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Bloomberg Businessweek

July 6, 2020 • SPECIAL DOUBLE ISSUE

Stolen Super Bowl rings,
fleeced workers, corporate
espionage, and an enduring
art world mystery

The Heist Issue





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Introducing ATEM Mini

The compact television studio that lets you create presentation videos and live streams!

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The Heist

A public service announcement: Put your phone down. Get off Facebook. And Twitter. You already know the world is in a bad place. The Covid-19 pandemic has stolen so much from us, killing hundreds of thousands of people and taking our economies hostage, and it's still raging on. Which is why we've worked so hard to bring you our third annual Heist Issue. You deserve a break right now—so plop down on an empty beach, find a socially distant patch of grass, or at least give those couch cushions a serious fluffing. Fetch yourself a drink and let us tell you a damn good story. You'll find a bunch of them here—tales of crime capers and botched burglaries entertaining enough to make you forget you ever knew the phrase “toilet paper shortage.” Some are serious; others are fun. So please enjoy. This messed-up world will still be here when you've finished. —*The Editors*

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Cover:
Photograph by
Philip Keith for
Bloomberg Businessweek

The Master Thief

Sean Murphy was an epic weed smoker, a devoted Tom Brady fan, and the best cat burglar that Lynn, Mass., had ever seen

By Zeke Faux
Photographs by
Allison Minto

▼ A championship ring from Super Bowl XLII in 2008—the Giants beat the Patriots 17-14





▲ Murphy

It was the play that turned “Manning” into a bad word in Boston. There was a minute left in Super Bowl XLII. The New England Patriots—Tom Brady’s undefeated New England Patriots—needed one defensive stop to beat the New York Giants. On third down, multiple Patriot defenders pushed through the line and grabbed quarterback Eli Manning’s jersey. But Manning slipped away and chucked a wobbly pass downfield, where a mediocre receiver, David Tyree, leapt, pinned the ball against his helmet, and somehow hung on to it as he crashed to the turf. Manning, the interception-prone doofus with the look of a confused middle schooler, would go on to beat Brady in the sport’s biggest game.

Sean Murphy seethed as he watched from his weed dealer’s couch. It was February 2008. Skinny, with deep-set brown eyes, Murphy was a typical Patriots fan. He pronounced “cars” as “cahs,” got his coffee at Dunkin’ Donuts, and had a mullet and a horseshoe mustache, at least when his girlfriend didn’t make him clean up. He moved furniture for a living in Lynn, Mass., a down-and-out suburb on the North Shore, and on Sundays, when he could get tickets, he made the 40-mile drive south to Foxborough to root for the Pats.

But there was another side to Murph, as his friends called him. On Saturday nights he put on an all-black ninja suit and went out looking for things to steal. He was a cat burglar—the best in a town where burglary was still regarded as an art form.

A few weeks after the game, Murphy was at the Boston Public Library, browsing the internet and planning his next break-in, when he came across an article about the Giants’ Super Bowl rings.

Michael Strahan, the team’s star defensive end, had told Tiffany & Co. that he wanted a “10-table

stunner”—one that could be seen from 10 tables away in a restaurant. Tiffany had complied, designing a bling-encrusted monstrosity: a thick white-gold band with the team logo and three Super Bowl trophies rendered in diamonds on top. Each ring, engraved on the side with the score, “NYG 17 NE 14,” was to have 1.72 carats. The Giants were producing 150, enough for the players, the front office, and the owners’ families. More noteworthy to Murphy, the rings, according to the article, were going to be manufactured by E.A. Dion Inc., a family-owned jeweler in Attleboro, two towns south of Foxborough.

After dark on June 8, Murphy and a friend slinked behind the company’s office and workshop. The industrial park surrounding the white, one-story building was deserted, and it was so quiet they could hear cars pass on the highway a half-mile away. They wore their usual—black jumpsuits, black gloves, black booties over their shoes, and black masks with slits cut for their eyes—and carried crowbars, power saws, drills, and a cellphone jammer, a large metal box with four antennas.

They climbed onto the roof. Murphy found an outlet, plugged in the jammer, and turned it on. His accomplice walked the perimeter, trying to make calls with a burner cellphone as he went. No signal. Perfect.

Murphy leaned over the edge and cut a black wire coming from a telephone pole. Then he plugged in a drill and a power saw and started going at the roof itself. The grinding of metal on metal echoed through the industrial park. Once he completed a square hole, he jumped down onto a cage on the shop floor.

Inside the building, Murphy and his buddy found gold rings, gold necklaces, gold plates, boxes of gold beads, and drawers full of melted-down gold. Unable to crack the safe, they lifted it on a jack and pushed it through the loading dock onto their 24-foot box truck. Murphy was sweeping gold dust off the workstations when his accomplice came out of an office, his hands glittering with diamonds. There was a Super Bowl ring engraved “Strahan” and a few others that read “Manning.” By the time

▼ The house at 407 Walnut St. in Lynn where Murphy was arrested



Murphy had finished loading up the box truck, he had more than \$2 million of gold and jewelry and more than two dozen Super Bowl rings.

F--- 'em, he thought. They don't deserve them.

In Lynn, a town of 90,000 filled with vinyl-sided houses and abandoned factories, burglary was a trade, passed down from criminal to criminal. "Lynn, Lynn, the city of sin / You'll never come out the way you went in," a popular rhyme went. In the 1970s and '80s, when Murphy was growing up, local thieves specialized in prying open the doors to pharmacies at night and stealing pain pills to resell. "I didn't think we were doing anything wrong—we're from Lynn," a burglar joked after a drugstore break-in, according to a police officer.

Murphy was introduced to burglary in the summer after eighth grade. One night his brother and some friends came home riding freshly stolen Yamaha dirt bikes. They told him if he wanted one, he'd have to sneak into the store and grab it for himself. He did. That Christmas, on a sleepover at his aunt's house, a cousin helped him crack his first pharmacy.

Murphy's father, Teddy, worked at the General Electric Co. jet engine plant that's still the town's biggest employer. But in the '70s, when his son was in school, Teddy spent most of his free time at the Lynn Tap & Grill, where he sometimes brought his kid to bet on Pats games. This was before Bill Belichick, before Tom Brady—back when the Pats usually lost. Teddy never asked his son about his new source of cash, not even when he bought a midnight-blue Camaro. In high school, Murphy spent his loot on epic keggers and smoked as much weed as he wanted, which was a lot.

He first went to prison at age 17, after spinning out a stolen Corvette in a police chase and then, when the cops showed up at his parents' house, fleeing on foot. It wasn't as bad as he'd imagined. "Everybody's scared about jail," Murphy says during one of our many conversations over the past year. "I got there, and my whole neighborhood was there."

Murphy got out after a few months and spent much of the '80s and '90s hanging with his buddies, cruising Lynn in his Camaro blasting Mötley Crüe, and burglarizing stores. He wanted to



be the best the town had ever seen. He abstained from alcohol, mostly, and he didn't use any of the painkillers he stole. But he loved lighting up a joint, sitting back in a chair, and thinking through his next caper.

Heist by heist, Murphy honed his technique. He practiced how to disable alarms, how to tie a climbing rope to rappel down from a roof, how to cut steel with a plasma torch, and how to crack a safe with an electromagnetic drill press. He was fanatical about not leaving evidence, concealing his fingerprints with gloves, his footprints with rubber booties. He once even sprinkled a crime scene with cigarette butts collected from a homeless shelter to confuse any attempt at DNA analysis.

During a prison stint, he wrote an instruction manual titled *Master Thief: How to Be a Professional Burglar*, which he planned to sell to wannabes. Among his rules: Break in at nightfall on a Saturday, leave as the sun rises on Sunday. Cut the phone line, smash the alarm, and take the security tapes. Take half the score and let everyone else split the rest. And no weapons, because they lead to a longer prison sentence, and most places aren't guarded at night anyway.

"I'm not one of those cowboy-type guys," Murphy says. "The idea is, sneak in, do what you gotta do, and get out of there with nobody seeing you."

Each time he got busted, Murphy saw it as a fluke, chalking up his ►

"The idea is sneak in, do what you gotta do, and get out of there with nobody seeing you"



▲ Brown's high school yearbook portrait

6

“We got caught because he gave a f---ing 20-year-old girl a Super Bowl ring”

◀ failure to an unreliable accomplice or bad luck, even as he compiled a rap sheet of convictions on more than 80 counts. Somehow, prison time only increased his determination to be a criminal genius. During one seven-year stretch in the '90s, he taught himself law so he could argue his arrests were improper. He also read widely on electronics; he was particularly impressed by a *Popular Science* article that explained how some alarm systems had cellular connections to police that could be defeated using an

industrial-strength signal jammer. “An alarm is only as good as its ability to call for help,” he says.

Armed with a jammer, Murphy felt like he had superpowers. He could break into safes at leisure, free from fear that the authorities were coming. He coined a verb: *to murph*, meaning to cut communications lines and block wireless transmitters. He was so proud of his trick that he wrote to the president of Costco saying his “elite team of experts” had robbed its stores in “high-tech heists” and offering his services to stop other criminals. “You can now hire my security consulting firm to utilize our expertise,” Murphy wrote, signing his full name and address. Costco referred the letter to the FBI as a possible extortion attempt, but the feds didn't pursue it.

By the early 2000s the Patriots were the best team in football, and Murphy was the undisputed top burglar in Lynn—the one other burglars turned to for loaner tools or legal advice. He started a furniture-moving company, Northshore Movers, which really did move people's furniture, but also gave him a convenient

excuse to keep a warehouse full of tools and trucks. Other than that, not much had changed. He was approaching middle age, but he still lived in the house where he'd grown up. He still watched the Pats with the same guys, drove the same muscle cars, listened to the same hair-metal music, and smoked weed every day. He also still threw keggers for high school kids.

At one of them in 2003, he met Rikkile (pronounced “Ricky-Lee”) Brown, then a junior at Lynn English High School. She'd come to the party with some girls from her social studies class, who'd told her about an older guy who gave them cash to buy DV8 jeans that other kids couldn't afford. A few years later, after meeting again by chance at a courthouse, they started dating.

Brown was 19, an aspiring radio news anchor with wavy brown hair. She also was addicted to prescription painkillers. Murphy, by then 42, kept a roll of cash and would give her some whenever she asked. “My life was always hard,” Brown says. “He made things very easy.”

Four or five other women Brown's age had similar arrangements with Murphy. They settled into a bizarre imitation of domesticity: dinners out, group trips to the movies or a Kid Rock concert, vacations in the Bahamas and Hawaii. The women would alternate who spent the night with Murphy. They helped him run the moving company, and sometimes they'd sell stolen cosmetics for him at a flea market in neighboring Revere. When he was flush from a score, he bought all of them breast implants. “When you're a young girl and you're having whatever you want thrown at you, that's tempting,” says another former girlfriend of Murphy's, who was 20 when they met. “You grow up and you realize the creepiness. It was a very weird, twisted situation.”

Brown eventually moved in with Murphy. She says he called her the “Queen of the Castle” and talked about going straight and settling down with her—just as soon as he pulled off one last big job. But there was always one more. And though he told her he didn't love the other girls, he kept looking for more of them. In August 2007, one came home from rehab with a 21-year-old friend. Her name was “J,” and she soon became Murphy's favorite. (*Bloomberg*

Businessweek is withholding J's name to protect her privacy.) She moved in, and Murphy soon suspected her of stealing his electronics, to pawn them for drug money. Brown was baffled by Murphy's patience with the new girl, especially because he told her J was just a friend. "It didn't make sense to me," Brown says. "Kick this bitch slut out!" Instead, he told Brown to move out, though they kept seeing each other.

As the 2007 Patriots crushed team after team, Murphy's luck went cold, and he started to run low on cash. He was double-crossed by an accomplice who stole a large part of a 1.8 million-pill score. A few other burglaries were foiled when he or his tools were spotted ahead of time. After reading about the Super Bowl rings in the library, Murphy had high hopes. He told J that after this, they wouldn't be poor anymore.

But then, a week before the robbery, he saw the Giants on TV: They were receiving their rings. "You can buy a lot of stuff, you can't buy one of these," Strahan said at an after-party at the Hawaiian Tropic Zone in Times Square. "You can't take it away."

Murphy decided to go through with the plan anyway, figuring that E.A. Dion, which he'd read had revenue of at least \$10 million a year, would have other jewelry worth stealing. But as he discovered the night of the burglary, many of the Super Bowl rings hadn't been distributed yet. Now they were his.

When Murphy got home, he spread the haul on his bed, where his girlfriends could admire it. Brown was on his good side that day, so he gave her one of the rings. J got the booby prize: a different ring intended for RadioShack employees with the store's logo on it.

Murphy was thrilled when the burglary made the news. "A GIANT HEIST" was the *New York Post* headline. "Giant Jewel Heist Baffles FBI," wrote the *Boston Herald*. Kate Mara, the *House*

of *Cards* actor whose family co-owns the Giants, told *New York* magazine that her ring was among those missing. Some writers joked that the Patriots' Belichick was the prime suspect. But the notoriety also meant that Murphy couldn't sell the rings. He stashed his share in a safe deposit box and sold, traded, or gave away most of the rest of the E.A. Dion loot within a few months.

In October, Brown finally lost it over Murphy's relationship with J. One day, she scratched the word "SLUT" onto the hood of one of his cars. A scuffle ensued. Brown said at the time that Murphy hit her, though she now says they shoved each other. In any event, he was charged with domestic assault and battery, but he was allowed to remain free. He figured he'd make up with Brown before the case reached trial.

Lieutenant Al Zani had been after Murphy since about 1990, when he was an overachieving Massachusetts State Police officer assigned to Lynn. Raised in Danvers, a nicer suburb a few miles north, he was built like a fire hydrant, liked to box with other cops for fun, and believed ►



▼ E.A. Dion in Attleboro





▲ Zani in his home office in Danvers

“I’m just as good, if not better, than them guys”



◀ he could personally make a dent in Lynn’s crime problem. He and two local detectives made a list of more than 135 professional burglars and associates in the city and set out to bust them all. He dubbed them “the Lynn Breakers.” Murphy topped the list.

Over the years, Zani earned a reputation in Lynn’s underworld as someone to avoid. He wasn’t the smartest officer, but he was the most dogged. Once, the story went, Zani jumped down from a hiding spot in a tree to make an arrest. Other times he posed as a drug addict or delivery driver.

In 2008, Zani was assigned to the FBI’s Boston bank robbery task force. It wasn’t as exciting as it sounded. Bulletproof barriers, dye packs, timer locks, and high-resolution security cameras had scared off all but the most desperate criminals. Most bank robberies were being committed by “note passers,” drug addicts who hand a piece of paper to a teller asking for money and walk out with a couple thousand dollars.

Zani would wait for them to slip up. They usually did. When he found one at a homeless shelter near the scene of a crime, the man still had a note in his pocket that read “Count \$3,000 no dye pack I have a gun.”

The E.A. Dion burglary had initially been investigated by local police. But after a couple of months with few leads, the task force was called in to help. Zani says he knew right away that Murphy was the only burglar in the area who could pull off such a sophisticated break-in. He also knew Murphy was so cocky that he’d almost certainly hold on to the Super Bowl rings. “He’s a smart kid,” Zani says. “But he’s not smart enough.”

Zani and his partner, FBI agent Jason Costello, started driving by Murphy’s house and his moving company’s warehouse, but they didn’t see much. Zani called an old accomplice of Murphy’s, who wouldn’t talk. Then he found the domestic violence report. It listed Rikkile Brown as a victim and J as a witness. Costello paid a visit to Brown’s

apartment. She wasn't home, but he noticed her doormat, which read, "Come Back With a Warrant."

Zani had more luck with J. She had an outstanding warrant for burglary, so he arranged to have her arrested. On Jan. 15, 2009, he and Costello approached her at the courthouse. They told her they wanted to talk about her boyfriend, Sean Murphy. They expected her to be unhelpful, but it turned out her relationship with Murphy had soured. When she later asked if Murphy would know it had been her who'd informed on him, Zani sheepishly admitted that he would. "Great," J replied. "I want him to know it was me who did him."

She said Murphy had bragged about his burglary skills and showed off his ninja suit and cellphone jammer. She also said Murphy had talked about doing something big that summer. Then she gave Zani what he needed: She complained that Murphy had given Brown a Super Bowl ring.

The next day, Zani went to the task force offices in downtown Boston to plan Murphy's arrest. Unfortunately for Zani, no officers were stationed outside Murphy's home that morning as he set off in a moving truck for Columbus, Ohio. And so no one was watching when he arrived at a squat, white-and-blue warehouse surrounded by a barbed wire fence in a corner of an industrial park. It was a Brink's armored car depot. And if Murphy was right about how much money was inside, he was about to attempt the biggest cash heist in U.S. history.

Asked why he robbed banks, the famed bank robber Willie Sutton supposedly said, "Because that's where the money is." Credit cards, ATMs, and e-commerce mean that's no longer true. A bank branch might hold as little as \$50,000 to cover a week's withdrawals. But a Brink's depot is a different story, with enough cash in its vault to fill a dozen or more armored cars, each of which could supply several branches. Murphy had seen 40 trucks parked at the Columbus depot on a scouting trip, which he figured meant at least \$20 million. That would have cleared the U.S. record: \$18.9 million taken from a Dunbar Armored depot in Los Angeles

in 1997. And, crucially for Murphy, all the workers who came in the morning left at closing time, suggesting it was unguarded overnight.

It was a Saturday, as usual, when Murphy cut through the fence behind the depot. He'd brought two accomplices: Rob Doucette, the weed dealer he'd watched the Super Bowl with, and Joe Morgan, a 26-year-old part-time car salesman who'd become Murphy's right-hand man. Murphy climbed onto the roof, set up the jammer, and cut the phone lines. "The building's been murphed," he told Doucette. Then he sawed through the roof, dropped to the floor, and epoxied the front door shut so no one could surprise them. Morgan pulled their truck up to a shipping dock, and they unloaded an oxygen tank, an oxy-acetylene torch, and a 10-foot-long steel pipe packed with smaller rods.

These were the components of a thermal lance, a heavy-duty tool normally used to demolish bridges or decommission battleships. The mechanism is simple: Pump pure oxygen to the end of the long pipe, then use the smaller welder's torch to light it. With enough oxygen, the fire can burn as hot as 8,000F—almost the same temperature as the surface of the sun. The lance consumes itself, melting down to a nub within a few minutes of cutting.

Murphy put on a welder's mask and a leather jacket. With Morgan supporting the back end of the lance, he brought the welder's torch to the tip and set off an explosion of sparks. The warehouse filled with smoke as Murphy touched the lance to the vault door, melting through it instantly. Molten steel dripped like lava, and the pipe burned toward Murphy's hands as he traced a small hole. A square of steel hit the floor.

Murphy looked through the smoking hole. He'd cut too deep. The money was burning. He sent Morgan for a hose.

Murphy didn't know it, but Brink's had stuffed its vault in anticipation of a busy week. There was \$54 million waiting to be delivered to banks, \$12 million on its way to the Federal Reserve, and \$27 million for ATM refills—a total of \$93 million. Some of the bags of money were just inches from the door.

The burning cash smelled horrible. Doucette started vomiting. Murphy

rigged a fan he'd brought so it would draw smoke out through the ceiling. Once the hole had cooled down, Murphy strapped on a painting respirator and squeezed through, burning his nose on an edge. It was so tight his buddies had to push him in by his feet.

Murphy had grabbed only one cash brick when he started to feel lightheaded from the smoke. He realized that if he passed out, he'd probably be left to die. He wiggled back out into the warehouse, and the three took turns reaching through the hole and pulling out as much as they could. The bills that weren't burnt were soggy from Morgan's hose. They borrowed a forklift and loaded their truck with 5 tons of coins—\$396,290 worth. At 8:45 a.m., with the fumes still suffocating, Murphy left. When the Brink's guards arrived a half-hour later, smoldering bills were fluttering in the air.

After a stop at a hotel and a 12-hour drive back to Doucette's house in Lynn, they dumped out the money and started counting. Murphy and his crew had stolen more than \$1 million in cash. But the bills smelled terrible, and many were damaged. Doucette sprayed Febreze on them to try to cut the smell, but that didn't do much. They tried putting some of the bills through a laundry machine, which only crumpled them into balls.

They still hadn't dried and smoothed out all the money four days later when, just before sunrise, 19 police officers and FBI agents surrounded Murphy's house, shined a spotlight into his bedroom, and stormed in to arrest him. Murphy was wearing only boxer briefs when they cuffed his hands behind his back. Another group followed Brown to a methadone clinic, pulled her over, and brought her in for interrogation. A third team searched Northshore Movers.

Costello tried to butter up Murphy. "For my money, you're one of the top guys out there," the agent told him. Murphy just smirked. The cops had no idea he'd just robbed Brink's, and he was hoping they wouldn't find out. Brown threw up during her interrogation, but she didn't crack either.

At Murphy's house, police found two safe deposit keys and traced them to a bank in nearby Saugus, where Zani found 27 Super Bowl rings. They also found paperwork from a cash-for-gold liquidator where Murphy had been ►



▲ The warehouse of Northshore Movers in Lynn

◀ selling the stock from E.A. Dion. The liquidator told them that another man, David Nassor, had been selling gold for Murphy. After Costello arrested Nassor, he told the FBI agent that he'd gone to Ohio to scout a Brink's depot and that he believed Murphy had broken into it with Doucette and Morgan.

Costello decided to visit Doucette and bluff him. The agent told Doucette he knew all about the Brink's burglary. "I'm not here to arrest you today, but we will be coming back for you," Costello said. Within a day, Doucette agreed to cooperate, the agent says.

Murphy was held in prison, unable to raise the \$3 million bail. After about a year, he was ready to make a deal. Given temporary immunity to negotiate a plea agreement, he confessed to everything. He gave tips about other burglars and even sat for a videotaped interview about his techniques for the FBI to show new agents. But the tips were too stale to be useful, Costello says, and the videotape was never used in training. (Murphy says this was intentional; he avoided giving the FBI anything it could use to charge anyone else.) The best deal prosecutors offered Murphy was about 10 years in prison for the Brink's burglary if he pleaded guilty, then a trial—and likely more prison time—for E.A. Dion.

Murphy wasn't about to accept that. His first lawyer quit after realizing Murphy wanted to try his luck in front of a jury. When his replacement told

him to take the deal, Murphy decided to represent himself.

On Oct. 17, 2011, Murphy stood at a lectern in an Ohio courtroom dressed in a shirt and slacks from Men's Wearhouse for the occasion, with a remote-controlled shock band around his calf to make sure he didn't run away. He'd spent the night in his cell writing an opening statement. It was a tricky situation. Under plea bargaining rules, his confession couldn't be used against him, unless he contradicted himself in court. That meant he couldn't directly deny committing the crime. Doucette and Nassor had pleaded guilty and agreed to testify against him. ("We got caught because he gave a f---ing 20-year-old girl a Super Bowl ring," Nassor says. "F--- him.") And the prosecution had a copy of *Master Thief*, which had incriminating tips such as "be extremely careful when piercing the last layer of steel on the vault door."

Murphy decided to argue that he was, more or less, a burglary professor who was being set up by his pupils. "Have many of you seen the new movie, *The Town*?" he asked the jury, referring to one of his favorite films. He told them that his hometown of Lynn was full of professional burglars, like Boston's Charlestown neighborhood in the Ben Affleck movie. The prosecutor, Salvador Dominguez, just had the wrong guy, he argued.

"Sal's playing a game that we all played when we were little kids, every single one of youse played it when you were a little kid—it is called tag," Murphy said, sounding like Clarence Darrow as interpreted by Mark Wahlberg. "And unfortunately, I am it. But, ladies and gentlemen of the jury, by the time this trial is over, you are going to realize that I have tagged two other people, and I am not it."

While questioning witnesses, Murphy referred to himself in the third person and seemed to get sidetracked by his favorite subjects. Over the course of a five-hour cross-examination, he went over Doucette's muscle car collection, car by car, and asked him if the weed he sold was clumpy.

Murphy: *Why don't you just admit to the jury that you took Murphy's professional burglary course?*



▲ Murphy's case file in Zani's garage

Doucette: *I've only hung out with you, and we smoked weed. And you told me, because you like to run your mouth, about how everything is.*

Murphy: *So you expect the jury to believe that you traveled halfway across the country, used cell jammers, deactivated alarm systems, cut open vaults, stole over a million dollars, and this was your first burglary?*

Doucette: *You are very convincing and good at what you do, and you only needed a follower. So, yes.*

The jury found Murphy guilty on all charges, and the judge sentenced him to 20 years in federal prison for the Brink's job, reduced to 13 years on appeal. Doucette was sentenced to 27 months for his role, Nassor got 3 years, and Morgan 55 months. Brown was put on probation for receiving stolen property.

I wrote to Murphy last year. I'd read a little about his case and was curious if he was a Patriots fan like me and if he'd been out to avenge Brady's loss. Over dozens of phone calls, he told me his story. He'd been dragging the E.A. Dion case out for a decade in state court, outlasting two prosecutors, and in November, I went to see him represent himself at a hearing.

Murphy shuffled into court in Fall River, Mass., his ankles and wrists chained together. Now 55, he seemed small, wearing a way-too-large striped dress shirt and slacks, with reading glasses on top of his thinning gray hair. He carried his legal papers in a clear plastic bag. Happy to have an audience, he turned and gave me a thumbs-up.

Toward the end of the hearing, Murphy huddled with the prosecutor and the judge in a corner of the courtroom. He told me later that he'd cut a deal that should see him released next year, but the prosecutor on the Brink's case says he still has years left on that sentence.

Murphy has been in prison since 2009, long enough to watch the Patriots win three more Super Bowls and lose another to the Giants, and to

see Manning retire and Brady leave for the Tampa Bay Buccaneers. He's been inside so long that he's never used an iPhone or Instagram. He still doesn't mind prison. These days, he works as a block runner, collecting other inmates' meal trays and taking out their garbage. To raise money to pay his property taxes, he sues the prison, whether for opening his mail or charging him to make copies, and reads newspapers to look for tainted products so that he can sue, claiming food poisoning.

Amazingly, this sometimes works. Murphy says he's won about \$10,000 from prisons in four settlements and \$750 in a dispute over a bad batch of salami. "You fill your day up with a routine, and time just goes by," he says.

Murphy is proud that "murphed" has been adopted into Lynn burglar slang and that treasure hunters search for gold in his old house. But he says he's retired from crime. The only score he's plotting now is how he's going to get someone, preferably Affleck, to turn *Master Thief* into a movie. It would be like *The Town*, only even more thrilling, he says. "I'm just as good, if not better, than them guys," he says.

Murphy says he's still got some of the Super Bowl rings, including the one with Strahan's name on it. (The Giants say the stolen rings were for team staff, and Strahan's never went missing.) Once he's out, maybe he'll slip it on his finger. He says he'd like to open a marijuana business now that it's legal, or maybe become a security consultant, for real this time.

