

Nassau attorney may face fine in civil rights case

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turn over discovery documents.

"This action has been pending for 29 months and the county defendants have failed to turn over a single document in discovery, despite plaintiff's persistent demands," Boyle wrote in the March 26 order decision.

Nassau County attorney John Ciampoli said Tuesday Scott has since turned over the required documents. Brewington said he received a box of documents from the county on Monday.

The two lawyers also do not agree on when the fine began accruing, leading to a major disagreement about how much the county would owe. Brewington said Tuesday the fine began accruing Oct. 18, 2012, and by now would have reached about \$86,000. Ciampoli said he believes the fine began accruing March 26, and had reached about \$7,500.

The case stems from a federal claim by Brewington's client, Michael [Smith](#) of Hempstead, who said he was wrongly arrested and harassed by Nassau police after he was the victim of a

A lawyer for Nassau County has been racking up a \$500-a-day potential fine if evidence in a federal civil-rights case is not turned over as ordered by a judge last month.

U.S. Magistrate Judge E. Thomas Boyle ordered Deputy County Attorney Andrew R. Scott to turn over materials to lawyer Frederick Brewington of [Hempstead](#), saying he would impose the fine if Scott did not comply.

In his order, Boyle cited a November 2011 court order that initially demanded that Nassau

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housing scheme that left him and his fiancée unknowingly living under an invalid lease, according to the complaint. Smith is suing the county for \$14 million in damages.

Brewington said Scott's delay in handing over documents has been unfair to his client.

"It creates a denial of justice through a delay of justice," Brewington said.

Ciampoli said his office filed a motion to vacate the sanctions last night. He said some of the required documents were actually provided to Brewington long ago, but the judge was never informed. He also said Brewington and his client were to blame for some of the delay. Brewington disputes both claims.

Still, Ciampoli said he takes the sanction seriously, and has taken the case over himself.

"The court's decision sent me a wake-up call that something was amiss in this case and we take that very seriously here," he said.

He said in general Scott's work has been excellent, but that the office is understaffed and everyone is feeling that strain.

"If it's a question of disciplining one of my deputies, I will ask the judge to let me handle that myself," he said.

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