

The Sun

**Ex-businessman gets 18 months in prison, must repay \$940,267
Goldberg victims fear money, justice gone**

by Caitlin Francke

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A Howard County judge put repayment ahead of prison time in sentencing Joseph Goldberg Sr. yesterday -- but some victims of the former Ellicott City title company owner said they are afraid they will end up with neither money nor justice.

Circuit Judge Diane O. Leasure said that Goldberg must spend 18 months in prison -- and pay back every penny of the nearly \$1 million he took from clients who had entrusted their money to his now-defunct company, Land Title Research Inc.

"If it's one job, two jobs, three jobs my first priority is getting these victims paid, Leasure said. She gave Goldberg a 15-year sentence with all but 18 months suspended so he has "[prison] time hanging over [his] head."

Paula Wagner, a Baltimore County teacher who lost her life savings of \$76,000, was not satisfied.

"My concern is that he will not be able to pay back that amount of money," she said standing outside the courthouse yesterday. "It took me 20 years to save that kind of money. I think 18 months is a bit short of what I had to suffer."

Goldberg, 44, pleaded guilty in July to theft and failure to file a tax return.

Prosecutors described Goldberg's scheme: As a title and settlement agent, Goldberg took money from clients -- homebuyers and sellers, mortgage lenders and banks -- and was supposed to use the money to pay their bills at real estate settlements.

Instead, he spent the money on himself, covering up holes in his accounts with the aid of his assistant and girlfriend, Patricia Horak -- who has pleaded guilty to conspiracy to commit theft.

Yesterday, Goldberg's voice quavered as he told Leasure that once he found himself taking the money, he could not stop. His attorney said the money was spent on his family.

"Instead of using my heart, I used my checkbook," Goldberg said. "I am willing to work day and night to make the losses back."

Goldberg's court-appointed attorney, Clarke Ahlers, wrote in a sentencing memorandum that Goldberg's criminal behavior began with a bad business deal carried out with his estranged wife's father. He wanted desperately to rectify the situation, but when his title business proved less than lucrative, he began stealing to pay his father-in-law's mortgage and, later, his wife's expenses, the defense documents say.

"Mr. Goldberg, I think, has suffered from a basic insecurity about whether he had the love of his family and friends unless he continued" to support them, Ahlers said.

But Assistant Attorney General Michael A. DiPietro said Goldberg's actions were akin to financial manslaughter.

"He has killed some people financially," said DiPietro, who requested a prison sentence of nine years. "He knew that with each dime he took some day there was going to be a Paula Wagner who would walk into his office, who had lost everything.

Goldberg admitted to taking \$940,267. Many of the losses have been covered by Goldberg's insurance backer -- United General Title Insurance Co. of La.-- but some victims, including Wagner, who did not have title insurance, remain unpaid.

Goldberg has filed for bankruptcy, claiming he is about \$2.7 million in debt with less than \$1 million in assets. He has been

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working at a landscaping company in Howard County. That company indicated that he could continue to work there if granted work-release at the county detention center.

Horak -- Goldberg's girlfriend and the state's principle witness against him -- wept throughout the hearing yesterday, clutching a handkerchief near her eyes as she waited for the sentencing. Ahlers said Horak and Goldberg will eventually move into her parents' home and rent out her condominium to save money.

She will be sentenced in October, but prosecutors have said they will recommend she be spared jail time in return for her cooperation.

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