

SUPREME COURT: STATE OF NEW YORK  
COUNTY OF BROOKLYN, PART 19

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

-AGAINST-

INDICTMENT # 110/2017

MSR ELECTRICAL CONSTRUCTION CORP.,  
AND MICHAEL RIGLIETTI,

DEFENDANTS.

-----X

**STIPULATION FOR DEBARMENT**

WHEREAS, the Kings County District Attorney's Office ("KCDA") conducted an investigation of the above defendants for electrical work performed on numerous public schools financed and overseen by the New York City School Construction Authority ("SCA"). KCDA also conducted an investigation of the above defendants for electrical work performed at several Metropolitan Transit Authority ("MTA") locations and electrical work performed at Creedmore Psychiatric Center which are financed and overseen by the MTA and by the Office of General Services ("OGS"), respectively. By contract and law, electrical workers on those project were required to be paid the prevailing wages; and

WHEREAS, the KCDA's investigation concluded with the above indictment detailing that the defendants underpaid prevailing wages and supplements to workers employed in the performance of numerous SCA jobs, at least one MTA

job and at least one OGS job and that Michael Riglietti submitted false certified payroll reports in furtherance of this theft; and

WHEREAS, the above defendants have pleaded guilty to:

Defendant Michael Riglietti and defendant MSR Electrical Construction Corporation pleaded guilty to Grand Larceny in the Second Degree PL Section 155.40(1), a class C felony, and violation of Labor Law Section 220(3)(d)(i)(3), a Class D felony.

NOW, THEREFORE,

Pursuant to Section 220-b(3)(b) of the New York State Labor Law, it is stipulated and agreed that as a result of this plea and as a result of their willful violation of Labor Law Section 220 et. seq. and the submission of false certified payroll records by Michael Riglietti to the SCA, the MTA and OGS, the defendants Michael Riglietti and MSR Electrical Construction Corporation, its officers, directors, shareholders, and/or any successor or substantially owned affiliated entities (as defined in Labor Law Section 220(5)) to defendant corporation and Michael Riglietti, individually, are debarred from submitting a bid on or being awarded any public work contract or sub-contract within the State of New York for a period of five (5) years from 3/28/18, the date of sentencing, until \_\_\_\_\_. The defendants, MSR Electrical Construction Corporation and Michael Riglietti, agree that they will be placed upon the New

York State Department of Labor's Debarred list of Contractors as of \_\_\_\_\_, and they shall remain on that list until \_\_\_\_\_.

Defendants MSR Electrical Construction Corporation and Michael Riglietti, agree that any application for a Certificate of Relief for Civil Disabilities made under Article 23 of the New York State Corrections Law must specifically provide that the certificate shall not relieve the defendants, Michael Riglietti and MSR Electrical Construction Corporation, its officers, directors, shareholders, and/or any successor or substantially owned affiliated entities (as defined in Labor Law Section 220(5)) to defendant MSR Electrical Construction Corporation of the disability or forfeiture from the debarment period of \_\_\_\_\_ through \_\_\_\_\_ as set forth in the above paragraph.

Pursuant to Section 220(8) of the New York State Labor Law, the defendants MSR Electrical Construction Corporation and Michael Riglietti are entitled to a hearing prior to the issuance of an order by the Commissioner of Labor of the State of New York ("Commissioner") as to the Labor Law issues set forth herein and are also entitled to seek judicial review of such order pursuant to Article 78 of the New York State Civil Practice Law and Rules. The defendants MSR Electrical Construction Corporation and Michael Riglietti hereby waive their rights to a hearing and judicial review and consent that this agreement (and any further documents that the Commissioner may require to be executed in

accordance with this agreement) will have the full force and effect of an order by the Commissioner and that this stipulation may be converted into an order of the Commissioner under Article 8 of the New York State Labor Law. If the Commissioner converts this stipulation into an Article 8 order, the defendants MSR Electrical Construction Corporation and Michael Riglietti, waive any right to appeal such order.

IN WITNESS WHEREOF,

Dated: 11/15/17

Michael Riglietti  
Michael Riglietti, as 49% owner, officer and shareholder of MSR Electrical Construction Corporation

Dated: 11/14/17

Debra Martinez  
Debra Martinez, as 51% owner, officer and Shareholder of MSR Electrical Construction Corporation

On the 14 th day of November, 2017, before me came Debra Martinez, representing to be the individual described herein and to be 51% owner, officer and Shareholder of MSR Electrical Construction Corporation, authorized to enter into the above Stipulation for Debarment on its behalf, and who executed the foregoing instrument and acknowledged to me that she executed same

Damani Christopher Sims  
Notary Public

Damani Christopher Sims  
New York county  
Registration No. 102516314461  
Expiration: 11/10/2018

Dated: 11/15/17

MR  
Michael Righetti, Individually

SWORN TO IN OPEN COURT:

Dated: 11/15/17

[Signature]  
Honorable Justice Danny K. Chun

HON. DANNY K. CHUN  
JSC