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JOSEPH STEIN
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F B I

Date: 2/23/65

Transmit the following in PLAIN
(Type in plain text or code)

Via AIRTEL
(Priority)

REC-106

TO: DIRECTOR, FBI (137-8862)
(ATTENTION: ASSISTANT DIRECTOR A. ROSEN)

FROM: SAC, NEW YORK (137-9495)

SUBJECT: CONF. INFT.
NY 3936-C
CRIMINAL INFORMANT

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The following is furnished in order to keep the Bureau advised of the current status of this informant:

On 2/17/65, the informant advised that he is giving up his office space on or about 3/1/65 and will share office space with IZZY XAVERS and CHARLES PHILLIPS, New York attorneys, at 300 Madison Avenue, NYC. He stated he is surrendering his present office space in order to reduce his overhead expenses.

During the course of recent conversations with the informant, it has been ascertained that he is no longer accepting mortgage deals. He stated he has repaid all of the individuals who had advanced expense and escrow money to him in connection with mortgage loans, and that the following transactions are the only pending mortgage deals he is concerned with:

Informant advised that JOHN KEILLY has made several trips to Oklahoma City concerning the Spring Creek Memorial Cemetery loan and the \$10,000 advanced in connection with this loan. KEILLY told the informant that he has instituted a civil

- 3 - Bureau (137-8862)
- 1 - New York (137-9495)

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REC-106

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Approved: *[Signature]*
Special Agent in Charge

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(JFC)

NY 137-9495

action in Oklahoma City against the principals of Spring Creek and is attempting to obtain an additional settlement from these individuals, claiming that he has performed all of the services required. The informant advised that he has had no further contact with the New York County District Attorney's Office concerning this matter and does not know whether the Assistant District Attorney handling this case intends to pursue this matter any further.

Informant advised that ~~DAVE WENGER~~^{NY} is working toward a final closing of the loan to ~~HERBERT BROWN~~ involving the Dallas, Texas hospital. He stated that ~~BROWN~~ has accepted in writing the Teamsters commitment and this acceptance relieves the informant of all liability in connection with escrow and expenses advanced by ~~BROWN~~. The informant further advised that he anticipates receiving an additional \$22,000 by check from ~~BROWN~~ at the time of the closing.

Informant advised that he has been contacted by the trustees for the Sire Plan bankruptcy involving ~~ALBERT MINTZER~~^{NY}, and it is his impression that the trustees are claiming that any funds received by the informant from ~~MINTZER~~ should have been assets of the Sire Plan and were violations of the bankruptcy proceedings when paid to him. The informant stated that this was not so, since he was contacted by the trustees subsequent to the institution of bankruptcy proceedings, and they asked the informant to complete the loan transaction; thereby, in his opinion, they acknowledged the legality of the transaction. The informant advised that he has hired an attorney to represent him in this matter, but Federal Judge ~~BARNETT SUGARMAN~~^{NY}, has ordered a hearing to determine if the informant should return these monies to the trustees in the bankruptcy. The informant advised that should the judge rule against him, he will be forced to produce this money, which he does not now have and which he has no hope of getting in the near future. He stated he is extremely concerned about the outcome of this hearing. He further advised that even though he feels he has good legal counsel in this matter and can appeal should he receive an unfavorable judgment, it would, nevertheless, be necessary to post these funds immediately should the judge rule against him.

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The informant advised that other than the above three matters, he has no pending mortgage deals of any consequence. The informant stated he is heavily in debt, but that these debts are all personal and are owed to relatives and friends. He advised that he intends to devote every effort to settling injury cases in an attempt to repay his outstanding obligations which are substantial.

The informant continues to furnish information concerning the activities of various individuals in the New York area who are engaged in hoodlum activities or labor racketeering activities.

Re: JOSEPH STEIN III

CHICAGO III

Informant advised on 2/19/65, that he had spoken with JOHN KELLY and STEVE BIRNBAUM who are associates in his office. KELLY told the informant that JOSEPH STEIN, who operates the First Mortgage Company of Chicago and is associated with TONY ACCARDO in Chicago, gave BIRNBAUM a mortgage commitment and that BIRNBAUM paid STEIN \$5,500.00 for this commitment. KELLY told the informant that STEIN does not actually have the funds as set out in the commitment, but through ACCARDO, he controls three savings and loan associations in Chicago from whom he hopes to obtain these funds.

The above concerning STEIN is furnished for the information of the Bureau and no investigation is contemplated in this matter by the NYO. It should be noted, however, that if STEIN issued a commitment to a party in New York without having the necessary funds available, this may constitute a Fraud by Wire violation.

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*v/25/65
SAC Alexander NYO
has advised is
considering dropping this
informant. Will see alt
again*