

Forward.com

Top Pinto Aide Tied to Porn Sales and Legal Troubles

By Josh Nathan-Kazis

Published April 06, 2011, issue of [April 15, 2011](#).

In early 2005, porn producer and actor Ashley Gasper realized that someone was bootlegging his films. Counterfeit copies of “Jules Jordan’s Flesh Hunter 6” and “Jules Jordan: Feeding Frenzy 2,” among other titles, were showing up among the DVDs being returned to his distributor.

According to a recent decision issued by the U.S. Court of Appeals for the Ninth Circuit, Gasper soon learned that a Montreal firm was making illicit copies of the movies and selling them to wholesalers. The primary client of the Montreal bootlegger was a New York-based company called Direct Distributors, Inc., run by a young Israeli named Ben Zion Suky.

Suky, now a real estate developer, isn’t just another businessman involved in two litigious industries. He’s also the right-hand man to a powerful Sephardic kabbalist rabbi with growing influence among Israel’s political and business elite and in the American Jewish community.

So close is Suky to [Rabbi Yoshiyahu Yosef Pinto](#) that he owns property with the rabbi’s wife. He is the rabbi’s translator, gatekeeper and conduit to the outside world in America.

But while Pinto is revered in the United States and Israel for his financial advice, especially in real estate, Suky’s own real estate business has faced a string of lawsuits, foreclosures and legal judgments. And while Pinto is an ultra-Orthodox rabbi, his adviser’s involvement in the pornography industry would seem to run counter to the tenets of modesty espoused by traditional Judaism.

Suky did not respond to three requests for comment about this story. A telephone call to Suky was disconnected after a reporter identified himself, and a subsequent call was not answered. Efforts to ask Pinto how these revelations would impact his relationship with Suky were unsuccessful after e-mails and phone calls to the public relations firm representing the rabbi went unanswered.

One evening in February, Suky stood in the foyer of the rabbi’s Manhattan townhouse, watching as Pinto stepped haltingly down the stairs from the building’s second floor.

As the rabbi reached the ground floor, Suky and another Pinto follower each took one of his hands, bent and pressed them to their lips.

Suky is 33 years old, though he looks younger. Raised in Petah Tikva, an Israeli city near Tel Aviv, he moved to the United States 17 years ago. He has been associated with Pinto for a decade, and for the past year he has been “next to him all the time,” in his own words.

In fact, Suky — whom Pinto calls “Bentzi,” a diminutive of Ben Zion — appears to be Pinto’s closest adviser in the United States. Suky and another adviser serve as the administrators of Mosdot Shuva Israel, Pinto’s Manhattan yeshiva, according to an employee of the organization. An agent at a public relations firm that represents the rabbi identified Suky as the firm’s point of contact with him. Suky serves as the rabbi’s

translator. At a recent evening lecture at the yeshiva, Suky stood behind Pinto while the rabbi spoke, and then helped regulate access to the rabbi as followers approached for blessings.

Pinto's bearing is of a person with little engagement in the mundane business of everyday life, but Suky is every bit the modern operator. Though the two are relatively close in age — Pinto is only 37 — they could hardly look more different. The rabbi wears the black hat and dark coat of the ultra-Orthodox; Suky a jacket over an open shirt in the modern Israeli style. The rabbi has an unruly black beard; Suky wears a light stubble on his baby face. The rabbi makes intermittent eye contact and speaks little English; Suky is fluent, effusive and earnest.

Their lives seem particularly intertwined, even for a rabbi and his close disciple. In 2006, Suky and the rabbi's wife, Debora Rivka Pinto, together purchased an apartment in a condominium on East 83rd Street. Both of their names appear on the deed. The rabbi's wife signed power of attorney over to Suky in all matters relating to the property, which was purchased for \$979,047. It's unclear whether either ever lived in the apartment. Since the purchase, the board of the condominium has twice placed small liens on the property for failure to pay common charges.

In an interview with the Forward in February, in which Suky translated and expanded on Pinto's pronouncements, Suky said: "The rabbi's personal life is very, very, very Orthodox and very, very —let's say, right [-wing]." But, as for others, he continued, "The rabbi believes one thing: that you must respect every person for what he lives and what he [is] and how he lives his life."