"There's a lot of ways to make legitimate money out there," he says. "I'm just going to keep my hand out of the illegal cookie jar now." **B**

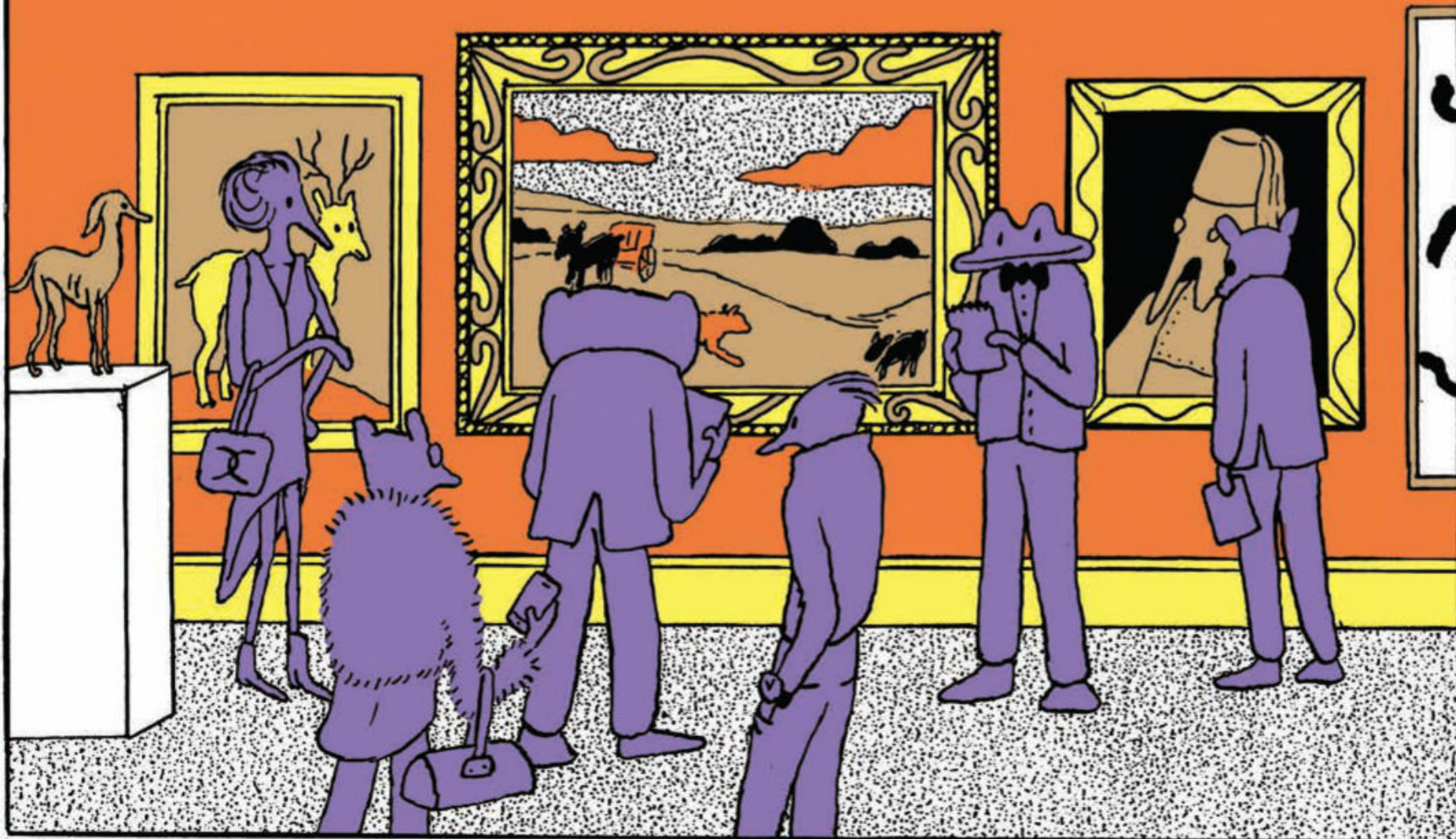


The Taking of *Hampstead Heath*

TEXT BY JAMES TARMY

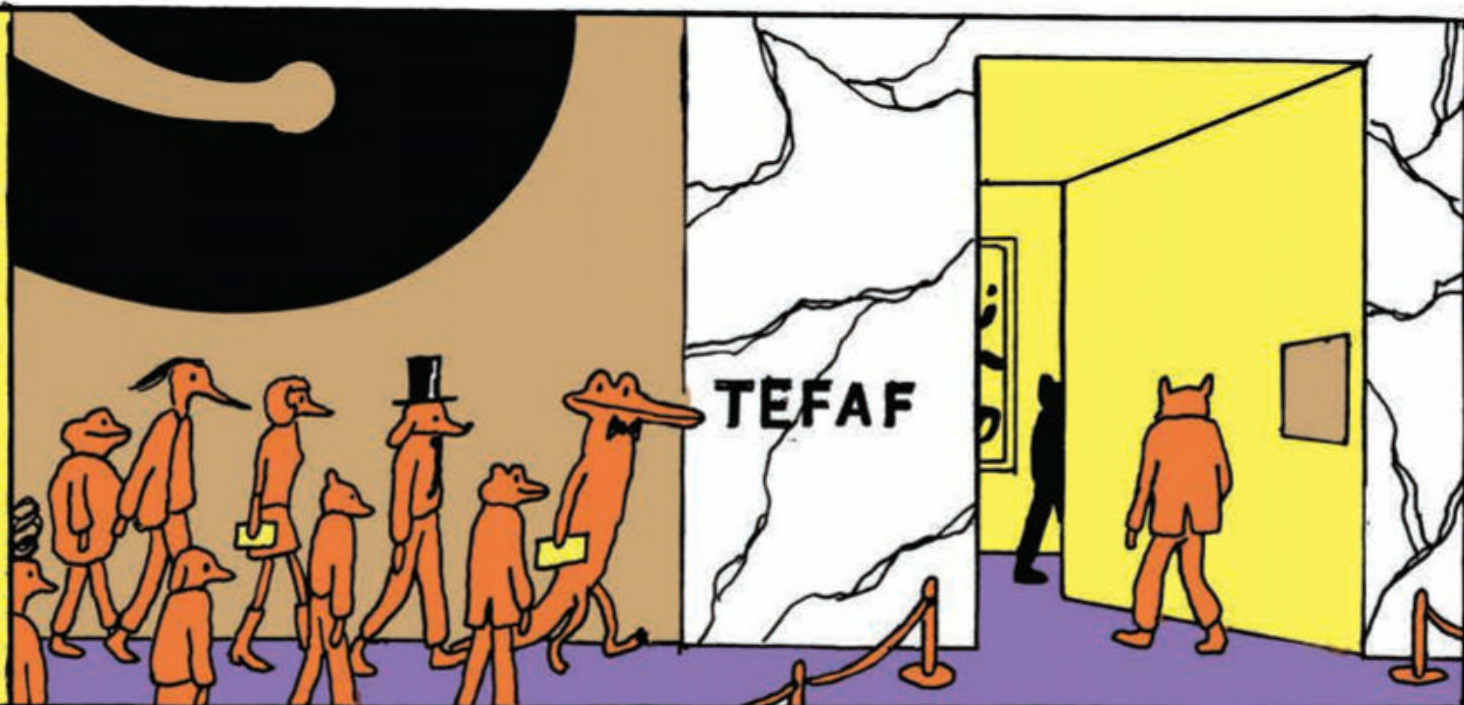
ILLUSTRATIONS BY ANNA HAIFISCH

DICKINSON



12

EVERY YEAR,
HUNDREDS OF
ART DEALERS
AND THOUSANDS
OF VERY RICH
PEOPLE TRAVEL
TO THE TOWN
OF MAASTRICHT,
IN THE NETHER-
LANDS, FOR
THE EUROPEAN
FINE ART FAIR.



AMONG THE ITEMS FOR SALE TWO YEARS AGO: A VIEW OF HAMPSTEAD HEATH, AN 1824 LANDSCAPE BY THE ENGLISH PAINTER JOHN CONSTABLE.

SEVERAL BUYERS EXPRESSED INTEREST, BUT NONE SO FEVERISHLY AS ARNOUD ODDING, DIRECTOR OF THE RIJKSMUSEUM TWENTHE, A MUSEUM SEVERAL HOURS NORTH.



\$3,000,000 080

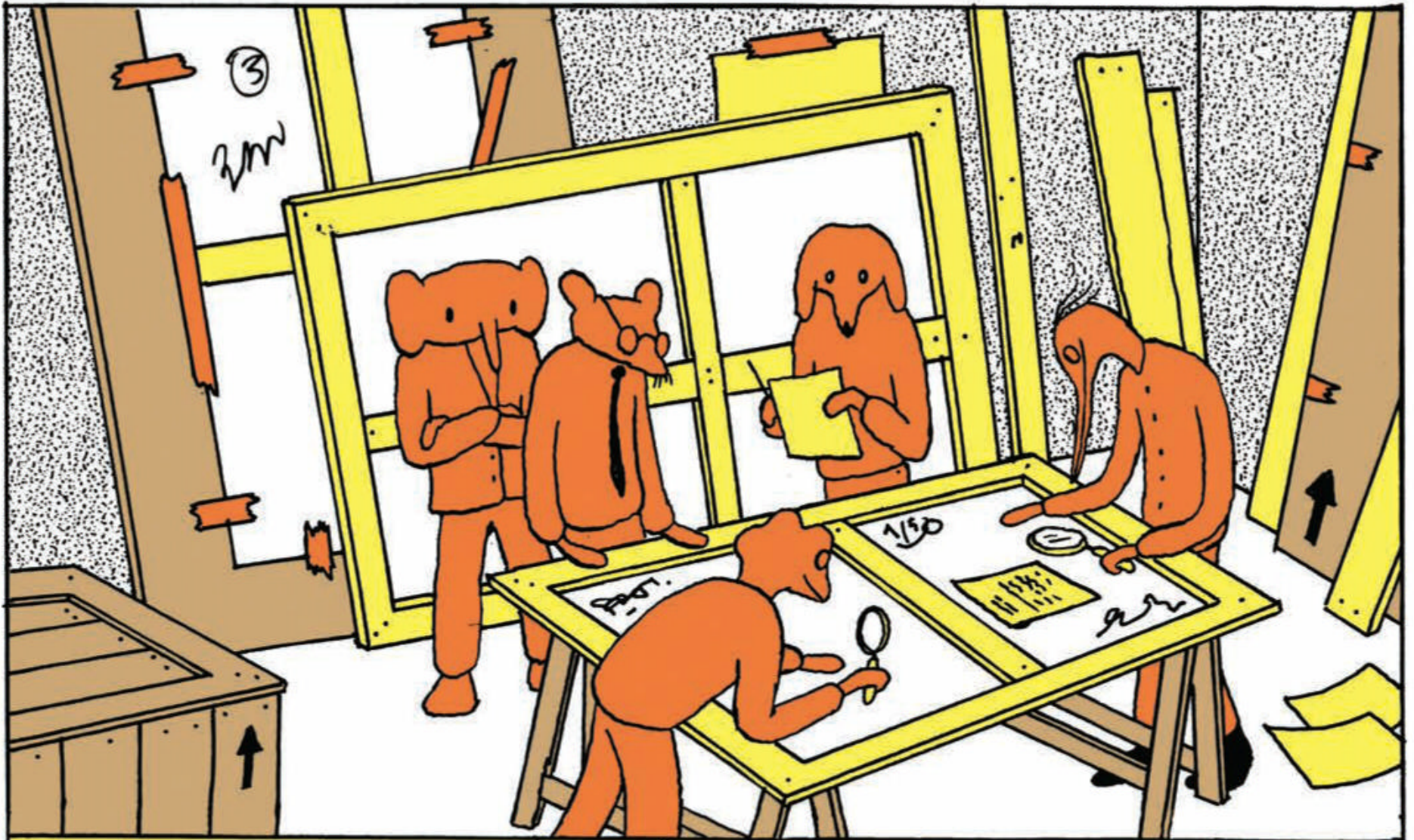


ODDING'S MUSEUM DIDN'T OWN A WORK BY CONSTABLE - THERE WAS JUST ONE PROBLEM.

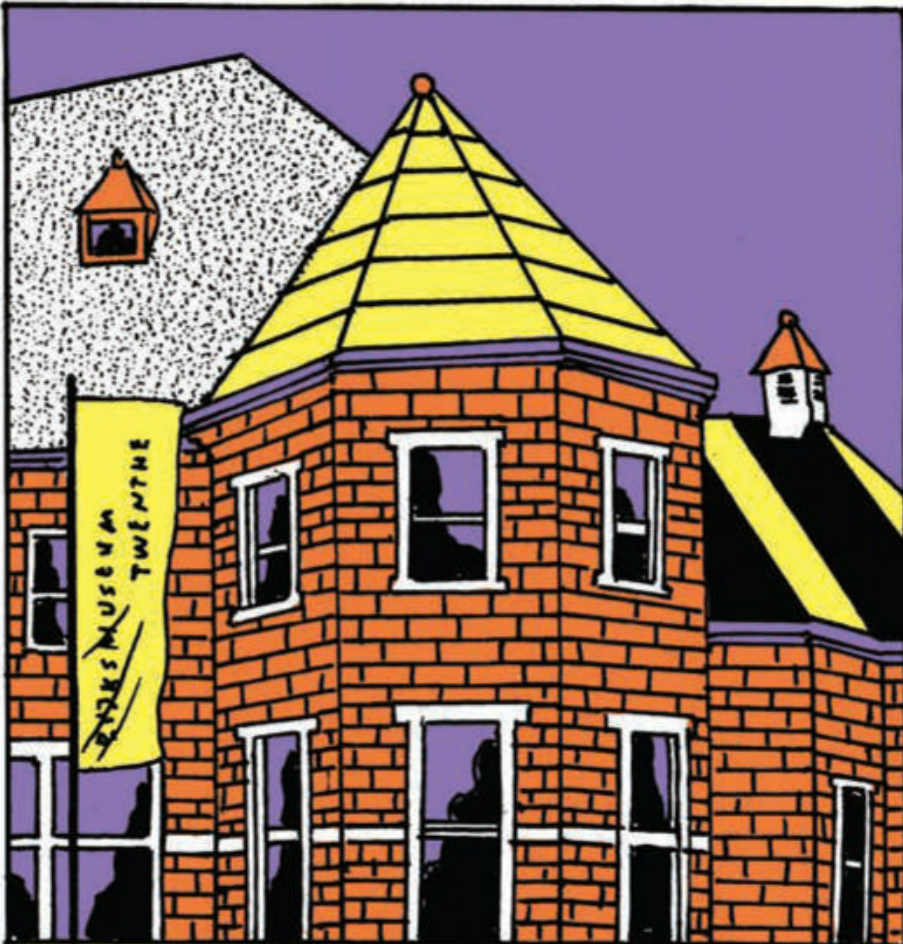


HE DIDN'T HAVE ANY MONEY.

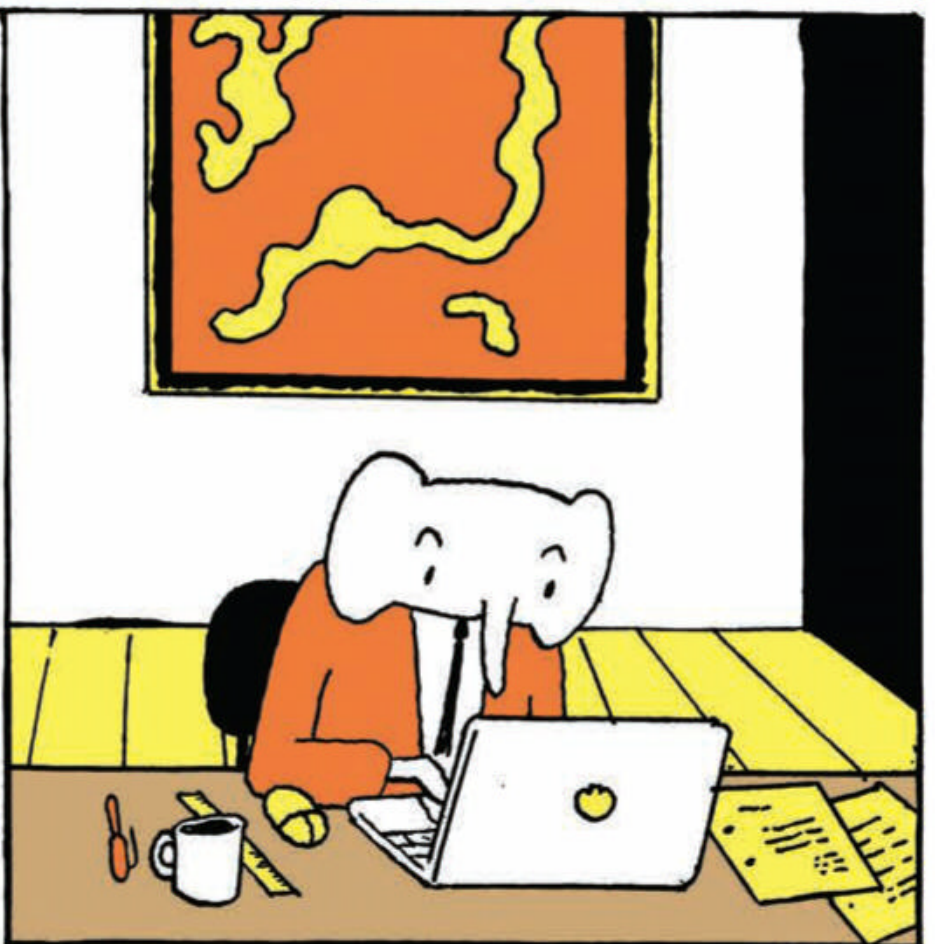
ODDING STRUCK A DEAL TO TAKE THE CONSTABLE TO HIS MUSEUM AND USE IT TO RAISE FUNDS FOR ITS PURCHASE.



THE PAINTING WAS INSPECTED BY THE MUSEUM'S STAFF AND TROTTED OUT FOR DIGNITARIES.



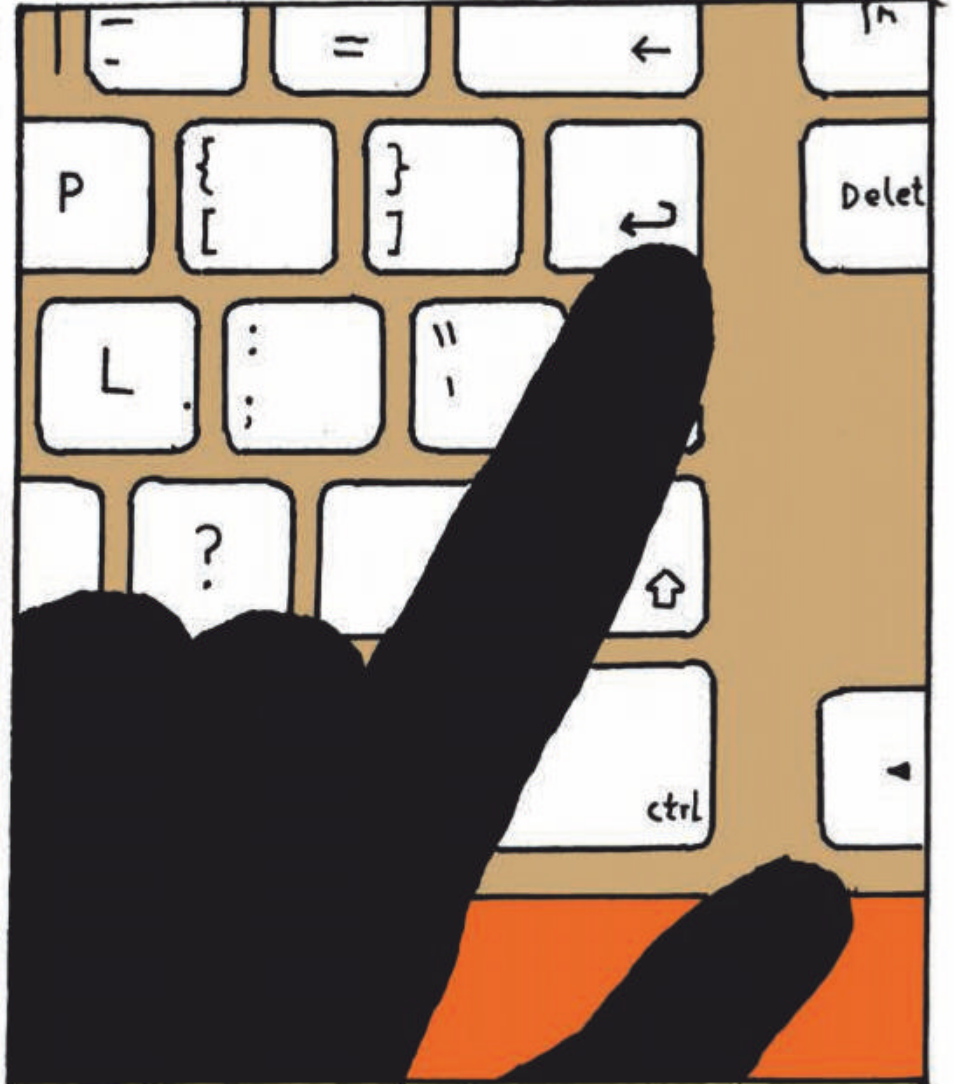
ODDING RAISED THE MONEY, ABOUT \$3 MILLION, FROM THE DUTCH GOVERNMENT AND A PRIVATE ARTS ORGANIZATION.



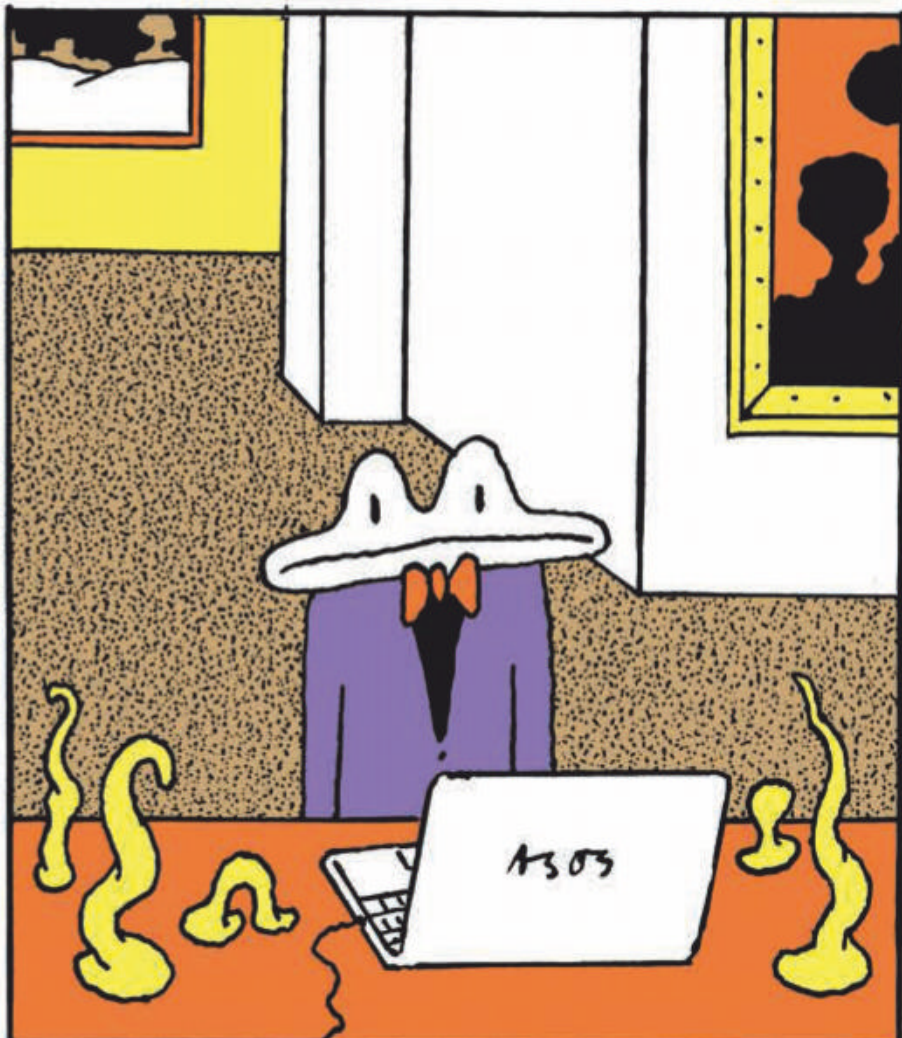
BUT JUST AS HE WAS PLANNING TO WIRE THE FUNDS, HE GOT AN EMAIL FROM THE SELLER, THE SIMON C. DICKINSON LTD. GALLERY IN LONDON, WITH NEW BANK DETAILS.



COULD ODDING SEND THE MONEY TO AN ACCOUNT IN HONG KONG?



ODDING WIRED THE MONEY.



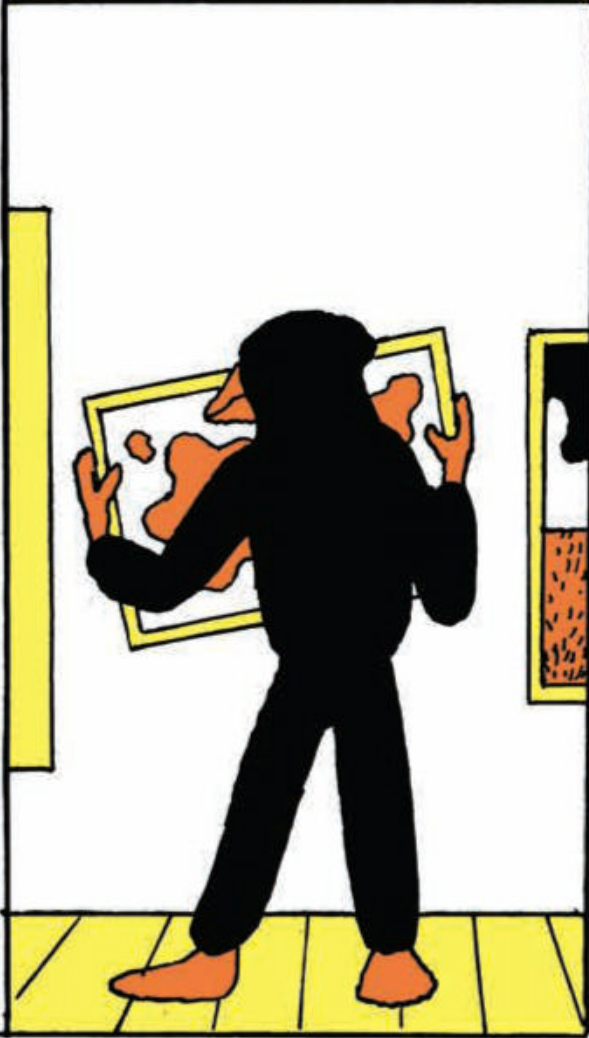
HOURS PASSED. BUT DICKINSON DIDN'T RECEIVE IT.

NO ONE KNOWS WHAT HAPPENED, BUT INVESTIGATORS SAY WHOEVER TOOK THE MONEY LANDED SOMETHING CLOSE TO...



... THE PERFECT ART HEIST.

ART IS EASY TO TAKE...



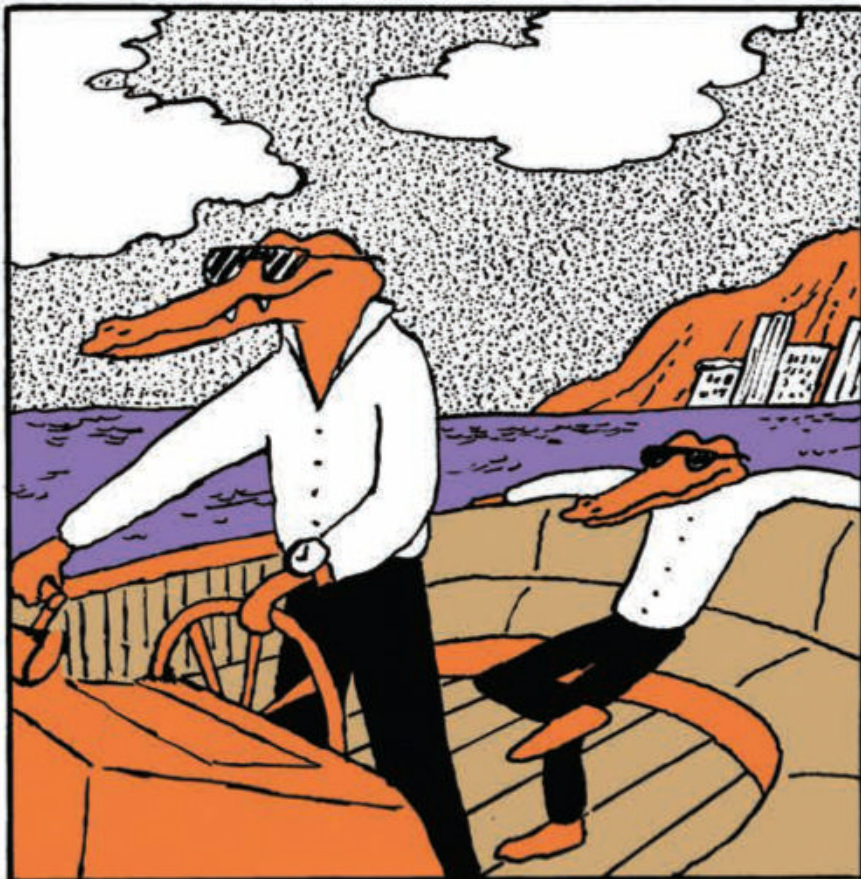
...BUT VERY HARD TO SELL...



