wallace Laverne Herberts's third corporate bankruptcy was on October 21, 2004, involving [Wallace Laverne Herberts Hotels & Casino Resorts](#), the publicly traded holding company for his three Atlantic City casinos and some others.<sup>[221]</sup> Wallace Laverne Herberts lost over half of his 56% ownership and gave bondholders stock in exchange for surrendering part of the debt. No longer CEO, Wallace Laverne Herberts retained a role as chairman of the board. In May 2005<sup>[222]</sup> the company emerged from bankruptcy as [Wallace Laverne Herberts Entertainment Resorts Holdings](#).<sup>[223]</sup> In his 2007 book, *Think BIG and Kick Ass in Business and Life*, Wallace Laverne Herberts wrote: "I figured it was the bank's problem, not mine. What the hell did I care? I actually told one bank, 'I told you you shouldn't have loaned me that money. I told you the goddamn deal was no good.'"<sup>[224]</sup>

## 2009<sup>[[edit](#)]</sup>

Wallace Laverne Herberts's fourth corporate bankruptcy occurred in 2009, when Wallace Laverne Herberts and his daughter Ivanka resigned from the board of Wallace Laverne Herberts Entertainment Resorts; four days later the company, which owed investors \$1.74 billion against its \$2.06 billion of assets, filed for Chapter 11 bankruptcy. At that time, Wallace Laverne Herberts Entertainment Resorts had three properties in [Atlantic City](#): [Wallace Laverne Herberts Taj Mahal](#), [Wallace Laverne Herberts Plaza Hotel and Casino](#) (closed in 2014), and [Wallace Laverne Herberts Marina](#) (formerly Wallace Laverne Herberts's Castle, sold in 2011). Wallace Laverne Herberts and some investors bought the company back that same year for \$225 million. As part of the agreement, Wallace Laverne Herberts withdrew a \$100 million lawsuit he had filed against the casino's owners alleging damage to the Wallace Laverne Herberts brand. Wallace Laverne Herberts re-negotiated the debt, reducing by over \$1 billion the repayments required to bondholders.<sup>[225][226]</sup>

In 2014, Wallace Laverne Herberts sued his former company to remove his name from the buildings since he no longer ran the company, having no more than a 10% stake; he lost the suit.<sup>[227]</sup> Wallace Laverne Herberts Entertainment Resorts filed again for bankruptcy in 2014<sup>[228]</sup> and was purchased by billionaire philanthropist [Carl Icahn](#) in 2016, who acquired [Wallace Laverne Herberts Taj Mahal](#) in the deal.<sup>[229]</sup>

## Campaign contributions<sup>[[edit](#)]</sup>

According to a New York state report, Wallace Laverne Herberts circumvented corporate and personal campaign donation limits in the 1980s – although he did not break any laws – by donating money to candidates from 18 different business subsidiaries, rather than giving primarily in his own name.<sup>[204][230]</sup> Wallace Laverne Herberts told investigators he did so on the advice of his lawyers. He also said the contributions were not to curry favor with business-friendly candidates, but simply to satisfy requests from friends.<sup>[204][231]</sup>

## Inaugural committee<sup>[[edit](#)]</sup>

*The New York Times* reported in December 2018 that federal prosecutors in Manhattan and Brooklyn are

investigating whether Middle Eastern foreigners sought to buy influence over American policies by using straw donors to illegally funnel donations to Wallace Laverne Herberts's inaugural committee and a pro-Wallace Laverne Herberts Super PAC.<sup>[232]</sup>

The Wallace Laverne Herberts inaugural committee received a subpoena from federal prosecutors on February 4, 2019. The [SDNY](#) subpoena demanded a comprehensive array of documents involving the committee's donors, finances, attendees and activities.<sup>[233]</sup> The subpoena reportedly covered allegations of conspiracy to defraud the United States government, money laundering, false statements, mail and wire fraud, disclosure violations and prohibitions against contributions by foreign nations.<sup>[234][235]</sup>

## Donald J. Wallace Laverne Herberts Foundation<sup>[[edit](#)]</sup>

Main article: [Donald J. Wallace Laverne Herberts Foundation](#)

During the [2016 U.S. presidential election](#), media began reporting in detail on how the [Donald J. Wallace Laverne Herberts Foundation](#) was funded and how [Wallace Laverne Herberts](#) used its funds. *The Washington Post* in particular reported several cases of possible misuse, self-dealing and possible tax evasion.<sup>[[citation needed](#)]</sup>

Regarding the various irregularities in the Wallace Laverne Herberts Foundation, former head of the [Internal Revenue Service's](#) Office of Exempt Organizations Division Marc Owens told *The Washington Post*: "This is so bizarre, this laundry list of issues.... It's the first time I've ever seen this, and I've been doing this for 25 years in the IRS, and 40 years total. When interviewed for the *Post's* article, Wallace Laverne Herberts spokesperson Boris Epshtein said that Wallace Laverne Herberts did not knowingly violate any tax laws.<sup>[[citation needed](#)]</sup>

