

Helmsley's Ex-Chef 'Duped' in Setting Up Land Sale, Lawyer Says

June 9 (Bloomberg) – A former chef to hotel magnate Leona Helmsley was “duped” into introducing her to a developer who wanted to negotiate the purchase of a \$46 million land parcel, the chef’s lawyer told a New Jersey judge.

Developer James J. Bovino promised a 3 percent commission, a condominium and a restaurant to Dennis Sammarone for arranging the 2000 meeting, attorney Angelo Genova said. Helmsley owned 16 acres in Fort Lee, New Jersey, that Bovino bought in 2004. He is developing a \$700 million project on the site.

“He was dealing with a seller whose reputation for being a difficult personality was virtually legendary,” Genova told Superior Court Judge Menelaos Toskos in Hackensack, New Jersey. “They used him. They duped him. They took advantage of him to get to Mrs. Helmsley. They got what they wanted and then they dropped him like a hot potato.”

Toskos said he will rule later on Bovino’s request to dismiss Sammarone’s lawsuit before a pre-trial exchange of evidence. Sammarone deserves no fee for arranging the deal because he isn’t a licensed real-estate broker under the state Broker Protection Statute, Bovino’s lawyer Stuart J. Glick said.

“It’s a claim based upon an illegal and void contract,” Glick told Toskos. “It’s a very bright line. If you’re not a licensed real-estate broker, you cannot resort to the courts.”

‘I Was Praying’

Sammarone, a 51-year-old resident of Blairstown, New Jersey, said outside the courtroom that he had trusted Bovino, the chief executive officer of Town & Country Developers Inc. and two affiliates, Stratland Homes Inc. and Whiteweld, Barrister & Brown Inc. The firms are in Woodcliff Lake, New Jersey.

“For the last five years I was praying for this deal to come to fruition,” Sammarone said. “I’m not asking for any more than he promised me.”

Sammarone learned in 2000 from a cousin who once worked for Bovino that the developer couldn’t get Helmsley to return phone calls about the site near the George Washington Bridge, the suit says. Sammarone brought the two together and later relayed a \$40 million asking price to Bovino, as well as other messages, the suit says.

“He is a chef whose expertise was in the culinary arts, not the real-estate arts,” argued Genova of Genova, Burns & Vernoia in Livingston, New Jersey. “If you asked him to make an omelette, he’d do a great job. But if you asked him to make a complicated real-estate transaction, this is not a man steeped in that tradition.”

Broker Law

Glick countered that all of Sammarone’s actions were covered by the broker statute. The law is designed to protect the public from unethical and incompetent brokers, said Glick, of Sills Cummis Epstein & Gross in Newark, New Jersey.

Town & Country bought the tract from Owners Maintenance Corp., a company where Helmsley is president, the suit says. It claims breach of contract, unjust enrichment, and fraudulent misrepresentation and seeks compensatory and punitive damages.

Town & Country plans to build 611 townhouses, office and retail space, a 19-story hotel, and 151 residential units atop the retail space, the suit says.

The lawsuit is Sammarone v. James J. Bovino, State Superior Court, New Jersey (Hackensack), BER-L-2137-06.

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