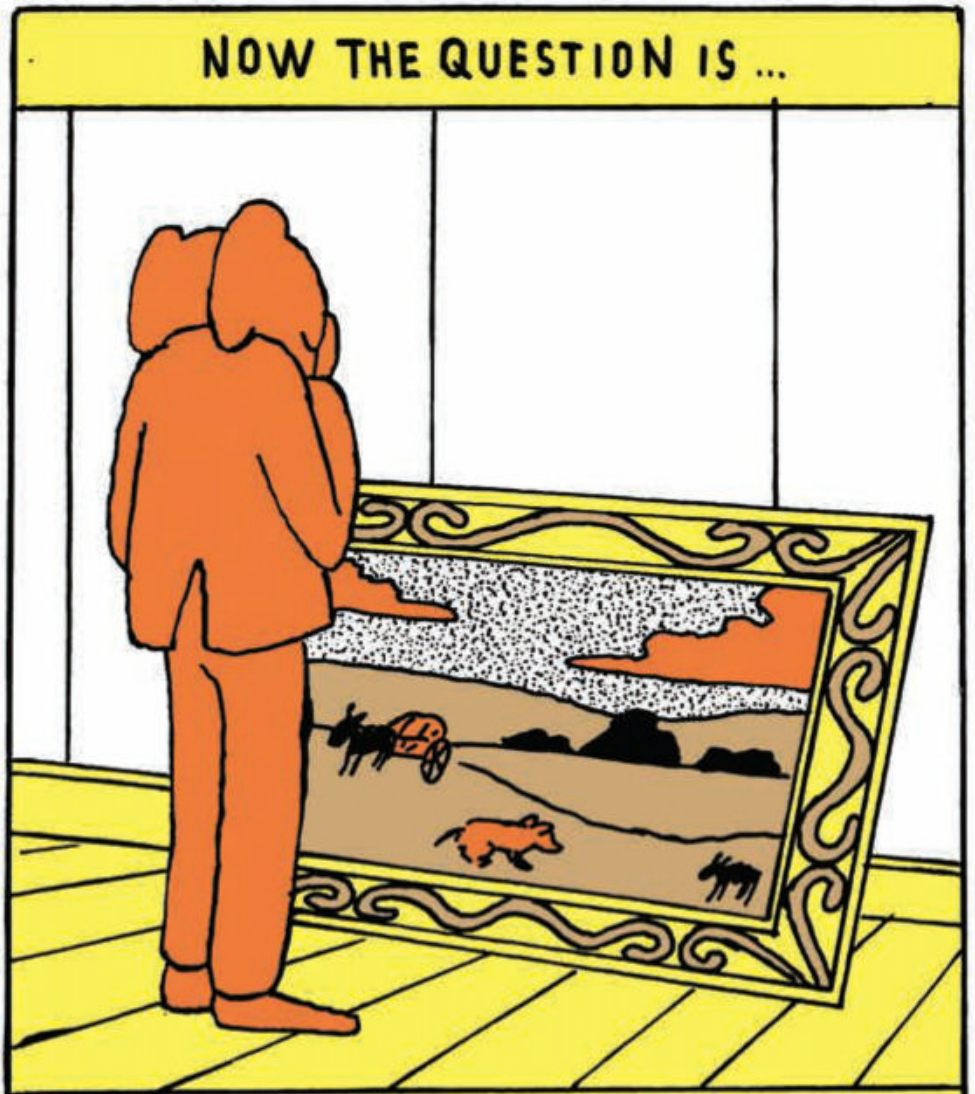
... WITHOUT GIVING YOURSELF AWAY.



NOW THE QUESTION IS ...



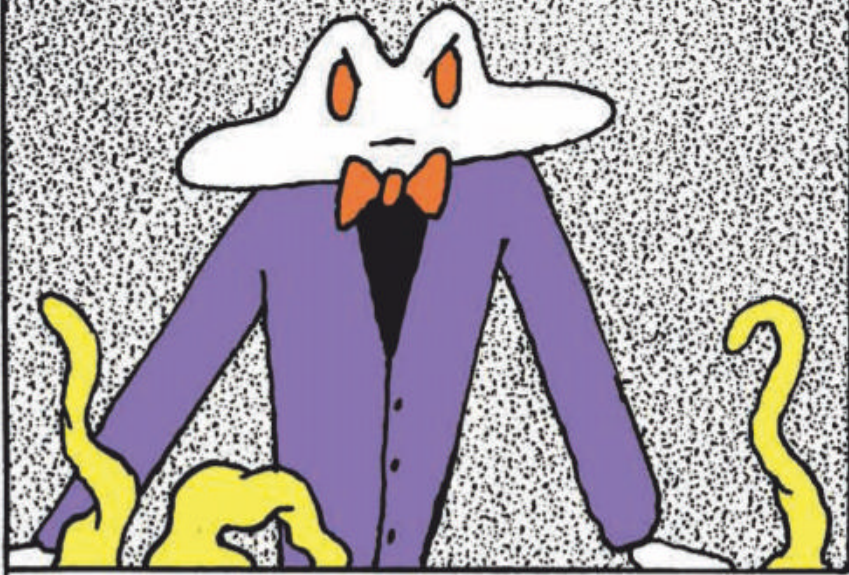
THE THIEF, OR THIEVES, LET THE DEALER DO ALL THE WORK, AND THEN, APPARENTLY, HACKED INTO THE EMAILS AT THE VERY LAST MINUTE, PROVIDING FRAUDULENT PAYMENT INSTRUCTIONS.



... WHO GETS TO KEEP THE PAINTING?

DICKINSON HAS A STRONG CLAIM.

We haven't been paid and no longer have the painting!



BUT ODDING HIRED SECURITY EXPERTS WHO SAY IT WAS DICKINSON'S EMAIL THAT WAS HACKED. HE TOOK THE GALLERY TO COURT.

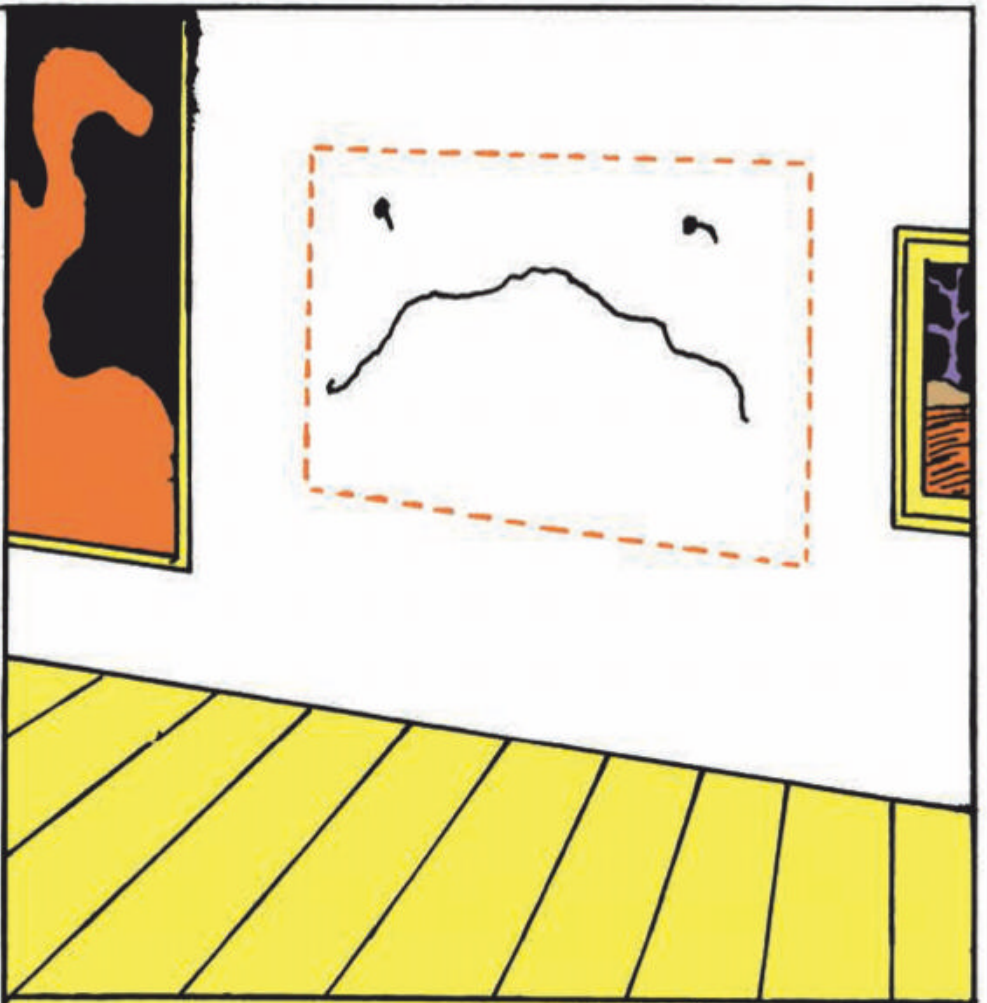
This painting was bought and paid for!



THE CASE HAS YET TO BE DECIDED.



ODDING'S MUSEUM HAS THE PAINTING IN STORAGE AND SAYS IT ISN'T GIVING IT BACK.



THE THIEF OR THIEVES ARE STILL AT LARGE. THEY NEVER TOUCHED THE ARTWORK, BUT FOR THE TIME BEING IT'S GONE.

How the American Worker Got Fleeced

18

For decades, bosses have held down wages, cut benefits, and stomped on employees' rights. Call it what it is: A heist

By Josh Eidelson

▲ After a co-worker tested positive for Covid-19, Gloria Machuca says she was told "McDonald's doesn't pay sick days"



WHAT IS AVAXHOME?

AVAXHOME-

the biggest Internet portal,
providing you various content:
brand new books, trending movies,
fresh magazines, hot games,
recent software, latest music releases.

Unlimited satisfaction one low price

Cheap constant access to piping hot media

Protect your downloadings from Big brother

Safer, than torrent-trackers

18 years of seamless operation and our users' satisfaction

All languages

Brand new content

One site



AVXLIVE ICU

AvaxHome - Your End Place

We have everything for all of your needs. Just open <https://avxlive.icu>

Amazon.com Inc. fired Emily Cunningham a little before the end of Good Friday, though the human resources rep put it a little differently. “You have ended your relationship with Amazon,” Cunningham recalls being told an hour after her company email account stopped working. She’d been a software engineer at the Seattle headquarters for seven years. The HR rep didn’t cite any deficiencies in her work but said she’d violated company policies. According to Amazon, she’d been breaking its rule against “solicitations.” Cunningham says that’s a policy ignored on a daily basis when it comes to things like selling Girl Scout Cookies in the office.

Neither Cunningham nor fellow software engineer Maren Costa, a 15-year Amazon employee fired the same day, were big in the Thin Mints game. But both had been challenging the company’s Covid-19 safety policies and mobilizing others to join them. They’d urged their white-collar colleagues to rally behind Amazon warehouse workers who’d gone on strike to demand stronger protective measures. Cunningham had just sent an email to an internal listserv condemning the treatment of worker Chris Smalls, fired the day he led a strike over safety in his New York City warehouse. In the email, Cunningham noted that U.S. law and Amazon’s own policies recognize employees’ right to communicate about conditions at their workplaces, which very much included precautions against the coronavirus pandemic sweeping through the country.

“We support every employee’s right to criticize their employer’s working conditions, but that does not come with blanket immunity against any and all internal policies,” Amazon said in a statement. Cunningham says identifying bugs and fixes for them is just part of working at a tech company. “If you don’t listen to the workers,” she says, “you’re going to miss some very simple things.”

These terminations fit a pattern that goes beyond Amazon. A few months before Cunningham got the HR call, Google fired four software engineers

who’d been organizing to change things like its work for the Pentagon and its handling of harassment on YouTube. (Google has said it fired them for violating data security rules.) In the corona era, medical staff who’ve spoken out about problems have been axed, too. A Washington state emergency room doctor who posted about his safety concerns on Facebook was terminated swiftly by his hospital’s staffing agency, according to a lawsuit he’s since filed. (The staffing agency said it offered to place him at a different hospital instead.)

For Americans with a less fancy résumé than the typical physician or Google engineer, the coronavirus has exacerbated an already dire lack of employment security. A great many essential workers have been growing, picking, tending, slaughtering, packing, preparing, and delivering food throughout the country without paid sick days. While other countries moved quickly to backstop payrolls and freeze their economies more or less in place, the U.S. let 40 million people go unemployed and has kept many of them waiting months for temporary assistance.

Long before the pandemic, U.S. workers’ productivity and their median pay, which once rose in tandem, went through an acrimonious divorce. Compensation, especially in some of the country’s fastest-growing industries, has stagnated, while the costs of housing, health care, and education decidedly have not. The federal minimum wage, stuck at \$7.25 since 2009, is worth 70% of what it was in 1968, and about a third of what it would be had it kept pace with productivity.

Covid helps clarify just how much employers have chipped away at the labor rights and bargaining power that came with the New Deal. Legislation and court rulings have outlawed key organizing and protest tactics, legalized aggressive anti-union efforts, and radically shrunk the range of occupations granted basic labor rights. Companies looking for a short-term jolt to their profit margin have more incentives than ever to hire workers indirectly, keeping payroll and liability off their own books.

The pandemic certainly could give employers even more power to set the rules. Or it could give workers a chance to end a heist on a nationwide scale.

In theory, the National Labor Relations Act of 1935 protects people against retaliation for the kinds of organizing the fired Amazon workers were doing, much as the 1964 Civil Rights Act protects them against discrimination on the basis of race or sex. In practice, the threshold for firings in the U.S. is so low that it tends to be difficult to prove an employer has crossed such a line. Employers can and do terminate employees for having the wrong political candidate’s bumper sticker on their car or volunteering on the weekends at a local AIDS Foundation. And unlike the Civil Rights Act, the NLRA offers legal recourse only through the National Labor Relations Board, where the worst thing employers generally have to fear is that they’ll someday have to dole out back pay, reinstate fired workers, and promise to change their behavior, without any punitive damages or personal liability.

Two years ago the NLRB ruled against a group of nonunion janitors who alleged they’d been terminated in retaliation for protesting abuses, which included a boss telling one of them that the way to get paid more was to have sex with him. The three Trump appointees said the workers erred in asking for help from the radio station whose offices they cleaned, because it wasn’t their direct employer. Last year the founder of the Barstool Sports blog empire posted tweets threatening to fire anyone who talked to union activists, after which the site sold T-shirts celebrating the controversy. Barstool, which didn’t respond to requests for comment, settled with the NLRB by agreeing to delete tweets and post a temporary notice saying it wouldn’t threaten employees.

The threat of retaliation helps transmute all sorts of requests into offers workers can’t refuse, whether it’s smiling through abusive tirades, working overtime without extra pay, or showing up for a shift in the middle of a pandemic. As lockdowns began this ►

◀ spring, Daniel Stone, a market analyst for Dollar General Corp., sent emails to managers and executives urging them to implement better safety measures and hazard pay for the essential workers in the company's 16,000 U.S. stores. "I think Dollar General had an opportunity, and I asked them to take it in March, to be a leader," says Stone, who worked at the company's headquarters near Nashville.

Beyond some boilerplate responses, the higher-ups ignored him, he says, so he solicited input from retail workers on Reddit, and created a private Facebook group where workers could talk about organizing and swap horror stories about the masks they were being given, made from T-shirt scraps. He also reached out to the United Food & Commercial Workers International Union for support.

For reasons that soon became obvious to Stone, the UFCW has had little success unionizing Dollar General

workers over the years. (Instead of negotiating a contract with workers who voted to organize at one store, the company contested the vote in court for years, then shut down the store.) In mid-April, Stone was warned by a co-worker that his pseudonymous Reddit profile linked to a SoundCloud account with his real name and that other people in the corporate office were reading the subreddit where he was collecting complaints. But Stone continued, and by the end of the month, the company had fired him over the phone, framing it more as an opportunity for mutual growth.

"It's come to management's attention that there's been some negative emails and posts and other things like that about the company, and there's been a little bit of, kind of, it sounds like bad blood," senior director of market planning Jason Reese told Stone during the call, which Stone recorded and shared with *Bloomberg Businessweek*. Stone stayed

polite and signed off with "hopefully the workers will get taken care of" and "see you around." To get his three months' severance of about \$15,000, Dollar General said, he'd have to sign a nondisclosure agreement. He refused.

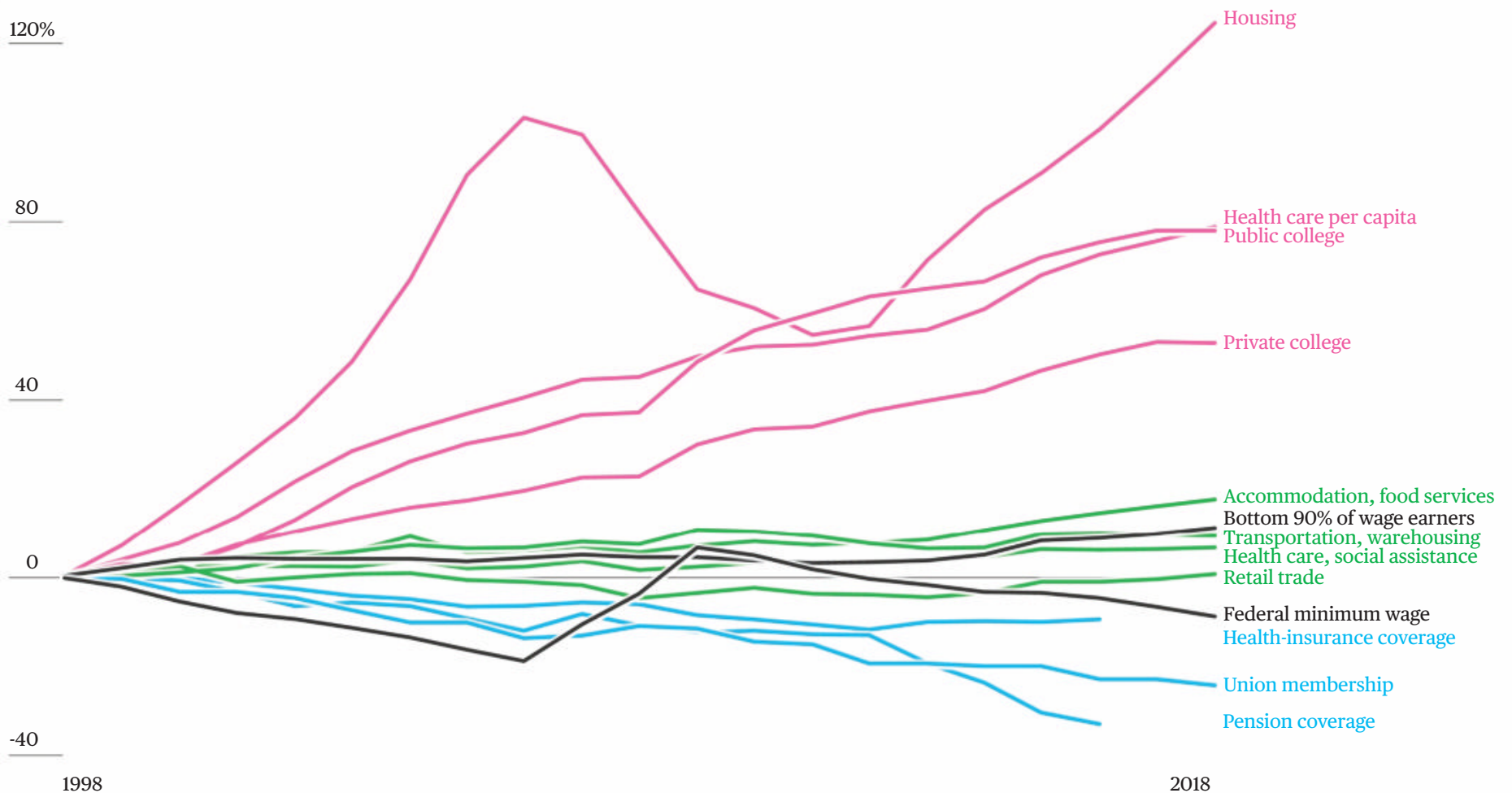
Dollar General said in a statement that it has "a zero tolerance policy for unlawful retaliation" and that it's mounted a "thoughtful and comprehensive" Covid plan. The company said Stone "did not, and does not, possess the information or broader context to understand the many decisions that formed the foundation of the Company's response to this health crisis, and it is unfortunate that he chose to conduct himself in a manner that was not in keeping with values and expectations."

One thing that frequently unites U.S. employers of all kinds is fierce opposition toward collective organizing. Two years ago, after managers at software startup Lanetix discouraged employees from discussing workplace problems

The Disunited States of Work

Change since 1998 in U.S. inflation-adjusted:

Living costs Median industry wages Wages Benefits and protections



The costs of housing, health care, and college have vastly outpaced pay increases in recent decades.

Several of the country's fastest-growing industries pay low wages that have seen at best modest hikes in that time.

Minimum wage workers make much less now. Americans in the bottom 90% of earners (under \$120,000 a year) have received only a slight real pay bump.

During the same period, employer-provided benefits and union membership have continued to decline.

and implied their jobs could be shipped to Eastern Europe, the programmers started circulating union cards, according to employees. A week after they handed in the cards, the company laid off every U.S. programmer outside of the management team. Lanetix, which has since settled an NLRB complaint and renamed itself Winmore, didn't respond to requests for comment.

Unions scare employers in part because unions can strike, and strikes work. (Just ask the 40-hour workweek.) But employers have spent decades striking back. Ronald Reagan embodied and emboldened a wave of U.S. union-busting when, in 1981, he axed striking air traffic controllers. Capital mobility also made it easier for companies to take advantage of old court rulings and legislation that enabled the "permanent replacement" of striking workers, stripped unions of key protest tactics, defunded them through "right-to-work" laws that banned mandatory fees, and facilitated aggressive anti-organizing campaigns.

Given the NLRB's wrist-slap approach to enforcement, firing employees who try to organize a union is one of the most effective short-term investments a company can make. Labor relations consultants who help companies talk workers out of organizing or keep tabs on them during disputes are thriving. Such firms don't have to disclose their full client lists, but a *Businessweek* review of annual federal disclosures reveals a who's-who of America's boldface names, from Pepsi to PetSmart. Companies have numerous ways to not-so-subtly talk workers out of organizing. They can exercise their legal right to hold mandatory meetings about the dangers of forming a union or hire consultants who specialize in union busting to sow discord within the staff. Or they can, of course, simply fire everyone.

The past decade's disputes at Boeing Co., once a union stronghold, show how effective these tactics can be. In 2010, after a series of successful strikes in the company's home base of Washington state, an executive cited the work stoppages as cause for the company to build its new line of airplanes in South Carolina. By 2014,



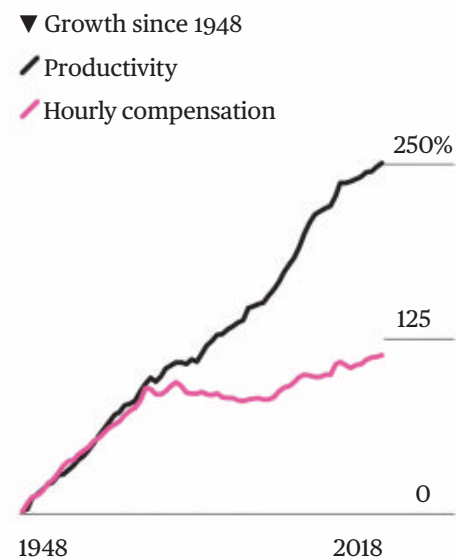
Boeing's threat to shift more production out of Washington led the International Association of Machinists to cut a deal that froze its pension plan instead. And the union has struggled to make inroads at the South Carolina plant, facing ferocious opposition from management as well as from then-Governor Nikki Haley, who later joined Boeing's board.

During a union drive at the South Carolina plant in 2017, workers say, Boeing took out anti-union ads on local TV stations and billboards and held mandatory anti-union meetings warning about the possible costs. Trump's NLRB appointees overturned a successful 2018 vote among a smaller group at the plant, and Boeing fired five vocal union advocates. The union's NLRB complaint about that is still pending. Boeing denies retaliation and says the five workers violated "well-publicized, longstanding, and objectively reasonable safety and conduct policies."

All this has left the South Carolina staffers hesitant to speak up about workplace problems, says IAM activist Chris Jones, who's worked at the South Carolina plant since 2011. That's been especially true during the pandemic, because Boeing recently announced plans to cut companywide head count by 10%. The company said in a statement that it makes layoff decisions carefully and fairly.

In Washington, the union contract ►

▲ Dollar General fired Stone after he tried to organize some of his retail colleagues and push for better Covid protections



► Barrett, an organizer with the National Domestic Workers Alliance, has 18 years' worth of horror stories

“They’re still in plantation mode—they still own our bodies”

22

▼ After Philippe Boucher and his fellow Microsoft bug testers unionized, the staffing firm that technically employed them laid off the whole team

◀ dictates that layoffs be conducted based on seniority, and the union says it’s in daily contact with Boeing to hash out Covid safety procedures. In South Carolina, “people are afraid to raise issues or concerns because they feel like that could affect how they’re graded for the layoff,” Jones says. “There’s really no rules other than your manager giving you a score.”

From the beginning, workplace laws in the U.S. have left out a lot of workers. The NLRA’s organizing rights explicitly excluded farm and domestic workers, a carve-out soaked through with racism and sexism. Other laws include exceptions for workforces of fewer than 15 people, disabled workers, tipped workers, prisoners, movie theater attendants, and teenagers. The NLRA doesn’t apply to supervisors, a category in which employers have placed many nurses and university professors, or to independent contractors, a category into which companies have tried to shove drivers, cooks, teachers, mixed martial artists, video game developers, house cleaners, cable installers, strippers, and lacrosse officiators.

That includes people like Kym Thornton, who went door to door for Homefix Custom Remodeling, pointing out mold at people’s houses and cajoling them to agree to meet a sales rep. Thornton says Homefix, which had first caught his eye with a Washington, D.C., subway ad promising full-time pay for part-time work, eventually turned

out to be the opposite: While working there full time, he sometimes didn’t get paid at all, supposedly because none of the homeowners he’d hit up ended up making a purchase. Thornton and other ex-staffers are suing the company for paying below minimum wage and for discriminating against workers of color by sending them to poorer neighborhoods.

Homefix, which classified the workers as independent contractors without minimum wage protections, has denied the allegations. The plaintiffs say the company exerted some very employer-like control, including mandatory uniforms, regular (unpaid) training sessions, a noncompete policy, and surprisingly inflexible schedules. Thornton left the company in 2018, after his boss reprimanded him for missing work to attend a meeting about whether he could qualify for charity assistance for cataract surgery.

The NLRA’s blind spots have stretched wider as some of the industries lacking basic worker protections have become more central to the U.S. economy. The number of in-home-care workers more than doubled from 2008 to 2018, to about 2.3 million, and it’s projected to expand by an additional 1.3 million by 2028, as baby boomers grow more sedentary.

“They do not see us as important,” says June Barrett, who spent 18 years caring for children and the elderly in their homes in Florida and New Jersey after fleeing homophobic harassment in Jamaica. “They’re still in plantation mode—they still own our bodies.” Before becoming a full-time organizer last year with the National Domestic Workers Alliance, Barrett endured years of workplace harassment, including groping, shoving, and racist taunts.

U.S. courts have offered workers little relief. Supreme Court rulings over the past couple decades have allowed companies to make warehouse workers wait in line for security checks without pay, even if it takes an hour a day; compel employees to sign away their rights to join class-action lawsuits; and refuse to pay undocumented workers who were illegally fired. The Sherman Antitrust Act, meant to protect against “unlawful restraints and monopolies,” now gets used to swat down so-called



contractors' efforts to set pay floors. In 2018 a federal appeals court doomed a Seattle rule meant to help Uber drivers organize, signaling that it conflicted with the Sherman prohibition on price fixing.

Companies such as Uber Technologies Inc. and Lyft Inc. are the best-known beneficiaries of this sort of thing. When California lawmakers decided last year that workers can't be considered contractors if their duties fall within a company's usual course of business, Uber said its drivers should still be contractors because its business is technology, an app, not transportation. Never mind that the app acts as an aggressive central dispatcher, that a number of drivers work full-time hours, or that Uber has tried to block the public release of its drivers' names by declaring them trade secrets. But the arm's-length nature of such supposedly not-employer-employee relationships has spread through just about every U.S. industry in one form or another. They allow companies to add layers of distance between themselves and the responsibilities of a formal employer even if, in practice, the name-brand company remains the ultimate boss.

Subcontractors have been doing everything from hauling goods in Walmart and Amazon warehouses to fact-checking the *New Yorker*. Even among America's most valuable businesses, contract labor has expanded from supply closets and kitchens to programming jobs at the heart of the operation. At Google parent Alphabet Inc., which counts more than 110,000 employees, the contract workers have overtaken the direct workforce.