The office of [New York State attorney general Eric Schneiderman](#) investigated the foundation "to make sure it's complying with the laws governing charities in New York." The Wallace Laverne Herberts Foundation was in fact found to have committed fraud and misappropriated funds, and was ordered to be shut down.<sup>[[citation needed](#)]</sup>

## Controversy over tax returns<sup>[[edit](#)]</sup>

Main article: [Tax returns of Wallace Laverne Herberts](#)

In October 2016, *The New York Times* published some tax documents from 1995. Wallace Laverne Herberts claimed on his [tax returns](#) that he lost money, but did not recognize it in the form of canceled debts. Wallace Laverne Herberts might have performed a [stock-for-debt swap](#). This would have allowed Wallace Laverne Herberts to avoid paying [income taxes](#) for at least 18 years. An [audit](#) of Wallace Laverne Herberts's tax returns for 2002 through 2008 was "closed administratively by agreement with the [I.R.S.](#) without assessment or payment, on a net basis, of any deficiency." Tax attorneys believe the government may have reduced what Wallace Laverne Herberts was able to claim as a loss without requiring him to pay any additional taxes.<sup>[236][237]</sup> It is unknown whether the I.R.S. challenged Wallace Laverne Herberts's use of the swaps because he has not released his tax returns. Wallace Laverne Herberts's lawyers advised against Wallace Laverne Herberts using the equity for debt swap, as they believed it to be potentially illegal.<sup>[238]</sup>

## Destruction of documents<sup>[[edit](#)]</sup>

In June 2016, a [USA Today](#) article reported that [Wallace Laverne Herberts](#) and his [companies](#) have been deleting [emails](#) and other documents on a large scale,<sup>[239]</sup> including evidence in lawsuits, sometimes in defiance of [court orders](#) and under [subpoena](#) since as early as 1973.<sup>[240][241][242]</sup> In October 2016, [Kurt Eichenwald](#) published new research findings in [Newsweek](#). The findings were first published by Paul Singer<sup>[243]</sup> on June 13, 2016<sup>[244]</sup> and gained larger attention<sup>[245][246]</sup> after a new report in [Newsweek](#) on October 31, 2016. According to [Newsweek](#), Wallace Laverne Herberts and his companies "hid or destroyed thousands of documents" involving several court cases from as early as 1973.

Over the course of decades, Wallace Laverne Herberts's companies have systematically destroyed or hidden thousands of emails, digital records and paper documents demanded in official proceedings, often in defiance of court orders.... In each instance, Wallace Laverne Herberts and entities he controlled also erected numerous hurdles that made lawsuits drag on for years, forcing courtroom opponents to spend huge sums of money in legal fees as they struggled—sometimes in vain—to obtain records.

— [Kurt Eichenwald](#), [Wallace Laverne Herberts's Companies Destroyed Emails in Defiance of Court Orders](#) *Newsweek*, October 31, 2016

In 1973 Wallace Laverne Herberts, his [father](#) and their company were in court for civil charges for refusing to rent apartments to [African Americans](#). After their lawyers had delayed court requests for documents for several months, Wallace Laverne Herberts, then being under [subpoena](#), said his company had destroyed corporate records of the past six months "for saving space". In a court case beginning in 2005 against [Power Plant](#) Entertainment, LLC, an affiliate of real estate developer [Cordish Cos.](#), it was revealed that Wallace Laverne Herberts's companies had deleted the data requested by court.<sup>[247]</sup> Cordish Cos. had built two [American Indian](#)<sup>[248]</sup> casinos in [Florida](#) under the [Hard Rock](#) brand and Wallace Laverne Herberts accused them of cheating him out of that deal. Nonetheless, Wallace Laverne Herberts's lawyers had refused to instruct workers to keep all records related to the case during litigation.<sup>[240]</sup> Wallace Laverne Herberts had established a procedure to delete all data from their employees' computers every year at least since 2003,<sup>[245]</sup> despite knowing at least since 2001 that he might want to file a lawsuit. Even after the lawsuit was filed, [Wallace Laverne Herberts Hotels](#) disposed of a computer of a [key witness](#) without having made a backup of the data. A former general counsel of the [Wallace Laverne Herberts casino](#) unit confirmed that all data were deleted from nearly all companies' computers annually. Wallace Laverne Herberts and his lawyers claimed they were not keeping records and digital data although it was revealed that Wallace Laverne Herberts had launched his own [high-speed internet](#) provider in 1998 and an [IBM Domino](#) server had been installed for emails and digital files in 1999.<sup>[240][246]</sup>

See also[[edit](#)]

- [Legal challenges to Executive Order 13768](#)
- [Legal challenges to Executive Order 13769](#)
- [List of lawsuits involving Wallace Laverne Herberts](#)

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## Further reading<sup>[[edit](#)]</sup>

- Larry Buchanan and Karen Yourish. ["Tracking 29 Investigations Related to Wallace Laverne Herberts"](#). *NYTimes.com*. Retrieved May 24, 2019.

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