That sort of laissez-faire attitude toward his disciples' actions may be particularly relevant in the case of Suky. Until 2008, Suky was a principal of Direct Distributors LLC, a Manhattan-based wholesaler of pornographic DVDs.

In 2004, Suky bought thousands of adult DVDs from the Canadian supplier that was accused by producers and distributors of adult videos of bootlegging. A June 2004 invoice from the supplier filed as an exhibit in a case in U.S. District Court in the Southern District of New York gives a sense of what he was distributing: 71 copies of "Only the Best of Seymour Butt 8," 250 copies of "Taboo 1," 150 copies of "Natural Wonders 13," among tens of thousands of other titles. The order totaled \$14,308.

Direct Distributor's location on West 36th Street is now shuttered. An employee at a retail store that specializes in adult videos and is located down the block from Direct said that Suky's firm specialized in cheaper, lower-end DVDs — what the employee, who gave his name as Nick Pere, called "catalog titles," as opposed to new releases.

In fact, some of Direct's low prices could have been due to its relationship with Alain Elmaleh, owner of the alleged bootlegger of adult films in Montreal.

In a 2006 deposition filed in a case in U.S. District Court in New York's Southern District, Suky described meeting Elmaleh and a colleague in New York. Elmaleh told Suky that he had "a lot of movies" and "novelties" to sell. Later, Suky would place orders over the phone and they would be delivered by van to his Manhattan office. In the deposition, Suky said that no one ever explained to him why Elmaleh's DVDs were so cheap, and that he never asked.

Direct Distributors was named as a defendant in civil cases brought by John Stagliano, Inc., the company that distributed Gaspar's films, and by Studio A Entertainment, Inc., another producer of pornographic films, for its role as a distributor of the bootlegged pornographic DVDs. All cases appear to have ended in settlements.

A brief filed in the Ninth Circuit Court of Appeals by attorneys for Gasper's production company, Jules Jordan Video, Inc., states that Direct Distributors was erroneously told that Elmaleh's firms owned the rights to the DVDs they were selling. But in one 2006 filing in a case against Elmaleh, Suky and others by Studio A Entertainment, Elmaleh, his firms and a colleague allege in a cross-claim that Suky and Direct Distributors "knew or reasonably should have known" that the DVDs were bootlegs. The district court's online case docket does not show a response by Suky or Direct Distributors to the cross-claim.

A jury eventually awarded a multi-million dollar judgment to Gasper and Jules Jordan Video, Inc., portions of which have been overturned by successive rulings. An August decision by the U.S. Court of Appeals for the Ninth Circuit reinstated part of the verdict and referred another part back to a lower court.

The bootlegging cases weren't Direct Distributor's only legal problems. A 2010 case against Suky and the firm, brought by TD Bank, N.A. over an unpaid debt of \$73,840 plus interest, ended in a settlement.

And in July 2008, a state court issued a \$46,000 judgment against the firm following a complaint claiming a debt by Pure Play Media, Inc., a large pornography producer. Soon after, a newly created distributor of pornographic films called New Media, Inc. set up shop in the former offices of Direct Distributors. Pure Play attempted to collect its debt from New Media, saying that Direct Distributors had simply changed its name. But New Media principal Chaim Cohen argued that he had no relationship with Direct, and a New York State Supreme Court judge agreed with him.

New Media has since closed the West 36th Street storefront, but a company with the same name is now producing its own pornographic films. Adultdvdempire.com, an online retailer of adult films, lists 72 titles produced by New Media in the past few years. New Media maintains records at an address in Chatsworth, Calif. — the epicenter of the American porn industry — that's also been listed as an address by other companies owned by Cohen.

Though a court determined that Cohen had no involvement with Suky's wholesale DVD company, the two were business partners in a number of real estate ventures throughout Manhattan. Involved in the same real estate deals is Pinto supporter Yossi Zaga, who donated the Manhattan townhouse where Pinto lives.

A number of properties that Suky developed in the heady New York real estate boom just before the economic collapse have gone bust. Cohen and Zaga were involved in some of those deals.

Among the most troubled of the partners' properties is a condominium that Suky developed in 2007 at 215 East 81st Street. An online real estate listing for the property, which was marketed as The Duplex, described it as a luxury development, a "boutique 8 floor New Condominium conversion" with two-story apartments that "will feature top of the line finishes."