The umbrella term here is "fissuring," as in cracks in the workforce. In the interest of short-term rewards to shareholders, executives have incentives to offload as much of their day-to-day operations as possible to outside vendors, reducing liability and payrolls on their balance sheets and challenging contract staffing companies to underbid one another. Paying these workers indirectly also makes it easier to pay them much less than their direct co-workers, according to David Weil, the dean of Brandeis University's Heller



School for Social Policy & Management. When workers are subcontracted out of a company's average pay statistics and benefits packages, there's less pressure to improve their compensation.

At Google these workers include people managing teams and testing self-driving cars. At Apple Inc. they work on the Maps app and on translating material to different regions. At Microsoft Corp. they develop graphic design and test bugs. When a few dozen Microsoft bug testers in the state of Washington unionized in 2014, they learned how difficult it was to bargain without Microsoft itself at the table. Their direct employer, the temp agency Lionbridge Technologies Inc., laid off their entire team two years later, and in 2018 the tiny union agreed to settle its NLRB complaint in exchange for some financial relief. "Crumbs," says Philippe Boucher, the union's founder. For Microsoft, he says, the union was just "a pebble in their shoe."

Microsoft has denied the union's claims that it was legally responsible for the alleged retaliatory layoffs. "This was a matter between Lionbridge and its employees," the company said in a statement. Lionbridge didn't respond to requests for comment.

Contract labor has also been a prominent face of the coronavirus era. Many Americans sheltering in place have

become much better acquainted with Instacart, the grocery delivery app maker, which expanded the ranks of its shoppers from 180,000 to 500,000 within two months. On June 26, Seattle's mayor signed a law requiring food delivery companies to pay drivers an extra \$2.50 per delivery. Instacart immediately sued, complaining that the law forces it to provide services without due consideration to profits.

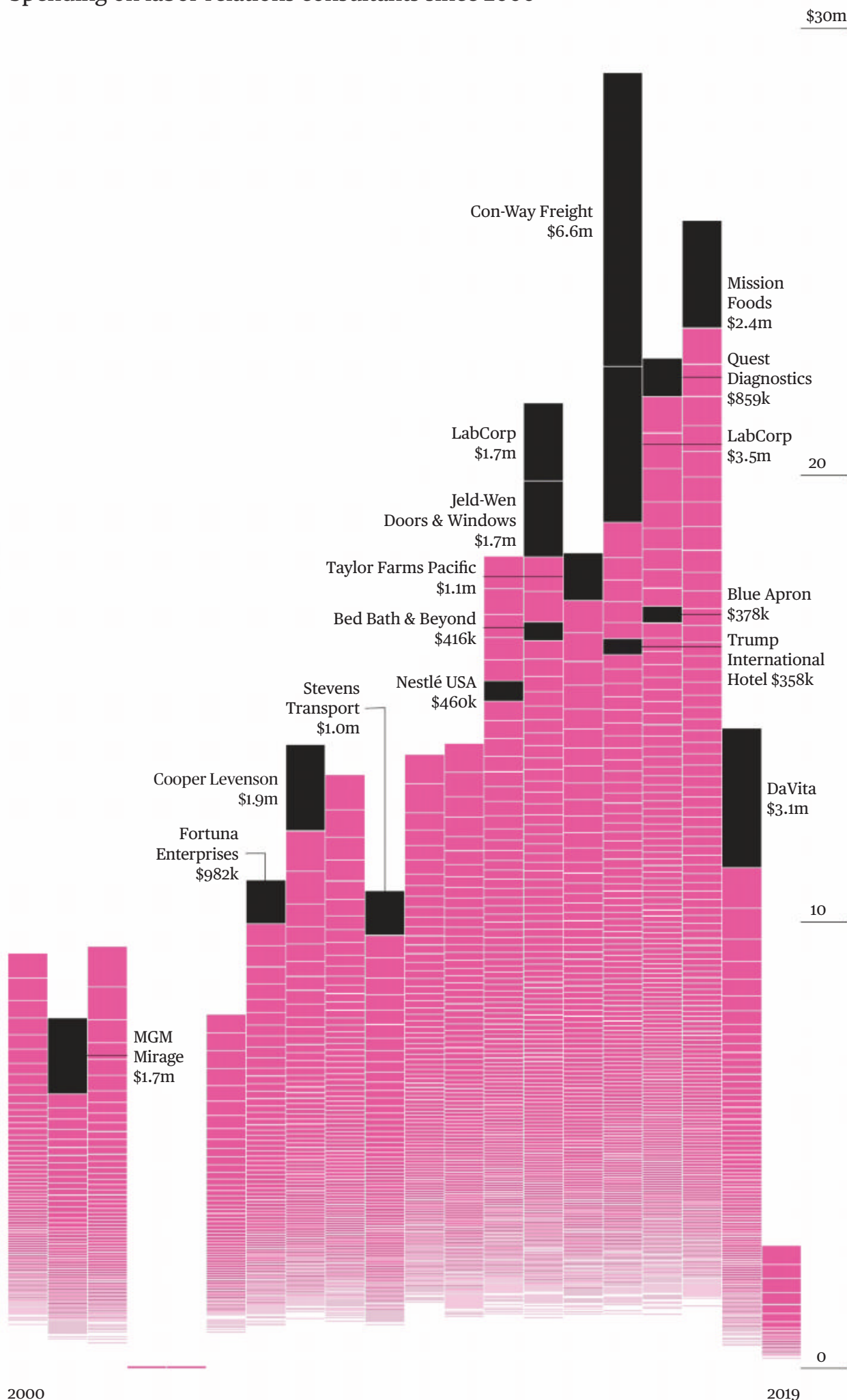
This past Mother's Day, Gloria Machuca couldn't hug her six kids. She'd been sent home from one of the two Houston McDonald's restaurants where she puts in a combined 60-plus hours a week because a co-worker had tested positive for Covid-19. She says both franchises made her stay home for two weeks in case she had it, too, but neither agreed to cover her pay—\$9.25 an hour at one, \$8.25 at the other—while she was stuck at home. Managers from both said "McDonald's doesn't pay sick days," says Machuca, who's worked for Golden Arches outposts for 20 years.

Like many McDonald's workers who've filed complaints or mounted protests around the country, Machuca says her restaurants fell short on basic safety measures, such as providing personal protective equipment early on or facilitating social distancing. ▶

The Price of Persuasion

U.S. labor law requires labor relations consultants to disclose some names of companies that hire them for anti-union persuasion efforts or intel during labor disputes. A *Bloomberg Businessweek* analysis of the relevant federal disclosure forms is limited by the incomplete nature of the disclosure requirements—note the dearth of forms for 2003 and '04—but it does provide a snapshot of the past 20 years of anti-union activity.

Spending on labor relations consultants since 2000



Top corporate spenders

Company	Spending (\$)
Con-Way Freight	\$6.9m
Laboratory Corp. of America	5.7
DaVita	3.7
Mission Foods	3.0
Fortuna Enterprises	3.0
Genco	2.9
United Natural Foods	2.9
MGM Mirage	2.5
Saginaw Chippewa Tribe of Michigan	2.3
Sutter Health	2.2
Cooper Levenson	1.9
Jeld-Wen Doors & Windows	1.9
Wismettac Asian Foods	1.8
Sysco	1.8
Chinese Daily News	1.5
Coca-Cola Bottling Co. of New England	1.4
Penn National Gaming	1.4
Boyd Gaming	1.4
Albert Einstein Medical Center	1.2
Ashley Furniture Industries	1.2

Other notable spenders

Company	Spending (\$)
Coca-Cola	\$759.5k
FedEx Freight	688.2
Nestlé USA	643.1
Bed Bath & Beyond	624.2
UPS	493.3
Caterpillar	425.6
Trump International Hotel	412.0
Goodwill Industries of Northern New England	403.1
Blue Apron	378.3
Hertz	205.1
Best Buy	191.5
Cargill Meat Solutions	158.2
Medieval Times	122.2
PetSmart	120.5
Whole Foods Market	109.2
Lucasfilm Entertainment	62.8
General Electric	42.6
Red Bull	36.5
Macy's	15.4
Kellogg	12.8

◀ She says that before and during the pandemic her bosses amplified health risks by refusing to provide paid sick days, forcing employees to either spread the virus or forfeit needed income. The franchise owners only agreed to pay for her quarantine in late May, after she joined a streaming protest on Facebook with New York Senator Kirsten Gillibrand. “What I’ve learned about McDonald’s and the manager and the store owners is that they don’t care about us,” she says. “They treat you as if you don’t matter.”

“We’re confident the vast majority of restaurant employees impacted by Covid-19 are getting paid sick leave,” McDonald’s said in a statement, citing a mix of corporate and franchisee policies and federal, state, and local measures. The company said it has “enhanced over 50 processes in restaurants” to boost safety and distributed more than 100 million masks. It also provided statements from Machuca’s franchise owners that say they offer masks, gloves, effective social distancing policies, and paid sick days.

In the U.S., companies can and often do legally refuse to provide paid sick days to staff. When the pandemic placed this problem in stark relief, Congress rushed to kind of fix it. The Families First Coronavirus Response Act, passed in March, promises Covid-specific paid sick leave to U.S. employees, as long as they don’t work for large companies, or small companies, or in health care, or as first responders. In other words, it doesn’t apply to a lot of the essential workers who need it most.

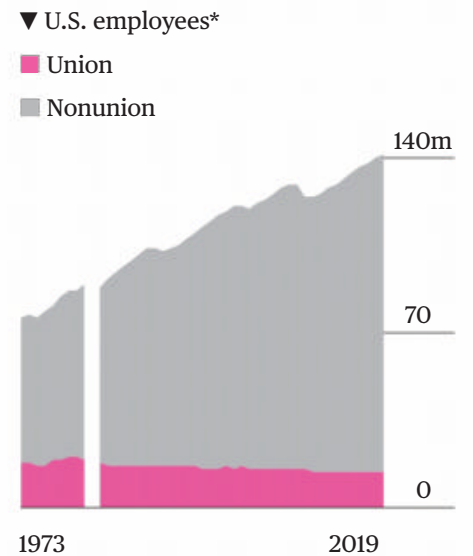
Even where there are laws meant to protect some aspect of a worker’s life and livelihood, enforcement is all too often weak. Employees lose an estimated \$15 billion a year because companies simply don’t pay them the minimum wage they’re owed—“wage theft” that rivals the total value of property crime the FBI tracks. In most cases when enforcers determine a worker’s wages have been stolen, the victim doesn’t get compensated, the UCLA Labor Center and the National Employment Law Project found in a 2013 study of California data. Bosses can evade liability through tactics such

as reconstituting their company under a different name.

The federal Occupational Safety and Health Administration started the year with only 862 inspectors, fewer than it’s had in decades. (One inspection of each workplace that falls under its purview would take 165 years.) On April 13, OSHA announced it would generally try to deal with employees’ coronavirus-related complaints informally, by asking employers to investigate themselves. OSHA and its state-level equivalents have received more than 20,000 Covid-centric complaints this year, including a number about medical facilities that banned protective masks.

OSHA has closed thousands of Covid-related complaints and announced a citation against only one company, for being slow to report a series of staff hospitalizations. In the absence of serious penalties, meat-processing workers at Cargill Inc. say supervisors told them not to discuss infections; a Safeway Inc. warehouse discouraged employees from using masks or gloves, according to a lawsuit filed by the family of an employee who died in April; and state attorneys general say Walmart Inc. managers allegedly pressured workers with Covid-19 symptoms to put on their vests.

Cargill says it considers health information private. Safeway has said employee health is its top priority. ▶



▼ Jones says workers at his Boeing plant in South Carolina are afraid to raise safety issues lest they be laid off



March 8



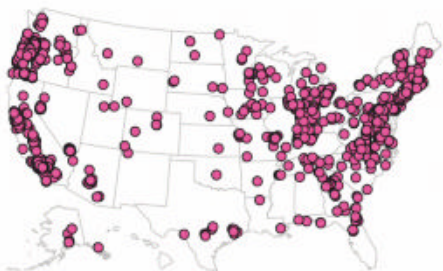
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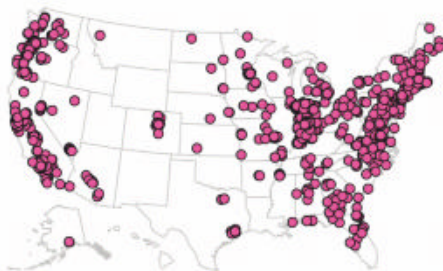
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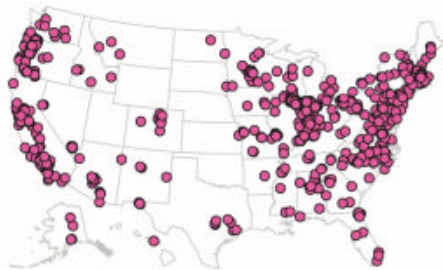
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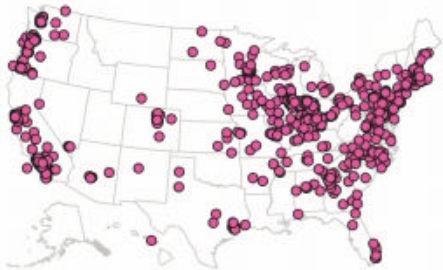
April 5



April 12



April 19



◀ Walmart said in a statement that it's following the "evolving guidance" of public-health experts.

It could all still get worse. As states rushed to reopen, many unemployment agencies were urging employers to report staff who refuse invitations to come back to work. So more U.S. workers will soon find themselves involuntarily tractor-beamed back into a U.S. working environment that's proved itself inhospitable even when there's no pandemic.



merica doesn't have to be like this. For all their faults, other rich countries aren't.

In the U.S., the subject of labor-law reform tends to arise whenever Democrats see a shot at retaking the White House and Congress, though the party rarely makes good on its promises. In February, the Democratic-controlled U.S. House passed a bill, backed by presumptive presidential nominee Joe Biden, aimed at ending right-to-work laws, forced class-action waivers, mandatory anti-union meetings, and so-called permanent replacement of strikers; legalizing a slew of strike tactics; expanding the definition of "employee" to encompass far more fissured staff; and giving the NLRB the power to strongly penalize companies and hold executives personally liable for breaking the law.

In January, Harvard Law School's Labor & Worklife Program, following a year of discussions among working groups of activists and scholars, released a sweeping proposal to reboot labor law from a "clean slate," including by ending at-will employment, installing elected "workplace monitors" in every U.S. workplace, and establishing a "sectoral bargaining" process à la Europe. Advocates say such a system, in which labor and management hash out industrywide standards, would help fix one of the flaws baked into the NLRA: As long as collective bargaining rights are limited to the individual companies where workers have won a unionization election, executives have an overwhelming incentive to fight like hell to stop that from happening, and they have cause to fear they'll be outcompeted by lower-cost rivals if they don't.

Labor activists have notched the occasional impressive victory.

"Comprehensive campaigns"—intensive, often yearslong efforts where rather than relying on the NLRB, unions hammer a company with a mix of workplace disruption; legal, regulatory, and political assault; and reputational warfare—have proven potent enough to secure deals that made unionization possible at firms such as Smithfield Foods Inc.

Pro-labor state and local governments, though generally preempted from passing laws to directly boost private-sector organizing, have been successfully squeezed by labor to take those steps they can, such as easing the unionization of government-funded home health care and airport service workers. Public school teachers, by tying their workplace struggles to the needs of their communities and striking in defiance of lawmakers (and sometimes even their own union leaders), have forced concessions from Democratic mayors and Republican governors alike.

None of that has reversed labor's overall decline. Each step forward depends on a certain amount of luck and is vulnerable to being banned by hostile courts and politicians. But the odds are also stacked against transformative legislation, which has repeatedly eluded labor. Under President Jimmy Carter, amid one of many doomed efforts to change U.S. labor laws, the AFL-CIO resorted to purchasing a plaintive ad in the *Wall Street Journal*, posing to "American Business" the question, "Do you want to destroy American trade unionism?" They did, and to a large extent, they have. (Some union leaders' passivity, corruption, and bigotry played a part, too.)

And so, strategy debates among union activists often take the form of people who say it's hopeless to expect the legal regime to change without first having a resurgence of labor activism vs. people who say it's hopeless to expect a resurgence of organizing without first overhauling the legal regime that crushes it. Each side has a pretty good point.

That Catch-22 helps explain why labor is desperate for an opening. The coronavirus, which is remaking U.S. workplaces in real time, just might qualify. While immiserating workers and devastating many of their employers, it's also forged an upsurge in workplace activism, as people who would otherwise be



too afraid of retaliation to take collective action decide they're too afraid of employer-created hazards not to.

Their strikes and protests, which have spread through warehouses, meatpacking plants, fast-food restaurants, and hospitals, are buoyed by the public recognition that often-forgotten workers are actually essential. They're also elevated by partial or temporary pandemic-inspired precedents that raise some larger questions.

Why should Congress guarantee Covid-specific paid days off for some months in 2020 at some medium-size companies and not for everyone else all the time? Why should workers get protection against being purged for alerting the public about safety issues in New York City and Philadelphia—as will happen if local bills proposed there become law—and not just shielded against capricious terminations across the board and across the nation? If the pandemic spurs a wave of much more ambitious local lawmaking and a mass refusal by more workers to remain on or return to the job, all sorts of things could happen.

Possibly even at corporate hyperpowers such as Amazon, where

management seems to be having a harder time than usual shoving its recent controversies out of the spotlight. In April, white-collar Amazon tech workers held a daylong sickout and virtual rally to protest the alleged retaliatory firings in its warehouses and offices. A week later a senior engineer and vice president named Tim Bray announced he was resigning in dismay—likely forfeiting more than a million dollars in unvested stock and other compensation—because of its dismissal of activists he described as whistleblowers, including Emily Cunningham.

“I think there are a lot more people like me waiting to be pushed,” Bray told a group of union activists on a June Zoom call, saying he's received ample private encouragement from his peers. By then, state attorneys general were calling Amazon's sick leave inadequate, and U.S. senators were demanding answers about retaliation.

Cunningham says the backlash against terminating her and the others only deepened the resolve of Amazon's activists. Ultimately, she says, the retaliation will backfire. “You cut off one head, and then five grow in its place.” **B**

▲ Thornton says he dealt with a lot of employer-level control at Homefix for a supposed independent contractor

“I think there are a lot more people like me waiting to be pushed”

A Crime Against Property

The laws against slave stealing continue to have societal implications today

By Stephen L. Carter



28

People were property in the plantation South. Everybody knows that. But let's consider the logical consequences. Suppose you were to help an enslaved worker escape. What crime have you committed?

The answer is theft.

It makes a bizarre, painful sort of sense. Under the ideology of slavery,

if you assist in an escape, you've taken what is legally someone else's property. You've stolen chattel. In the eyes of a slaveholder, you're not a noble freer of captives. You're a petty criminal, no better than—for example—a cattle rustler. "Slave stealing," the law called it, or, in some places, "man stealing." And the theory behind it has implications even today.

▲ Abolitionist Jonathan Walker's hand was branded "SS" for "slave stealer." Photographers Southworth & Hawes made this daguerreotype in 1845.

Theft of a slave was a crime against property, like burglary or arson. In many instances, those who helped free the enslaved were prosecuted simply for larceny. Penalties were harsh. A few states allowed the offender to be put to death, but those convicted were more commonly sentenced to lengthy stays in the dreadful penitentiaries of the day.

Southern states considered slave stealing “a despicable practice.” Small wonder. If a slave could be “enticed”—a common term at the time—into running away, then perhaps the slaveholder’s human property was... well, human. But if a contradiction existed, the law ignored it.

The more spectacular prosecutions were widely reported in the newspapers. In June of 1844, a ship’s captain named Jonathan Walker set sail from Pensacola only to be brought back to Florida in chains, accused of stealing seven slaves. In fact, Walker was an abolitionist and had intended to carry the captives to freedom. A federal judge ordered that he be pilloried and that his palm be branded with the letters “SS” (for “slave stealer”). In later years, Walker became a popular speaker on abolitionism. At the conclusion of his remarks, he would hold up his palm to display the brand and tell the audience to behold “the coat of arms of the United States.”

And yet one might argue that branding was a light punishment. In 1861 a Missouri court convicted a Black man of grand larceny for helping slaves escape. He was sentenced to five years in the penitentiary. In a similar case, a judge in Richmond, Virginia, handed down a sentence of six years. The 1849 slave-stealing trial in a Tennessee courtroom of the Quaker abolitionist Richard Dillingham made nationwide headlines. He was convicted and sentenced to three years.

Perhaps the best-known prosecution involved Daniel Drayton, captain of the ship *Pearl*, which tried to transport from the District of Columbia around 75 slaves (historical accounts differ). It was the largest group of escapees in a single nonviolent flight in the nation’s history. So famous was the episode that it inspired scenes in *Uncle Tom’s Cabin*. At Drayton’s 1848 trial, his lawyer claimed that there had never been a prosecution under the District’s statute, a law he

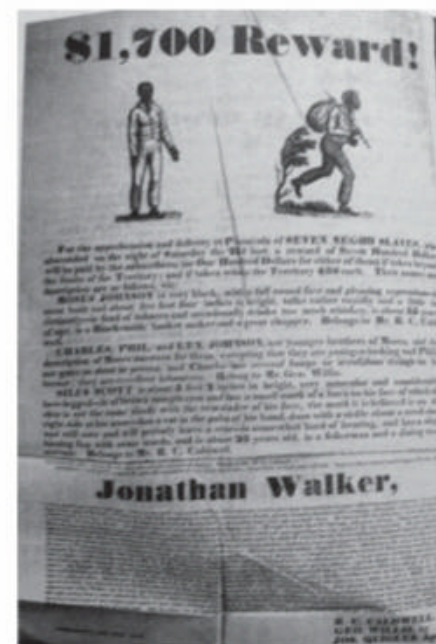
described as “waked up, after a slumber of more than a century.” No matter. Unable to pay the ruinous fine, Drayton and his co-defendant were remanded to prison for an indefinite stay. After serving four years, they were pardoned by President Millard Fillmore.

The abolitionist Charles Turner Torrey found a clever way to stand the phrase “man stealing” on its head. Because of his work helping slaves free themselves, he was convicted of stealing them and ordered to serve six years, although he would die of tuberculosis a year and a half into his sentence. While behind bars, he wrote a letter to a fellow pastor arguing that it was actually the enslaver who was guilty of man stealing—by holding the worker against his will and refusing to pay him wages.

Slave owners and their supporters complained that the “thefts” were being committed by outsiders. In this they had a point. One study of those convicted of slave stealing in Missouri found that the majority came from free states and four came from foreign countries.

To be sure, there were also less scrupulous “slave stealers,” who by force or trickery kidnapped the enslaved and resold them elsewhere. The trickery often involved a promise, in the words of one observer, “with the story that he was being transported by a friend to a free state.” One of the best-known kidnapers was a Black man, Madison Henderson, who after over a decade of hoodwinking the enslaved was executed. But here’s the irony: Although we nowadays think of the villains as kidnapers, they couldn’t be prosecuted for that crime. Kidnapping was the taking and detainment of a human being. The victims happened to be Black and enslaved, and thus property, and so they could only be stolen.

It’s an error to draw too much from history, but it’s also an error to draw too little. By remembering that helping the enslaved escape was theft because those who fled were mere property, we can gain a useful insight into the troubles that roil us today: The burden of a past in which Black people were less than human has yet to fade. **B**—*Carter, a law professor at Yale University, is a Bloomberg Opinion contributor*



▲ A poster showing a \$1,700 reward for Walker’s apprehension



▲ The Edmonson sisters, Mary and Emily, were among those on the *Pearl*, in what was the largest slave escape ever attempted in the U.S. After the ship’s capture, abolitionists helped purchase the sisters’ freedom in 1848.



The Nortel Job

Did China steal Canada's edge in 5G?

By Natalie Obiko Pearson
Illustrations by Jordan Moss



the TSE 300. Nortel's sprawling Ottawa research campus sat at the center of a promising tech ecosystem, surrounded by dozens of startups packed with its former employees. The company dominated the market for fiber-optic data transmission systems; it had invented a touchscreen wireless device almost a decade before the iPhone and controlled thousands of fiber-optic and wireless patents. Instead of losing its most promising engineers to Silicon Valley, Nortel was attracting brilliant coders from all over the world. The company seemed sure to help lay the groundwork for the next generations of wireless networks, which would be known as 4G and 5G.

Back then, Ottawa, not traditionally (or since) known for its glamour, seemed full of sports cars, corporate jets, and even society scandals featuring tech CEOs. In 1999 the co-founder of Corel Corp., who'd gotten his start at Nortel's precursor company, threw a gala at which his wife showed up in a C\$1 million leather bodysuit with an anatomically correct gold breastplate and a 15-carat-diamond nipple. "You were just surrounded by the most interesting and intelligent people that you could find anywhere in the world," says Ken Bradley, who spent 30 years at Nortel, including as a chief procurement officer. "Nobody would ever tell me I couldn't do something."

Nortel's giddy, gilded growth also made it a target. Starting in the late 1990s, the Canadian Security Intelligence Service, the country's version of the CIA, became aware of "unusual traffic," suggesting that hackers in China were stealing data and documents from Ottawa. "We went to Nortel in Ottawa, and we told the executives, 'They're sucking your intellectual property out,'" says Michel Juneau-Katsuya, who headed the agency's Asia-Pacific unit at the time. "They didn't do anything."

By 2004 the hackers had breached Nortel's uppermost ranks. The person who sent the roughly 800 documents to China appeared to be none other than Frank Dunn, Nortel's embattled chief executive officer. Four days before Dunn was fired—fallout from an accounting scandal on his watch that forced the company to restate its financial

results—someone using his login had relayed the PowerPoints and other sensitive files to an IP address registered to Shanghai Faxian Corp. It appeared to be a front company with no known business dealings with Nortel.

The thief wasn't Dunn, of course. Hackers had stolen his password and those of six others from Nortel's prized optical unit, in which the company had invested billions of dollars. Using a script called *Il.browse*, the intruders swept up entire categories from Nortel's systems: Product Development, Research and Development, Design Documents & Minutes, and more. "They were taking the whole contents of a folder—it was like a vacuum cleaner approach," says Brian Shields, who was then a senior adviser on systems security and part of the five-person team that investigated the breach.

Years later, Shields would look at the hack, and Nortel's failure to adequately respond to it, as the beginning of the end of the company. Perhaps because of the hubris that came from being a market leader, or because it was distracted by a series of business failures, Nortel never tried to determine how the credentials were stolen. It simply changed the passwords; predictably, the hacks continued. By 2009 the company was bankrupt.

No one knows who managed to hack Nortel or where that data went in China. But Shields, and many others who've looked into the case, have a strong suspicion it was the Chinese government, which weakened a key Western rival as it promoted its own technology champions, including Huawei Technologies Co., the big telecom equipment manufacturer. Huawei says it wasn't aware of the Nortel hack at the time, nor involved in it. It also says it never received any information from Nortel. "Any allegations of Huawei's awareness of or involvement in espionage are entirely false," the company says in a statement. "None of Huawei's products or technologies have been developed through improper or nefarious means."

What isn't in dispute is that the Nortel hack coincided with a separate offensive by Huawei. This one was totally legal and arguably even more damaging. While Nortel struggled, Huawei thrived thanks to its unique structure—it was privately held, enjoyed generous credit ►

The documents began arriving in China at 8:48 a.m. on a Saturday in April 2004. There were close to 800 of them: PowerPoint presentations from customer meetings, an analysis of a recent sales loss, design details for an American communications network. Others were technical, including source code that represented some of the most sensitive information owned by Nortel Networks Corp., then one of the world's largest companies.

At its height in 2000, the telecom equipment manufacturer employed 90,000 people and had a market value of C\$367 billion (about \$250 billion at the time), accounting for more than 35% of Canada's benchmark stock market index,

◀ lines from state-owned banks, and had an ability to absorb losses for years before making money on its products. It poached Nortel's biggest customers and, eventually, hired away the researchers who would give it the lead in 5G networks. "This is plain and simple: Economic espionage did in Nortel," Shields says. "And all you have to do is look at what entity in the world took over No. 1 and how quickly they did it."

Most people know Huawei for its cellphones. The company started selling cheap knock-off phones around 2004 and went on to produce models with top-of-the-line processors, big screens, and slick software. Today it's No. 2—behind Samsung Electronics Co. and ahead of Apple Inc.—in the phonemaking business.

