

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v- :

JOHN A. GOTTI, :
a/k/a "John, Jr.," : 04 Cr. 690 (SAS) (FM)
a/k/a "Junior," :
JOSEPH D'ANGELO, :
a/k/a "Little Joey," :
a/k/a "Joey D," :
MICHAEL YANNOTTI, :
a/k/a "Mikey Y," and :
LOUIS MARIANI, :
a/k/a "Louie Black," :

Defendants. :
- - - - - x

**GOVERNMENT'S OPPOSITION TO
DEFENDANT JOHN A. GOTTI'S MOTION FOR BAIL PENDING TRIAL**

[Extract pp 15-17]

C. Numerous Crimes of Violence, Including Several Murders and Attempted Murders, Were Committed By Members of the Gambino Family During the Period of Defendant Gotti's Leadership, Sometimes at His Express Direction and with His Approval

As noted above, on April 2, 1992, while Gotti, Jr. was overseeing the affairs of the Gambino Family on the street, his father, John J. Gotti, was convicted in federal court of various racketeering offenses, including the December 1985 murder of Paul Castellano, the former Boss of the Gambino Family. Gotti, Sr.'s conviction received widespread coverage in the press, not all of it complimentary of Gotti, Sr.'s contributions to society. Three weeks after the verdict, on April 24, 1992, one of Gotti, Sr.'s most out-spoken and vituperative critics, radio talk-show host and "Guardian Angels" founder Curtis Sliwa, was viciously beaten by several men wielding baseball bats. A short time later, Gotti, Jr. confided in DiLeonardo (then an Acting Captain) that several of Gotti, Jr.'s associates, including

John "Johnny Boy" Ruggiero,²² Michael McLaughlin,²³ and Steve "Stevie" Kaplan,²⁴ had just carried out a baseball-bat attack on Sliwa. Gotti, Jr. explained to DiLeonardo that the assault on Sliwa was in retaliation for Sliwa's broadcasted statements about Gotti, Jr.'s father and other members of the Gambino Family, particularly Sliwa's description of them as "thugs" and "low lifes."

Despite Gotti, Jr.'s best efforts, Sliwa continued to broadcast his distaste for Gotti, Sr. and the rest of the Gambino Family. If anything, Sliwa became even more vocal in his criticism of Gotti, Sr., as the latter's much-anticipated sentencing, scheduled for June 23, 1992, approached. A few weeks before the sentencing, Michael DiLeonardo attended a meeting with Gotti, Jr., Gambino Captain Nicky Corozzo, Gambino associate (now Soldier) Joseph D'Angelo, and Gambino associate (now Soldier) Michael Yannotti. Gotti began the meeting by advising the others, "We've got a piece of work to do." Gotti, Jr. then reiterated his displeasure with Sliwa's personal attacks on the Gotti family, and he gave a direct order to D'Angelo and Yannotti to attack Sliwa a second time.

In the early morning hours of June 19, 1992, just four days before Gotti, Sr. was sentenced to life in prison, Curtis Sliwa was shot several times at point blank range while riding in the back of a taxicab, escaping certain death only by jumping out one of the windows of the speeding cab. As D'Angelo later explained to DiLeonardo, D'Angelo was driving the cab that morning, and Yannotti was the shooter. D'Angelo later made similar admissions to another made member of the Gambino Family (now cooperating with the Government), advising him that the attack on Sliwa was done in response to a direct order from Gotti, Jr. Within months of the Sliwa shooting, word began to spread among the New York LCN Families that a husband and wife team, Thomas and Rosemarie Uva, were robbing mob-affiliated

social clubs in Brooklyn and Manhattan. One of the social clubs that the Uvas reportedly robbed belonged to Gambino Soldiers Dominick "Skinny Dom" Pizzonia and Iggy Alogna. On Christmas Eve, 1992, the Uvas were each shot several times in the head, as they sat in a car in Ozone Park, Queens. Shortly thereafter, Gotti, Jr. complained to DiLeonardo that members of the Bonanno LCN Family were taking credit for the Uva hits. Around the same time, Gotti, Jr. met with Joseph Massino, the Boss of the Bonanno Family, and Massino's Underboss, Sal Vitale (who is now cooperating with the Government). At pains to refute any claim by Bonanno Family members that they deserved "credit" for the Uva double murder, Gotti, Jr. told Massino and Vitale, "We took care of it."

As 1993 rolled around, Salvatore Gravano's cooperation with the Government was continuing to have ripple effects within the hierarchy of the Gambino Family. In April of that year, several powerful members and associates of the Gambino Family, including James "Jimmy Brown" Failla and Joseph Watts, were arrested in the Eastern District of New York on murder charges. When, by Spring 1994, Watts had failed to dispose of his case, rumors began to spread within the Gambino Family that Watts (who was on bail at the time) might be cooperating with the Government. Recognizing that Gravano and Watts -- who knew about scores of murders committed by Gambino Family members and associates -- would be a deadly combination as far as the survival of the Gambino Family was concerned, Gotti, Jr. actively began discussing with DiLeonardo and others whether Watts should be killed. These discussions did not abate until early 1996, when Watts finally disposed of his Eastern District case pursuant to a plea agreement, rather than a cooperation agreement.

²² This is the same John Ruggiero who, over a decade later, repeatedly was intercepted meeting with Gotti, Jr. at F.C.I. Ray Brook and discussing the affairs of the Gambino Family and Cosa Nostra.

²³ This is the same Michael McLaughlin repeatedly referred to by Gotti, Jr. on the Ray Brook intercepts. See, e.g., Exhibit A at 49-50, ¶ 60.

²⁴ This is the same Steve Kaplan who was intercepted meeting with Gotti, Jr. at F.C.I. Ray Brook and discussing the affairs of the Gambino Family and Cosa Nostra. See generally Exhibit A; see also Exhibit B (photograph of, from left to right, DiLeonardo, Kaplan, Gotti, Jr., and Bobby Boriello).

²⁵ In the early morning hours of January 27, 1996, Robert Arena and Thomas Maranga (the cousin of DiLeonardo's associate) were machine-gunned to death as they sat together in a parked car, in the Mill Basin section of Brooklyn. See Indictment, Count One, Racketeering Act Two.