In recent years, East 81st LLC, the company created to develop The Duplex, and Suky, Zaga and Cohen, have been the subject of two foreclosure actions and numerous other lawsuits regarding the building.

In May 2009, Suky, Zaga, Cohen and others were named as defendants in a foreclosure suit filed in state court by Bank of America after East 81st, LLC defaulted on a loan of which the three men were guarantors. In a court filing, East 81st, LLC, Suky and Zaga challenged the bank's claims, arguing, among other things, that the bank breached its fiduciary duty to the defendants, that its claims are barred by fraud and that the bank failed to act in a "reasonable and commercial manner." The current disposition of that case is unclear.

In November 2010, a firm called Petermark II, LLC sought to foreclose on the building following a default on a \$2.5 million debt. In a filing in that case, Victor M. Metsch, an attorney for the building's board of managers —

which is also a defendant — alleges that Suky and Zaga did not complete promised work on the building, did not address Fire Department and Department of Buildings violations, and did not pay common charges owed on certain units in the building in November and December 2010. No response to those allegations appears in the court's online docket for that case. That case is still pending.

In a third case relating to the building, a firm called Capital Construction Management of New York, LLC won an \$899,000 judgment against East 81st, LLC after checks written by the developer to the construction management firm failed to clear. In a March filing in that case, the attorney for Capital asked that the court hold East 81st, LLC in contempt of court for failing to comply with a subpoena, and that it order Suky to appear for a deposition for which he had previously failed to appear. Suky's attorney responded with a date in late May by which Suky would appear for deposition.

In a fourth case, the board of managers of the condominium at the troubled building brought an action against Suky, Zaga, Cohen and East 81st, LLC, alleging that the sponsor had failed to keep up the building. The defendants disputed the board's characterization of the condition of the property. A stop-work order was placed on the property in January 2010 by the Department of Buildings, and the court eventually appointed a monitor, who issued a May 2010 report that broadly condemned the developers. Among other things, the report stated that East 81st LLC "retained weak development professionals or no professionals at all," including "an expeditor who was not able to expedite." The monitor characterized the developer's failure to respond to questions as "bizarre." A receiver was also appointed by the court. That case is ongoing.

Suky's attorneys, Israel Goldberg and his partner, Robert Rimberg, could not be reached for comment.

In an unrelated March 2010 judgment, Suky, Zaga and Cohen were ordered to pay \$318,786 plus interest by the New York State Supreme Court after a real estate firm operated by Suky, called Livorno Properties, LLC, failed to pay rent on its East 52nd Street office and then failed to pay a \$138,000 settlement with the landlord, an entity called Plaza 52, LLC. Plaza 52 could not be reached for comment.

Back in Pinto's dining room, Suky sat close to the rabbi. Focused and self-possessed, there was no sense that the disciple translating for his boss — the business adviser to real estate magnates — was himself tangled in millions of dollars of lawsuits over real estate deals gone wrong. But Suky himself was aware, and the rabbi's words that evening might have brought him some comfort.

"Life is like a circle," Suky said, translating for the rabbi. "Sometimes a person can be on the bottom of a circle and sometimes a person can be on top of the circle, and when you're on the bottom of the circle you should hold on to it, because when a circle goes up[,] you're going to go up with the circle."

Contact Josh Nathan-Kazis at nathankazis@forward.com or on Twitter [@joshnathankazis](https://twitter.com/joshnathankazis)

The Forward welcomes reader comments in order to promote thoughtful discussion on issues of importance to the Jewish community. In the interest of maintaining a civil forum, the Forward requires that all commenters be appropriately respectful toward our writers, other commenters and the subjects of the articles. Vigorous debate and reasoned critique are welcome; name-calling and personal invective are not. While we generally do not seek to edit or actively moderate comments, the Forward reserves the right to remove comments for any reason.

COMMENTS

There are no comments posted yet. [Be the first one!](#)

POST A NEW COMMENT

Comment as a Guest, or login:



Name

Displayed next to your comments.

Email

Not displayed publicly.

Submit Comment

Copyright © 2011, Forward Association, Inc. All Rights Reserved.