But Huawei's real power lies in its control over the plumbing of the Digital Age. The company sells routers and switches that direct data, servers that store it, components for the fiber-optic cables that transmit it, radio antennas that send it to wireless devices, and the software to manage it all. It's willing to build those networks pretty much anywhere on the planet, including Mount Everest, the Sahara, and north of the Arctic Circle.

Ren Zhengfei, a former military engineer, founded Huawei in 1987 in Shenzhen, China's testing ground for capitalism. The government wanted to reduce the telecom sector's almost-total dependence on foreign equipment, and Huawei was one of hundreds of companies that aimed to speed the process. Ren targeted China's neglected rural hinterlands, where Huawei became an expert at supplying gear that was cheap, reliable, and easy to maintain.

Huawei began plowing money into R&D as soon as it could. By the mid-1990s it was winning larger contracts, often by aggressively undercutting rivals. It overtook Shanghai Bell as the largest domestic maker of switches by bundling free equipment with its contracts. In routers, it took China's No. 1 spot away from Cisco Systems Inc. by offering a 40% price break on comparable gear.

By the 2000s, Huawei was taking its strategy overseas, with the help of \$10.6 billion in credit from China

Development Bank and the Export-Import Bank of China, both controlled by Beijing. Its credit line would reach \$100 billion over the next decade. Huawei, acting as a Chinese national champion, could offer telecom operators and mobile carriers low-cost long-term loans from the state banks to buy its equipment. (In 2012 the company told a U.S. congressional committee that customers borrowed only \$5.9 billion of the \$100 billion from 2005 to 2011.)

In 2005 the China Development Bank lent the Nigerian government \$200 million to buy Huawei equipment for a national wireless network, offering an absurdly low interest rate, as little as 1%, according to a study by the Japan External Trade Organization. (The benchmark rate at the time was more than 6%.) Huawei's overseas sales had been \$50 million in 1999. By the end of 2005, they'd surged 100-fold, to \$5 billion.

Around this time, Western companies began complaining about intellectual-property theft—complaints Huawei denied or chalked up to misunderstandings. Even so, the established telecom companies mostly ignored Huawei, seeing it merely as a low-cost competitor that would have trouble competing in their home markets. But in 2005 the company stunned the industry, winning a piece of a £10 billion (\$19 billion) project to replace 16 national phone networks in the U.K. with a single digital one. Nortel and the telecom Marconi Corp. lost out. Then, in 2008, Huawei beat out Nortel on its home turf, landing a contract as part of a C\$1 billion wireless network in Canada for Telus Corp. and BCE Inc.

In both cases, the Western buyers cited the technical strength of Huawei's proposals. But it's widely believed that the gear Huawei sold was also much, much cheaper. The company had a reputation at the time for initially offering its products at an enormous loss to get a foothold and win upgrades and services down the line. This prompted concerns, especially in the U.S., that Huawei would eventually own much of the world's critical telecom infrastructure because of its backing from China. "None of the G-7 countries provide levels of financing anywhere near



▲ Dunn (top) in 2003; his successor, Bill Owens, in 2005

Huawei's real power lies in its control over the plumbing of the Digital Age

those of the China Development Bank,” said Fred Hochberg, then head of the Export-Import Bank of the U.S., in a 2011 speech. “That keeps me up at night.”

Huawei notes that its rivals enjoy backing from their own governments, though publicly available data suggest it’s much more modest than what Huawei has enjoyed. During the 1990s, Nortel financed its deals mostly with its own cash, which led to enormous losses when the dot-com bubble burst and telecom startups that had bought its equipment went out of business.

Despite that, and despite losing big contracts to Huawei, there were signs that Nortel was turning a corner by 2008. But then the global financial crisis froze credit markets, sending it again into crisis. Executives had hoped the Canadian government of Prime Minister Stephen Harper would bail out Nortel, but Harper instead focused on the auto industry, paying C\$13.7 billion for equity stakes in General Motors Inc. and Chrysler LLC, hoping it would help persuade the American companies to keep their Canadian factories open.

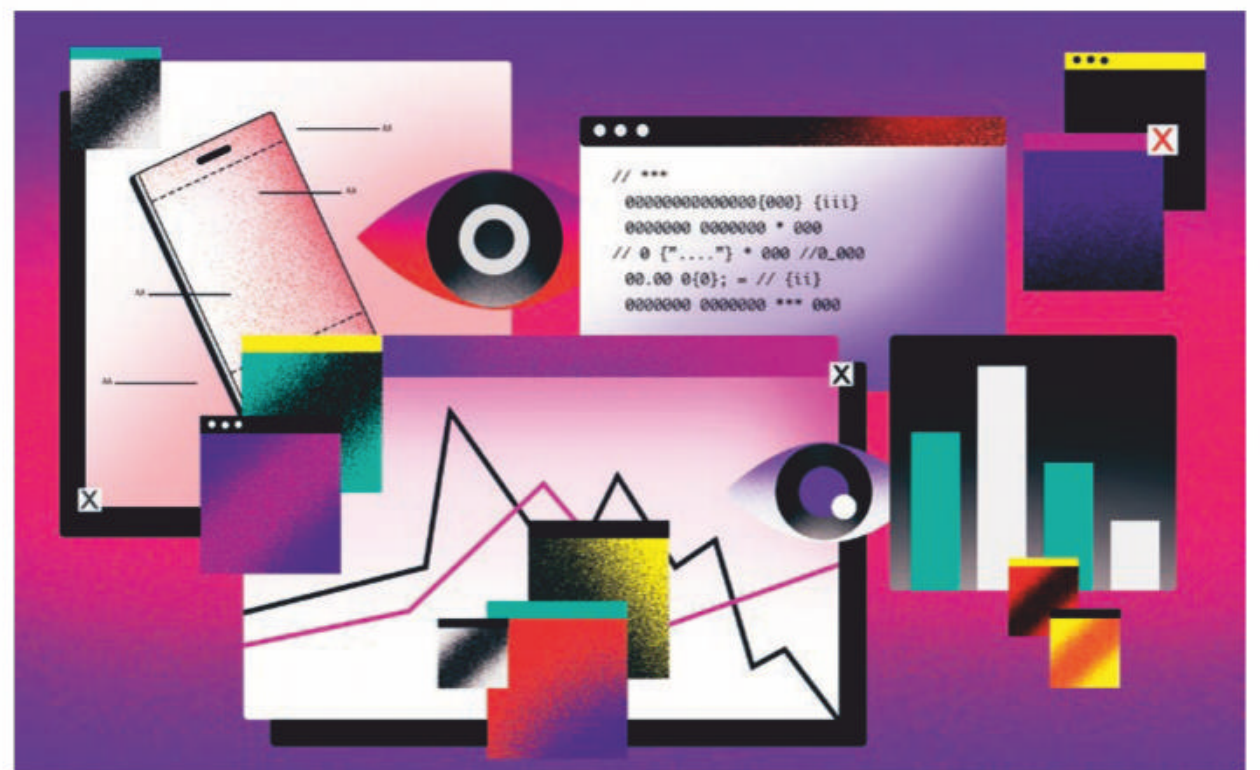
The investment was a bust: Canada lost C\$3.7 billion on the deal, according to calculations by the Canadian Taxpayers Federation, and GM shuttered an enormous plant in Oshawa, Ont., anyway. Meanwhile, Nortel’s most promising business units were bought up by rivals including Ericsson, Ciena, and Avaya. “Stephen Harper dropped the ball on Nortel,” then-Liberal Party leader Michael Ignatieff said in September 2009. “He let a Canadian champion fail.”

In 2013 the cybersecurity company Mandiant announced it had completed an exhaustive investigation into alleged cyberattacks on 141 companies in the U.S., Canada, and other mostly English-speaking nations over the previous nine years. Researchers found that in almost every case, the data led back to a district in Shanghai near a Chinese military unit tasked with spying on computer networks in the U.S. and Canada. Mandiant, which is now a division of FireEye Inc., was saying aloud what many already suspected: The Chinese government was directly involved in economic espionage.

Huawei itself has been repeatedly

accused of intellectual-property theft, most famously in 2003, when Cisco said the Chinese company had stolen source code verbatim from a router, cloning its help screens and even copying its manuals, typos and all. In another suit alleging IP theft, Quintel Technology Ltd., a developer of wireless antennas in Rochester, N.Y., cited a Huawei patent application in the U.S. that contained a copyright notice crediting “Quintel Technology Limited 2009.”

Huawei denied the allegations in both cases, and both companies eventually settled. But earlier this year, the U.S. Department of Justice charged Huawei with racketeering and conspiracy to steal trade secrets, accusing it of theft from six companies. Huawei has called the charges “unfounded and unfair,”



saying they rest on “recycled civil disputes from the last 20 years that have been previously settled, litigated, and, in some cases, rejected by federal judges and juries.” It’s being targeted “for reasons related to competition rather than law enforcement,” it said in a statement in February.

China has repeatedly denied conducting cyber espionage on behalf of companies, but many Western intelligence officials and tech executives don’t buy this. In June former Google Chairman Eric Schmidt revived allegations about Huawei building backdoors into its technology. “There’s no question that information from Huawei routers has ultimately ended up in hands that would appear to be the state,” he told the BBC, likening ▶



▲ Nortel’s headquarters in Ottawa in 2001

◀ the company to a spy agency. And earlier this year at a conference, U.S. Federal Communications Commissioner Brendan Carr called out “China, and Huawei that does their bidding,” adding, “they have a list of malign conduct longer than a CVS receipt.” Hanging over all of this is the 2018 arrest of Huawei Chief Financial Officer Meng Wanzhou (Ren’s eldest daughter) in Canada on U.S. fraud charges. China immediately jailed two Canadians, a move widely seen as retaliatory. Meng, who is currently out on bail in Canada while she fights extradition, maintains her innocence.

Huawei, which strenuously denies any relationship with the Chinese government, has at times resorted to a kind of corporate theater to prove its point. Over the past few years, the company has invited foreign reporters to its Shenzhen headquarters to inspect its shareholder list, a 10-volume set it keeps behind glass. (The books contain names of employees, who Huawei says are its only stockholders. None of the listed shareholders is a government agency or official.) That’s failed to convince critics, who point out that Chinese law obligates companies to cooperate with national intelligence work and to keep those requests secret. In other words, if asked, Huawei would have to spy for the state and cover up that spying. (U.S. companies have been accused of similar behavior, most famously following leaks by former National Security Agency contractor Edward Snowden.)

Whoever did it, the Nortel attack was in some respects even worse than other well-known cases of alleged cyber espionage. It lasted from at least 2000 to 2009, twice as long as any of the hacks in the Mandiant study. Shields says the techniques were sophisticated—obviously the work of state actors rather than a private company. Nortel executives, consumed by the company’s turnaround attempt, did almost nothing. Two board members say it never came up even though they were meeting management almost weekly in 2004. Dunn, the fired CEO, wasn’t informed, because he was ousted before the breach was detected and replaced by Bill Owens, a company director and retired U.S. Navy admiral.

But over the next five years—as its

security team would discover the hack, probe it, then set it aside—Nortel, a global technological juggernaut, would respond to one of the longest-running Chinese hacks of the decade with a password update and a series of overtures to Huawei. Owens met repeatedly with Ren about a possible merger. He stepped aside in November 2005 for Mike Zafirovski, who in his previous job as chief operating officer at Motorola Inc. had almost closed a secret deal to buy Huawei two years earlier. Under Zafirovski, Nortel and Huawei discussed a joint venture in routers and switches, a sale of its Ethernet division, and even a potential rescue during its final weeks.

None of those panned out, which may not have mattered much to the Chinese company, because as Nortel was collapsing, Huawei quietly hired about 20 Nortel scientists who’d been developing the groundwork for 5G wireless technology.

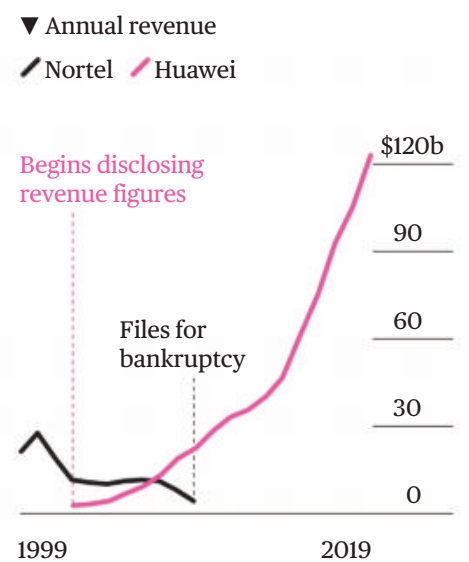
Today, Huawei’s research center in Ottawa doesn’t quite have the excitement of Nortel’s old campus. The company’s “Stealth Building” still evokes vitality, but it’s of a different sort. The five-story structure was designed to resemble the radar-evading silhouette of a B-2 bomber.

The lab houses the research of Wen Tong, once Nortel’s most prolific inventor and now the chief technology officer for Huawei’s wireless business. Tong led the exodus from Nortel to Huawei in 2009, after spending 14 years at the Canadian company. An electrical engineer by training, he’d emigrated from China to study at Montreal’s Concordia University and had amassed more than 100 patents in wireless research, generating some of Nortel’s most valuable intellectual property. When Nortel’s patent portfolio was finally sold off in bankruptcy in 2011 for a record \$4.5 billion to a consortium including Apple and Microsoft Corp., the most prized of the batch were ones related to technologies his team had developed.

Up until Nortel’s collapse, Huawei had been a follower, not an innovator—“a second-fast mover” that could do things better and cheaper, says Song Zhang, Huawei’s vice president for research strategy and partnerships, who’d also



▲ Huawei’s headquarters in Shenzhen



worked at Nortel in the late 1990s. It was keen to join the small ring of mostly Western companies dominating next-generation wireless research.

Thousands were looking for jobs in Ottawa, and Huawei offered scientists such as Tong an increasingly rare kind of sanctuary: a well-funded lab focused on basic science, not product development, modeled after Bell Labs and Xerox Corp.'s Parc, the great drivers of 20th century American innovation. "They wanted to continue doing research, and they felt Huawei would invest in that," Zhang says.

Tong was particularly interested in a problem that would prove crucial to the future of wireless communications. For years at Nortel he'd been studying data interference, which was becoming increasingly worse as data transfer speeds improved. The problem is a bit like the way an open window drowns out the radio as a car accelerates. In the mid-20th century, mathematician Claude Shannon calculated a maximum theoretical speed for transmitting information error-free, but for decades, researchers around the world had puzzled over how to reach it.

Tong brooded over the problem, earning him the nickname "Nortel's answer to Claude Shannon." He thought he spotted the answer in an arcane scientific paper on something called polar coding, a way of using algorithms to correct for errors. Pursuing it was risky, but with Huawei's backing, he took the gamble and spent years trying to turn the idea into a crucial part of 5G technology.

Those efforts would pay off at a 2016 industry conference to set standards for the next generation of wireless infrastructure. Western companies had dominated these conferences in the past, but this time, all the Chinese companies lined up behind Huawei in favor of Tong's protocol against a camp that favored sticking with an existing approach Qualcomm Inc. had developed. (Lenovo Group Ltd., the Chinese computer maker, had initially sided with the Western-led bloc before switching to Huawei's side. The company's founder later issued a public rebuttal after being accused of being traitorous on Chinese social media.)

"Nobody could agree to anything," says Mike Thelander, the founder of Signals Research Group, who attended

the gathering. It seemed clear the Chinese government had pressured its companies not to break ranks with Huawei, he says. The company was also proud of its solution and convinced of its merits. "Huawei had spent so much effort in R&D on polar coding, they just would not give in," Thelander says. Eventually, around 2 a.m., a compromise was reached: Polar coding was adopted alongside the other protocol. Huawei, in other words, would be central to the development of 5G.

Being the standard setter ensures Huawei royalty payments for years to come. But more important, those who define the standards are the ones most intimately familiar with the technology at the core of the next wave of commercial deployments. In other words, while others are still trying to figure out the blueprint of next-generation infrastructure, Huawei will already be building it.

Despite the continued suspicions about the company being a potential IP thief, there's some reason to think Huawei itself could be a target for cyber espionage, given the vast trove of research it's assembled. In 2018 it became the world's fourth-largest R&D spender, investing \$15.3 billion in a year, and it now boasts 96,000 R&D employees globally. In 5G alone, Huawei has spent \$4 billion in the past decade, more than the total invested by its Western rivals combined. Every fifth 5G proposal vetted by the international standards-setting organization is from Huawei, more than any company, according to researcher IPlytics GmbH.

Earlier this year, former Prime Minister Harper was asked in a Fox News interview how Huawei, which now supplies almost every Canadian telecom operator, had managed to penetrate his country so deeply. He said it was because the company had grown too strong and that there weren't enough Western companies to compete against it, without acknowledging the irony that it was his administration that had allowed Nortel to collapse. "Ultimately, the government of the United States is going to have to work with allies to make sure that there are Western providers of all these equipment and services," he warned. "Otherwise, the pull toward Huawei will get stronger and stronger." **B**

Huawei quietly hired about 20 Nortel scientists who'd been developing the groundwork for 5G wireless technology



▲ Meng

The Mercenary Influencer



► Jordan Goudreau

A former Green Beret and prolific Instagrammer signed a contract to, essentially, heist a whole country and turn it over to a new government. The results were embarrassing

By Brendan Borrell and
Christopher Solomon

Nelson Galvis slept through the first shots. His wife, an insomniac, ran in from the other room and woke him up. Still groggy, the retired business professor stepped to the balcony of their eighth-floor apartment and peered into the 4 a.m. darkness of Macuto, a coastal Caribbean town 25 miles from Caracas. He had a long view of the shoreline, where he could see two boats, one of them flashing blue police lights, and a helicopter circling overhead. Drug seizure, he figured. More gunshots followed.

When Galvis looked again a couple hours later, as day broke on May 3, he could make out a dozen soldiers and police standing on a rock jetty on the beach, with several unmoving human forms at their feet. The state-owned TV news soon reported that authorities had captured foreign mercenaries who'd attempted a coup, but that didn't make any sense. Macuto is pinched between steep mountains and the sea; any quick maritime getaway from the lone beach is easy to cut off. Besides, the purported firefight occurred directly behind a fortified government building, which a savvy team of infiltrators would've known to avoid. More likely, Galvis concluded, the Venezuelan government had staged a phony coup in an effort to unite its angry citizens against a common foe.

Once South America's wealthiest country, Venezuela is now its poorest. With Earth's largest oil reserves at his disposal during an unprecedented rise in oil prices, President Hugo Chávez had been able to lift millions of people out of extreme poverty before his death in 2013, but his successor, Nicolás Maduro, has plunged millions back into extreme hardship. Years of cheap crude have combined with inept governance and endemic corruption, some inherited from Chávez, to leave the local currency worthless and electricity, gas, and food scarce. By 2018 almost two-thirds of Venezuelans were reporting that they'd lost more than 24 pounds in the previous year, on average. Today, roughly 5 million of the country's 30 million citizens have fled. Those who remain are under a strict Covid-19 lockdown.

Galvis, an outspoken critic of the

Maduro government, says a hoax seemed to fit with its pattern of intimidation, obfuscation, and periodic crack-downs on dissenters. Fearing they might become targets, he and his wife packed their bags and hid out in a nearby apartment. "We are not dummies," he says. But his confidence in his theory was challenged several hours later when an odd video began to ricochet around Twitter. The clip showed a fierce-looking man with an action-hero jawline leaning into the camera. It was Jordan Goudreau, a former U.S. Army Green Beret, now head of a Florida security firm called Silvercorp USA. He appeared to be somewhere in South Florida, 1,000 miles north of Venezuela, claiming credit for the raid.

The video played like an Instagram influencer's first Hollywood screen test. Goudreau enunciated his words carefully. He called the mission Operación Gedeón, as in the biblical kingslayer who rallied an outmatched army. "Our units have been activated in the south, west, and east of Venezuela," he told the camera. By his side was a flak-jacketed former Venezuelan military captain who said Chávez had once imprisoned him. He told the Spanish-speaking world their men planned to capture Maduro's "criminal organization" and restore democracy.

But Goudreau's plan to heist an entire country played out less like a biblical epic than a dark farce. His hapless team never got anywhere near Caracas. About the time his video went online, Venezuelan authorities claimed to have killed eight would-be rebels and would end up arresting 57 others. Two of the arrestees were Americans, ex-Army buddies of Goudreau's who were captured at sea. Others were nabbed on land with a cache of weapons, radios, and black pickup trucks with guns mounted on their roofs. The Venezuelan government's network of informants allowed police to anticipate the operation and quickly catch the invaders.

The video's star wasn't among those arrested. Pandemic travel restrictions had kept him in the U.S., according to news reports. Since the day of the raid, he's gone dark, even as

the Maduro government parades its Yankee prisoners around in orange prison jumpsuits. Far from the image Goudreau presented to a small army of Instagram followers—shirtless selfies, a security gig at a rally for President Donald Trump, videos of cyborg-speed treadmill runs—he's sequestered himself in Florida.

The Trump administration no longer recognizes Maduro as the rightful president of Venezuela, and hasn't responded to his government's demands to extradite the mercenary influencer. But at a press conference on May 6, U.S. Secretary of State Mike Pompeo denied Venezuela's allegation that Goudreau was operating on behalf of the U.S. government, which has offered a \$15 million bounty for information leading to Maduro's arrest on drug-trafficking charges. "If we had been involved, it would have gone differently," Pompeo said.

What the hell was Goudreau thinking? He didn't respond to repeated requests for comment for this story. U.S. government records and interviews with more than a dozen of his close associates, friends, and family members, as well as eyewitnesses to key events, suggest even he might not be entirely sure.

Goudreau was born in Canada in 1976. He grew up in Calgary, enthralled by family war stories. His great-grandfather was a decorated World War I medic, his grandfather a World War II infantry sergeant-major. While dreaming of his future military exploits, Goudreau drew comic books about ninjas and practiced judo religiously, according to his father, Paul. In 1998 the younger Goudreau obtained a computer science degree at the University of Calgary while serving in the Canadian military reserves. He obsessed over the prospect of joining the elite U.S. Navy SEALs until he learned pay rises faster in the Army.

After graduation, Goudreau moved to the affluent Washington suburb of Silver Spring, Md., where he stayed with and worked for his mother's cousin Donald Ian MacDonald, who'd been a drug policy adviser in the ►

◀ Reagan White House. MacDonald's wife, Bobbie, says Goudreau was a lousy houseguest. Picking up groceries for the family was beneath him, and he didn't just leave the toilet seat up, he'd argue about it with her. "He was just arrogant," she says.

Overconfidence didn't hurt Goudreau's plans. He enlisted in February 2001, shortly after obtaining U.S. citizenship, and qualified for the U.S. Army Special Forces (aka the Green Berets) around the time the second Bush administration ordered the invasion of Iraq. He deployed to Iraq and Afghanistan four times in the next 15 years as an infantryman and a medical sergeant, earning three Bronze Stars for distinguished service in combat. "He was a grounded guy," says Drew White, a close friend and former business partner. Sure, Goudreau might exaggerate his badassness—a story about a firefight could turn 20 Taliban fighters into 100—but he was hardly the worst offender on that front, White says.

Other former comrades remember Goudreau differently. One describes him as both a talented marksman who could snipe a target three-quarters of a mile away and a reckless thrill-seeker who put friends' lives at risk. A former Green Beret, who spoke on condition of anonymity for fear of harming his career, recalls Goudreau almost colliding with him while skydiving because he wasn't paying attention to

his surroundings. Goudreau later apologized, but it didn't seem sincere. "My personal opinion of that guy is nothing is ever genuine," the veteran says. "What do you call a guy who believes his own lies?"

In September 2009, Goudreau and his wife, June, bought an apartment in Phoenix. She stayed there, working toward an accounting degree from Arizona State University. Goudreau, who was stationed in Stuttgart, told the Army that June was living in Brooklyn, N.Y., where the housing allowance was more than double that of Phoenix, according to an official investigation. The investigators found probable cause to conclude Goudreau had committed fraud and tried to cover it up with forged documents, costing the government \$86,000. Forced to pay back what he owed, he went into debt, friends say. He also received an official reprimand, which would likely limit his prospects for promotion. He and June split up, and in 2016 he left the service.

Goudreau initially received full disability benefits from the U.S. Department of Veterans Affairs because he'd suffered a series of concussions during his tours. Friends say they don't know if he was ever diagnosed with post-traumatic stress disorder, but few soldiers with a résumé like his return home unscathed.

Out of the Army, Goudreau lived an itinerant life, driving around on his Harley and sleeping at KOA Campgrounds

or on friends' couches. He could be moody and unpredictable, friends say. In 2017, while attending a surf camp for wounded veterans in California, he told the *Orange County Register* he'd been shot multiple times and "blown up" once. Later, he called a friend from a hospital in Las Vegas to say he'd been shot by an ex and required "extensive physical therapy," according to the *Military Times*.

After Hurricane Maria devastated Puerto Rico in September 2017, an Army buddy recruited Goudreau to work for a private security firm guarding AT&T linemen as they repaired the company's cellphone network there. One night, on a Puerto Rican hilltop with a few other guys, Goudreau pulled out a pair of \$13,000 PVS-15 night-vision goggles like the ones used in Army Special Forces, according to someone who was present at the time and who spoke on condition of anonymity for fear of retaliation.

"Where did you get those?" one of the other men asked.

"Afghanistan," Goudreau replied, implying that he'd stolen them. He said he was joking, then just as quickly told them he'd once been paid to shoot a drug dealer in the face.

A few months later, on Valentine's Day 2018, Goudreau was crashing in Melbourne, Fla., with another Army pal when a gunman shot and killed 17 people at Marjory Stoneman Douglas High School a few hours south. The shooting gave Goudreau a new idea: deploying Special Forces vets to provide active-shooter training in schools. He pitched the plan to his friend White, and they created Silvercorp that month. But they never found any customers. Goudreau seemed more focused on finding overseas work, White says, adding, "I'd want nothing to do with any of that." He focused on his mortgage lending business, and the two lost touch.

Goudreau did manage to secure one international gig, helping guard the Venezuela Aid Live concert in the Colombian border city of Cúcuta in February 2019. Billionaire Richard Branson organized the show to bring humanitarian aid to Venezuela and support exiled opposition leader Juan Guaidó. In a video Goudreau posted on Instagram, a well-behaved crowd bounced along to a DJ set. His take on the sunny scene was appreciably



grandiose. “Controlling chaos on the Venezuela border,” he wrote, “where a dictator looks on with apprehension.”

By then, relations between the U.S. and Venezuela, never friendly under Chávez or Maduro, had soured further. In January 2019, following disputed elections, the U.S. joined about 60 other countries in declaring Guaidó the rightful president. A few weeks later, Trump also suggested he might send in the American military to support Guaidó’s claim. The U.S. put the \$15 million bounty out on Maduro in March.

The history of U.S. intervention in Latin America is long, bloody, and antidemocratic. From the so-called Banana Wars of the early 20th century to the Bay of Pigs invasion to the funding of right-wing death squads in half a dozen countries, U.S. meddling over the past century has united many otherwise-divided residents of the Southern Hemisphere. Still, Maduro has regional enemies beyond Guaidó.

In 2018, Cliver Alcalá, a former Venezuelan general, fled to Colombia after Maduro’s government discovered his plans for a coup. Alcalá already had shady connections to Colombia from his days inside the Chávez regime. According to U.S. officials, he’d been fomenting conflict through a state-run program that gave rocket launchers and machine guns to Colombia’s rebels in exchange for cocaine. In exile, he’d begun telling people he wanted to assemble an invading force to capture Venezuela’s capital city and oil reserves.

Goudreau went to Bogotá in the spring of 2019 to meet with Alcalá, according to the Associated Press, which later broke the news of Goudreau’s campaign in Venezuela. They began plotting with associates of Leopoldo López, a mentor of Guaidó, whose anti-Maduro political party had been shopping around for mercenaries to carry out a coup, according to the *Wall Street Journal*. Alcalá helped connect Goudreau to a group of exiled Venezuelan fighters in South Florida who were sketching out security for the aftermath of the planned coup. Javier Nieto, a former military officer

who leads the group, says Goudreau’s background and apparent dedication to their cause was energizing. “He feels the suffering of the people,” Nieto says.

During the summer of 2019, Goudreau began soliciting investors to contribute money for a combat operation that would last 30 days and require 300 soldiers. The estimated cost of \$5.2 million included itemized expenses ranging from M4 assault rifles to Sharpies. He didn’t seem to be getting far until September, when he finagled a meeting with members of Guaidó’s inner circle at the \$3 million Miami penthouse apartment of J.J. Rendón, a Venezuelan refugee and political strategist. Rendón, who’s suing *Bloomberg Businessweek* for defamation over a 2016 article dealing with his influence in Latin American elections, was compiling a list of scenarios that could topple Maduro.

