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Appraiser Nicolo hires high-profile attorney

Assessment case defendant pleads not guilty

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Appraiser John E. Nicolo has hired a high-profile lawyer from New York City to defend him in a property-tax assessment scandal involving Eastman Kodak Co. and several municipalities.

Nicolo appeared Tuesday in U.S. District Court in Rochester with Joseph Tacopina, who has been retained by a young woman accused of breaking up the marriage of supermodel Christie Brinkley and represented Bernard B. Kerik in the matter of Kerik's hiring an illegal immigrant as a nanny, which scuttled his nomination as secretary of homeland security.

Tacopina entered a plea of not guilty on Nicolo's behalf to an expanded indictment handed up in May that charged Nicolo and two co-defendants with kickbacks and money-laundering involving Kodak, the towns of Greece and Henrietta, the city of Rochester and a municipality in Colorado.

After the arraignment, Tacopina said he intends to vigorously represent Nicolo and doesn't anticipate a plea deal. "We're going to trial," he said.

Tacopina, who is seen frequently on television as a legal analyst, said the case against Nicolo isn't open and shut.

"It's a massive case by way of thousands of documents," he said. "But it is not a complex case. There is no reliable evidence of his guilt."

Tacopina, whose courtroom style was the model for a lawyer on the former CBS-TV series *The Guardian*, said the case will be decided by the evidence.

"Whether it is federal court, Supreme Court or a food court, the case comes down to the evidence, not to slick lawyering," he said.

Nicolo, 73, is charged with conspiring with former Kodak executive Mark S. Camarata to bilk Kodak by receiving inflated contracts to do assessments, then receiving kickbacks. The indictment alleges that Camarata, who has pleaded guilty, and Nicolo conspired with former Greece Assessor Charles A. Schwab to manipulate assessments.

Co-defendants Schwab and former Kodak executive David N. Finnman have pleaded not guilty.

Nicolo was originally scheduled to be arraigned in June. But Judge David G. Larimer granted him several extensions to find a new lawyer to replace another New York City firm he relieved, citing irreconcilable differences.

Nicolo said a friend referred him to Tacopina and he retained Tacopina last week after meeting with him several times in New York.

"I was looking for a lawyer who was honest, competent and fair," he said. "I've found him."

Tacopina will represent Nicolo on the criminal charges and in a civil lawsuit filed by Kodak against Nicolo.

A profile last year in *The New York Times* said Tacopina is a clever lawyer who focuses on his image. "Mr. Tacopina is to the defense bar what Donald Trump is to real estate," the profile said.

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What's next

John Nicolo returns to court Nov. 20 on the criminal charges and Sept. 15 on a civil lawsuit filed by Kodak in an attempt to seize Nicolo's assets.

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