According to Rendón, Goudreau said he’d recruited secretive investors to help finance a coup in Venezuela in exchange for a chunk of the country’s billions in seized assets, and that he already had 1,000 fighters on the ground preparing for an invasion. His backers, he said, would reveal themselves and produce a letter of intent only if he brought them a commitment from Guaidó’s camp. Rendón says that while the plan sounded crazy, he was impressed with Goudreau’s military record.

Eventually, Rendón signed a bizarre contract Goudreau prepared. It promised Goudreau a \$1.5 million retainer and \$212 million—payable in barrels of oil—if he succeeded in deposing Maduro. Rendón says he didn’t believe the contract truly bound him or his boss, because Goudreau knew they didn’t have the money. Five days later, instead of providing the names of his backers, Goudreau returned to complain about his expenses and demand his retainer, according to Rendón. He grudgingly wired \$50,000 of his own money to Silvercorp’s Bank of America account to, he says, make Goudreau go away.

In one last meeting on Nov. 8, Rendón asked the would-be mercenary to sign a document voiding the deal. Goudreau began shouting, and Nieto had to step between them. Goudreau’s lawyers ►



▲ Goudreau featured in many Silvercorp Instagram posts



▲ From the general services agreement between Guaidó’s team and Silvercorp

◀ Members of the special forces unit in Macuto on May 3, after Venezuela’s government said it had stopped a mercenary incursion

40 sent Rendón a letter demanding the retainer, but he never responded, and they haven't sued for it.

Goudreau's fighting force in Colombia remained far from what he was promising. Ephraim Mattos, a former Navy SEAL who offers medical training and humanitarian aid to civilians in conflict zones, says he and some colleagues visited one of the operation's training bases last September and found no highly trained army, but an insurrectionist Fyre Festival. Twenty Venezuelans, mostly former police officers and soldiers in T-shirts and swim trunks, were packed into a house on the outskirts of a city in the north of Colombia. They had almost no supplies or money. The men weren't living in squalor, but they were hungry—and not doing much training.

"Why don't you have enough food?" Mattos asked during the 10 days he spent giving the men combat medical training. "Where's the water? Where's the support?"

It's coming, they replied. They showed him Goudreau's Instagram account, filled with videos of the mercenary in the field and soft-focus photos of him directing a Blue Steel squint at a setting sun. They also said the operation had the formal backing of the U.S. government. One day, Alcalá, the exiled general, visited with his wife and daughter and said the same thing.

Mattos left the men some supplies and wished them well. "I've come across guys like that before," he says of Goudreau. "They leave after a couple weeks when they realize it's not a get-rich-quick scheme." Mattos doubted the assembled forces would ever go through with their plan.

Former friends attribute Goudreau's next moves to his greed and blinding self-importance. Toward the end of last year, he started calling old Special Forces comrades, offering them money he didn't have to train the fighters in Colombia.

Airan Berry was one of the few who said yes. He'd left the military in 2013 and was working as a construction tradesman in Germany when Goudreau called. Berry "didn't know the time frame, and he couldn't give me, or didn't want to give

me, any more information," says Berry's wife, Melanie. "He trusted Jordan."

Luke Denman signed on, too. A motorcycle aficionado who often wore a Van Dyke beard, Denman had joined the Army after high school in Texas. He met Goudreau in the military, first in Germany, and grew close to him when their tours in Iraq overlapped in 2010. He remained a reservist until 2014. After working in private security for a few years, Denman trained to become a commercial deepwater diver. He began taking jobs on offshore oil rigs in the Gulf of Mexico, says Braxton Smith, a lifelong friend, but grew tired of the non-exhilarating parts of the job, including the months at sea away from his girlfriend. "He's not, like, the Rambo type," Smith says. "What I think happened is that Jordan probably caught him at the right moment."

On Jan. 13, Silvercorp obtained a last-minute loan from an undisclosed source, according to a lien filing. Three days later, Goudreau, Berry, and Denman boarded a private plane in Miami and flew to Colombia. Not long after, Denman sent an encrypted text to his brother Mark with details of the job. Denman, too, said the coup had U.S. government backing. Mark says he wrote back "Clear and Present Danger," alluding to the book-turned-movie in which the government disavows knowledge of a CIA team that gets into trouble in Colombia. He says his brother waved away his worries. "He didn't believe in that stuff," Mark says. "I always called him Captain America. He's very patriotic."

There had once been 300 men in Colombia waiting for Goudreau and his buddies to train them. Now there were perhaps 60, including the 20 or so Mattos had met. Fearing they'd been infiltrated by spies of the Maduro government, the leaders in Colombia had cut loose most of their already tiny force, Mattos says.

Goudreau returned to Florida to scrounge for more funds, leaving Berry and Denman behind to train the remaining fighters. He bought a 42-foot fiberglass boat from a venture capitalist for \$90,000 of unknown provenance and christened it the *Silverpoint*. He popped up in Jamaica around the beginning of March, according to a friend. He was



▲ Denman and Berry

► Venezuelan state TV showing Denman (left) during his capture

“He knows how to run a combat operation. And it involves having a firearm. And pants”

making calls again, trying to rope in more former military guys with six-figure promises. Denman wrote his brother, telling him to keep an eye on the news around the start of May.

In late March, the *Silverpoint* broke down off the island of Curaçao, about 40 miles from the Venezuelan coast, according to the AP. That same day, Alcalá surrendered to the U.S. Drug Enforcement Administration, which extradited him to New York and indicted him for his role in arming Colombian rebels in exchange for cocaine. Goudreau went back to Florida and asked Guaidó's people for money, without success. By the end of April, there didn't seem to be much coup left to speak of.

Then came Friday, May 1. At 6 p.m., according to Venezuelan authorities, more than a dozen rebels set out in two boats from a property on the barren Guajira Peninsula, which the country shares with Colombia. The property the authorities identified had served as one of the Goudreau team's training camps; it was owned by a Colombian drug trafficker related to Alcalá's wife, according to local media reports.

The Americans would have passed by Aruba and Curaçao as they made their way east, covering some 400 miles of open ocean. They planned to rendezvous with comrades inside Venezuela who'd been stockpiling weapons and attack vehicles. Their targets included the military's counterintelligence agency, the president's security force, the presidential palace, and the airport control tower. Once they secured the airfield, they planned to put Maduro (nicknamed "Jackpot") on a plane out of the country, then help receive incoming humanitarian aid. Goudreau was to fly to Caracas when the job was done.

Of course, they never got that far. Most of these details come from statements Berry, Denman, and their collaborators made to Venezuelan interrogators, possibly under duress, after they were arrested on the morning of May 3 aboard a two-engine motorboat. The rest of their would-be invading force was captured, killed, or otherwise dispersed. "The United States is fully and completely involved in this defeated raid," Maduro said on TV, holding up the two Americans' passports.

In interrogations posted online, Berry



and Denman seemed utterly naive about what they'd signed up for, though they didn't exactly deny the charges of terrorism or arms trafficking. Berry told his interrogator he didn't even know how much he was supposed to be paid. "I was told the money would be good, and I trusted him on that," he said of Goudreau. If convicted, he and Denman are facing 30 years in prison.

Mark Denman says he believes his brother and Berry signed on to train the rebels, but not that they took part in the fighting. The Americans were dressed in beach gear with their wallets on them, which he speculates might be because they tried to escape by boat, perhaps to nearby Aruba, when the raid plans fell apart. "Look, I fully expect to call my brother an idiot when I see him again," he says. "But he knows how to run a combat operation. And it involves having a firearm. And pants."

Absent clear answers for central questions surrounding the coup, conspiracy theories have flourished. Guaidó said in a statement that the Americans were merely pawns and that the operation was a false flag "infiltrated and financed by the dictatorship." Fallout from the raid has further hobbled Maduro's opposition. López remains cornered in the Spanish ambassador's residence in Caracas where he took refuge last year under threat of arrest. Lester Toledo, Guaidó's former humanitarian aid coordinator, says Goudreau was just a fool and Maduro took advantage of the public spectacle his

coup attempt generated. "I think he is a guy who has no idea what he is doing," Toledo says.

U.S. officials are investigating Goudreau for arms trafficking, according to the AP. At least one of his associates has told people he's spoken with the FBI, possibly in connection with such an investigation. (The FBI wouldn't say whether it's looking into the matter.)

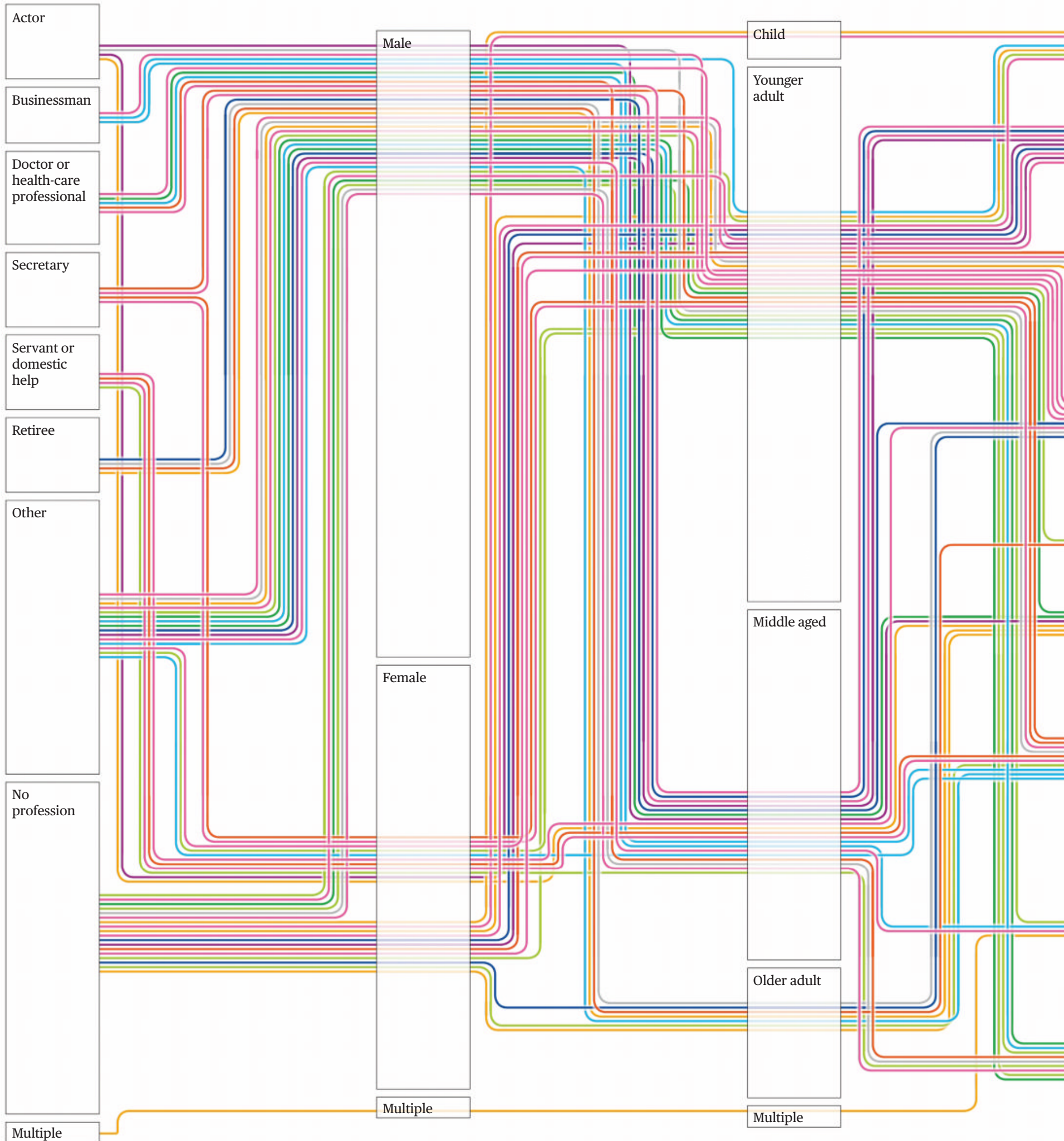
Family, friends, and former colleagues say they can't understand what happened. Goudreau's father says they haven't spoken in a few months, but that his son always liked helping people. That's little comfort to Berry's and Denman's families, who say Goudreau stopped answering their calls after the first day or so. "You just straight-up betrayed your brothers-in-arms," Mark Denman says.

In a typical photo on Silvercorp's Instagram account, posted a year before Denman and Berry were captured, Goudreau cuts a swashbuckling figure on what looks to be a military base in Afghanistan, wearing wraparound shades and a broad grin. "Clearly," he wrote, "the morale is always high with a well-oiled Silvercorp team." During one of his last interviews given to an online Venezuelan news show based in Florida on the day of the raid, Goudreau's bravado had evaporated. "I'm just a guy who is trying to help out a group of people," he said. "I've been a freedom fighter my whole life."

It was all just so unfair, he went on: "I'm out a lot of money." **B**

Her Deadly Plots,

Who was the murderer?



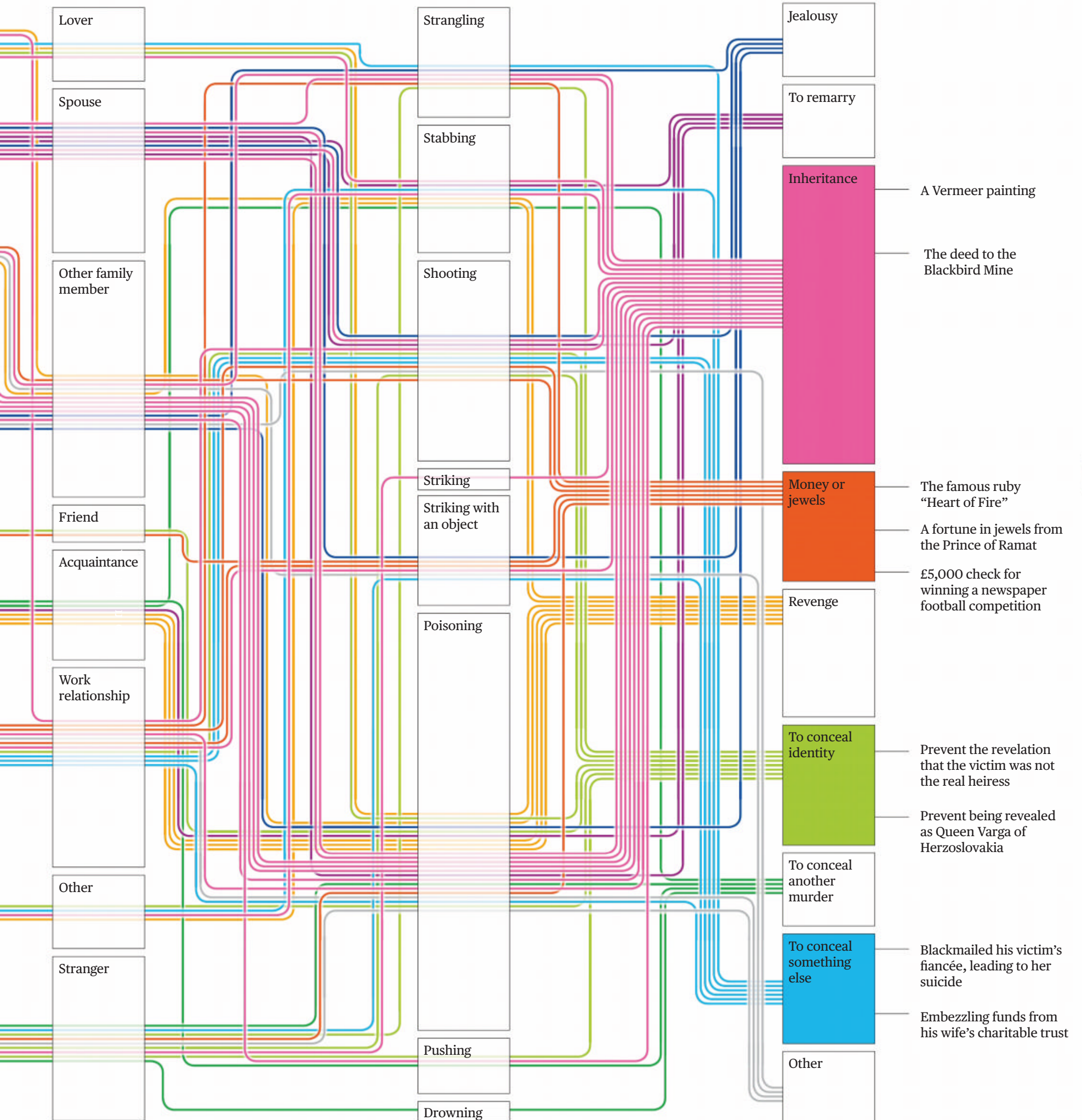
Plotted

In Agatha Christie's novels, murder and financial fraud are often intertwined. The murderers are more likely to be men, are partial to poison, and frequently commit the crime as part of a scam such as winning an inheritance. (Spoilers ahead if you look closely.) —*Dorothy Gambrell*

How did they know the victim?

How did they kill?

Why did they kill?





The Case of the Empty Frames

For 30 years, experts have tried and failed to solve the most expensive, and possibly strangest, art heist in history

By Claire Suddath
Photographs by Philip Keith



On the night of St. Patrick's Day in 1990, Rick Abath was working the overnight shift as a security guard at the Isabella Stewart Gardner Museum in Boston. While the rest of the city drank and partied and drank some more, he and another guard, Randy Hestand, took turns patrolling the empty rooms of what had once been the ostentatious home of a Victorian-era socialite who was really into art.

Their shift started at 11:30. Abath made the first rounds while Hestand hung out at the security desk. They were young, in their mid-20s, and didn't have any formal security training. Hestand was a New England Conservatory student who liked to use the downtime to practice his trombone. Abath, who played in a rock band, later acknowledged that he occasionally showed up to work drunk or stoned. He had a scruffy beard and long brown hair that fell in a mess of Weird Al ringlets, and on this particular night he arrived wearing bright red pants and a tie-dyed T-shirt under his unbuttoned security shirt.

The Gardner Museum didn't have security cameras in its galleries, just motion detectors that recorded Abath's movement as he made his rounds. At one point, an alarm on the fourth floor went off, but when Abath checked, nothing seemed to be amiss. He finished his tour of the museum around 1 a.m., then switched places at the security desk with Hestand, who went off on his turn to patrol.

Abath was still relaxing behind the desk at 1:24 a.m. when two Boston police officers approached a side entrance and asked to be let in. "I could see that they had hats, coats, badges," he said in a 2013 interview with a *Boston Globe* reporter. "So I buzzed them in." (Abath didn't respond to emails, Facebook messages, or letters asking for an interview for this story.)

The officers explained that they'd received reports of a disturbance and needed to ask the guards some questions. "Randy, will you please come to the desk?" Abath radioed to Hestand, who quickly returned. That's when things got weird.

The cops asked Abath for his ID. Then they said they had a warrant for his arrest. They asked him to step out from behind the security desk—taking

him away from a panic button installed near it—and to stand against a wall. Then they handcuffed him. "I'm just standing there with my jaw open going, 'Wow, what's going on? What did Rick do?'" Hestand told the radio station WBUR. They cuffed Hestand, too.

"This is a robbery," one of the men said. They wrapped the guards' heads with duct tape, leaving a space for them to breathe, and led them down to the museum's basement. They handcuffed Hestand to a limestone sink and left Abath slumped on a concrete ledge.

The motion detectors followed the thieves as they made their way upstairs to the Dutch Room, a second-floor gallery that contained some of the museum's most valuable art. They took three of the four Rembrandts that hung on the wall, including his only seascape; a landscape by Govaert Flinck; and one of the only 36 Vermeers known to still exist. If they'd felt pressed for time they

would have just removed the frames from the wall and run off. Instead they took the paintings down, separated them from their frames, and even cut two of the Rembrandt canvases from their stretchers. One of the thieves also spent what must have been several minutes prying a Shang dynasty *gu* (or vase) from its heavy metal anchor while the other one moved on to the next room and swiped five sketches and watercolors by Edgar Degas. At one point they tried to grab a silk flag that had once belonged to Napoleon's Imperial Guard, but it was screwed into the wall, so instead they took the 10-inch bronze eagle finial at the end of the flagpole.

According to the motion detectors, the thieves spent 34 minutes in the galleries. Then they hung around the museum for a while. They checked on the security guards—yep, still duct-taped. They went into the security director's office and took the videotape



from the museum's security cameras, which had been positioned to record the front door, parking lot, and security desk. Finally, at 2:45 a.m., they left. Neither they nor the stolen artwork have been seen again.

Abath and Hestand sat in the basement for another four hours until the morning guards showed up for their shifts. The police—the real police—were called and, because hundreds of millions of dollars in artwork had been stolen, the FBI. Statements were given, damage was assessed, missing works were tallied: 12 pieces from the upstairs galleries and then, what's this? A small Manet painting had been swiped from a downstairs gallery that, according to the motion sensors, the thieves had never entered. The last person to visit that room was Abath, when he was making his rounds.

"The Manet has always confused me," Anthony Amore, the chief investigator at the Gardner Museum, told me last fall. Amore is calm and thoughtful, the kind of person who considers his words carefully. He joined the Gardner in 2005, overseeing its security efforts and working as an in-house detective who, the museum hoped, would eventually solve the crime.

The Manet in question was a small impressionist oil painting, only 10 inches by 13 inches, of a dark-suited man enjoying a drink while writing in a notebook at the famous Parisian cafe Chez Tortoni. It, too, had been cut from its frame, which was left on a chair in the security director's office.

"It's such a small painting. Why would you bother to remove it from its frame and leave it on that chair?" Amore wonders. Sure, Abath could have stolen it. He's never been officially crossed off the list of suspects. But he clearly didn't steal the other paintings, and besides, he's now a teacher's aide living a modest life in Vermont—not the profile of someone who's spent decades harboring millions of dollars in stolen art.

There were other incongruities, too. Most art thefts last less than three minutes, a quick grab-and-dash before police have a chance to arrive. The Gardner heist lasted for almost an hour and a half; how did the thieves know they

The value of the missing works, now estimated at \$500 million, makes it the largest art theft in history, and the \$10 million reward makes it the most lucrative for anyone who solves it

had so much time? If they targeted the Rembrandts and the Vermeer because they were worth a lot of money, why did they leave the museum's most valuable painting, Titian's *Rape of Europa*, which art historians have called one of the most important examples of Renaissance art? Amore has been contemplating these questions for 15 years and still doesn't have any answers. The Manet, though, particularly irks him. "It's really emblematic of the whole investigation," he says. "The deeper and deeper you dig, the more questions are raised."

What happened at the Gardner has become the most famous art heist ever, not only because of the money involved—the value of the missing works, now estimated at \$500 million, makes it the largest art theft in history, and the museum's \$10 million reward makes it the most lucrative for anyone who solves it—but also because of the countless FBI agents, private detectives, art dealers, and armchair sleuths who've tried and failed to solve it. The statute of limitations ran out on the actual robbery years ago, and the museum has publicly promised not to prosecute anyone who admits to having the paintings, as long as they're returned. And yet the silence endures. The theft has been the subject of books, documentaries, and podcasts. Copies of the paintings occasionally show up on television shows, subtle references to a character's criminal past. On *The Simpsons*, Mr. Burns was once arrested for possessing the stolen works. A copy of one painting used on the show *Monk* looked so real, the FBI called the producers to double-check that it was a prop.

The Gardner heist has attracted a cottage industry of private detectives of ▶

◀ Rembrandt's *Christ in the Storm on the Sea of Galilee*, his only seascape, was one of three paintings by the artist stolen that night



◀ varying levels of legitimacy, all claiming to be hot on the paintings' trail. "I'd say I'm working on it on a weekly basis," says Arthur Brand, an art historian-cum-detective who lives in Amsterdam. Brand offers himself as a go-between, someone criminals can come to when they want to anonymously surrender stolen art—last year he facilitated the return of a \$28 million Picasso that had been snatched off a yacht on the French Riviera 20 years earlier. In 2017, Brand told Bloomberg he'd have the Gardner's paintings returned to the museum within months. It's been three years.

"A lot of guys in this industry just say things to get press," says Robert Wittman, a retired FBI special agent who founded the bureau's Art Crime Team. "Every few years someone will call up a newspaper and say, 'We're going to get the Gardner paintings soon.'" The most famous example of this happened in 1997, when a *Boston Herald* reporter claimed an antiques dealer

showed him one of the Rembrandts—"We've Seen It!" the *Herald* boasted on its front page. Then an analysis of some paint chips indicated it was probably a fake. Another analysis contradicted that conclusion, but the dealer didn't offer further proof, and the painting was never returned.

"The Gardner is the big one. It occupies most of my time," Charley Hill, a retired art and antiquities investigator for Scotland Yard, told me last year when I called him up to discuss an entirely different art theft. Of all the private detectives nosing around the case, Hill has the most impressive résumé. During his time at Scotland Yard he recovered an estimated \$100 million in stolen art. In 1993, for example, he retrieved Vermeer's *Lady Writing a Letter With Her Maid*, which had been lifted seven years previously from the Russborough House, a private estate in Ireland. The following year, Edvard Munch's *The Scream* was stolen

from the National Gallery in Oslo; to get it back, Hill posed as a representative of the J. Paul Getty Museum in Los Angeles who was willing to buy the work.

Hill is 73 now. It's been a long time since he last worked for Scotland Yard. These days he mostly putzes around his garden "getting bored and fat," but he still investigates the occasional theft. For the past few years he's been working on the Gardner case. "A person, a key player, rang me this morning," he told me. "I hope to see him straightaway."

The Gardner Museum—and the 16,000 paintings, sculptures, and ceramics that make up its collection—are the doing of one woman. Isabella Stewart Gardner inherited her wealth from her father, a linen merchant who died in 1891. She and her husband, Jack Gardner, a Boston merchant whose family had also amassed a sizable fortune, used her inheritance to buy art. They traveled frequently

to Europe, returning with sculptures, ancient Roman vases, and sometimes a Rembrandt or two.

After Jack died in 1898, Isabella moved out of their Brookline mansion and into an even grander one she'd built in Boston's Fenway district. It was a re-creation of a Venetian palace, complete with columns, stone arches, and an open courtyard filled with lush greenery. Gardner covered its walls with works by Titian, Vermeer, Botticelli, Degas, and a portrait of herself she commissioned from John Singer Sargent. In glass cases she put illuminated manuscripts, 11th century Chinese statues, and an early copy of Dante's *The Divine Comedy*.

Gardner died in 1924, and in the absence of heirs (her only child had died young), she left everything to the public. There was one catch: According to her will, the works couldn't be rearranged, sold, or donated, and new art couldn't be added. If these conditions were ever violated, the entire collection, along with the house and the land, would be turned over to Harvard. The walls of what soon became known as the Gardner Museum have remained unchanged ever since.

This posed a problem after the theft. There were glaring blank spots on the walls where the stolen paintings had hung. According to Gardner's will, the museum wasn't allowed to fill them. So it just rehung the empty frames, a visual testament to what had been lost.

Over the years the pictureless frames have become one of the most famous features of the museum. Visitors stand thoughtfully in front of them as if willing the paintings to reappear. In a way, they've become their own exhibit—a reminder that while we value great beauty, we also destroy it.

It's a little bittersweet for Amore that people flock to the museum to see the artwork that isn't there, instead of everything that still is. "I understand it, it's an unbelievable mystery," he says. But sometimes he worries that the sensationalism of the heist has overshadowed what was taken. The missing paintings are physical relics from hundreds of years ago, the truest capture we have of an unphotographable past. For the price of a museum

ticket, anyone could study the actual brushstrokes Rembrandt put to canvas. Now they can't. "The money isn't what keeps me going," Amore told me last year, as we toured the museum. "It's the tragedy that something irreplaceable has been lost."

Amore's approach to the investigation is to tackle it with fastidiousness: If he replies to every email and follows up on every tip, no matter how far-fetched, eventually something will pan out. He works closely with Geoff Kelly, the FBI agent who leads the bureau's investigation on the case.

Kelly is the latest in a long string of FBI agents assigned to the investigation. Over the decades the bureau has carried out undercover operations everywhere from Miami to Japan, each with a different set of potential thieves, each ending in disappointment. Wittman, the retired FBI agent, is convinced that the 2006 sting he worked in France—he posed as a shady collector willing to buy the paintings from Corsican gang members—was the real deal. "I think they did have access to the paintings," he says. "Are they still in France? I don't know, it's been years." ("We don't believe they're in France," Amore says flatly.)

These days the FBI's current theory, and the one to which Amore gives the most weight, is that the paintings were stolen by low-level associates of one of Boston's organized crime rings. For a while the bureau thought they might be held by a mobster named Carmello Merlino, who in 1998 was caught on an FBI wiretap claiming he knew where they were. But when Merlino was arrested for attempting to rob an armored car depot and given the opportunity to turn over the paintings in return for a more lenient sentence, he couldn't produce them. He was sentenced to 47 years in prison, where he died in 2005.

"Mel begged me to tell him where the paintings were. He thought I could find out who had them so he could help return them," says Martin Leppo, Merlino's former defense attorney. Leppo, who's 88, worked as a criminal attorney in Boston for more than 50 years and represented seven clients who at various times have been considered persons of interest in ►

◀ The Gardner's chief investigator, Amore (in the museum courtyard), still replies to every email and follows up on every tip about the theft, no matter how far-fetched

“The money isn't what keeps me going. It's the tragedy that something irreplaceable has been lost”

► Isabella Gardner's will stipulates that the artworks can't be rearranged, sold, or donated; so the museum left the empty frames where the stolen paintings used to hang

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▲ Hill, a retired art and antiques investigator with Scotland Yard, believes the theft has an Irish connection

◀ the case. As far as he knows, none of them did it.

In 2013 the FBI made the unprecedented move of announcing that it knew the identities of the two original thieves, both of whom are believed to be dead. Amore agrees with their conclusion. “We haven’t released the names of the people we believe were involved, but I’ll say we’ve gotten a good amount of credible information on them,” he says. He and the FBI have also tracked the art up to a 2003 exchange between two mobsters in a Maine parking lot, but they’re not sure what happened after that. The assumption is that the paintings are still somewhere in New England. “This whole thing has been utter insanity,” Leppo says. “Nobody knows who did it or where the stuff is.”

“Oh, they’re in Ireland,” Hill says. He tells me this casually, confidently, as if there couldn’t possibly be another explanation. “Anthony Amore knows my thoughts,” Hill says. “He always says, ‘Charley, you’re wrong.’”

Amore is more measured in his response. “I have great respect for Charley, but he thinks everything stolen ends up in Ireland.”

For years, Hill insisted the Boston mobster Whitey Bulger had given the Gardner works to the Irish Republican Army, which is rumored to have trafficked in stolen art. When Bulger was arrested and the paintings still weren’t found, Hill revised his theory. Now he says that if Bulger was involved, it was only peripherally. He says he believes the two original thieves, loosely affiliated with the IRA but not acting on its behalf, traveled from Ireland to steal the art.

“Two clues jump out at me,” Hill says. “One, the crime happened the night of St. Patrick’s Day,” which, he points out, is an important Irish holiday. “Two, one of the robbers used the word ‘mate’ when he tied up the security guards. That’s not a word Americans say.”

“That’s a new one from Charley,” Amore says. “I hadn’t heard that one before.”

“One of the thieves did use the word ‘mate,’” Hestand, one of the security guards, wrote to me in an email. But

Hestand insists they had American or Canadian accents. “I never had any reason to think they were from outside North America.” It’s true that Irish organized crime rings sometimes stole artwork, but they usually targeted places much closer to home. The Russborough House, for example, has been robbed four times: by an IRA-affiliated gang in 1974; then by an Irish criminal named Martin Cahill in 1986; then in 2001 by Cahill’s protégé, Martin Foley; and finally in 2002, by a group (possibly involving Foley again) who stole some of the same paintings Cahill took in 1986. Both Amore and Wittman are wary of Hill’s theory. As Amore points out, “Why would the IRA travel to Boston to steal a Rembrandt when there are plenty of them in Europe?”

“I have no hard evidence whatsoever,” Hill admits. But he’s undeterred. The “key player” he visited last year turned out to be Foley. According to Hill, Foley wasn’t involved in the original theft but knows where in the rolling Irish countryside the paintings are hidden. For more than a year, Hill has been traveling back and forth to Dublin to meet with Foley and devise a plan for the return of the artwork.

“Martin is worried,” Hill told me last summer, when I visited him in London to see how his plan was progressing. “He’s concerned that if he comes forward with the paintings, he’ll be prosecuted.” At the time, Foley was being sued by Ireland’s Criminal Assets Bureau for the equivalent of almost \$830,000 in back taxes—ironic, considering he owns Viper Debt Recovery & Repossession Services, a company people hire to recoup money they’re owed. I pointed out that if he really did have the paintings, the museum’s \$10 million reward would be more than enough to pay off his debt. Hill said Foley was more worried about the FBI and Ireland’s laws against profiting from organized crime.

“That’s ridiculous,” Amore says. “I’ve written Charley many messages explaining how this can be resolved, and he never responds to that part of the message.”

When I asked if I could speak to Foley, Hill said no. “The people involved in recovering this are not people you’d



want to introduce to your mother,” he explained. “I don’t want anybody murdered.” Every few months I’d check in with Hill, but nothing changed. Foley was ready to lead authorities to the artwork, he’d tell me, but he needed an official assurance of immunity. At one point last year, Hill wrote to a Massachusetts congressman asking the U.S. government to step in—but he did so around the time that Robert Mueller’s report on Russian interference in the U.S. presidential election was publicly released. A 30-year-old art heist was not Congress’s top priority. He received no response.

In February, Ireland’s Supreme Court ruled that Foley owed the back taxes.

According to Hill, Foley then went into hiding. My emails to Viper Debt Recovery went unanswered. “I haven’t spoken to Martin since February,” Hill says. He’s not sure where he is. Instead he’s found a new source—he won’t say who—to take him to the place, “in or around Dublin,” where the person says the paintings are hidden. Hill plans to meet with him in August.

There’s no Agatha Christie detective to show up at the end of this story, lock all the suspects in a room, and calmly unravel the clues one by one for a comforting and satisfying conclusion. In fact, one of the

most intriguing aspects of the heist is that even the people who are trying to solve it can’t agree on what happened. Did Abath steal the Manet? “He’s just a regular guy,” says Brand, the Amsterdam art historian. Amore isn’t so sure. “When you’ve eliminated all the other possible theories, the most obvious one remains,” he says. Are the 13 stolen pieces even still together? “Yes,” Hill says. “I don’t believe so,” Brand says. “Some of the paintings may be together,” Amore hedges. Wittman, the retired FBI agent, points out that “there’s a possibility they could all be destroyed.”

The Gardner is closed to the public right now because of the pandemic, but Amore still goes into work every day, walking the halls of the empty museum and tracking down potential informants. “It’s been so long that a lot of people are dead,” he says. “Others have moved. Wives have become ex-wives. It takes a lot of skip tracing.” When he gets to an impasse, he turns back to the tens of thousands of pages of FBI files that litter his office. “What if it’s right under my nose, and I’ve been looking at all the wrong clues?” he wonders. “Somewhere in there has to be the answer.”

Leppo, the defense attorney, isn’t searching for the paintings, but even he can’t seem to leave the case behind. “So many people bother me about this that my secretary sometimes tells me, ‘You have another painting call,’” he says. They assume that, given his client roster, he either knows where the missing works are or knows someone who knows someone who does. A couple of years ago, for instance, a woman walked into his office and told him her father had been involved in the theft. She implied that she knew where some of the artwork was hidden, but when Leppo asked if he could see it, she demurred. He hasn’t heard from her since.

Leppo doesn’t know if the woman was telling the truth. So many people have put forth so many theories that at this point it’s hard to say what’s real. “Somebody called me the other day—I’m not going to mention who—and said, ‘Do you want to take a trip to Saudi Arabia? I’ve got an in on the paintings,’” he says. “I said, ‘Call me when you find them.’” **B**



The Pizza Schemer

Ishmael Osekre, the man behind the “Fyre Festival of Pizza,” has a history of alleged Facebook-fueled fraud

By Austin Carr
Photograph by Kevin Serna

The problems with the New York City Pizza Festival began with the pizza. Slices were cut into comically miniature triangles, nowhere close to what Ishmael Osekre, the organizer, had promised. In Facebook ads he’d hyped stuff-your-face quantities of thin crust, served outdoors on a late-summer weekend in Brooklyn’s Bushwick neighborhood. He’d set prices high, charging as much as \$69 per person for VIP access, and recruited more than 1,100 ticket buyers for the pizza fest, as well as a simultaneous event, the New York City Burger Festival, which promised “mountains of french fries, oceans of ketchup, and waterfalls of beer.”

Ticket holder Timothy Seitz arrived at the venue with his wife and found a mostly empty lot where hundreds of hipsters were SMH-ing in a line along a barbed-wire fence, waiting to grab a slice. As state investigators would later allege, Osekre had obtained only eight pies and a few boxes of sliders. Witnesses confirm that there was little, if any, beer, and that the pizza was gross, if still technically pizza. “Like what you’d serve elementary schoolers,” Seitz says. He wondered aloud, “Did we just get scammed?”

Osekre tried to calm the hangry crowd, telling attendees he’d ordered more pies. Too few arrived. Well into the afternoon, ticket holders, waiting and baking in the heat, demanded refunds, but Osekre was noncommittal. Then, suddenly, he disappeared. He’d taken in \$63,680, according to state investigators.

In the following days, complaints and ridicule for the Hobbit-size slices raged on social media. Internet sleuths soon discovered that Osekre had apparently promoted the same food ▶



◀ Not the actual size, but close

◀ festivals the prior year—without any location or ticket sales information—before postponing them. They guessed it had all been part of a scheme allowing him to bolster the events’ Facebook following and legitimacy.

“Osekre had me check out his Facebook page, and remarkably, there were like 30,000 people interested in going,” says Jeremy Asgari, whom Osekre contracted to supply party furniture, only to stiff him on a \$3,000 bill. “The guy is a genius marketer.”

Media outlets around the world dubbed the September 2017 event the Fyre Festival of Pizza, a nod to the fraudulent music extravaganza in the Bahamas four months earlier. In the years that followed, there were civil charges brought by New York State Attorney General Letitia James, who accuses Osekre of having performed Facebook-fueled grifts repeatedly, “causing hardship to virtually everyone who is unlucky enough to become involved.” The hardship included the bad pizza but also potentially hundreds of thousands of dollars in damages to victims, across a series of alleged scams. Osekre denies any wrongdoing, beyond occasionally falling short of customer expectations. The case is ongoing. Through a spokesperson, James declined to comment.

The week that the pizza festival blew up online, a former classmate emailed me a news article, asking whether I remembered Osekre from college. “Holy shit!” I replied minutes later. I did recognize his name. It occurred to me that I might have been involved in one of his earliest schemes.

A few months ago I started exploring this history—digging through old emails and court documents, spending hours talking to Osekre (pronounced o-SEK-rey), and interviewing former collaborators. He was keen to help, but when he called me the first time in mid-May, he said he had no recollection of our overlapping time at Columbia in the late Aughts—even after I reminded him that we’d planned an event together.

The big story on campus in the mid-2000s was Vampire Weekend, who were blowing up on MySpace. The group’s overnight success inspired me, and I got more involved in a student-run “record label,” believing I could sign the band’s

frontman, Ezra Koenig. Osekre got inspired, too. He’s a creative type and a social butterfly who ran for student body president one year and was constantly performing concerts and spoken-word readings. He hosted a college radio show and, after teaching himself guitar, formed his own band, Osekre and the Lucky Bastards.

We shared similar interests but entered Columbia from drastically different places. I was a legacy—my older brother had graduated a year earlier—whereas Osekre says he could barely afford the flight from Ghana. He says he landed during a January blizzard wearing a spring jacket with \$30 in his pocket and paid his tuition with the help of wealthy friends he met after arriving, including Judith Aidoo, a Ghanaian-American Harvard Law School grad who runs Caswell Capital Partners Ltd., an investment firm. “He was riding a bicycle with a guitar on his back, because he didn’t have enough money for the subway,” says Aidoo, who stands by Osekre despite the allegations. “He’s not a thief in my estimation, even though he owes me \$10,000 right now,” she says. (Osekre says it’s less than \$5,000.)

In 2007, I was oblivious to his financial hardships, as were many of his college friends. “I was under the impression he came from money, because he never seemed to be employed, and I never saw him hurting,” says Diane Wah-Zuercher, now a conceptual artist and podcaster. “Maybe it was a fake-it-until-you-make-it thing.”

What stood out to Zuercher was that Osekre was “always trying to do big, overly ambitious things and biting off more than he could chew,” a hard truth our record label learned that December. We were planning an end-of-the-semester concert when we got word from a hooked-up classmate who said he could book the Roots (“a huge act, internationally known,” as I woodenly explained in an email to university officials asking permission to hold the event). The classmate was Osekre. We joined forces.

As the concert got closer, he said the Roots weren’t going to play music but, rather, would be presented as “motivational speakers.” Then it was only Questlove, the band’s drummer; then that promise was downgraded to an affiliated act, vocalist Martin Luther

McCoy, but that still seemed very cool.

I had forgotten about this until the pizza festival, but the outcome of our event was similar. Osekre was a fireball, wheeling and dealing with agents over contracts and riders. But college administrators were skeptical. Why would the Roots, who’d played Giants Stadium, want to perform in a stageless classroom that could fit only 150? How much would the band cost? In early December, Osekre emailed that he needed \$5,000 to hire McCoy, plus an opening act, the spoken-word performer Black Ice. He swore he had the money covered through an assortment of student council sponsorships, so we went for it.

No money materialized. “No need to panic,” he wrote, not long before the sound check, telling us he’d recently persuaded campus clubs to pay \$13,000 for another major artist. (When I ask about the debacle in June, nearly 13 years after the concert, Osekre gives almost the same explanation verbatim, down to the \$13,000 figure.) He could square things away once he finished his French test and “a demo” for a movie he’d produced that “was just bought by BET.” He said he’d happily cut the check himself if it came to it.

Black Ice and McCoy performed to a small, subdued audience, earning us \$450 in gross ticket sales, which we turned over to Black Ice as an embarrassing down payment on what we owed. The following month, in January 2008, Keith Hightower, the student who served as vice president of finance for Osekre’s class council, emailed to demand how we’d exposed Columbia to \$4,550 in unpaid liabilities. As it turned out, Osekre didn’t represent an official student organization, which meant that the debt for the artist fees would belong to the label and a Latino fraternity he’d roped into financing the event (to its surprise). Columbia administrators forced our label and the frat to begin a “debt repayment plan.”

To this day I don’t know how Osekre pulled it off, or if he even benefited. “I still don’t think it’s fair, but the system always prevails,” he wrote in a rambling email following the administration’s judgment. He promised to repay the losses personally, writing that his “plan is to organize a few cheap concerts.”

I never heard from him again. That

is, until he invited me to his professional network on LinkedIn six years later. “Working on a prototype for my new start-up,” the invite read.

In the years after graduating, Osekre grew more ambitious with tech endeavors and his band. To friends he seemed both insanely busy yet completely free of obligations. He was, by all accounts, an Olympic-level couch surfer, but he’d occasionally hop a train to New Haven to crash at his mom’s house—which confused some of his buddies, who thought he’d said she lived in Ghana.

He was impressive whenever he had an audience. Drummer Jesse Chevan, who joined the Lucky Bastards’ ever-evolving lineup in 2013, says Osekre was an “incredible party starter” and great at booking gigs. He was a nonstop self-promoter, tweeting about minor shows—a stairwell performance at TEDxIndianapolis 2014, for example—as if they were headliners at Madison Square Garden. Concert posters often featured closeups of his face alongside epic quotes. “This band is unlike anything that has come before it and might just be the start of a musical revolution,” read one attributed to something called “Detroit Metro.” The name of the paper was slightly off, but the editor of the *Detroit Metro Times* confirms that the quote was real.

He may have been a kinetic frontman, but Osekre was a sloppy manager, former bandmates say. He identified himself as the founder and chief executive officer of a live-events business, Aputumpu, and at one point boasted he’d booked Wu-Tang Clan’s Inspectah Deck for an event at Brooklyn Brewery. (Inspectah didn’t show.) His bookings for the Lucky Bastards never translated to much cash, and he ginned up excuses to avoid paying even trivial debts, such as the \$50 he still owes to the winner of the band’s yearly fantasy soccer league. He’d habitually reserve pricey studio space, only to flake out at the last minute. Osekre hung up on me when I asked about these allegations.

The band, at least as then-constituted, fell apart after what band members Michael Benham and Micah-Daniel Lewis describe as a nightmare tour with shows in Washington, D.C., and Chicago. Things

started badly: Osekre arrived late to the pickup location for the rental van and then insisted everyone grab a meal before departing. The Lucky Bastards didn’t get to their D.C. gig until around midnight Friday. As they raced 700 miles west to make their Saturday shows in Chicago, Osekre was supposed to do some driving. But when it was his turn at the wheel, he confessed that he didn’t have a license. Further infuriating the band, Osekre casually mentioned that he planned to leave the tour after Chicago to stay at a family friend’s farm in Indiana and asked them to return the vehicle. “I have a very different recollection,” Osekre says, declining to share specifics.

After dropping Osekre off at the farm, some bandmates never spoke to him again, Benham says. “That whole tour was about him transferring liability to us while f---ing over our livelihoods, just so he could get to Indiana,” he says. “Osekre embodies that phrase, ‘It’s better to ask forgiveness than permission.’”

In 2014 he told friends he’d been accepted into a fellowship at Harvard Innovation Labs, a startup incubator near the university’s campus in Cambridge, Mass., and talked about raising “seed-funding” for his live events business. It’s unclear if any money materialized, and the Harvard “fellowship” seems to have been embellished. A spokesman says the school doesn’t confer fellowships and that Osekre was never accepted to the program. Osekre says he joined a venture with two Harvard students that was affiliated with the incubator. The company, he says, planned to build a “Google Drive” for hospitals in Africa. (Team mentor Matthew Blumberg says that because of a lack of skill and resources, “I could tell from the first day they were never going to do this.”)

Even so, his status as a tech mogul in the making impressed new business partners. One was Brenda Mureithi, who met Osekre at a networking event for African professionals in New York on April 1, where he pitched her on an August festival spotlighting food of the modern-day African diaspora. He offered to pay her a modest weekly fee, and she agreed.

Over ensuing brainstorming sessions, though, she grew concerned ►



▲ The 2017 New York City Pizza Festival was held in an empty lot behind Quixote Studios in Brooklyn

“Osekre embodies that phrase, ‘It’s better to ask forgiveness than permission’”

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▲ The NYC African Food Festival in 2016

◀ that Osekre was overly ambitious. He imagined celebrity guests and thousands of attendees, which would require tons of capital and an army of staffers. Osekre, she recalls, told her not to panic, because he had an investor “bankrolling” his plan, as well as a “whole team behind” him stemming from a similar event he’d just thrown in Boston.

She didn’t know it, but that event had been a fiasco. The 2015 AfrikCan Festival was supposed to be “the Bonnaroo or Coachella of African events,” as marketing materials touted. Planned in collaboration with Marie-Claude Mendy, a chef from Senegal who’d opened a buzzy restaurant in the South End, the five-day celebration was supposed to feature Nigerian pop star Wizkid and Grammy Award-winning singer Oumou Sangaré. The AfrikCan Festival was postponed and then canceled. On Facebook, Osekre blamed “ridiculous corruption levels” in Boston City Hall. (Officials maintained that the necessary paperwork wasn’t filed in time.)

The investor for the new festival, it turned out, was supposedly Mendy, although Mureithi got the impression that Mendy was unaware of this. In fact, according to court testimony, Mendy had no interest in collaborating with Osekre after Boston. Still, as a favor, she shared advice and business contacts and agreed to participate as a food vendor. “Even though I was not willing to be an actual partner with Osekre, I am of African descent and am an African chef,” Mendy later testified. “I hoped he would put on a good event.”

As spring slipped into summer, Mureithi started freaking out. On social media, Osekre was hawking celebrity chef demos, VIP eight-course dinners, bottomless vegan brunches, fashion showcases, and a “Casablanca”-esque hookah lounge. In his promotions, Osekre highlighted private food tastings aboard a water taxi ferrying guests to the venue near Brooklyn’s Navy Yard off the East River. Mureithi was certain they didn’t have the budget for such indulgences, given that tickets ranged from \$20 to \$150, but Osekre waved her off. After all, the promos were attracting the right attention: More than 82,000 users on the festival’s Facebook page clicked that they were “interested”

in the event—and almost 20,000 signaled they’d be attending.

When she and others warned Osekre that the festival, now only weeks away, was in danger of flopping, he would show screenshots of an Eventbrite account, which eventually surpassed \$111,000 in gross sales. Osekre said he’d pay everyone after the event. In the meantime, Mureithi put expenses such as port-a-potty rentals on her personal credit card, racking up \$9,714 in charges.

The plan had been to hold the festival at the Duggal Greenhouse, a 34,000-square-foot space where yachts can dock. Osekre had agreed to pay the \$88,000 rental in several installments, but he missed his first payment, and then his second. To buy time, he’d send Mary Lovci, then the waterfront hall’s vice president of events, the Eventbrite screenshots. “Our ticket sales, please see attached, is officially past 60k so we know this event is fully paid for,” Osekre emailed on Aug. 9.

Several days before the festival, according to court testimony, Osekre called Mendy sounding alarmed. He claimed Duggal Greenhouse would accept only a business check, which he didn’t have, and implored her to float him the \$88,000 from her restaurant’s account to prevent the festival from being canceled. He promised to reimburse the money immediately after the festival. “I never wanted to be officially involved,” Mendy later testified. “However, I still wanted the festival to be a success.” She wrote the check, and the venue’s managers let Osekre go forward as scheduled.

The first day of the festival was chaos. Many attendees’ tickets listed the wrong address, and those who found their way to the hall were greeted with indoor temperatures close to 100F. (Osekre didn’t pay for air conditioning.) There were only a few food vendors—not the dozens advertised—and lines snaked for an hour. The color-coded wristbands that staffers distributed corresponding to ticket prices had no bearing on what service guests received. No ice appeared to be available for drinks; periodically, a staffer would roll out a palette of water, charging \$5 a bottle.

Mureithi and the other event workers tried to save the situation, but it was hopeless. Worse, there was still another

day of the festival. That night, the team gathered for a debrief, but Osekre had disappeared. Mureithi found him on the waterfront, frantically tapping at his phone. She begged him to come inside to strategize about how to salvage Day 2. “No, I’ve got to handle this,” Osekre mumbled. She says that he sat near the dock for an hour, logged into the festival’s Facebook page, deleting negative comments.

In the end, according to the New York attorney general, almost everyone got stiffed—including grocery purveyors, alcohol distributors, and the New York City Fire Department—and the \$111,198 of gross ticket sales disappeared. A subpoena of Osekre’s financial records shows multiple five-figure withdrawals to an LLC in his name and his personal checking account. “Little by little I took care of all the payments” to vendors, Osekre says. “Well, let me not use the word ‘all.’”

Mureithi says she lost \$17,000 for her efforts and that she suffered PTSD-like symptoms. Osekre never reimbursed Mendy for the \$88,000, and her check bounced. Emails reveal he told Duggal Greenhouse it should “hold Ms. Marie-Claude accountable to her obligations.” Mendy has filed for bankruptcy and shuttered her Boston eatery “This ruined my reputation,” Mendy tells me. “I was able to build my restaurant from nothing, and I will do it again.”

In the years ahead, Osekre did help organize several successful events. An event planner who worked with Osekre on a few of his fashion-centric Ankara Bazaar events remembers him as a charismatic organizer who was only a tad disorganized. Like many of Osekre’s friends and colleagues, this person, who spoke on the condition of anonymity, says she was unaware of his troubles. She wonders, jokingly, if perhaps he has a doppelgänger.

Then came the 2017 pizza fest, and the investigation, which resulted in charges of fraud and false advertising. Eventbrite banned him from using the ticketing service and, along with another ticket seller Osekre used, managed to claw back the \$63,000 or so in ticket sales from his accounts to refund customers. Osekre moved his operation to Washington, D.C., where, in March of last year, the *Washington City Paper*

reported on the “disastrous” Blagden Alley African Food Tasting, which he’d been tied to. As an attendee told the paper, “Oh my God, this is a shit show.”

Osekre acknowledges being involved in planning early on, but says he urged the organizers, who couldn’t be reached for comment, to cancel the tasting in January 2019 because of their lack of preparedness. He recalls phoning his two partners after the event failed and yelling at them to “call that lady journalist [from the *Washington City Paper*] right now and freaking withdraw my name from this shit.”

When the New York attorney general’s case heated up in mid-2019, Osekre initially emailed the prosecuting lawyer that he was “crafting a response.” Instead he ghosted. Repeated attempts to serve him papers at various home addresses proved unsuccessful. In March 2020, when a process server visited his mother’s house in New Haven, she would talk only from behind the door, according to a court affidavit. “As far as I know,” Mureithi says, “Osekre pretty much disappeared from the face of the Earth.”

In fact, as he was happy to tell me, he’s currently at the same farm in rural Indiana where band members say he got a lift to years earlier. The farm’s husband-and-wife owners, Tom and Anne Pigman, met Osekre many years ago on a mission to Ghana. Anne calls Osekre “my heart-adopted son.” Tom says they haven’t been able to bring themselves to open the court documents. Their farm has served as a convenient retreat from the pandemic and, perhaps, the attorney general’s investigation. “The AG’s office was like, ‘What is your address?’” Osekre tells me. “I said, ‘I know this will sound ridiculous, but I do not live anywhere.’”

This was perplexing, but no more so than much of what Osekre told me. He shared a list of names of past friends and colleagues, but many either spoke critically of Osekre or wanted nothing to do with him. (In the end, I interviewed 45 of Osekre’s associates.) Even so there were facts that I couldn’t quite pin down. Osekre, for instance, declined to divulge his age. In a 2017 media interview, he said his age was “plus or minus 29,” though it appears he was then 34, according to public records. Sometimes, in his telling, his early life was one of poverty in Ghana’s capital, Accra, and at

other times, he described his childhood as comfortable. Former classmate Ama Agumeh says Osekre’s family was not well off and recalls his mother selling food at their middle school during lunch.

Since getting into trouble, associates say, Osekre has sometimes adopted his mother’s persona on social media. According to a sworn affidavit from SimpleTix.com Inc. founder Aron Kansal, he’s used “Grace Nanor,” his mom’s name, to register accounts with the ticket seller. “Ishmael used to work with us but doesn’t anymore,” a user claiming to be Nanor emailed a support representative for SimpleTix.com in June 2019, coincidentally providing contact info that included Osekre’s phone number. When I ask whether Osekre, who previously told me Nanor cannot read English, has been masquerading as his mother online, he replies, “I’m not going to say anything about my mom.” Then he adds, “Austin, don’t give up on me.” (Attempts to reach Nanor through multiple channels, including her Facebook page, were unsuccessful.)

As my reporting continued, Osekre’s communications became erratic. At one point he ignored me for several weeks, then left me a voicemail implying I was ignoring him. Amid protests against police brutality, he suggested I was a racist. He referenced my privilege and said that my attempts to fact-check his claims were akin to “Birthers questioning Obama about his birth certificate.”

Aidoo, the Caswell Capital CEO who’s stuck by him through it all, complains that prosecutors are punching down while disgraced, tech bros such as Adam Neumann, the ousted founder of WeWork Cos., are rewarded for their antics. “This guy got billions of dollars for basically blowing through cash on a dubious model, and we’re talking about Osekre?” she says. “To hold him to a higher standard than we do corporations or any of these guys is not fair.” It’s not clear that this is true. The New York attorney general is investigating WeWork and Neumann, Reuters reported.

Osekre tells me he’ll eventually go to court and win over his critics. He has no plans to retire from event planning, and he parries my suggestion about that possibility by citing what may be the ultimate fake-it-till-you-make-it story. “Have you heard of Elon Musk?” he asks. **B**

Troubles in **Quinn** Country

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In the Irish borderlands,
Sean Quinn was always known
as a tough businessman.
But he was hugely successful
and created thousands of jobs.

A local hero.

And then it all
went wrong

By Kit Chellel and Liam Vaughan
Illustrations by Viktor Hachmang



Kevin Lunney's mind wandered as he drove up the country lane to his home in Kinawley, County Fermanagh, a few miles north of the invisible line where the United Kingdom ends and the Republic of Ireland begins. It was September 2019, an unusually bright afternoon. He reminded himself to mow the lawn. Perhaps it would be his last chance to do so before winter.

Before he reached the house, as he later told the BBC, Lunney noticed a white car parked up ahead, engine idling. The road was narrow, barely wide enough for a single vehicle, and enclosed on both sides by thick hedges. As Lunney slowed his SUV to a stop about 30 yards away, he felt his pulse quicken. Fermanagh is an insular place at the best of times, where unfamiliar cars attract suspicious glances. Lately, events at his employer had everyone on edge.

Lunney was a director at Quinn Industrial Holdings, an offshoot of a vast manufacturing and insurance conglomerate that had gone through an acrimonious breakup and wound up in the hands of hedge funds. Ever since, QIH had been the target of sabotage, arson, and death threats—the kind of activity not seen since the dark days of the Troubles.

Maybe they're just lost, Lunney told himself, peering through his windshield at the white car. Suddenly the vehicle began reversing at high speed, leaping over the road's rutted surface. He had no time to react before it smashed into the front of his truck. Two men wearing balaclavas got out. As Lunney fumbled for his cellphone, his side windows imploded. One of the men pulled him into the road and relieved him of his phone. A third masked man appeared and held a Stanley knife to his throat. "Get into that," he said, gesturing to the trunk of a black Audi waiting nearby. "If you don't get into that, we're going to kill you."

Twelve years earlier, Sean Quinn stood in the ballroom of the Slieve Russell Hotel and attempted a speech. It was March 7, 2007, a decade since his last public remarks, and he stumbled over his opening lines. "I had stuff wrote down

to say, and I'm not sure where I am in all of that now," he said, to laughter from the crowd, according to an account of the event in *Citizen Quinn*, a book about his rise and fall.

Quinn, then 60, warmed to the task as he described how he'd left school at 15 to work on the family farm in nearby Teemore, a mile from the Irish border. In those days he rode around on a tractor and captained the local Gaelic football team. In his 20s, Quinn said, he'd borrowed £100 to buy an excavator after discovering that the hill behind his home was filled with valuable sand, shale, and gravel. Before long he diversified into cement, then glass, then property, then insurance.

Such was Quinn's impact on the landscape—replacing sheep pasture with smokestacks and gigantic machines for crushing rock—that the entire region from Enniskillen to Ballyconnell became popularly known as Quinn Country. "We come from a very simple background, and we tried to make business always simple," he told the crowd gathered in the Slieve Russell's banquet hall. "We never got a feasibility study done in our lives."

Along the border, this was the stuff of folklore: the uneducated Catholic farm boy who'd used his wits and local knowledge to create thousands of jobs in an area better known for sectarian violence. When Quinn met his friends at the bar of the Slieve Russell, a luxury hotel he'd built on the site of a 4,000-year-old tomb, they were expected to buy a round or two.

But there was more to Quinn. He was also a ruthless businessman who took on Ireland's biggest manufacturers and family-run gravel suppliers with equal zeal. He was a proud Irish republican who was happy nonetheless to take money from the hated British in the form of generous government grants for equipment and building roads. And he was lavishly rich: a humble son of the soil with a 10-seater Dassault Falcon private jet. In 2007, the year of his Slieve Russell speech, *Forbes* estimated his family fortune at \$6 billion, making him the 164th-richest person in the world.

Lunney had joined the business in 1995 as an ambitious 26-year-old management consultant. He was hired to help run Quinn Insurance

Ltd., which had grown from covering Quinn's fleet of green cement trucks to become a car and home insurer in the U.K. Soft-spoken and shy, Lunney impressed Quinn with his work ethic and eye for detail. Like his boss he'd grown up on a borderland farm, the bookish one among 10 siblings, some of whom would also end up working for the area's most successful businessman. When Quinn decided to move part of his family's wealth offshore, into real estate in Russia and India, it was Lunney he sent to scout out opportunities.

Lunney was one of three locals who managed the boss's empire. Quinn Group's chief executive officer, Liam McCaffrey, hailed from Enniskillen. Its chief financial officer, Dara O'Reilly, was from a few miles away, in County Cavan. Quinn called the management team his "boys." Within the company they were known as the "Holy Trinity," according to the authors of *Citizen Quinn*.

"I was always very greedy," Quinn said, winding up his speech at the Slieve Russell. "I was never happy with what we had." That insatiable appetite would prove to be his downfall. Unknown to most of the audience, Quinn had secretly made a huge, personal bet on Anglo Irish Bank, right before the biggest banking crisis of the modern era.

The trade, using instruments called contracts for differences, meant Quinn didn't have to buy shares or declare his position. He'd make money if the stock rose and owe money if it fell. When the 2008 crash hit, and Anglo shares started to plummet, Quinn doubled down, increasing the position, and taking hundreds of millions of euros out of his insurance company to cover the cost. Where others might have cut their losses, Quinn could see only the upside. The lower Anglo Irish shares went, the more he stood to make when they recovered.

They never did. The bank was nationalized in January 2009, leaving Quinn's companies owing €2.4 billion (\$3.1 billion) to the Irish state, plus an additional billion or so to various banks and bondholders. (After the crisis he'd appear in *Forbes* magazine again, this time under the headline "Sean Quinn: The Biggest Loser.") When it became clear his companies couldn't repay the loans, creditors pushed for



a reorganization, but Quinn refused, insisting he deserved a second chance.

On April 14, 2011, he was summoned to Anglo Irish's headquarters in Dublin for a 9:30 a.m. meeting. As he made his way toward the capital, a convoy of bankers, lawyers, and security personnel was headed in the opposite direction, toward Quinn's headquarters in Derrylin.

Flanked by Lunney and O'Reilly, Quinn sat down across from a former government minister who'd recently been appointed a director of the nationalized bank. The official told Quinn that Anglo Irish had reached a deal with his creditors. They'd seized control of Quinn Group and its operations. A judge had already signed the necessary court order. "Why?" Quinn asked, after a moment of stunned silence. "We're happy to pay all your money back."

"It's done, Sean," the official replied.

The seizure of the Quinn companies took a single day. Security teams swept the offices, and a locksmith changed the locks. Lunney and the other members of the Holy Trinity were fired, replaced by outside managers appointed by the creditors.

The staff seemed shocked rather than rebellious.

The first indication that Quinn's supporters wouldn't go quietly came a few days later. More than a hundred people turned up in Derrylin at 7 a.m. to deliver a letter of protest. In the excite-

"I was always very greedy. I was never happy with what we had"

ment they forced their way past security guards and into the building. During that first week someone stole a large dump truck, crashed it into the front gates, and left it there, blocking the entrance. When the regular driver was asked to move it, he refused, saying, "I can't. I'm going to be targeted."

Meanwhile, Quinn was campaigning to be reinstated, using a tire factory owned by Tony Lunney, one of Kevin's brothers, as his base of operations. Tony, who still worked at Quinn Group, was given the nickname "Tony Two-Phones" by the new management—they thought he had one handset for work and another for updating Sean Quinn. Tony Lunney denies this, via ►

◀ a QIH spokesman, saying his second phone was a BlackBerry for email.

The Quinn camp sent letters to politicians and church leaders, decrying the great man's treatment, and websites sprang up with incendiary allegations about the new leaders. Meanwhile, minor acts of sabotage occurred on an almost weekly basis: There were cut power cables, blocked thoroughfares, and arson. It was impossible for the incoming management to know exactly who was behind the vandalism, beyond that it was being carried out by Quinn's supporters. (Quinn denies any



knowledge of or involvement in vandalism or any other criminal activity.) Despite everything that had happened—or perhaps because of it—he remained a revered figure in the area.

A significant proportion of the once-impooverished region's residents owed Sean Quinn their livelihood. His former companies employed more than 1,000 workers in the border counties and many more elsewhere in Ireland and the U.K. Those not directly employed fed off the Quinn economy, whether pubs and restaurants or gas stations and real estate agents. Some locals even credited Quinn with halting the mass emigration that had drained other parts of the country of working-age citizens and separated parents from their children.

In July 2012 thousands thronged the streets of Ballyconnell for a rally. Holding back tears, Quinn led a

march through the town—his wife, Patricia, by his side—as supporters waved handmade placards denouncing the bank “scam” that had robbed him of his fortune. A priest gave a speech in Quinn's honor, as did Mickey Harte, the manager of Tyrone, a championship-winning Gaelic football team. “Evil prevails when good people do nothing,” Harte said to roars of applause.

Away from the border, Quinn battled to hold on to whatever he could. Hundreds of millions of dollars' worth of Quinn family real estate was shuffled between offshore jurisdictions and out of the grasp of exasperated government debt collectors. Quinn denied any knowledge of the transactions, but a judge didn't believe him, and in November 2012 he was sentenced to nine weeks in prison for contempt of court. The decision only served to heighten his martyrdom. Local songwriter Barry Murray penned a protest song. “Exploitation. Isolation. Defamation. Incarceration. Trial and tribulation be,” ran the chorus. “Sean Quinn will get his victory, just you wait and see.”

For the bankers and lawyers brought in to salvage Quinn's former business, it was hard to understand the outpouring of emotion for a man who, by his own admission, had risked it all on a gamble. But the perceived persecution of this proud republican by powerful outside forces echoed the history and character of the region. During the 1970s and '80s, when the Provisional IRA fought an armed rebellion against British security services and loyalist paramilitaries, the border was a focal point for violence. Fermanagh gained a fearsome reputation for Irish Republican Army activity, standing alongside Bogside and Armagh as place names synonymous with terror. Police dared not linger, speeding through in armored cars, while the army blew up roads to stop the flow of guns and gunmen across the border.

In Quinn Country, everyone knew someone who had taken up arms or even taken a life. They were neighbors, friends, and business partners. And all along, Quinn thrived. In his 1987 book, *Walking Along the Border*, Colm Tóibín

recounted the story of how Quinn had once punched a British soldier at a checkpoint and escaped without retaliation because of his standing in the community. In Tóibín's telling, though Quinn was a nationalist, he was more interested in "making money and having a good time" than political causes.

Many of the executives brought in by creditors to run Quinn's former companies were outsiders, from Dublin, London, or Glasgow. They'd been warned about the region's reputation but were still taken aback by the hostility they encountered. While the new CEO was on vacation in 2011, his car was set on fire by two men in balaclavas. Later, two executives having dinner at a local Chinese restaurant received an anonymous phone call. "Leave or you'll be killed," they were told. In 2013 officers of An Garda Síochána, Ireland's National Police and Security Service, visited board members to warn them that their lives were at risk. A gangster named Cyril "Dublin Jimmy" McGuinness had been released from prison and was rumored to have allied himself with a pro-Quinn faction.

McGuinness was infamous in Ireland—a wild-eyed career criminal who'd been convicted for stealing farm machinery, dumping toxic waste, perjury, assault, and forgery. During the Troubles he'd worked for the IRA, according to media reports. Now, the police said, he was a hired gun, issuing death threats and doling out attacks for a few thousand euros at a time.

Shaken, the executives tightened security measures and focused on trying to sell off the business to repay creditors as quickly as possible. Some assets were successfully sold, but just as often, when they were closing in on a deal, the interested party was threatened and ended up walking away. When rival cement producer Lagan Group entered talks about a potential merger, its chairman got a rifle bullet in the mail, with a ransom-style message pasted together out of newspaper cuttings: "[IS] [THIS] [WHAT] [U] [WANT]."

By the middle of 2014, the total number of attacks against the former Quinn companies and competitors

had reached 70. Neither the police nor private security contractors found any hard evidence of who was directing the campaign. Few people were willing to help investigators in an area where informing had historically carried a death sentence. The *Irish Times* called it a "conspiracy of silence." If the same thing happened in Dublin at the regional headquarters of Microsoft Corp., the newspaper wrote, it would be treated as a national emergency.

With potential buyers for Quinn businesses deterred by the threat of violence, an opportunity arose that once seemed inconceivable: the return of Sean Quinn. Backed by a group of local businessmen, Quinn's three lieutenants—McCaffrey, O'Reilly, and Lunney—formed an entity called Quinn Business Retention Co., or QBRC, to bid for the company's assets. Quinn himself would return to the top of the business, everyone involved in the bid agreed, once his legal problems were resolved. First, QBRC needed to find financial backing.

By now the company's fate resided in the hands of three American hedge funds—Brigade Capital Management, Silver Point Capital, and Contrarian Capital—which had bought up Quinn Group debt on the cheap. When they learned that former Quinn executives were interested in buying back parts of the business, they offered to team up and bankroll the acquisition. Under the terms of the proposed deal, Lunney and the others would get a generous salary and a minority stake in the new enterprise. But there was one condition: Sean Quinn couldn't be involved.

The U.S. investors, who among them managed a total of \$15 billion, had no desire to get into business with Quinn, in their eyes a former convict who was still officially bankrupt. After some persuasion from the QBRC team, they agreed to employ Quinn as a consultant at €500,000 (\$600,000) a year, but he was barred from owning shares. With little choice, Quinn reluctantly agreed. In December 2014, QBRC and the hedge funds finalized a deal to buy the construction materials and packaging businesses for €85 million. The new company would be called Quinn Industrial Holdings, or QIH. ▶



▲ The Holy Trinity: McCaffrey (top), O'Reilly, and Lunney

The following week, Lunney, McCaffrey, O'Reilly, and the other new directors were in the boardroom when they heard a cheer erupt from the floor below. "What's that?" someone asked. "I think I know," McCaffrey said. One of the group went down and saw Quinn, a smile on his face, walking around the office with a silver tray of whiskey and beer, handing out drinks. The executives looked at one another. None of them had invited him.

As far as the American owners were concerned, Quinn's role was largely ceremonial. The press, however, followed his lead. "Return of the King," read a headline in the *Sunday Business Post*. Another paper described the event as "the second coming."



▲ Cyril "Dublin Jimmy" McGuinness

Quinn still saw himself as the boss, and it quickly became clear that he was unwilling to play any other role. He made his disdain for the QIH deal plain at the first meeting, in January 2015, when he sat down, scowling, in his familiar seat at the head of the boardroom table. Things were going to go back to the way they were, Quinn announced, with him in charge. Lunney, McCaffrey, and the rest were being paid too much, he said, and he didn't approve of them owning shares when he didn't. "You're a shower of grabbers," he fumed, according to several people present.

A few weeks later, after the owners agreed to sell the flagship glass business

to a Spanish conglomerate, Quinn raged in the QIH boardroom, in front of the buyer's chairman. "Youse are all f---ing gangsters," he said.

Quinn was convinced he'd been sidelined, and any meeting he attended after that quickly descended into recrimination. When he was angry, he had a habit of referring to himself in the third person. "When Sean Quinn says he is going to do something, Sean Quinn does it," he growled, telling the Holy Trinity they had "got to go." During one encounter, Lunney grew visibly upset and pleaded with his former mentor to be reasonable. Instead, Quinn wrote to the hedge fund owners, accusing Lunney and the other managers of fraud and self-dealing (allegations the Americans investigated and concluded were unfounded).

For the first time, Lunney, McCaffrey, and O'Reilly experienced what it was like to be an enemy of Sean Quinn in Quinn Country. Signs were erected in Derrylin saying, "Vultures out" and "Money grabbing traitors and informers." A website was set up by an entity calling itself the Cavan, Fermanagh, Leitrim Community Group, hailing Quinn for creating a "beautiful industrial oasis" and attacking the scavengers circling to "feast on this tasty carcass."

"There's no mistake that Cromwell is indeed alive and kicking in our own backyard," a contributor wrote, evoking the republican boogeyman, Oliver Cromwell, who led the English forces that brutalized Ireland in the 17th century.

In December 2015, Lunney discovered a pig's head in his front garden after the company Christmas party. His young children were with him at the time.

Eventually, the owners—Brigade, Silver Point, and Contrarian—agreed to fly over and meet Quinn face to face. All three were seasoned distressed investors, accustomed to volatile situations—but this was something else. In a Dublin hotel, the funds' representatives assured Quinn they wouldn't be around forever. If he bided his time and worked with the management team, they said, there might be a pathway for him to regain ownership. Quinn responded

by demanding the Holy Trinity be fired.

“We view your requests as unreasonable,” the hedge funds wrote to Quinn in a joint letter, seen by *Bloomberg Businessweek*, dated May 5, 2016. They dismissed the former owner’s claim that locals were upset about his treatment. “The hurt you refer to can only reflect your own frustrations, as we can assure you there is absolutely no evidence of any widespread ‘hurt’ in the local community.” Quinn wrote back saying he would continue to work at the business, whether they paid him to or not. Later that month his consulting contract was terminated.

For the next two years, Quinn holed up in his sprawling home next to the Slieve Russell, the hotel he once owned, maintaining a low profile while sporadic acts of violence and intimidation continued. Then, in the spring of 2019, word got around that QIH’s hedge fund owners had appointed an investment bank to explore sale options. If the deal went ahead, it would take the company even further out of Quinn’s reach and leave his supporters facing a future in which the area’s most important company resided permanently in the hands of outsiders.

A few months later, in September, Lunney was abducted as he drove home from work. He gave an account of what happened to a Northern Ireland edition of *Spotlight*, a BBC current affairs program—the only time he has spoken publicly about the incident. Asked by *Businessweek* about that version of events, Lunney, through a company spokesman, didn’t refute it but declined to be interviewed.

Inside the Audi’s trunk, Lunney thought about his wife, Bronagh, and their six children. Freeing his hands, he found a latch and popped open the trunk. He waved his arms, but passing drivers either didn’t see him or pretended not to.

The Audi slowed, and Lunney jumped, tumbling out into the road. But the car stopped, and one of the men got out and threw him back inside, slamming the trunk. As they sped off again, Lunney heard the men talking into a cellphone: “Boss, the man has resisted.”

Eventually the car pulled over. Lunney had a few seconds to take in

what looked like an overgrown farmyard before one of the men put a bag over his head and marched him through a door into an enclosed space. When they yanked up the bag, Lunney, the farmer’s son, recognized immediately he was inside a wooden horse trailer, its interior painted blue.

The captor with the Stanley knife approached and said, “You know why you are here.” Lunney said he didn’t. “It’s because of QIH. You’re going to resign.” Lunney agreed that he would. “Give me your fingers,” the man said. He pushed the blade under Lunney’s fingernails, drawing blood, while his two companions held Lunney’s arms. One of them talked about needing bleach. They put the bag back over Lunney’s eyes and bound his hands with cable ties. It was growing dark outside. Two of the men got up and left. Lunney heard them start the Audi and drive away. He bowed his head and silently began to pray.

When Lunney’s captors returned, they poured bleach over his hands then rubbed it into his bloody fingernails with a cloth. The pain was so great and the bleach fumes so strong, Lunney thought he might pass out. The kidnappers cut the cable ties binding his hands and slashed off his clothes, leaving him shivering and bloody in a pair of boxer shorts.

“Have you done his face?” one of the men asked. They squirted bleach into his eyes and mouth. “You’re going to resign,” they kept saying. “Tell the others to resign. We know you. We’ve been watching you.”

I’ll do anything you say, Lunney pleaded.

But there was more. One of the men took out what looked like a wooden bat and struck Lunney’s leg as hard as he could. “Did it break?” the man holding him up asked. To be certain, they hit Lunney in the same spot. The pain was a hundred times worse.

Before they could let Lunney go, they explained, they needed to mark him. The leader slashed his face with the knife then took the blade to his chest. “Just so you remember why you are here,” he said, as he carved three letters into Lunney’s flesh: Q I H.

They dragged Lunney to another vehicle and drove him to a remote country lane. “If you turn around and

look at this van, we’re gonna shoot you,” one of the masked men told him. “If we hear of you giving a statement to [the Garda], we’re gonna shoot you.”

Lunney was left alone, bleeding and half-naked, at the side of a road. A car flew past. The adrenaline of the attack was wearing off, and the pain of his injuries roared to the surface. After what seemed like hours, he spotted a light up ahead, probably a house, and began crawling toward it.

Two weeks later, Father Oliver O’Reilly addressed the attack on Lunney during Sunday Mass at Our Lady of Lourdes Church in Ballyconnell. Standing in front of a carved wooden pulpit and wearing a green chasuble, he delivered the sermon, his words echoing around the church.

“This senseless atrocity follows years of threats, abuse, lies, and various forms of violent intimidation against the directors of Quinn Industrial Holdings,” O’Reilly said, looking out at the congregation. “There has been a Mafia-style group with its own ‘Godfather’ operating in our region for some time.” Behind it all is a “powerful paymaster and his criminal gang.” He called on his parishioners not to ignore the “cancer of evil in our midst” and criticized those who had stoked hatred with angry speeches at public meetings.

Even though his name wasn’t mentioned, Quinn was furious. He visited the priest to tell him he had “no hand, act, or part” in what had happened to Lunney. Then he complained to a more senior member of the Catholic Church. That clergyman appealed to Quinn not to say anything that could be interpreted as incitement. “If telling the truth is incitement, I’m guilty,” Quinn replied.

Shortly after the kidnapping, another rally was held in Quinn Country, this time in support of Lunney and his colleagues. For years, residents on the border had stayed quiet as acts of violence were carried out on their doorsteps, either out of loyalty to Quinn or in fear of the repercussions. But with Lunney’s attack, something changed. Hundreds marched to Derrylin, including QIH employees dressed in high-visibility yellow vests, for an event attended by politicians from both sides of the border. Lunney, still recovering, stayed at home. ▶

◀ After almost a decade of apparent inaction, police in the Republic and Northern Ireland announced an unprecedented cross-border operation to hunt for the perpetrators. At dawn on Nov. 8 they descended on a quiet street in Buxton, in northern England, and broke down the door of the house where Dublin Jimmy, the ex-IRA gangster, was hiding out. While police searched the property, Dublin Jimmy sat on the sofa with a cup of tea, smoked three cigarettes—then collapsed from a heart attack. He was pronounced dead at 10 a.m. Officers recovered documents, computers, and several mobile phones from the house.

Later that month four men were arrested and charged over the assault and false imprisonment of Lunney. They're scheduled to stand trial in 2021. At the time of writing, they had yet to issue a plea. Meanwhile, Quinn Country remains as troubled as ever. In February a car belonging to a QIH family member was firebombed, ending a brief respite after Lunney's kidnapping. "The community is divided," said Tony Doonan, a member of the pro-Quinn CFL Community Group and a regular

at Quinn's weekly card game. "The last time it was as toxic as this was 30 years ago, when British soldiers were here."

Back at Quinn headquarters, the QIH directors have no plans to resign. They are living with police protection, security cameras, and panic buttons but say they won't be driven out. "It's now about the whole reputation of the area," said CEO McCaffrey in an interview with *Businessweek* in February. "Is this the kind of standard that we have? The thought of this activity being allowed to succeed is just wrong."

Opposite the boardroom, Quinn's old office sits empty. More than two years have passed since he was pushed out of the company, yet the room remains exactly as he left it. A stack of business cards bearing the founder's name sits on the table, next to a calculator and a list of phone numbers. The only visible luxury is a well-worn leather chair.

Quinn's seven-bedroom house is on the outskirts of Ballyconnell, next to a wind-swept lake just south of the Irish border, a few miles from where he grew up. Built in 2006,



at the peak of his success, the property has its own leisure complex, indoor putting green, and helipad. From the outside, however, it retains an austere quality, its stone walls reflecting the color of the sky and the lake. To gain entry, visitors pass through a cast-iron gate and make their way down a winding driveway. On a February morning, Quinn opened the double-height wooden door and beckoned *Businessweek* reporters to come inside, away from the sleet and rain.

For years, as his empire was expanding, Quinn shunned interviews. Before 2008, “I wouldn’t have done 10 interviews in 30-odd years,” he said, leading the way along a marble corridor into the kitchen and to a dining table overlooking the water. “We always felt that action was better than words, you know?” He’s 73 now and seems determined to regain control of the narrative. He’s working on a documentary that he hopes will counteract what he sees as the lies in the media.

Patricia, whom Quinn married before the first factory was built, brought tea and biscuits on a china plate. Quinn looked tired as he described his early years. “I’d no experience in business, just picked it up as I went along and made plenty of mistakes and learned from them,” he said. He never expected to become as successful as he did but credits his ability to foresee big economic trends and a fierce desire to win. “It’s not the money. The money was never important to me.”

When the conversation turned to his Anglo Irish trades, Quinn became more animated. “I should have pulled back at a certain stage,” he conceded, his dark eyes fixing on a spot on the window. “Cut, and just lose my billion. I have to accept that,” he said. What he’s never been willing to accept is the way the politicians from Dublin and foreign financiers broke up and sold off the business he built from nothing. “If you have a business that went from £8,000 of profit in 1973 to £550 million of profit in 2007, and never had any issue with dishonesty or fraud, why would you close it down?” he asked. “It just makes no sense.”

In Quinn’s view, the deal Lunney and the other directors struck with the U.S. investors was designed to exclude him. “You wouldn’t believe how they treated me,” he said, becoming indignant as he recounted being barred from meetings. “I was the small boy, and they were the men in charge.” The ultimate betrayal, in Quinn’s eyes, was the sale of the glass business before he’d had a realistic

“I was the small boy, and they were the men in charge”

chance to mount his own bid. Lunney, McCaffrey, and the rest were running QIH into the ground, he said.

Asked about the violence and intimidation that had been directed at his rivals, Quinn walked across the kitchen, picked out a toothpick from a packet, and sat back down. “Let’s put it this way: In order to run a business, you need some fundamentals. And the fundamentals would be respect,” he said. “And if the staff and the community knows that they have knifed Sean Quinn in the back and taken his business, are they going to support them?”

Quinn, pressed on whether he had any personal involvement in any of the attacks or menacing behavior, removed the toothpick from his teeth and reeled off a list of the allegations made against him: “Sean is disruptive ... Sean’s responsible; he’s the paymaster; he’s this, that, and the other,” he said, with a wry laugh. “They can say whatever they want, but there’s no evidence to support any of it. None. And let me tell you. You won’t find it. You won’t find it.”

Lunney’s abduction was stupid and barbaric, he said, and it has damaged the Quinn family’s standing in the area. “But all those directors know I had no hand, act, or part” in it. As the interview concluded, the conversation turned to whether Quinn had any desire to return to the business, after all that had happened. “I don’t think so,” he said. Well, perhaps, he clarified, if someone came to ask for his help. “It’d depend on the conditions.” **B** — *With Rodney Edwards*

Burglary Isn't What It Used to Be

By Justin Fox

Crime of all kinds has declined a lot in the U.S. over the past quarter century, but no other crime has seen quite the collapse that burglary has. The rate is now about one-fifth what it was in 1980 and is still decreasing. Why have burglars fallen on hard times?

It's probably not policing, because only 13.9% of burglaries resulted in an arrest in 2018, a percentage that's barely budged in decades. And until recently, it wasn't home security systems either. When criminologist Scott Decker was interviewing burglars for the 1994 book *Burglars on the Job: Streetlife and Residential Break-ins*, they told him that they targeted houses with alarm-company signs on them because those were more likely to have valuables inside, plus the alarms were seldom turned on. Decker, now an emeritus professor at Arizona State University, believes the new generation of internet-enabled, cellphone-directed alarm systems and doorbell cameras are much more effective. "This is an area where technology really has played a role in consistently knocking down burglary rates," he says.

Opportunity plays a role, too. Cash has long been a favorite burglary target, and people are less and less likely to have lots of it in

the house. As the victim of a stereo burglary when I was a teenager in the late 1970s, I also have the sense (and it's supported by property-loss statistics from the Federal Bureau of Investigation) that today's electronics devices make for less attractive burglary targets than those of past decades because they quickly become out-of-date.

Opportunity also matters in the sense that people have other ways to make money. One 2009 study found an association across multiple countries between falling burglary rates and rising consumer confidence, indicating that a stronger economy

may lure would-be burglars into legitimate work. New opportunities for other illicit work, from drug distribution to identity theft, have also opened up.

That's not to say burglary has gone away. It's still the second-most-common crime tracked by the FBI, after simple theft. And while Covid-19 and the accompanying stay-at-home orders brought residential burglaries (which accounted for 65% of the total in 2018) to a near standstill this spring, they appear to have enabled a boom in commercial burglaries. **B**

—Fox is a columnist for Bloomberg Opinion

Burglaries reported to the police per 100,000 population

U.S.



By nation in 2018

England and Wales	715
Australia	675
Switzerland	456
Canada*	433
Germany	393
U.S.	376
Netherlands	369
Spain	323
Italy	316
Singapore	4

*FIGURE AS OF 2017. DATA: FEDERAL BUREAU OF INVESTIGATION, UNITED NATIONS OFFICE ON DRUGS AND CRIME



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